



INTERNATIONAL LABOUR OFFICE

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305th Session

Governing Body

Geneva, June 2009

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**Minutes of the 305th Session  
of the Governing Body of the  
International Labour Office**



## **Minutes of the 305th Session of the Governing Body of the International Labour Office**

The 305th Session of the Governing Body of the International Labour Office was held in Geneva, on Friday, 19 June 2009, under the chairmanship of Mr Zdzislaw Rapacki (Poland), and Ms Maria Nazareth Farani Azevêdo (Brazil).

The list of persons who attended the session of the Governing Body is appended.



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**MINUTES OF THE 305TH SESSION  
OF THE GOVERNING BODY OF THE  
INTERNATIONAL LABOUR OFFICE**

Geneva, Friday, 19 June 2009

**First item on the agenda**

ELECTION OF THE OFFICERS OF THE  
GOVERNING BODY FOR 2009–10  
(GB.305/1)

1. *A Government representative of Bangladesh* announced the Government group's nomination of Ms Maria Nazareth Farani Azevêdo, Ambassador and Permanent Representative of Brazil, for the post of Chairperson of the Governing Body for 2009–10. The Governing Body could count on Ms Farani Azevêdo's already substantial diplomatic career and experience in international negotiations, notably as President Lula's chief negotiator in his action against hunger and poverty initiative. The group was certain that the Ambassador possessed the negotiating skills, diplomacy and sense of humour required to be a most effective Chairperson of the Governing Body
2. *The Employers' and Workers' group spokespersons* seconded Ambassador Farani Azevêdo's nomination.
3. *Mr Carlos Roberto Lupi, Minister of Labour and Employment of Brazil* thanked the three groups for according the honour of chairing the Governing Body to his country.
4. *The Regional Coordinator for the Americas*, speaking on behalf of the Group of Latin American and Caribbean States (GRULAC), thanked the outgoing Chairperson, Ambassador Rapacki of Poland, for his tireless pursuit of consensus, his plain-speaking and his humour. In view of the Ambassador's excellent command of Spanish, the speaker regretted his own inability to say some words of thanks in Polish.
5. GRULAC considered it a great honour for the region that the Ambassador of Brazil should take the Chair of the Governing Body for 2009–10. The Conference had just concluded a discussion on gender equality, and it was therefore all the more appropriate that a woman should be appointed to this post, only the third ever to hold it. Ms Farani Azevêdo had been Ambassador in the speaker's own country, Uruguay, and had wide experience of the multilateral system, both in the World Trade Organization and in the Human Rights Council.
6. Brazil was a beacon for other countries of the region, and was particularly appreciated by Uruguay. President Lula, certainly one of the best Brazilian statesmen of the country's entire history, and a true citizen of the world, had laid out a moral for all countries when he stated before the International Labour Conference that "a people that forgets its past is condemned to relive it". The social policies he was implementing, firmly based on rights and principles at work, were an example to other countries of the region. Ambassador Farani Azevêdo was a worthy representative of her country and of her President. This, allied to her human and personal qualities, would make her an excellent Chairperson of the Governing Body of the ILO.

**Governing Body decision:**

7. *The Governing Body elected Her Excellency, Ambassador Farani Azevêdo of the Federative Republic of Brazil, as Chairperson of the Governing Body for the 2009–10 period.* (GB.305/1, paragraph 3.)
8. *Ambassador Rapacki, outgoing Chairperson of the Governing Body*, said that his period as Chairperson had been defined by the global financial and economic crisis. The 303rd Session of the Governing Body (November 2008), had held an extensive discussion on the crisis following the collapse of Lehman Brothers triggering major lay-offs worldwide. The Governing Body had received visits from United Nations Secretary-General Ban Ki-moon, the President of the Government of Spain, Mr José Luís Rodríguez Zapatero, and the Secretary-General of the Organisation for Economic Co-operation and Development (OECD), Mr Angel Gurría. The Officers of the Governing Body had subsequently produced a statement on the crisis, identifying six priority areas for action on jobs. This statement formed the basis of subsequent work and for the Global Jobs Pact.
9. The March Governing Body held a high-level meeting on the crisis, which received a keynote address by the Managing Director of the International Monetary Fund (IMF), Mr Dominique Strauss-Khan. The conclusions of this discussion summarized points of convergence, and the work then passed seamlessly from the Governing Body to the Conference and the Committee of the Whole, a continuity made more certain by the presence of the Officers of the Governing Body as Officers of that Committee. The job now before the Governing Body was to translate the Global Jobs Pact into reality.
10. Holding the Chair of the Governing Body had been an unforgettable experience and a lesson in the importance of tripartism and of consensus building. At such times of excitement, rumours tended to fly around, including that of the demise of the Chairperson of the Governing Body. Luckily, this had proved premature. Ambassador Rapacki warmly thanked the Employers' and Workers' groups for their support, as well as the European Union (EU), the Industrialized Market Economy Countries (IMEC), the African region, GRULAC and the Asia-Pacific region.

*(Ambassador Farani Azevêdo took the Chair of the Governing Body.)*

11. *Ambassador Farani Azevêdo, Chairperson of the Governing Body*, thanked the Americas group, and especially Brazil's neighbouring countries in Latin America and the Caribbean, for their support for her. She expressed particular gratitude to Uruguay. During the course of its 90 years' history, the ILO had played a role in overcoming the difficulties shared by employers, workers and governments worldwide, in the face of serious economic, political and social crises. Since its creation, the Organization had served always as an open and democratic forum, devoted to constructive debate of the crucial events of history. It would no doubt continue to contribute to ensuring that women and men throughout the world had access to decent work and thus to resolving the present crisis. Through the Director-General's efforts, the ILO was at the heart of deliberations on a new world governance, participating in the discussions of the G20 and of the UN General Assembly. The Global Jobs Pact represented a commitment of a stature to confront the present crisis. However, careful attention must be devoted to the wide-ranging effects of the crisis: studies had shown that women in the labour market were more vulnerable at such times. The words of President Lula to the International Labour Conference guarded against heightened prejudice in respect of millions of immigrants struggling to find jobs. Forced labour and child labour also gave rise to concern. The ILO must ensure that adult unemployment did not force children into employment. The developing world would be particularly hard hit by the crisis; South-South cooperation would be of great importance in helping the employers, workers and governments of these countries to find solutions to their problems.

The effective implementation of the ILO Declaration on Social Justice for a Fair Globalization had become more crucial still.

**Governing Body decision:**

12. *The Governing Body re-elected Mr Daniel Funes de Rioja (Employer, Argentina) and Sir Roy Trotman (Worker, Barbados) as Employer and Worker Vice-Chairpersons, respectively, of the Governing Body for the 2009–10 period.* (GB.305/1, paragraph 3.)

**Second item on the agenda**

APPROVAL OF THE MINUTES OF THE 304TH SESSION  
OF THE GOVERNING BODY  
(GB.305/2)

**Governing Body decision:**

13. *The Governing Body approved the minutes of its 304th Session, as amended.* (GB.305/2, paragraph 3.)

**Third item on the agenda**

QUESTIONS ARISING OUT OF THE 98TH SESSION OF THE INTERNATIONAL LABOUR  
CONFERENCE, REQUIRING IMMEDIATE ATTENTION  
(NO DOCUMENT SUBMITTED)

14. *The Employer Vice-Chairperson* commented that the facilities in the *Palais des Nations* left much to be desired. He referred to the state of washrooms and to the lack of food and beverage outlets during long working sessions in particular. A remedy should be sought for future Conferences. Another aspect that required attention was the preparation and briefing of the chairpersons of the committees; there were still ways in which the Working Group on the Functioning of the Governing Body and the International Labour Conference could make improvements in this field. Time management was another area in which progress could be made. The Committee on the Application of Conventions and Recommendations had held sittings until 4 a.m., while the Committee of the Whole had also gone long over time on occasions. This was not a question of extending the Conference, but more of the manner in which presentations were made.
15. Regarding the content of the Conference, the group supported the second discussion, to be held at the 99th Session (2010), on HIV/AIDS and the Employer Vice-Chairperson drew attention to the launching of an important publication on the subject, at the initiative of the International Organisation of Employers and of the Pan-African Employers. Beyond the work of the Conference, the Office must take tripartite action to effect a culture shift regarding HIV/AIDS.
16. The discussion of the Committee on Gender Equality had also been of the utmost importance, and it was clear that the recovery of the economy and of employment must be achieved with full respect for fundamental principles and rights at work.
17. The Employers' group was satisfied with the Global Jobs Pact. The Director-General should now communicate the Pact to the governments of all member States, inviting them

to take effective action, concurrently with the social partners, to ensure implementation. Member States should report back to the Office, and follow-up would accordingly be possible at the November Governing Body session. The Director-General should also ensure that the requirements of the employers' and workers' organizations should be met to enable them to be fully prepared for implementation of the Pact, through the action of ACTRAV and ACT/EMP, but also through technical cooperation, and the provision of a "toolkit" of Office expertise.

