



## Seventeenth sitting

Thursday, 18 June 2009, 10.10 a.m.

*Presidents: Mr Allam, Mr Hossain*

### SECOND REPORT OF THE CREDENTIALS COMMITTEE: SUBMISSION AND NOTING, AND APPROVAL OF THE COMMITTEE'S PROPOSALS

The PRESIDENT (Mr ALLAM)

I now call to order the 17th sitting of this session of the International Labour Conference.

We shall now consider the second report of the Credentials Committee, which is published in *Provisional Record* No. 4C.

I invite the Officers of the Committee to come up and take their places on the podium. They are: Mr Smythe, Chairperson; Ms Horvatić, for the Employers; and Mr Edström, for the Workers.

I invite Mr Smythe to take the floor at the rostrum and to present the report.

Mr SMYTHE (*Government, Australia; Chairperson of the Credentials Committee*)

I have the honour to present to the Conference a short overview of the activities of the Credentials Committee. A full account of this activity is reflected in the Committee's two reports issued as *Provisional Records* Nos 4B and 4C.

The work of the Credentials Committee helps to safeguard and reinforce the cornerstone of the International Labour Organization, i.e. tripartism.

If the International Labour Conference is to reflect properly the tripartite nature of the ILO, it is essential that the Workers' and Employers' delegates be truly representative of the workers and employers in the member States.

It follows that Workers' and Employers' delegates should be nominated by governments in agreement with the most representative employers' and workers' organizations of each member country.

The Credentials Committee examines objections, complaints and communications concerning delegations. The Committee also examines the positions of member countries whose credentials are subject to monitoring.

The Committee establishes dialogue and seeks consensus with a view to ensuring that Worker and Employer representatives are freely chosen, truly representative and have the means to participate with an equal voice in the work of the ILO's highest decision-making body.

The Committee is charged with the task of ensuring, across an ever-changing landscape of political and economic circumstances, that genuine tripartism is always a reality at the International Labour Conference.

In this regard, the success of the Committee's work and respect for its conclusions and recommendations play an important role in maintaining the credibility of the Organization.

At this session of the Conference, the Committee again had a very heavy workload, a total of 24 cases. The Committee received 13 objections relating to the credentials of accredited delegates, or their advisers, in relation to the failure to deposit credentials for Workers' or Employers' delegates.

We also received seven complaints regarding the non-payment of expenses of Workers' or Employers' delegates, or a manifest and serious imbalance in the payment of expenses between the advisers of the social partners, on the one hand, and those of government, on the other.

In addition, the Committee addressed the monitoring of three situations for which the Conference, at its last session, had requested a report.

The Committee received one communication. The Committee held ten meetings, conducted seven hearings with those who objected or with governments concerned. Hearings were conducted when the written information supplied was insufficient or ambiguous.

Several cases before the Committee were similar to those that the Committee has dealt with in past years. The Committee wishes to draw the attention to three situations for which it proposes the continuation of monitoring. They concern Djibouti, the Islamic Republic of Iran and Myanmar.

The Conference last year requested a report from each of these countries. Only Myanmar furnished a report in accordance with the Conference's request. The Committee deeply regrets that Djibouti and the Islamic Republic of Iran were not able to comply with the request in the manner and time specified by the Conference.

The report furnished by Myanmar dealt with the election of the Workers' delegate. The report provided details of an electoral process for the identification of a Workers' delegate. However, the Committee was not convinced that the process produced a delegate who truly represents the interests of Myanmar workers.

The Committee considers that a delegate truly representative of workers' interests cannot be identified in a one-off election organized over a period of only six months and in the absence of any ongoing representative structures for workers in the country.

While the holding of elections has the appearance of a step in the right direction, the Committee be-

lieves that there are still considerable improvements to be made.

The Committee requests the Conference not only to renew the monitoring of the situation, but also to reinforce it. For the first time, the Committee proposes requesting more than just a report to the next session of the Conference.

The Committee proposes that a progress report be submitted to the Director-General of the ILO by the end of this year. This report should contain detailed information on the progress achieved by Myanmar as regards the establishment of permanent structures for the independent representation of workers in the country, and how the Government envisages to consult within those structures for the purpose of nominating the Workers' delegate and advisers to the next session of the Conference. I draw your attention to paragraph 34 of our second report and invite you to adopt the proposal contained therein.

The case of Djibouti concerns the nomination of the Workers' delegation.

The case of the Islamic Republic of Iran concerns the nomination of the Employers' delegation.

In both cases a new objection was made during this session of the Conference. Given the absence of any significant progress in these cases, the Committee requests the Conference to renew the monitoring of these situations and, again, to request the respective Governments to submit a detailed report on the nomination procedures to the next session.

In this regard, I draw your attention to paragraphs 8 and 12 of the report and invite you to adopt our proposals.

In relation to the complaints concerning the non-payment of travel and subsistence expenses of Employers' and Workers' delegations, a number of governments admitted that they were unable to meet their obligations because of financial constraints.

While the Committee appreciates that the global economic crisis has heightened the financial burden of supporting a full tripartite delegation to the Conference, it notes that the financial crisis has not only an impact on governments, but an even greater impact on the social partners and on their ability to cover their own expenses, and it cannot justify the failure of governments to meet their obligations to cover the expenses of a complete tripartite delegation.

At the end of the report the Committee has made general observations on two issues that have an impact on its work. The first concerns the general principle requiring governments to send to the Conference delegations whose three components are balanced. Governments, employers and workers should have a broadly comparable capacity to participate actively in the work of the Conference.

The Committee considers that this principle follows from the concept of tripartism reflected in the Constitution and other fundamental texts. A number of complaints and communications received touched upon this issue.

The Committee decided to request the Governing Body, through the Conference, to consider possible measures to improve the situation concerning the tripartite balance of delegations.

In a second observation, the Committee reminds governments that they should submit credentials that clearly identify the role of all the persons participating in the Conference. Those who are delegates should be clearly identified as such. Those who are advisers should similarly be identified as

such. Failure to do so renders the work of the Credentials Committee extremely difficult and may result in credentials being unacceptable.

To facilitate easy identification, governments are invited to utilize the credentials form enclosed with the letter of convocation to the Conference, or the online credentials application made available by the Office.

The Committee notes with concern that, although modest progress has been made, women are still not adequately represented in national delegations. The Committee appeals not only to governments, but also to the employers and workers to increase the number of women in their delegations.

Finally, I would like to express my warm thanks to my two colleagues, Ms Lidija Horvatić, the Employers' delegate from Croatia, and Mr Ulf Edström, the Workers' delegate from Sweden, for the excellent spirit of cooperation and consensus which characterized our discussions this year.

I am sure that Ms Horvatić will forgive me if I pay particular attention to Mr Edström. I understand that Mr Edström is retiring from his workers' organization this year, so we may no longer see him on the Credentials Committee. Mr Edström's tireless work, encyclopaedic knowledge and total commitment are an example to us all. Ulf, it is a privilege to have worked with you.

I would also like to take a moment to thank Mr Tilmann Geckeler and the team in the secretariat for the wonderful job they did in supporting the work of the Committee. Over the last few weeks they have worked incredible hours and met all the demands that working with this Committee can present. They have done so professionally and cheerfully and the material they have provided to us has always been first rate. Thank you! We could not do our job without you.

I thank you all for your forbearance and wish you a successful completion of the work of the Conference.

---

The PRESIDENT

The Credentials Committee has adopted its second report unanimously. The Conference is simply called on to note the report and to approve the proposals contained in paragraphs 8, 12 and 34, which concern the delegations of Djibouti, the Islamic Republic of Iran and Myanmar.

*(The report is noted.)*

*(The proposals are approved.)*

It only remains for me to thank the Committee for its excellent work in overseeing the credentials of those attending the Conference. I am aware that the secretariat has provided very dedicated support to the Committee, and therefore also deserves our warm gratitude. Very many thanks to all concerned.

**REPORTS OF THE CHAIRPERSON OF THE GOVERNING  
BODY AND OF THE DIRECTOR-GENERAL:  
DISCUSSION (CONT.)**

---

The PRESIDENT

We shall now return to the general discussion of the Reports of the Chairperson of the Governing Body and of the Director-General.

---

Ms LADÓ (*Government, Hungary*)

A crisis could never come at a suitable moment, but last autumn was an especially difficult period

for Hungary to face such an unprecedented challenge. At that time, the country was in the middle of implementing a stabilization programme with strict budgetary measures to reduce public debt. This programme was successful in decreasing the fiscal deficit, but resulted in a slowdown of economic growth and in some deterioration for personal and family well-being. In a downward cycle, the first effects of the crisis were even more pronounced, while the fiscal and social space to respond was fairly limited.

The new Government, which took office in mid-April, considers itself as a crisis-manager government. Its mission is twofold: first, to introduce immediate measures to stabilize the economy and to tackle the employment and social consequences of the crisis and, second, to launch structural reforms which would contribute to the sustainable development of the economy. The key challenge is to balance the short- and long-term measures, and to ensure that the necessary rapid interventions neither undermine future development nor multiply the burdens of the crisis.

The Hungarian Prime Minister does not make a secret of the fact that today's painful, but unavoidable, measures will yield results only in the future. He has asked for the understanding of every citizen and the readiness of all stakeholders, especially the social partners, to make their own sacrifices.

In difficult times social dialogue is especially crucial. The Government has repeatedly consulted the social partners, and although, understandably, there is no consensus in some of the details, most social partners did sign up to the crisis management and economic regeneration measures of the Government. In their shared Memorandum they also committed themselves to strive together for social justice when sharing the unavoidable burdens of the crisis.

What are these crisis management and economic regeneration measures? As a first step, Hungary has concluded a loan agreement of significant value with the IMF in order to stabilize the financial sector. Subsequently, the Government has introduced some austerity measures, such as freezing salaries and terminating the 13th month salary in the public sector. Parliament has passed laws on modifying some social allowances and pension schemes. Some of these measures have had an immediate positive effect on the budget deficit while others serve for macroeconomic stability and sound public finances in the longer run.