18. The Employers' group believed that the presence of the ILO at the G20 Summit meetings should be tripartite, reflecting the ILO's special advantage. This would enable the social partners to contribute to the measures to be taken by governments in restoring economies. A first requirement was the restoration of confidence, which could only be achieved if all sectors of society were involved. The Employers' group did not wish recovery to be selective. It should be for all countries and for all sectors. The group would work at national, regional and international levels in this sense.
19. On a practical note, it was important that information on the operation of labour markets should be available in real time: this provided a true indication of production. The constituents were real economy actors and needed to follow market developments closely. The ILO should seek the cooperation of the OCDE, the World Bank, the IMF, and also of regional development banks, which provided the strategic possibility of obtaining information on small enterprises, crucial to action to be taken. Above all, support should be given to promoting sustainable enterprises, which were essential to generating decent work. The Global Jobs Pact had the group's backing; now it was time to put it into action.
20. *The Worker Vice-Chairperson* said that suggestions that Conferences should be shorter were contradicted by the obvious need felt for in-depth discussion during the event, which could lead to debates lasting into the early hours of the morning. Countries from the developing world, which previously had been content to listen to debates, and then report on them once back home, were now demanding their own space, and insisting on active participation. It was important that the time should be available for participants truly to make up their minds, and that a decision-making process should not be launched precipitately before adequate, democratic discussion had been held.
21. The Workers' group had always felt that it could count on the backing of the Employers regarding HIV/AIDS. The group acknowledged that the Employers had excellent programmes on the issue at enterprise level in some countries, and would not oppose the Employers if they moved that the result of the second discussion on the subject were to be a Convention rather than a Recommendation. As President Lula had said, a rule was of little use if it were unenforceable.
22. The Committee on Gender Equality had produced a resolution and a set of conclusions that should be closely implemented. The crisis was however exacerbating other forms of discrimination – against migrant labour, ethnicity, race, colour, country of birth. The job of the ILO was to reduce the pain and injury the crisis was likely to cause. Consequently, the group applauded the efforts engaged by the Director-General and the secretariat to make possible the discussion on the crisis held at the Conference. As the Employer Vice-Chairperson had said, it was now time for action.
23. The question was how the Pact was to be promoted when the ILO met with other agencies. The choice of the form of a resolution for the Pact had been made to strengthen the position of the Director-General and of the ILO in general, and to enable delegates at the Conference to return to their governments with a clear indication of the work required at government level. Equally, the Pact set out work to be undertaken by Employers and by Workers. Another question that needed to be addressed was obviously the conflict between

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a demand for more work at a time of financial crisis. A more intelligent approach to work was called for, without abandoning the values of the ILO.

24. A *Government representative of Canada*, speaking on behalf of IMEC, expressed appreciation of the Conference and remarked on its high-level participation. IMEC welcomed the resolution on recovering from the crisis, a Global Jobs Pact, which provided the ideal basis for practical work aimed at recovery and sustainable development. This must now be translated into action. The Office should respond immediately to the requests of constituents for technical assistance in recovering from the crisis and assessing the impact of different policies, and report on progress at the November Governing Body.
25. The highly successful Global Jobs Summit achieved near perfect time management, demonstrating that, with careful planning and the cooperation of all, work could be completed within allocated time limits and plenary discussions could attract high-level participation and large audiences. The Office should be congratulated on this organization and on its efforts to keep governments informed as the agenda of the Summit evolved. Attempts to include the key ideas expressed at the Summit in the conclusions presented to the Conference had however been less successful.
26. The outcomes of the discussion on gender equality would guide constituents and the Office to work further towards attainment of the Millennium Development Goals and towards realizing gender equality in the world of work. While the Committee completed its work successfully, in some cases the shortened time allocated to discussions did not allow issues to be discussed in sufficient depth, including during consideration of amendments on some key sections of the Committee's conclusions.
27. Time management issues gave rise to many night sessions and the Committee would have benefited from an initial presentation by the Office on its mandate and working methods. This kind of briefing was particularly important when dealing with multidimensional issues, such as HIV/AIDS, where many participants were not familiar with ILO procedures, and the issues went beyond the scope of the ILO's mandate. IMEC welcomed the coordination between Government groups in this Committee and anticipated continued cooperation at next year's discussions. Overall, the Office should ensure that technology to assist discussions of amendments was available in all future committees and in particular in standard-setting discussions. Chairpersons should be fully briefed on their tasks before beginning work, and should have assistance from experts on process and substance throughout.
28. Further opportunities for better use of technology, such as making amendment forms available online or electronically should be introduced. IMEC appreciated the implementation of the group's request for more efficient voting procedures in the Conference plenary.
29. The Working Group on Working Methods of the Committee on Application of Standards should adopt measures to improve the scheduling of cases and to establish time limits for interventions. An electronic timing system should be introduced and enforced consistently. The group had repeatedly called for better time management in this Committee: the scheduling of 14–16 hour working days was unacceptable for all concerned.
30. When evening meetings were unavoidable, including for drafting groups, the Office should ensure that catering was available. Washroom facilities must remain open at all times during the Conference.

31. All reports for committee discussions must be available at least eight weeks before the Conference. The report on gender had been distributed too late to allow sufficient time for government and tripartite consultations at the national level. Posting new guides and information on the Conference and committee procedures on the web site was very useful, but the service was insufficiently advertised. The Conference web site should be made user friendly and introductory briefings should be provided to participants in the committees.
32. Document distribution should be done in a manner that reduced waste. IMEC suggested examining the possibility of splitting reports into more general and more specific parts, to enable a more targeted use of documents. Further efforts should be made to reduce, reuse and recycle. The ILO's publication, printing and distribution policies should be reviewed to take into account impacts on the environment. Conference participants had responsibility in this respect also. The experiences of this Conference should be analysed by the Working Group on Improving the Functioning of the Governing Body and the International Labour Conference.
33. *A Government representative of Spain* reaffirmed his Government's cooperation with, and support for, the ILO. The adoption of the Global Jobs Pact brought the Organization face to face with another reality: how to finance its implementation? How, for example to achieve an action as vast as the coordination of national policies? The task entrusted to the ILO by the London G20 Summit was entirely unforeseen, and therefore without the least provision in the programme and budget that had just been adopted by an overwhelming majority at the Conference. Everyone, and in particular governments, should be aware that this represented an additional burden on the regular budget. In his closing remarks to the Conference, the Director-General had referred to two regional organizations that could effectively help to implement the Pact. Other regional, subregional and even local entities could be mentioned. In Spain, the autonomous communities had the competence to determine active employment policies, and they should be included in the Joint ILO–Spain Commission to allow their decentralized cooperation to come into play alongside the bilateral, centralized state cooperation. National parliaments could also be involved, as they had been by the World Bank through its network of parliamentarians, or by the World Trade Organization.
34. Eighty-seven years previously, Mr Largo Caballero, Workers' delegate of Spain to the International Labour Conference, and subsequently Minister of Labour under the Second Spanish Republic, described the Employers and Governments as a "parcel of laziness, indifference and negligence". Today, the same Mr Caballero would be pleased to see the manner in which laziness had become diligence; indifference, agreement; and negligence, responsibility. The Office and its Director-General were to be congratulated on having faced the danger of organizing such a high-risk Conference, and for having brought it to a successful conclusion.
35. *A Government representative of South Africa* stressed the excellent job performed by the ILO PROTOCOL team throughout the Conference.

#### **Fourth item on the agenda**

##### WORKING PARTY ON THE FUNCTIONING OF THE GOVERNING BODY AND THE INTERNATIONAL LABOUR CONFERENCE (GB.305/4)

36. *The Worker Vice-Chairperson* said that he supported the establishment of a Working Party on the Functioning of the Governing Body and the International Labour Conference as part of the follow-up to the ILO Declaration on Social Justice for a Fair Globalization, 2008.

However, he was concerned that the broad mandate proposed for the Working Party could be damaging to the tripartite structure of the ILO, which allowed representatives of the social partners to form part of the Organization's decision-making body. It was essential to safeguard at all costs the original mandate of the ILO, which was to develop standards, monitor their implementation and provide technical cooperation to member States. In that regard, the new Working Party should be a purely advisory and ad hoc body and it should not have too broad a membership, as that would dilute its mandate and make its meetings nothing more than general meetings. He proposed that subparagraphs 7(a) and (c) of the document submitted by the Office should be amended to read:

- (a) establish a Working Party on the Functioning of the Governing Body and the International Labour Conference to consider how the governance functions of these could be improved in the light of the ILO Declaration on Social Justice for a Fair Globalization, 2008;

...

- (c) request the Working Party to report to the Governing Body at subsequent stages, including to the 307th Session of the Governing Body (March 2010).

**37.** *The Employer Vice-Chairperson* expressed support for the statement made by the Worker Vice-Chairperson and for the proposed amendments to subparagraphs 7(a) and (c). The Working Party that was under consideration should not replace the Governing Body, but should facilitate its work, insofar as it could suggest ways to tackle the constituents' main concerns. Given that it was necessary to review the functioning of the Governing Body and the International Labour Conference, the Working Party could be useful in that regard, if the proposed amendment was adopted.

**38.** *A Government representative of Bangladesh*, speaking on behalf of the Government group, reiterated the importance that it attached to the Working Party and said that the Government members would meet to discuss the proposed amendment put forward by the Worker Vice-Chairperson. The Government group would, in turn, like to propose the following amendment to subparagraph 7(b):

- (b) decide that this Working Party should consist of 16 Government, eight Employer and eight Worker members to be appointed by each group prior to the 306th Session (November 2009) of the Governing Body and that the Working Party should be open-ended to allow all members to participate as observers with the right to speak, it being understood that broad and inclusive consultations regarding its work would take place;

**39.** Accordingly, paragraph 6 of the document should be replaced by the following sentence: "In the light of the experiences of the Steering Group on the Follow-up to the Declaration".

**40.** The Government group also wished to propose the addition of a subparagraph (d) to read:

- (d) decide to review the terms of reference of the Working Party after two years, i.e., during the 312th Session (November 2011) of the Governing Body.

**41.** The speaker said that there was growing concern among the Governments that their voice was increasingly being restricted within the Organization. He reiterated that the core Working Party should comprise 16 Government members, eight Employer members and eight Worker members, and that, in an important negotiating body such as the Working Party, all constituents should be entitled to participate on a voluntary basis and to speak.

**42.** *A representative of the Director-General* said that the term of office of the current Governing Body ended in June 2011 and that any action taken by a working party of the current Governing Body had to be taken within that Governing Body's lifespan. That had

been the usual practice to date, although the Governing Body could decide things differently. The working parties of the Governing Body usually had an equal number of participants from each of the three groups of constituents. However, the Governing Body was free to decide otherwise in that regard as well. A decision to establish an open-ended working party would not pose a problem for the Office. However, such a working party would clearly be more like a committee of the whole.

43. *The Employer Vice-Chairperson* said that, considering that the term of office of the current Governing Body ended in June 2011, it would be neither legally nor ethically acceptable to take a decision *ultra vires* with respect to the Working Party. He stressed that the aim of establishing the Working Party was to get together and find solutions which could be presented to the Governing Body. However, if the size of the Working Party required such broad participation that it ultimately ended up being no different to the Governing Body, it would be more appropriate for the discussion to be held in the Governing Body itself. Taking note of the concern expressed by the Government group with regard to governance, he said that, as the envisaged reforms related to issues of governance, it would perhaps be useful to rethink the strategy and discuss the issue in depth in a plenary sitting of the Governing Body. The purpose of the Working Party was to provide guidance and find solutions. If that was not possible through a working party, the alternative was to do what he had suggested, unless there were any other ideas.
44. *The Worker Vice-Chairperson* endorsed the statement made by the Employer Vice-Chairperson.
45. *A Government representative of South Africa* said that the proposal to allow all members to participate in the Working Party was not new, as it stemmed from a previous discussion, in which it had received broad Government support. At that time, the social partners had also supported the format of having a core group and allowing all members to participate. He was therefore surprised that there was now some opposition to a decision of the Governing Body. He said that the Working Party should consist of a core group and that other member States should be allowed to participate, as had happened in the past.
46. *A Government representative of France* said that the Government group had presented the proposal to add subparagraph (d) in order to remove any ambiguity, as the point for decision did not make it clear whether the Working Party was to be ad hoc or permanent. It was his understanding that the Working Party could continue to function after the end of the term of office of the current Governing Body, but that the current Governing Body would not be able to adopt the review clause that would make it possible to carry out a review and a general discussion. Under the circumstances, the timeframe for reviewing the Working Party's terms of reference could be brought forward to coincide with the term of the current Governing Body.
47. He was aware that the social partners were constantly encouraging the Governments to become more actively involved in managing the affairs of the Organization. However, the Governments were constrained by the fact that there was no Government group in the sense that there was an Employers' group or a Workers' group. In order for Governments to put forward a common position, the most that could be done was to improve coordination through regional groupings, although such a participatory approach had its limitations. The Steering Group on the Follow-up to the 2008 Declaration was composed of 16 Government representatives and 16 representatives of the social partners – with an equal number of representatives from each of the two groups – as well as observers. That format had met with broad support and was the same as what was now being proposed. He urged the social partners to agree to reconsider their initial positions, in the light of the experience gained with respect to the Steering Group.

48. A *Government representative of Peru* said he understood that the proposal submitted by the Government group was based on two key factors. The first was the precedent set by the Steering Group, in which all delegations had the right to take the floor, thus giving legitimacy to the work carried out and the results obtained. The second was the divergence of opinions and positions within the Government group, which made it difficult to reach consensus and could only be reflected if the Governments had greater representation.
49. *The Worker Vice-Chairperson* indicated that, in the 2008 discussion, the Workers' group had adopted a conciliatory position only for the sake of consensus. He was of the view that the Working Party was getting to be such a size that it could assume the rights and responsibilities of the Governing Body, and even oversee and direct the affairs of the Office. If the aim was to reduce the importance of the social partners in the Governing Body, that should be stated without subterfuge. The Workers' group was willing to reach agreement and to participate to that end in a discussion which would enable a decision to be reached on whether the Working Party would have a limited membership or whether all members could participate.
50. A *Government representative of Canada* pointed out that, in the Governing Body, 50 per cent of members were Government representatives, whereas Employers and Workers represented 25 per cent of members each. It should be placed on record that, in accordance with the Standing Orders, the Working Party should have the same composition as the Governing Body itself, unless the Governing Body decided otherwise.
51. A *Government representative of the United Kingdom* supported the statements made by the Government members. Referring to the comment made by the Employers, he recalled that the Governing Body had an obligation under the 2008 Declaration and implementation plan to establish the Working Party. The aim of the current session was to work out the practical aspects relating to that Working Party.
52. A *representative of the Director-General* made reference to the three underlying themes of the discussion. First, the Governing Body's decision to establish the Working Party had met with more or less widespread support and, in fact, stemmed from the implementation plan for the Declaration. Second, with regard to reporting, it had emerged from the discussions that the Working Party would report to the Governing Body from March 2010 until June 2011, and that, at the latter session, a decision would be taken on whether or not the Working Party would continue. The third and only pending issue was that of the composition of the Working Party. The Government group had proposed a composition consisting of 16 Government representatives, eight Employer representatives and eight Worker representatives. As the Employers' group and the Workers' group had agreed with this format for the titular members, the only remaining decision to be made was whether or not the Working Party would accept other participants. Past practice in that regard had been variable. Working parties could have a limited membership and exclude the participation of all non-members, or they could allow other Governing Body members to participate and the titular members could use their discretion when giving them the floor. That was how the Steering Group, to which reference had been made, had functioned. He clarified that those were the alternatives between which the Governing Body now had to choose, unless it decided to postpone the adoption of a decision on the matter until November 2009.
53. Following a short break in the discussion so that consultations could be held, *the representative of the Director-General* proposed that paragraph 7 of the document should contain the following three subparagraphs:

- (a) establish a Working Party on the Functioning of the Governing Body and the International Labour Conference to consider how their governance functions could be improved in the light of the Declaration on Social Justice for a Fair Globalization, 2008;
- (b) decide that the Working Party would consist of 16 Government members, eight Employer members and eight Worker members, to be appointed by each group, prior to the 306th Session (November 2009) of the Governing Body. Other members of the Governing Body could participate in an observer capacity, with permission to speak on authorization by the Chairperson;
- (c) request the Working Party to report to the Governing Body at subsequent stages, including to the 307th Session (March 2010) of the Governing Body.

- 54.** *The Worker Vice-Chairperson* asked whether there were any statutory rules governing the composition of working parties of the Governing Body.
- 55.** *The Legal Adviser* replied that the Standing Orders of the Governing Body indirectly covered the issue of the composition of the committees, subcommittees and working parties established by the Governing Body. According to article 4.2.3 of the Standing Orders, the representatives of Governments, Employers and Workers should have an equal number of votes in the committee unless the Governing Body expressly determined otherwise. That meant that the ratio in those bodies was 1:1:1, as it was in the Conference.
- 56.** *The Worker Vice-Chairperson* pointed out that, if a decision was taken in the present case to keep to 50 per cent representation for Governments and 25 per cent representation for each of the other two groups, it would be possible only because of the goodwill demonstrated by the social partners, rather than because of any obligation.
- 57.** *The Employer Vice-Chairperson* said that, in the same constructive spirit as that shown by the Worker Vice-Chairperson, he accepted the proposal put forward by the representative of the Director-General. He wanted it to go on record that he had accepted not because of any legal obligation but in order to show a spirit of dialogue and consensus.
- 58.** *A Government representative of Bangladesh*, speaking on behalf of the Government group, thanked the Office for having presented a compromise text and appreciated the goodwill shown by the social partners. He trusted that all parties would be amenable to having an inclusive and transparent process, in which there would be room for open consultations, and that it would be fully acceptable for non-members of the Governing Body to participate. He understood that the Standing Orders of the Governing Body imposed certain restraints, but they also left room for flexibility. He was confident that the Chairperson of the Governing Body would know how to guide the debates wisely, so that the spirit of flexibility would prevail and so that the process would be carried out with transparency and inclusiveness.
- 59.** *The Employer Vice-Chairperson* said that the agreement that had been reached related to the terms of the proposal as formulated by the representative of the Director-General and, therefore, the references by the Government group to the transparency of the process and the participation of non-members fell outside the scope of the agreement.
- 60.** *The Worker Vice-Chairperson* endorsed the proposal as it had been read aloud by the representative of the Director-General. The Workers' group had demonstrated its willingness to go beyond what it had been required to do and to move forward with the other parties. That was how the Workers' group understood the notion of transparency.
- 61.** *The Chairperson* indicated her satisfaction at having presided over the meeting at which, faithful to its vocation of dialogue, the Governing Body had reached agreement with regard to the Working Party.