At the same time, Hungary has robustly mobilized various active labour market measures and other stimuli to boost the economy. We have introduced short time working arrangements, among other measures, combined with training, as well as wage subsidy. We also assist, in all possible ways, those entering the labour market, especially mothers with small children. The Government is now working on a special scheme to assist those who have been hardest hit by the crisis. The non-refundable one-off cash support is meant to alleviate immediate, everyday difficulties.

To facilitate the economic recovery and the shift to sustainable growth, the Government has launched various initiatives. These include job-creation programmes, an SME credit programme, a special project to promote investment in infrastructure and, thus, to create new demand in the construction sector. We are now in the process of reconsidering

taxes and contributions levied on wages. The Government aims to introduce a more employment-friendly tax regime, as from 2010, by ensuring that both employers and workers would benefit from the changes. While we intend to drastically reduce the overall tax burden on labour, unfortunately, we cannot help compensating this loss of revenues by increasing VAT and introducing property tax, for example.

All these measures will be designed very carefully, after due consultation with the social partners, and taking into consideration the shared commitment to working towards more social inclusion and social justice.

Listening to the debate over the Director-General's Report *Tackling the global jobs crisis: Recovery through decent work policies*, I am convinced that governments all over the world have responded quickly, and in a committed way, to the unprecedented global financial and economic crisis. Our common goal is to avoid the deterioration of the employment and social situation, and to come out of the crisis stronger than we were before. The Global Jobs Pact and the ILO's Decent Work Agenda will be suitable tools to guide us in our joint endeavours, both in our home countries and internationally.

---

Mr KAYODE (*Minister of Labour and Productivity, Nigeria*)

---

There is no doubt that the ILO has played a strategic role in championing the Decent Work Agenda in the world of work today. The United Nations system has enhanced its approval rating based on its activities that touch the lives of many people as epitomized by this year's comprehensive Report of the Director-General.

The Report of the Director-General on tackling the global jobs crisis is not only appropriate but also timely, considering the massive job losses that have accompanied the current global financial and economic crisis. This situation has also worsened the poverty levels in many member States of the ILO, particularly in developing countries, and thus threatened the gains already made towards attaining the Millennium Development Goals.

The Report emphasizes the abiding principles of regional cooperation and integration of efforts directed at early recovery from the crisis using stimulus packages in the real sector for employment promotion.

To achieve this, the Director-General's Report recommends the adoption of a Global Jobs Pact as a framework for action. This position is strongly supported by Nigeria.

The Nigerian Government shares the fears and concerns of the ILO on the global jobs crisis and supports its efforts to combat the situation. In this regard, in April of this year, we organized a National Employment Summit in Abuja, Nigeria, with the active technical support of the ILO Office in Africa.

A national employment action plan arose from this Summit and has been prepared, and this will serve as the road map to guide future actions in the rapid recovery from the jobs crisis. The implementation of the action plan will require continued support from the ILO, particularly in respect of the promised ILO multidisciplinary employment mission to Nigeria later in the year. Hopefully the Global Jobs Pact framework will be adopted for our

national employment action at the implementation stages.

Furthermore, as part of strategic measures aimed at protecting our citizens, especially the most vulnerable groups, the Nigerian Government places a high premium on social security as a means of promoting fair globalization and social justice. In this respect, a high-level technical committee was set up in March 2009 by the Ministry of Labour and Productivity to draft a comprehensive social security policy for our country.

Furthermore, a bill on employees' compensation is currently before our National Assembly and awaiting the top public hearing before its passage into law.

Nigeria notes the submission that child labour is the antithesis to decent work and concerted efforts are being made to eradicate this phenomenon. The Ministry of Labour and Productivity has been working with all our social partners and non-governmental agencies and organizations to combat this menace. At the moment, a national policy on child labour and its plan of action is being drafted for consideration by the Government.

On the issue of gender equality, we subscribe to the ILO approach that the promotion of gender equality in the world of work is not only a matter of human rights and justice for workers, but also an instrument for achieving economic growth and poverty reduction at the national level. Women are being encouraged in Nigeria to play an active role in all productive sectors of the economy. Indeed, the Government has established gender desks in ministries and agencies and has recently reviewed upwards the maternity leave for women from 12 to 16 weeks with full payment in recognition of the ILO Maternity Protection Convention, 2000 (No. 183).

Nigeria recognizes the cardinal objectives of safe and healthy working conditions and environment as components of integrated national development. Thus, the extant Factory Act and other related labour laws are being reviewed by our National Assembly and will soon be passed into law.

I would like, at this point, to express appreciation for the fact that the ILO has included the issue of HIV/AIDS in the world of work on the agenda of the 98th Session of the International Labour Conference. This decision underscores the compelling need at the global level to have a comprehensive recommendation that will address the devastating effects that this scourge has had on the human resources development of many nations, particularly in sub-Saharan Africa. In Nigeria, my Ministry, in conjunction with the social partners, has already developed a national policy on HIV/AIDs in the workplace.