**Governing Body decision:****62. *The Governing Body decided that:***

- (a) a Working Party on the Functioning of the Governing Body and the International Labour Conference would be established to consider how the governance functions of these could be improved in the light of the ILO Declaration on Social Justice for a Fair Globalization, 2008;*
- (b) the Working Party would consist of 16 Government members, eight Employer members and eight Worker members, to be appointed by each group, prior to the 306th Session (November 2009) of the Governing Body. Other members of the Governing Body could participate in an observer capacity, with permission to speak on authorization by the Chairperson;*
- (c) the Working Party would report to the Governing Body at subsequent stages, including to the 307th Session (March 2010) of the Governing Body.*

**63.** Before the Governing Body moved to the next agenda item, *the Worker Vice-Chairperson* drew attention to the fact that his group had been informed that some Governments had issued serious threats of imprisonment and even death against individuals who, in accordance with the ILO Constitution and acting in conformity with human rights principles, had expressed their views in favour of and on behalf of workers. One individual in that situation was Mr Sithole, a member of the Governing Body who had spoken in the Committee on the Application of Standards about an issue concerning workers' rights, and who was being threatened with imprisonment for having publicly ridiculed the Government of Swaziland. Some delegates from Niger to the International Labour Conference were being reproached for having planned to take industrial action in protest against the attempt by the country's constitutional leader to amend the Constitution so that he could run for a further term of office. The speaker urged the Governments and Employers to support the Workers' group in its request to ask the Director-General, together with other United Nations bodies, to write to the Governments concerned asking them to ensure that the delegations were able to return to their respective countries in total safety and enjoy the freedoms that such delegations were usually able to exercise freely. He trusted that he would receive the support he had asked for and expressed in anticipation his thanks to the Director-General.

**64.** *The Employer Vice-Chairperson* took note with concern of the statement by the Worker Vice-Chairperson and confirmed that the Employers' group would support any action that would make it possible to safeguard and guarantee freedom of expression as part of fundamental human rights and fundamental rights at work.

**Fifth item on the agenda**

## REPORTS OF THE COMMITTEE ON FREEDOM OF ASSOCIATION

*354th Report*  
(GB.305/5)

**65.** *The Worker spokesperson of the Committee on Freedom of Association* presented the report on behalf of the Chairperson of the Committee, explaining that the document submitted to the Committee contained 134 cases, of which 26 had been examined with regard to substance. In the cases concerning Argentina (Case No. 2647), Cambodia

(Case No. 2655), Colombia (Cases Nos 2657 and 2662), Georgia (Case No. 2663), Guatemala (Cases Nos 2241 and 2609), Nicaragua (Case No. 2613), Paraguay (Case No. 2648), Peru (Cases Nos 2639, 2640, 2664 and 2671) and the Philippines (Cases Nos 2528, 2652 and 2669), the Committee had noted that, despite the time that had elapsed, it had not yet received observations from the governments concerned and it had launched an urgent appeal to those governments. In Case No. 2654 concerning Canada, the Committee had asked for additional clarifications from both the Government and the complainant.

- 66.** With regard to the follow-up given to its recommendations, the Committee had examined 27 cases in which the governments had informed it of the measures taken to give effect to its recommendations, and it had noted with satisfaction or interest developments in five of those cases.
- 67.** With regard to Case No. 2173 concerning Canada, the Committee had noted with interest the decision of the Supreme Court of Canada, which provided that collective bargaining was guaranteed by the Canadian Charter of Rights and Freedoms, and the agreement between the Government of the Province of British Columbia and the bargaining associations representing health-care workers, which had made it possible to resolve a number of pending issues.
- 68.** The Committee had drawn the special attention of the Governing Body to the serious and urgent cases of Myanmar (Cases Nos 2268 and 2569), Cambodia (Case No. 2318) and the Islamic Republic of Iran (Cases Nos 2323, 2508 and 2567). With regard to Case No. 2318, concerning Cambodia, the Committee had welcomed the decision of the Supreme Court ordering the release of Born Samnang and Sok Sam Oeun. It had regretted, however, the repeated absence of information on the steps taken to investigate the murder of Chea Vichea and two other trade unionists, and had strongly urged the Government to ensure that the investigation into these murders was prompt, independent and expeditiously carried out. It had also strongly urged the Government to ensure that Thach Saveth, who had been sentenced to 15 years' imprisonment for the murder of Ros Sovannareth, in a trial that had lasted one hour and had been characterized by breaches of procedural rules, could as soon as possible exercise his right to appeal before an impartial and independent judicial authority. The Committee had strongly urged the Government to take measures to build its institutional capacity and to institute safeguards against corruption, which were necessary for the independence and effectiveness of the judicial system. As a general matter, it had once again strongly urged the Government to take measures to ensure that the trade union rights of workers were fully respected in Cambodia.
- 69.** The Committee had examined three cases concerning the Islamic Republic of Iran (Cases Nos 2323, 2508 and 2567). In June 2008, the Committee had already drawn the Governing Body's special attention to the situation relating to freedom of association in the Islamic Republic of Iran and had requested the Government to accept a direct contacts mission in respect of the matters raised in the three cases. The Committee had noted with satisfaction the Government's statement that it was in favour of such a mission, and trusted that the mission would be able to visit the country soon and be in a position to assist the Government in achieving significant results with respect to all the serious outstanding matters, especially with regard to the draft labour legislation and principles relating to trade union demonstrations and to the trade unionists who remained in detention. It had once again asked the Government to provide it with copies of any written documents relating to the measures taken to ensure that the competent authorities received adequate instructions for controlling demonstrations, and to inform it of the progress made in the development and adoption by the Ministry of Labour and Social Affairs of a draft code of practice on the management and control of trade union and labour-related protests and demonstrations.

- 70.** More specifically, with regard to Case No. 2323, the Committee had urged the Government to confirm that all charges against Borhan Divangar had been dropped and that his sentence, as well as those of Jalal Hosseini, Mohsen Hakimi and Mahmoud Salehi, had no further validity. Furthermore, the Committee had once again urged the Government to take steps to review the case of the 11 members of the Nationwide Union of the Unemployed and Dismissed Workers of Iran (NUUDWI) and to ensure that they received full compensation for any damages resulting from their period of incarceration.
- 71.** In Case No. 2508, the Committee had urged the Government to take the necessary measures to ensure Mr Osanloo's immediate release and the dropping of any remaining charges. It had also urged the Government to take the necessary measures to ensure Mr Madadi's immediate release and to conduct an independent inquiry into the allegations of ill-treatment to which he had been subjected while in detention.
- 72.** The Committee had urged the Government once again to ensure that the charges against 14 other trade unionists were dropped forthwith and, if any of them were currently being detained, to ensure their immediate release. It had requested the Government once again to take the necessary measures to ensure that the 13 trade unionists found to have been wrongfully dismissed from the Tehran Disputes Settlement Board would be fully reinstated without loss of pay, and had asked to be kept informed of the case concerning Mr Madadi, which had been referred by the State Administrative Tribunal to a parallel disputes settlement board. The Committee had noted with interest that the proposed amendments to the labour legislation should permit trade union multiplicity, including at the workplace and at the national level, but had nevertheless asked the Government to deploy all efforts, as a matter of urgency, so as to allow for trade union pluralism, including through the de facto recognition of the Independent Syndicate of Workers of Tehran Bus Company (SVATH).
- 73.** In Case No. 2567 concerning the allegation of government interference in the elections of the Iran Confederation of Employers' Association (ICEA), its subsequent dissolution by the administration authority and the official backing of a new parallel employers' federation, the Committee had urged the Government to take the necessary measures to register the ICEA and to ensure that it could exercise its activities without hindrance. In addition, it had invited the Government to adopt a position of neutrality and to show no formal or informal preference or favouritism to other organizations. It had underscored the importance of ensuring freedom of association rights for employers' organizations, and trusted that the mission to the Islamic Republic of Iran would be in a position to assist the Government in that regard.
- 74.** The Committee drew the Governing Body's attention to some serious and urgent cases relating to the follow-up given to the recommendations of the Committee and of the Governing Body. In Cases Nos 2268 and 2591, both of which concerned Myanmar, the Committee had deplored the fact that the Government had not taken any steps to release the trade unionists concerned and had failed to implement its recommendations. It had once again urged the Government to release Thurein Aung, Wai Lin, Nyi Nyi Zaw, Kyaw Kyaw, Kyaw Win and Myo Min without delay. In that respect, the Committee had emphasized that member States had a fundamental obligation to respect human rights and trade union rights and that, when a State decided to become a member of the ILO, it accepted the fundamental principles embodied in the Constitution and in the Declaration of Philadelphia, including the principles of freedom of association.
- 75.** The Committee had urged the Government, in the strongest terms, to enact legislation guaranteeing freedom of association to all workers in Myanmar and to ensure that existing legislation impeding freedom of association would not be applied. It had further urged the

Government to issue instructions to its civil and military agents so as to ensure that the authorities fully refrained from any act preventing the free operation of all forms of collective representation of workers, including seafarers' organizations and organizations which operated in exile and which could not be recognized in the prevailing legislative context in Myanmar. It had also urged the Government to take advantage, in good faith, of the technical assistance of the Office.

- 76.** *An Employer member from Colombia*, speaking on behalf of the Employers' group, recalled that, during its two-day meeting, the Committee had examined 27 cases, of which 16 concerned Latin America, four concerned Africa and six concerned Asia and the Pacific. The examination of one case concerning North America had been postponed. The Committee had drawn the attention of the Governing Body to the serious and urgent cases concerning Myanmar, Cambodia and the Islamic Republic of Iran, and especially Case No. 2567 relating to allegations of interference by the Iranian Government in the elections of the ICEA and the subsequent dissolution of that Confederation.
- 77.** The speaker referred to a number of issues which had come to the attention of the Employers' group following a communication sent by the International Organisation of Employers on 16 May 2008. First, the lack of regional balance in the Committee's agenda, which had already been highlighted at the Governing Body session in March 2009, remained a concern, as 16 of the 27 cases reviewed concerned Latin America. Furthermore, of the 19 new cases, nine also related to that region. Similarly, the vast majority of the 134 outstanding cases also concerned Latin America. The Committee should be aware of that imbalance and consider the possibility of modifying the admissibility criteria for new cases.
- 78.** Second, regarding the naming of enterprises in the cases submitted to the Committee, even if progress had been made in Case No. 2556 concerning Brazil, the same could not be said for many other cases such as Cases Nos 2633 (Côte d'Ivoire), 2560 and 2612 (Colombia) and 2594 (Peru). Consequently, the Employers' group requested the Office to avoid naming the involved enterprises in the observations and recommendations contained in the draft working documents.
- 79.** Third, it was very important for the Committee's credibility to take account of the technological and business-related changes of recent decades and to determine on a country-by-country basis whether a service could be regarded as essential or not. The Office should consider the possibility of preparing a paper on developments since the 1950s concerning the concept of essential services, taking such changes into account.
- 80.** Fourth, the Employers placed emphasis on the recognition of national procedures and on the fact that the Committee should not deal with issues in a way that involved interference in national administrative processes or influenced decisions at that level. Nor, in their view, should the Committee examine a case unless all available procedures have been exhausted at the national level, as it would otherwise come across as being a substitute for the national authorities. Similarly, noting that, in many cases, the Committee called on a government to conduct an independent investigation to clarify a certain issue, the Employers' group considered that it was necessary to set some parameters determining the situations in which independent investigations of that kind could be requested and to limit such investigations to exceptional cases in which there were obvious doubts about the independence of the judiciary or the national supervisory bodies.
- 81.** Fifth, the Employers defended the integrity of employers' and workers' organizations and insisted that governments should not interfere in their activities. The Office should make sure that governments notified employers' organizations of cases in which reference was made to private employers, to ensure that they responded to the Committee through the

governments, and that the Committee, in turn, had all the elements needed to deal with the case adequately.

- 82.** Finally, the speaker expressed concern that the Committee was obliged to consider cases without the cooperation of the government with regard to sending information, for example, in Case No. 2601 concerning Nicaragua. The Office might consider contacting the ILO's regional offices to examine the reasons for which governments did not respond to the Committee's request. In conclusion, on behalf of the Employers' group, he recommended that the Governing Body should adopt the 354th Report of the Committee on Freedom of Association.
- 83.** *A Worker member from the United States* said that he would like to respond to a number of the issues raised by the Employers. With regard to the admissibility of cases, it was true that many cases came from the same region, but it was proving very difficult to establish admissibility criteria. Serious violations of trade union rights, including of Conventions Nos 87 and 98, took place in other regions of the world, without being reported. It was to be hoped that cases from those countries would enable the Committee to address itself to those governments and the parties concerned and to examine the allegations in question.
- 84.** With regard to the naming of enterprises, when an enterprise was identified in the allegations, those allegations had to be correctly reported and the observations received from governments or the enterprises concerned had to be fully reflected by the Office in its report; that approach struck a reasonable balance and should therefore be continued.
- 85.** With regard to essential services, the speaker recalled that the conclusions, recommendations and decisions of the Committee since its establishment were contained in a digest, the latest edition of which was dated 2006. Those decisions formed a body of jurisprudence which made it possible to interpret the application of Conventions Nos 87 and 98. Discussions were under way on the nature of essential services as well as on the possibility of maintaining a minimum service.
- 86.** With regard to the Employers' suggestion that the Committee should not interfere in cases until all national procedures had been exhausted, it was clear that the Committee had consistently taken the position that, when it received allegations, it did not necessarily have to wait for a decision to be taken at the national level. In many cases, there were delays, in some cases lasting a decade or more. The Committee should take decisions on the basis of the allegations received and on the responses of the governments and the private sector. It was not a question therefore of waiting until national procedures had been exhausted. That was an essential component. He agreed with the Employers that there were circumstances in which governments interfered with the activities of employers' organizations, but that did not happen very frequently. Cases of government interference generally involved the existence, establishment and applications for the registration of trade unions and requests for collective bargaining.
- 87.** The speaker referred to a comment by the Employers, who had suggested that, in the absence of cooperation and information in the case of one government, the regional office might intervene. He recalled that, when complaints were received by the Office, they were communicated directly to the government concerned and that, when private employers were concerned, the Office asked the government to inform the most representative employers' organization to obtain information from the employers. In many situations, the Committee did not receive adequate information from governments. Complaints were always directed against governments, because that was the nature of the process; it was they who were responsible for making sure that the principles were respected. The Committee had often had to express its regret that the government had not sent

information, and that was clearly stated in the report. The speaker concluded by saying that dialogue with the Employers and Governments within the Committee was generally useful and of a good quality. The Committee's report always represented a consensus of the three groups.

88. *The Employer Vice-Chairperson of the Governing Body* highlighted the fact that the differences between the Employers' and Workers' respective positions demonstrated once again the importance of reviewing the Committee's working methods so that it could continue to be vigilant and relevant.
89. *A Worker member from Pakistan*, with regard to Case No. 2229 concerning Pakistan, supported the Committee's recommendation inviting the Government to review the Industrial Relations Act in the light of the principles of freedom of association.

**Governing Body decision:**

90. *The Governing Body took note of the introduction to the report of the Committee on Freedom of Association, as contained in paragraphs 1–204, and adopted the Committee's recommendations contained in the following paragraphs of the report: 242 (Case No. 2641: Argentina) and 257 (Case No. 2656: Brazil).*
91. *A Government representative from Brazil* thanked the Committee for its examination and its recommendations and indicated that he would endeavour to send the requested information.
92. *A Government representative from Panama*, with regard to Case No. 2677 concerning Panama, said that, as soon as a ruling had been issued by the Supreme Court of Justice, it would be made available to the Committee.

**Governing Body decision:**

93. *The Governing Body adopted the Committee's recommendations contained in the following paragraphs of the report: 271 (Case No. 2318: Cambodia); 289 (Case No. 2476: Cameroon); 304 (Case No. 2465: Chile); 363 (Case No. 2626: Chile); 398 (Case No. 2649: Chile); 423 (Case No. 2653: Chile); 440 (Case No. 2560: Colombia); 484 (Case No. 2565: Colombia); 589 (Case No. 2595: Colombia); 628 (Case No. 2612: Colombia); 680 (Case No. 2668: Colombia); 725 (Case No. 2633: Côte d'Ivoire); 840 (Case No. 2684: Ecuador); 884 (Case No. 2323: Islamic Republic of Iran); 927 (Case No. 2508: Islamic Republic of Iran); 950 (Case No. 2567: Islamic Republic of Iran); 992 (Cases Nos 2177 and 2183: Japan); 1018 (Case No. 2601: Nicaragua); 1036 (Case No. 2677: Panama); 1063 (Case No. 2587: Peru); 1085 (Case No. 2594: Peru); 1116 (Case No. 2581: Chad); and 1149 (Case No. 2672: Tunisia). The Governing Body adopted the 354th Report of the Committee on Freedom of Association as a whole.*

### Sixth item on the agenda

REPORT OF THE DIRECTOR-GENERAL  
(Documents GB.305/6 and GB.305/6(Add.))