Finally, let me commend the ILO for its laudable programmes highlighted in this Report, which will be improved upon if the ILO steps up its capacity-building efforts and increases technical assistance to the social partners to enhance their effective implementation, monitoring and evaluation of relevant field projects and programmes.

---

*Original French: Mr DE ROBIEN (Government, France).*

On Monday, the President of the French Republic unequivocally set forth his vision of a reform of global governance with a new social dimension, and he hoped that the ILO would take part in this process.

He said that the crisis gave us considerable freedom. And, indeed, this freedom represents a historical challenge for the ILO. France believes that the Global Jobs Pact outlines an immediate response to the economic crisis and its social consequences.

We therefore encourage the Conference to adopt the conclusions, which will provide member States with a specific reference and guidelines to implement, at their level, budgetary and social policies to promote employment, give support for enterprises, and protect the unemployed and wage earners, in this period of crisis.

I would add that the French stimulus package, which includes significant public social benefits, corresponds to the proposals in the Director-General's Report on ways to cope with the crisis and supported by the social partners at international level.

France is striving to put the economy back on the road to recovery, to encourage the safeguarding of jobs and job creation, and to have a buffer system for our system of social protection at this time of crisis – especially with regard to the most vulnerable.

So, we say "yes" to the Pact, but we have to go further. We have to establish a fair and equitable globalization. The crisis reveals the absence of any social regulation of the global world market. It is high time to introduce a real system of social regulation alongside national recovery plans, based on the rules of good governance or trade initiatives, as well as a social follow-up on measures taken by financial institutions.

Our planet needs a genuine, human dimension to globalization. For member States, this is a strategic priority. It is fundamental for a globalization that is balanced in nature, sustainable in its development, equitable in its distribution of riches, and at the service of the people.

So, we say "yes" to the Pact, "yes" to the social dimension of globalization, "yes" to the fact that the way ahead lies with the ILO and that the ILO will take up the challenge of creating a social framework of globalization.

For the ILO, this is an historical moment. The ILO is the only multilateral institution with a general social vocation. The ILO, thanks to its tripartite structure, is the international organization best suited to represent the real economy, made up of enterprises and their employees, workers and employers.

We have the ILO Declaration on Social Justice for a Fair Globalization, adopted in June 2008, and we now need, as President Sarkozy pointed out, to put it into practice. This Declaration is our road map, our benchmark for the three aspects of the ILO that need to be modernized.

First, coordination and coherence within the multilateral systems need to be improved. At this juncture, I would like to hail the efforts of the Director-General to incorporate the ILO in global economic governance and stress that France supports his approach.

But the ILO's future role will not only play out at the institutional level. Its operational side will count just as much – and by this I mean its active presence in the field, coordinating intelligently with the other United Nations or Bretton Woods institutions, and complementing their activity, because of its expertise in all labour-related matters.

Second, there must be more internal coherence between the Organization's four strategic objectives.

Third, the Organization's operational capacity should be developed to introduce new tools that might be of service to its mission and to improve its means of intervention.

The ILO has been a standard-setting organization for a long time, with its focus very much on social rights. Without giving this vital role up, it must broaden its action.

And, in this regard, I would like to make two points. The ILO's strength lies in its ability to draw upon social expertise from within, thanks to its structure and the networks of its constituents; and tomorrow, the ILO will be the reference organization for any research, information, statistics or assistance in its fields of competence, which are labour, employment and social protection policies in a multidimensional setting.

The objectives of the June 2008 Declaration are intended to speed up this vital process, turning it into reality. And this is a historical process, the beginnings of which could already be discerned in the work of 1919 and in the Declaration of Philadelphia in 1944.

---

*Original Spanish: Ms MUÑOZ (Employer, Bolivarian Republic of Venezuela)*

---

With regard to the Report of the Director-General on what is a crucial subject for the world today, namely tackling the global jobs crisis, and his call to be proactive in seeking solutions, we must remember that governments play an important role in this search and, sadly, not all of them have the will or ability to do so.

This is the case in my country, the Bolivarian Republic of Venezuela, where conditions over the last ten years have not been conducive to increasing investment, and thereby ensuring the creation of the productive enterprises, which would generate decent work. Increasingly, our Government is ignoring or failing to comply with the ILO Conventions which had been duly ratified by what was our National Congress, thus violating the constitutional standards of the Republic that it had introduced through the change of the Constitution in 1999. Before this distinguished tripartite assembly of the ILO, we would therefore like to highlight some of these Conventions, such as the Minimum Wage-Fixing Machinery Convention, 1928 (No. 26); the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87); the Right to Organise and Collective Bargaining Convention, 1949 (No. 98); the Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144); the Termination of Employment Convention, 1982 (No. 158); and other Conventions included in the ILO Declaration on Fundamental Principles and Rights at Work. The abovementioned Conventions were ratified by my country in 1944, 1982, 1968, 1983 and 1985, respectively.

But, it is not just the essential and emblematic Conventions of our Organization that are being violated but, also, and increasingly, there are violations of the provisions of the Universal Declaration of Human Rights, particularly with regard to freedom of expression and the right to own property, and threats to the most significant individual liberties. Furthermore, there is repeated use of violence against the headquarters of employers' organiza-

tions, especially FEDECAMARAS, which is the most representative organization of the employers' sector in the country, as recognized by the ILO.

In the Bolivarian Republic of Venezuela, which we are seeking to rescue today and where we are trying to promote historic respect for human values, there have been multiple expropriations of all types of private undertakings: in the cattle, agrarian, oil, manufacturing, dairy, media, telecommunications, electricity, mining, cement and food sectors. Now they have set their sights on what is being called "rescuing the universities and reviewing their model of autonomy". The immediate consequence of all this has been the transfer of thousands of jobs from the productive realm of the private sector to the bureaucratic state sector. This has led to the deterioration of the living standards of our workers, who have lost rights which were hard won by the unions in our country, and has put paid to peace in the world of work, which was built through consensus and negotiation, as we have learned at the ILO, undermining the efforts of our employers, our workers and the ILO itself, according to the recommendations of the Director-General in his Report.

Clearly, the strategy taken by our country, a cradle of freedom and a refuge for many Latin American and European exiles, has consolidated an economic system that history has shown us leads to the most abject poverty for the people.

Those of us who would exercise our constitutional right to devote ourselves to the private activities of our choice without any restriction other than those established by the Constitution and the law, are pursued, harassed, overly regulated and, furthermore, threatened, accused and dismissed with all sorts of insults and actions.

Given the current Venezuelan Government's violations of ILO standards, human rights provisions, and even our domestic legislation, we have repeatedly requested that the ILO send a mission of inquiry to the Bolivarian Republic of Venezuela in order to confirm the facts that have been summarized here and to endorse the reports of the ILO direct contacts missions to our country, and, more recently, the statements of the Inter-American Commission on Human Rights of the organization of American States (OAS), and of the United Nations, which not only does the Venezuelan Government not accept, but it also questions the credibility and validity of these Organizations, which enjoy international renown and exist to ensure that people can live in a climate of peace and respect.

Of particular relevance here is paragraph 118 of the Report of the Director-General, which emphasizes the need for full compliance with international standards, which requires solid social dialogue, which is non-existent in the Bolivarian Republic of Venezuela.

For all these reasons, we call on the Organization, a cradle of freedom of association and tripartism, and an advocate of human rights, to help ensure that in the Bolivarian Republic of Venezuela, given the pressing needs of the case, something is done to right the errors and violations committed by our Government.

Finally, we call on all those present here, who share our ideas of genuine democracy and freedom, to assist us so that in the Bolivarian Republic of Venezuela we may have hope.

It is a great privilege to be able to address you today on behalf of Belgian workers. The ILO was founded on the principle that lasting peace is only possible if that peace is based on social justice. Social justice, I remind you.

Although the world has changed immensely since then, I do believe that this idea is more relevant than ever. In our globalized society, the role of the ILO is not becoming any less important – on the contrary.

The crisis that we are currently facing has dramatically reminded us of this. It is a global crisis. No country can face up to it alone. Protectionism, a withdrawal into nationalism and social dumping through unfair fiscal or social competition cannot bring us solutions to the problem.

Let us never forget then that any national measure will be counterproductive if it does not fall into line with the positions of other countries or that of the international community. We need to act through our multilateral organizations.

I will not hesitate to say that the ILO is one of the most important multilateral organizations that we have. The ILO is the only tripartite organization, and tripartism is clearly effective, particularly in times of crisis. Tripartite cooperation provides us with a universal framework in which we can find balanced solutions and social peace. Jean-Paul Sartre once said that man is condemned to be free. I believe today that we, together, are condemned to work together, hand in hand, to force through and impose solutions. Here at the ILO, I believe that we can find solutions together: workers, employers and governments. The conclusions of this 98th Session of the Conference demonstrate this and strongly reaffirm the importance of decent work in a time of crisis, even though some people have tried to use the crisis to unravel workers' rights.

The work accomplished and the comments made within the Committee of the Whole on crisis responses and here at the Summit also demonstrate this. We have produced results.

Similarly, the Global Jobs Pact, which is based on a number of promising principles, is the result of our commitment to work together. But the outcome of our work and the texts that we produce, particularly this Pact, cannot be an end in themselves. They offer us an opportunity that must be seized together, to make joint decisions.

Every day during the Conference, people have said that we had unemployment, inequality and poverty even before the crisis. The crisis is simply making them worse. Gender inequality in the workplace is simply one clear and regrettable example of this. I believe that we still have a long way to go. Therefore, I fully support the conclusions of the Committee on Gender Equality.

We simply cannot go back to the pre-crisis situation. We need to find a different route and we have our work cut out: regulation of the market and the financial markets in particular; fiscal fairness; sustainable employment; negotiated wages; the implementation of a universal minimum wage and universal social protection, starting, for example, at the European level; and universal access to health care.