#### *Obituaries*

94. The Governing Body paid tribute to the memory of two recently deceased former Chairpersons.

#### **Governing Body decision:**

95. *The Governing Body invited the Director-General to convey its condolences to the family of Mr Vijit Sangtong, who had been a senior official in the Labour Department of Thailand, and Chairperson of the Governing Body of the ILO, and to the Government of Thailand; to the family of Mr Alain Ludovic Tou, who had held various ministerial posts in his country, including that of Labour, Employment and Youth, and had been Chairperson of the Governing Body of the ILO and a member of the World Commission on the Social Dimension of Globalization, as well as to the Government of Burkina Faso.*  
(Document GB.305/6, paragraph 5, and GB.305/6(Add.), paragraph 6.)

### Seventh item on the agenda

REPORTS OF THE OFFICERS OF THE GOVERNING BODY

96. There was no discussion under this agenda item.

### Eighth item on the agenda

COMPOSITION AND AGENDA OF STANDING  
BODIES AND MEETINGS  
(Document GB.305/8)

#### *Committee of Experts on the Application of Conventions and Recommendations*

#### *New appointments*

#### **Governing Body decision:**

97. *The Governing Body, on the recommendation of its Officers, appointed Professor Rachid Filali Meknassi (Morocco), and Professor Paul-Gérard Pougoue (Cameroon) as members of the Committee of Experts on the Application of Conventions and Recommendations for a period of three years.*  
(Document GB.305/8, paragraph 1.)

*Tripartite Meeting of Experts on Strategies for the  
Extension of Social Security Coverage  
(Geneva, 2–4 September 2009)*

*Composition*

**Governing Body decision:**

- 98. *The Governing Body, on the recommendation of its Officers, approved the following composition formula for this Meeting: representatives of 12 employers' organizations and 12 workers' organizations, from both industrialized and developing countries from Africa, the Americas, Asia and the Pacific, Europe and the Arab region, to be nominated after consultation with the Employers' and the Workers' groups of the Governing Body; 12 Government representatives from Brazil, China, India, Peru, Senegal, South Africa, Thailand, United States, Zambia, as well as two European Union (EU) member countries and one other European country. The European countries would be determined by the Regional Coordinators for Europe. (Document GB.305/8, paragraph 4.)***

*Agenda*

**Governing Body decision:**

- 99. *The Governing Body, on the recommendation of its Officers, approved the following agenda for the Meeting:***
- to examine recent trends and developments on various policies aimed at extending social security coverage and building universal, comprehensive and fiscally sustainable social security systems;*
  - to analyse options for the extension of social security coverage to all as outlined in the ILO Constitution and relevant social security Conventions for countries in different economic and social conditions, to serve as a basis for the design of appropriate policies in the framework of the Global Campaign; and*
  - to identify strategies to promote a set of basic social security guarantees that will provide the basis for the gradual move to reach higher levels of protection. This would represent a major contribution towards the achievement of the Millennium Development Goals, the fulfilment of the commitment of the Organization to “the extension of social security to all” as renewed in the Declaration on Social Justice for a Fair Globalization, and strengthening the Global Campaign.*

(Document GB.305/8, paragraph 6.)

*Invitation of intergovernmental organizations*

- 100. *The Governing Body noted that the Director-General intended to invite the following intergovernmental organizations to be represented at the Meeting as observers:***
- European Commission (EC);*

- *International Monetary Fund (IMF);*
- *Organisation for Economic Co-operation and Development (OECD);*
- *United Nations Children’s Fund (UNICEF);*
- *United Nations Development Programme (UNDP);*
- *United Nations Department of Economic and Social Affairs (UNDESA);*
- *Office of the United Nations High Commissioner for Human Rights (OHCHR);*
- *World Bank (WB);*
- *World Health Organization (WHO).*

(Document GB.305/8, paragraph 7.)

*Invitation of international non-governmental organizations  
and national observers*

**Governing Body decision:**

- 101.** *The Governing Body, on the recommendation of its Officers, authorized the Director-General to invite the International Social Security Association (ISSA), HelpAge and Save the Children and national observers, preferably from bilateral donor agencies, to be represented at the Meeting as observers.* (Document GB.305/8, paragraph 9.)

*Workshop to Promote Ratification of the Private Employment  
Agencies Convention, 1997 (No. 181)  
(Geneva, 20–21 October 2009)*

*Composition*

**Governing Body decision:**

- 102.** *The Governing Body, on the recommendation of its Officers, approved the following composition formula for this Workshop: eight representatives of the Workers’ group, eight representatives of the Employers’ group; all interested Governments could also participate in the Workshop.* (Document GB.305/8, paragraph 12.)

*Agenda*

- 103.** *The Governing Body noted that the purpose of the Workshop was to raise awareness of the Private Employment Agencies Convention, 1997 (No. 181), exchange views on its benefits, present good practice and encourage further ratifications.* (Document GB.305/8, paragraph 13.)

*Invitation of intergovernmental organizations*

- 104.** *The Governing Body noted that, in addition to the three international intergovernmental organizations, the invitation of which had already been communicated,<sup>1</sup> the Director-General intended to invite the European Commission (EC) and the Organisation for Economic Co-operation and Development (OECD) to be represented at the meeting as observers.* (Document GB.305/8, paragraph 14.)

*Tripartite Meeting of Experts to Adopt Port State Control Guidelines for  
Implementation of the Work in Fishing Convention, 2007 (No. 188)  
(Geneva, 15–19 February 2010)*

*Composition***Governing Body decision:**

- 105.** *The Governing Body, on the recommendation of its Officers, approved the following composition formula for this Meeting: six Government, six Employer and six Worker experts. The Government experts would be: one from Western Europe; one from Central and Eastern Europe; one from Africa; one from the Americas; and two from Asia. In order to obtain the government nominations, the Director-General intended to approach the Governments of Brazil, Japan, New Zealand, Norway, Russian Federation and South Africa. Should any of those Governments prove to be unable to nominate an expert, the Director-General would approach one of the Governments of the following reserve list: Indonesia, Namibia, Republic of Korea, Peru, Poland and Spain. The Meeting would be open to interested Government observers.* (Document GB.305/8, paragraphs 18.)

*Invitation of intergovernmental organizations*

- 106.** *The Governing Body noted that the Director-General intended to invite the Food and Agriculture Organization of the United Nations (FAO) and the International Maritime Organization (IMO) to attend the Meeting as observers.* (Document GB.305/8, paragraph 19.)

**Information notes**

PROGRAMME OF MEETINGS AS APPROVED BY THE OFFICERS  
OF THE GOVERNING BODY  
(GB.305/Inf.1)

APPROVED SYMPOSIA, SEMINARS, WORKSHOPS  
AND SIMILAR MEETINGS  
(GB.305/Inf.2)

- 107.** *The Governing Body took note of this information.*

<sup>1</sup> The European Foundation for the Improvement of Living and Working Conditions, the International Organization for Migration (IOM) and the World Bank.

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**Annexe/Appendix/Anexo**


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**Bureau international du Travail – Conseil d’administration  
International Labour Office – Governing Body  
Oficina Internacional del Trabajo – Consejo de Administración**

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*305<sup>e</sup> session – Genève – juin 2009  
305th Session – Geneva – June 2009  
305.ª reunión – Ginebra – junio de 2009*

**Liste finale des personnes assistant à la session  
Final list of persons attending the session  
Lista final de las personas presentes en la reunión**

Membres gouvernementaux titulaires Regular Government members Miembros gubernamentales titulares	22
Membres gouvernementaux adjoints Deputy Government members Miembros gubernamentales adjuntos	27
Membres employeurs titulaires Regular Employer members Miembros empleadores titulares	32
Membres employeurs adjoints Deputy Employer members Miembros empleadores adjuntos	33
Membres travailleurs titulaires Regular Worker members Miembros trabajadores titulares	34
Membres travailleurs adjoints Deputy Worker members Miembros trabajadores adjuntos	35
Représentants d’autres Etats Membres Representatives of other member States Representantes de otros Estados Miembros	35

**Membres gouvernementaux titulaires**  
**Miembros gubernamentales titulares**

**Regular Government members**

**Président du Conseil d'administration:**  
**Chairperson of the Governing Body:**  
**Presidente del Consejo de Administración:**

**President**  
**Ms M.N. FARANI AZEVÉDO (Brazil)**

**Afrique du Sud South Africa**  
**Sudáfrica**

Mr S. NDEBELE, Minister, Labour, Permanent Mission, Geneva.

*substitute(s):*

Ms T. NENE-SHEZI, Senior Executive Manager, Ministry of Labour.

*accompanied by:*

Ms F. MNCANCA, Senior Legal Officer, Ministry of Labour.

Ms N. MAMASHELE, Executive Manager, Ministry of Labour.

Ms A. MOILOA, Senior Executive Manager, Ministry of Labour.

Mr S. MOLAPO, Senior Executive Manager, Ministry of Labour.

**Allemagne Germany**  
**Alemania**

Ms S. HOFFMANN, Head of Division, Federal Ministry of Labour and Social Affairs.

*substitute(s):*

Ms F. FITTING, Counsellor, Permanent Mission, Geneva.

Ms J. REHBERG, Desk Officer, Federal Ministry of Labour and Social Affairs.

*accompanied by:*

Ms J. DITTMER, Officer, Permanent Mission, Geneva.

Ms C. STOLTE, Officer, Permanent Mission, Geneva.

**Argentine Argentina**

Sr. D. CELAYA ÁLVAREZ, Consejero, Misión Permanente, Ginebra.

**Australie Australia**

Mr J. SMYTHE, Special Labour Adviser, Permanent Mission, Geneva.

*substitute(s):*

Ms L. MCDONOUGH, Employee Protections Branch, Department of Education, Employment and Workplace Relations.

Mr D. YARDLEY, Director, ILO Section, Department of Education, Employment and Workplace Relations.

**Autriche Austria**

Ms I. DEMBSHER, Head of International Social Policy Unit, Federal Ministry of Labour, Social Affairs and Consumer Protection.

*substitute(s):*

Mr M. WEIDINGER, First Secretary, Permanent Mission, Geneva.

**Bangladesh**

Mr A. ISLAM, Secretary in Charge, Ministry of Labour and Employment.

*substitute(s):*

Mr M. RAHMAN, Deputy Chief (Labour), Ministry of Labour and Employment.

*accompanied by:*

Mr F. KAZI, First Secretary, Permanent Mission, Geneva.

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**Barbade Barbados**


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Mr A. WALTERS, Minister of State.

*substitute(s):*

Mr C. SIMMONS, Permanent Secretary (Labour), Ministry of Labour and Immigration.

Mr V. BURNETT, Chief Labour Officer, Ministry of Labour and Immigration.

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**Brésil Brazil Brasil**


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Mr C. LUPI, Minister of Labour and Employment.

*substitute(s):*

Ms M. FARANI AZEVÊDO, Chairperson of the ILO Governing Body and Ambassador, Permanent Representative, Permanent Mission, Geneva.

*accompanied by:*

Mr M. BARBOSA, Minister's Special Adviser, Ministry of Labour and Employment.

Mr A. PAROLA, Minister Counsellor, Permanent Mission, Geneva.

Ms B. DE SOUZA E SILVA, First Secretary, Permanent Mission, Geneva.

Mr R. LEME, Second Secretary, Permanent Mission, Geneva.

Mr M. CARVALHO, Second Secretary, Ministry of External Relations.

Mr S. PAIXÃO PARDO, Coordinator of International Affairs, Ministry of Labour and Employment.

Mr M. MANESCHY, Press Advisor of the Minister of Labour and Employment, Ministry of Labour and Employment.

Mr M. PANELLA, Chief of Staff, Cabinet of the Minister of Labour and Employment, Ministry of Labour and Employment.

Ms T. TOBIAS, Head, International Advisory, Ministry of Labour and Employment.

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**Burundi**


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**Chine China**


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**Etats-Unis United States  
Estados Unidos**


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**France Francia**


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M. A. ALLO, Conseiller pour les affaires budgétaires, Mission permanente, Genève.

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**Inde India**


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**Italie Italy Italia**


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*accompanied by:*

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Ms C. GAGLIANI, Permanent Mission,  
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**Japon Japan Japon**


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*substitute(s):*

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**Jordanie Jordan Jordania**


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Mr A. MAHMOUD, Head of Inspector Section,  
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**Mexique Mexico México**


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Permanente, Misión Permanente, Ginebra.

*suplente(s) :*

Sra. M. GÓMEZ OLIVER, Representante  
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Sra. M. AMERO COUTIGNO, Ministro, Misión  
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Sr. J. LORENZO DOMÍNGUEZ, Primer  
Secretario, Misión Permanente, Ginebra.

Sr. A. ROSAS RODRÍGUEZ, Subdirector para  
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**Mozambique**


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M<sup>me</sup> F. RODRIGUES, Ambassadrice,  
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**Nigéria Nigeria**


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## Panama Panamá

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Sr. R. AGUILAR JAÉN, Asesor de Asuntos Internacionales, Ministerio de Trabajo y Desarrollo Laboral.

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Sr. R. MONTERREY, Director Nacional de las Regionales, Ministerio de Trabajo y Desarrollo Laboral.

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## Pologne Poland Polonia

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## Royaume-Uni United Kingdom Reino Unido

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## Fédération de Russie Russian Federation Federación de Rusia

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## Singapour Singapore Singapur

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**République-Unie de Tanzanie**  
**United Republic of Tanzania**  
**República Unida de Tanzania**

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**République tchèque**  
**Czech Republic**  
**República Checa**

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**Tunisie Tunisia Túnez**

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**Venezuela (Rép. bolivarienne du)**  
**Venezuela (Bolivarian Rep.)**  
**Venezuela (Rep. Bolivariana de)**

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Sr. R. DORADO CANO-MANUEL, Ministro  
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Representante Permanente, Misión  
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*acompañado(s) de :*

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**Miembros gubernamentales adjuntos**

**Belgique    Belgium    Bélgica**

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**Bulgarie    Bulgaria**

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**Cambodge    Cambodia  
Camboya**

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**Canada    Canadá**

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**Congo**

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**République de Corée  
Republic of Korea  
República de Corea**

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**Cuba**

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**Egypte Egypt Egipto**

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**El Salvador**

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Sr. C. MEJÍA HERNÁNDEZ, Vice-Ministro de Trabajo y Previsión Social.

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Sr. M. CASTRO GRANDE, Ministro Consejero, Misión Permanente, Ginebra.

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**Espagne Spain España**

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Sr. F. ARNAU NAVARRO, Consejero de Trabajo e Inmigración, Misión Permanente, Ginebra.

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**Ghana**

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*substitute(s):*

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Mr A. NII NORTEY, Secretary, National Tripartite Committee, Ministry of Manpower, Youth and Employment.

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**Guinée Guinea**

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*suppléant(s):*

M. M. DIALLO, Directeur national de l'emploi des jeunes, ministère de la Jeunesse, des Sports et de l'Emploi des jeunes.

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**Hongrie Hungary Hungría**


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Ms K. LAKOS, Counsellor, Ministry of Social Affairs and Labour.

*accompanied by:*

Ms P. SVOBODA, Assistant, Permanent Mission, Geneva.

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

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


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Mr A. MOAIYERI, Ambassador, Permanent Representative, Permanent Mission, Geneva.

*substitute(s):*

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*accompanied by:*

Mr K. AHMADI, First Counsellor, Permanent Mission, Geneva.

Mr A. SHAHMIR, Labour Counsellor, Permanent Mission, Geneva.

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**Kenya**


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Ms B. KITUYI, Permanent Secretary, Ministry of Labour.

*substitute(s):*

Mr I. KIRIGUA, Labour Commissioner, Ministry of Labour.

Mr G. OMONDI, Counsellor (Labour), Permanent Mission, Geneva.

*accompanied by:*

Mr P. WAMOTO, Deputy Labour Commissioner, Ministry of Labour.

Ms M. MULI, Assistant Labour Commissioner, Ministry of Labour.

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**Liban Lebanon Líbano**


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M. A. RAZZOUK, Directeur général par intérim, ministère du Travail.

*suppléant(s):*

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M<sup>me</sup> M. SAAB, Cheffe de la Section des relations internationales, ministère du Travail.

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**Lituanie Lithuania Lituania**


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Ms R. KAZLAUSKIENE, Director, International Relations Department, Ministry of Social Protection and Labour.

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**Pakistan Pakistán**


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Mr M. HAYAT, Deputy Minister.

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Mr A. ISMAIL, Counsellor, Permanent Mission, Geneva.

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**Pérou Peru Perú**


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Sr. E. VIVANCO, Embajador, Representante Permanente, Misión Permanente, Ginebra.

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## Portugal

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## Qatar

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## Soudan Sudan Sudán

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## Suède Sweden Suecia

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---

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## Viet Nam

---

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**Zambie    Zambia**

---

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Mr O. MGEMEZULU, Chief Planner, Ministry  
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**Miembros empleadores titulares**

<b>Vice-président du Conseil d'administration: Vice-Chairperson of the Governing Body: Vicepresidente del Consejo de Administración:</b>	<b>Sr. D. FUNES DE RIOJA (Argentina)</b>
<b>Secrétaire du groupe des employeurs: Secretary of the Employers' group: Secretario del Grupo de los Empleadores:</b>	<b>Sr. A. PEÑALOSA (IOE)</b>
<b>Secrétaire adjoint du groupe des employeurs: Deputy Secretary of the Employers' group: Secretario adjunto del Grupo de los Empleadores:</b>	<b>Mr B. WILTON (IOE)</b>

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Mr L. CHEN (China), Executive Vice-President and Director-General, China Enterprise Confederation (CEC).

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Mr A. MOORE (United Kingdom), Special Adviser, Confederation of British Industry (CBI).

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M. B. NACOULMA (Burkina Faso), Président du Comité statuaire, Conseil national du patronat burkinabé (CNPB).