We must also not forget the importance of solidarity between countries, regardless of their level of development. At the G20 meeting in London, Brazil and South Africa expressed their unconditional

solidarity with the workers in industrialized countries and showed us the way forward in terms of solidarity. Thus, this essential solidarity is shared between the countries of the South and the workers of the North. We absolutely must follow up on the results of our work here.

Tripartism is a very effective tool if we use it properly. But, above all, we must remember that tripartism is not possible without respect for trade union rights. Discussions without free trade unions, without autonomous partners, are empty discussions.

Unfortunately during this session of the Conference, the Committee on the Application of Standards has considered 25 serious violations. I therefore call for solidarity, particularly with our brothers in Colombia.

Although there are a number of other issues that I wanted to address, there is one of particular importance that I have previously referred to: our inability to produce a Convention concerning AIDS; this is surreal and an inconceivable error, one that we deeply regret.

For everything else, I would like to thank you all very much. On behalf of the Belgian workers, I would like to say, long live this Conference, the delegates and the ILO.

---

*Ms LAKIĆEVIĆ STOJAČIĆ (Government, Serbia)*

---

It is my honour to address the participants of this 98th Session of the International Labour Conference, on behalf of the delegation of the Government of the Republic of Serbia and to extend my congratulations to the Director-General for an excellently prepared Global Report.

We live in times of deep economic crisis and social insecurity, and this can be seen in its effects upon the population worldwide, regardless of age, level of education and current social status.

Therefore I would like to stress that the agenda of this year's session, as well as the Report of the Director-General, have covered the basic issues and concerns facing the whole world, including Serbia.

Consequently, today perhaps even more than ever, in adopting measures to alleviate the consequences of the economic crisis, governments should comply with the fundamental principles of the International Labour Organization, such as social protection for all, social dialogue, adequate conditions of work and social cohesion. The burden of the crisis needs to be equally distributed among all social strata.

Therefore, the Plan of the Government of the Republic of Serbia for alleviation of the consequences of the global economic crisis comprises measures to reduce the costs of public administration by €1 billion. These measures entail reduction of the costs of ministries by a quarter, cutting the costs of all beneficiaries of the budget with personal income, reduction of transfers to local government, reducing the costs of public enterprises and the Health Insurance Fund, freezing of salaries in the civil service, provincial and local administration, and the freezing of pensions. In addition to the said measures, it is envisaged that salaries in the public administration be temporarily reduced, as well as the reform of the public administration to be accelerated with a view to job cuts in the state authorities and bodies. It is also planned to raise excise duty, introduce temporary fees on spent impulses in mobile telecommunications, and increase tax on property and luxury vehicles.

The Plan of the Government of the Republic of Serbia contains measures focused on protection of the standard of living through special financial support to families with children, foster parents and guardian families, through subsidy programmes via local government for utility bills, childcare and transport for the elderly.

The third part contains measures to encourage economic activities and employment, covering subsidized loans for development of the economy. Also, loans to encourage liquidity and investments will be granted, as well as agricultural loans, loans for small and medium-sized enterprises and start-up loans without a mortgage. The new programme of the National Employment Service covers subsidies for employment of trainees, and through public work programmes it is foreseen that socially vulnerable groups be employed in public works of general interest. The Government of the Republic of Serbia will secure additional funds from foreign credit lines for the national economy.

In addition, state support for capital investment in infrastructure via investment in key transport links in the Republic of Serbia (such as highways and railways) is planned as well.

In the creation of the said measures, the Government of the Republic of Serbia has had strong support from the social partners. In the conditions of the current economic crisis, particularly for the countries in transition, we believe that tripartite dialogue and cooperation among the representatives of the Government, employers and trade unions is essential in order to find an effective response to the economic recession.

Finally, I would like to thank the International Labour Organization on behalf of the delegation of the Republic of Serbia and on my own behalf for the opportunity to share these experiences. I wish all of you every success in effectively overcoming the consequences of the economic crisis.

---

Mr TOTH (*Representative, International Association of Economic and Social Councils and Similar Institutions*)

---

With regard to the crisis, my major points are that, in the constantly changing world, we need permanent social and civil dialogue. In other words, we have to develop, broaden and deepen participatory democracy. By doing that, we need to create new structures for globally responsible social and economic governance. What can our institutions do in order to get that?

The International Association of Economic and Social Councils and Similar Institutions (IAESCSI) and the ILO have had a solid partnership since 1999 and both institutions share a wide range of communities. The operating field of the IAESCSI completes that of the ILO. While the ILO gathers its strength from tripartism, the economic and social councils bring together not only social partners, but also civil society organizations, whose actions are often very important. Cooperation with our Association offers the ILO the possibility of participating with other stakeholders from civil society.

The IAESCSI has, right from the start, supported the ILO's Decent Work Agenda, which has inspired several actions and much work on strategic issues. The modification of the Agenda and the debate on the global jobs crisis is a very good idea, and this Summit offers a unique opportunity for strong and impressive speeches at the highest levels.