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Mr J. RONNEST (Denmark), Deputy Director, International Affairs, Confederation of Danish Employers (DA).

Mr T. SUZUKI (Japan), Executive Adviser, Nippon-keidanren International Cooperation Center.

Mr A. TABANI (Pakistan), President, Employers' Federation of Pakistan and Chairman, Seri Sugar Mills Limited.

Mr P. WOOLFORD (Canada), Vice President, Policy Development and Research, Retail Council of Canada.

Ms H. LIU, accompanying Mr Chen.

Mr H. MATSUI, accompanying Mr Suzuki.

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- M<sup>me</sup> F. AWASSI ATSIMADJA (Gabon), Secrétaire générale SIMPEX, Confédération patronale gabonaise.
- M. M. BARDE (Suisse), Secrétaire général, Fédération des syndicats patronaux.
- Sr. A. ECHAVARRÍA SALDARRIAGA (Colombia), Vicepresidente de Asuntos Jurídico y Sociales, Asociación Nacional de Industriales (ANDI).
- Mr Y. KIM (Republic of Korea), Vice Chairman and CEO, Korea Employers' Federation.
- Sr. A. LINERO MENDOZA (Panamá), Asesor y Miembro de la Comisión Laboral, Consejo Nacional de la Empresa Privada (CONEP).
- Mr T. MAKEKA (Lesotho), Executive Director, Association of Lesotho Employers.
- Mr M. MDWABA (South Africa), Deputy CEO, the Kelly Group.
- M. E. MEGATELI (Algérie), Secrétaire général, Confédération générale des entreprises algériennes (CGEA).
- M. A. M'KAISSI (Tunisie), Conseiller, Directeur central du social, Union tunisienne de l'industrie, du commerce et de l'artisanat (UTICA).
- Sra. A. MUÑOZ (Venezuela (Rep. Bolivariana)), Matemática - Economista, Federación de Cámaras y Asociaciones de Comercio y Producción de la República Bolivariana de Venezuela.
- Mr M. OTAREDIAN (Islamic Republic of Iran), Secretary-General, Iran Confederation of Employers' Association (ICEA).
- Mr M. PILIKOS (Cyprus), Director-General, Cyprus Employers' and Industrialists' Federation.
- Mr B. PIRLER (Turkey), Secretary General, Türkiye İşveren Sendikaları Konfederasyonu (TISK).
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- Sr. A. URTECHO LÓPEZ (Honduras), Asesor Legal, Consejo Hondureño de la Empresa Privada (COHEP).
- Mr F. WELZIJN (Suriname), Vice-President of the Board of Directors, Caribbean Employers' Confederation.

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Ms T. SHOHREH, accompanying Mr Otaredian.

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**Miembros trabajadores titulares**

<b>Vice-président du Conseil d'administration: Vice-Chairperson of the Governing Body: Vicepresidente del Consejo de Administración:</b>	<b>Sir Roy TROTMAN (Barbados)</b>
<b>Secrétaire du groupe des travailleurs: Secretary of the Workers' group: Secretaria del Grupo de los Trabajadores:</b>	<b>Sra. R. GONZÁLEZ (ITUC)</b>
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Ms M. HAYASHIBALA, accompanying Mr Nakajima.

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Mr M. AL-MA'AYTA (Jordan), President, General Federation of Jordanian Labour Unions.

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Ms C. DEL RIO (Italy), Head of International Department, Unione Italiana del Lavoro (UIL).

Sr. J. DEL VALLE PÉREZ (México), Secretario de Relaciones Internacionales, Confederación Revolucionaria de Obreros y Campesinos (CROC).

Mr U. EDSTRÖM (Sweden), Head, International Department, Swedish Trade Union Confederation (LO-S).

M<sup>me</sup> M. FRANCISCO (Angola), Secrétaire, Relations internationales, Union nationale des travailleurs de l'Angola - Confédération syndicale (UNTA-CS).

M. B. HOSSU (Roumanie), Président, Confédération nationale syndicale.

Mr G. JIANG (China), Executive Committee Member, All-China Federation of Trade Unions (ACFTU).

Sr. G. MARTÍNEZ (Argentina), Confederación General del Trabajo.

Ms L. MATIBENGA (Zimbabwe), Vice-President, Zimbabwe Congress of Trade Unions (ZCTU).

Mr A. PALANGA (Togo), Secrétaire général, Confédération nationale des travailleurs du Togo (CNTT).

Mr V. PEDRINA (Suisse), Secrétaire national, Union syndicale suisse (USS).

Mr H. SANDRASEKERA (Sri Lanka), Senior Vice-President, Ceylon Workers Congress.

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

Mr S. SYED MOHAMUD (Malaysia), President, Malaysian Trade Union Congress (MTUC).

M. Y. VEYRIER (France), Secrétaire confédéral, CGT-Force ouvrière.

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

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**Représentants d'autres Etats Membres de l'Organisation assistant à la session**  
**Representatives of other member States of the Organization present at the session**  
**Representantes de otros Estados Miembros de la Organización presentes en la reunión**

**Algérie    Algeria    Argelia**

- M. I. JAZAÏRY, Ambassadeur, Représentant permanent, Mission permanente, Genève.  
 M. B. CHEBIHI, Ministre conseiller, Représentant permanent adjoint, Mission permanente, Genève.  
 M. E. EL BEY, Conseiller diplomatique, Mission permanente, Genève.

**Burkina Faso**

- M. P. VOKOUMA, Ambassadeur, Mission permanente, Genève.  
 M. K. SAWADOGO, Directeur général du travail, ministère du Travail et de la Sécurité sociale.  
 M<sup>me</sup> S. BAKYONO KANZIE, Deuxième conseillère, Mission permanente, Genève.  
 M<sup>me</sup> A. KYENDREBEOGO, Directrice générale de la sécurité et santé au travail, ministère du Travail et de la Sécurité sociale.

**Colombie    Colombia**

- Sr. A. GARZÓN, Embajador, Representante Permanente, Misión Permanente, Ginebra.  
 Sra. A. MENDOZA AGUDELO, Ministra Consejera, Misión Permanente, Ginebra.  
 Sra. L. RAMIREZ, Misión Permanente, Ginebra.  
 Sra. B. SUAREZ, Pasante, Misión Permanente, Ginebra.

**Equateur    Ecuador**

- Sr. M. MONTALVO, Embajador, Misión Permanente, Ginebra.  
 Sr. C. SANTOS, Consejero, Misión Permanente, Ginebra.  
 Sr. J. THULLEN, Asesor, Ministerio del Trabajo y Empleo.

**Estonie    Estonia**

- Ms K. SIBUL, Third Secretary, Permanent Mission, Geneva.

**Grèce    Greece    Grecia**

- Mr A. CAMBITSIS, Minister-Counsellor, Permanent Mission, Geneva.  
 Mr G. PAPADATOS, Minister, Permanent Mission, Geneva.  
 Ms F. TSILLER, Director, International Relations Department, Ministry of Employment and Social Protection.  
 Ms S. LASKARIDOU, Officer, International Relations Department, Ministry of Employment and Social Protection.

**Guatemala**

- Sra. A. CHÁVEZ BIETTI, Ministro Consejero, Misión Permanente, Ginebra.

**Haïti    Haiti    Haití**

- M. J. ALEXANDRE, Ministre conseiller, Mission permanente, Genève.

**Indonésie    Indonesia**

- Mr D. DJANI, Ambassador, Permanent Representative, Permanent Mission, Geneva.  
 Mr I. PUJA, Deputy Permanent Representative, Permanent Mission, Geneva.  
 Mr A. HABIB, First Secretary, Permanent Mission, Geneva.

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**Israël Israel**

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M<sup>me</sup> S. VOLLENWEIDER, Mission  
permanente, Genève

Mr A. LESHNO-YAAR, Ambassador,  
Permanent Representative, Permanent  
Mission, Geneva.

Mr R. ADAM, Deputy Permanent  
Representative, Permanent Mission,  
Geneva.

Ms R. LANGER, Counsellor, Permanent  
Mission, Geneva.

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**Maroc Morocco Marruecos**

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M. O. HILALE, Ambassadeur, Représentant  
permanent, Mission permanente, Genève.

M. M. EL BOUAZZAoui, Conseiller, Mission  
permanente, Genève.

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**Nouvelle-Zélande  
New Zealand  
Nueva Zelandia**

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Ms N. CRENNAN, Deputy Director,  
International Services, Department of  
Labour.

Mr M. HOBBY, Principal Adviser,  
International Services, Department of  
Labour.

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**Pays-Bas Netherlands  
Países Bajos**

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Mr L. BEETS, Director for International  
Affairs, Ministry of Social Affairs and  
Employment.

Mr E. DRIESSEN, First Secretary, Permanent  
Mission, Geneva.

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**Suisse Switzerland Suiza**

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M. J.-J. ELMIGER, Ambassadeur, Chef des  
Affaires internationales du travail, Direction  
du travail.

M<sup>me</sup> V. BERSET BIRCHER, Affaires  
internationales du travail, Direction  
du travail.