While commending these commitments, I would like to share with you three deeply rooted convictions as regards the concrete follow-up. First, a good and efficient social policy and a decent work policy are productive factors that can help to manage and overcome the crisis. Moreover, enhancing the role of the social partners and other components of civil society, the relevant civil society stakeholders, is key to taking efficient action in the implementation of labour policies. The ILO has to be on an equal footing with the International Monetary Fund and the World Trade Organization in negotiations regarding responses to the crisis. We believe that we must be on a level playing field with all of these international organizations.

I know that you will agree that this is more than a mere question of method. Indeed, it is a *sine qua non*. We believe that these labour policies are instruments that will allow us to achieve a fair and sustainable globalization.

The role and involvement of economic and social actors are key to success. We must, coherently, integrate economic, financial and social issues and policies to get a sustainable result. It is the synthesis between varying and sometimes conflicting parts of civil society that allows compromises to be built. The economic and social councils are deeply convinced of that.

More than that, the economic and social councils are well placed to play a positive role in this process. My organization, the IAESCSI, will be holding, in three weeks' time, its General Assembly in my home town, Budapest, Hungary. This event will be attended by about 60 economic and social councils from four continents and there will be more than 150 participants. It will also organize an international conference on the consequences of the financial, economic and social crisis and the fight against inequalities for sustainable development.

I am sure that the results of the ILO Summit and the Global Jobs Pact will be at the heart of our debates and conclusions. I can assure you that the IAESCSI and its members at the national level will play their part in helping to promote and implement the Global Jobs Pact. We are going to introduce a topic: the new global governance and the role of economic and social councils. I believe that, in this respect, there will be a lot to do between the IAESCSI and the ILO.

---

Mr SENEVIRATNE (*Minister of Labour Relations and Manpower, Sri Lanka*)

---

We wish to take this opportunity to congratulate the Director-General for presenting to us his Report, *Tackling the global jobs crisis: Recovery through decent work policies*, which provides the background to the greater part of the work in the Conference, including the discussions at the plenary.

We have sufficient empirical evidence to show that the economic crisis has affected the whole world. While the developed countries see the sharpest cuts in terms of economic growth rates, it is the developing countries that are most vulnerable. We observe that unemployment is becoming a crisis, and, without concerted action taken multilaterally, bilaterally and nationally, it will certainly become a humanitarian crisis the world over. In this context, Sri Lanka fully endorses the efforts of the ILO in making the 98th Session of the International Labour Conference a platform to discuss and determine responses to the crisis and in placing decent work at



the centre of the responses. As the World Bank has found in a recent analysis, the Sri Lankan economy has been affected moderately by the economic crisis. Sri Lanka is a trade-dependent country with a highly concentrated export market, where the European Union and the United States account for 62 per cent of the total exports, and a concentrated export basket of garments, tea and gems accounts for 58 per cent of the total exports. In this context, Sri Lanka will feel the brunt of the economic crisis due to the high unemployment and low consumption of the major trading partners.

As of the first quarter of 2009, the macro-data do not reflect any significant increase in unemployment. However, there is micro-evidence that can be adduced to show an increase in job losses. Furthermore, impact on the labour market has been observed in the form of lay-offs, deferred payments of social security contributions, freezes on recruitment, rationalization at factories, elimination or reduction of special facilities and special allowances, voluntary pay cuts etc. Although Sri Lanka has not so far experienced a significant impact on the overseas labour market, where around 1.5 million Sri Lankans – that is equivalent to around 15 per cent of the labour force – work, we have reports of loss of employment for workers in certain sectors such as construction.

We lack information with regard to the impact on small and medium-scale enterprises and on the large share of the labour force working in the informal economy, who are mostly denied decent employment. Naturally, in situations such as the present crisis, the poor, with few assets and limited access to markets, are often the hardest hit. In addition, the income shocks drive many non-poor into poverty.

Sri Lanka has successfully implemented programmes for reducing poverty. The poverty levels have dropped from 23 per cent in 2002 to 15 per cent in 2007. However, unless immediate and effective labour market policies are implemented to protect both industry and employment levels, the present crisis will have a negative impact on poverty levels and will make it difficult for us to achieve the Millennium Development Goals and those of decent work.

The measures so far taken by the Government are to mitigate the impact on industry as well as on the level of employment. A few administrative measures within the labour administration have been taken, such as expeditious action on appeals from the employers for relief, deferment of payments of social security contributions, shorter working periods, etc. Sri Lanka also has introduced a stimulus package for which entitlement is determined on the criteria of maintaining the employment level of 2008.

In all our efforts, social dialogue has been the tool in determining policy measures and administrative measures. I should like to commend our social partners for their understanding of the realities of the present crisis and extending their cooperation at this critical juncture.

Sri Lanka, after ending a conflict that ravaged the country for nearly 30 years, is now feeling a sense of peace. I believe that when terrorism, the most extremist of its kind, is successfully eradicated, our task should be to focus on the post-conflict challenges we are currently faced with. Reintegration, reconciliation, reconstruction, resettlement of internally displaced persons and maintaining and stabi-

lizing peace and understanding amongst all Sri Lankans are our priorities.

*(Mr. Hossain takes the Chair.)*

---

Mr WALTERS (*Minister of State, Ministry of Labour and Immigration, Barbados*)

---

Last year, I made the point that the global economy was in a state of flux, characterized by soaring oil prices, uncertainty and turmoil in the global financial markets and a situation where the populations of developing countries were experiencing severe problems which challenged their very survival and existence in the twenty-first century.

Today, this 98th Session of the Conference is taking place at a time when the state of the global economy has worsened, leading to a global financial crisis of epidemic proportions. This social and economic crisis, as we all know, has brought to a halt the long period of economic expansion exhibited by the world economy since the 1990s.

Of major concern to Barbados and the countries of the Caribbean Community (CARICOM), as developing countries, is that the global crisis is causing higher unemployment and absolute poverty in our economic space. Indeed, since job losses affect the low skilled, the working poor and other vulnerable groups, income inequalities are also expected to escalate beyond the contemplation of the Millennium Development Goals. Social conditions are worsening substantially and the real incomes of workers are steadily declining – not only the real incomes of workers in the formal economy, but also incomes of those within the informal economy throughout the world. In fact, the current global crisis and its impact on the labour market across the world – which is likely to be severe – are more than cause for worry and concern. Due to the nature of the crisis, development prospects in emerging economies and developing countries will remain depressed for some time.

We in Barbados and the Caribbean region have cause for worry and concern as a result of these emerging challenges. This being the case, it is important that if we are to emerge from this crisis without long-lasting social dislocation and the economic scars that are envisaged, critical and strategic responses will be necessary.

In my view, some of the responses will involve: major social and economic policy innovations oriented towards helping to mitigate the crisis; a renewed focus on maintaining the traditional values of self-reliance and self-determination within our own cultural context; the provision of adequate social protection and social safety nets for all classes of employees and vulnerable sectors of our populations; employment protection through security of employment, including the enhancement of employment rights; the provision of training, retraining and development opportunities for the unemployed and underemployed to acquire new specific skills which may help them in the future; the promotion of programmes and effective labour market and employment policies to help those without jobs, particularly vulnerable groups, including female employees, the working poor, youth and persons with special needs, to stay in the labour market and to find a new job quickly; and the implementation of mechanisms to ensure that workers are not disadvantaged because of the economic situation or forced to work without access to decent incomes



and conditions of work using the decent work concept.

These prescriptions are not exhaustive and an analysis of how they can lead to favourable social and economic outcomes is beyond the scope of my presentation at this time. Suffice to state, however, that for the outcomes to be successful, there must be a serious commitment to and a heavy premium placed on the promotion of the ILO's Decent Work Agenda.

The ILO's Decent Work Agenda has become more and more relevant today and will become even more so in the future as countries across the globe continue to grapple with the many varied and cross-cutting issues resulting from the current crisis. Specifically, developing countries must now take serious action to achieve the four strategic objectives which the ILO has been promoting since 1999. I refer specifically to promoting the fundamental principles and rights at work; enhancing the coverage and effectiveness of social protection for all; strengthening tripartism and social dialogue; and creating greater opportunities for women and men to secure decent employment and income.

I make this point on promoting the Decent Work Agenda because the focus of this crisis should not only be on the state of the global economy, rectifying global imbalances or restoring economic growth. The global crisis also has a human face. It should have a "people focus", which should be about protecting all workers their fundamental rights at work and providing adequate social and employment protection. This is crucial because the human resources are key to the rebuilding and recovery process.

This suggests to me that the ILO and its constituent bodies must be extremely vigilant during these difficult times, in order to ensure that the gains which have been made over time are not eroded. These gains have been made through its standard-setting labour Conventions, Recommendations and other social and economic agenda activities. As social partners and constituents, we must support the ILO in whatever efforts are necessary to safeguard these gains. We owe it to the workers of the world and to ourselves.

Finally, I believe also that the global crisis presents a useful opportunity for us to engage more meaningfully in social dialogue in a tripartite setting. This dialogue must be used as a channel for the participation of stakeholders representing the various social and economic sectors. In short, social dialogue should be seen as the mechanism for problem solving and problem sensing, for taking into account the various interests of the body politic and for shaping policies to deal with the critical issues now facing us. Let us adopt a universal pragmatic approach through the involvement of our partners, organizations and people as we go forward to a prosperous future.

---

**REPORT OF THE COMMITTEE ON HIV/AIDS:  
SUBMISSION, DISCUSSION AND APPROVAL**

---

The PRESIDENT (Mr HOSSAIN)

---

We shall now interrupt the general discussion to move on to the next item on our agenda, which is the submission, discussion and approval of the report of the Committee on HIV/AIDS. This report is published in *Provisional Record* No. 15. The Committee elected its Officers as follows: Chairperson,

Ms Nene-Shezi; Employer Vice-Chairperson, Mr Obath; Worker Vice-Chairperson, Mr Sithole; and Reporter, Ms Singh. I invite the Officers of the Committee to come up to the podium, and give the floor to the Reporter of the Committee to present the report.

---

Ms SINGH (*Government, Trinidad and Tobago; Reporter of the Committee on HIV/AIDS*)

---

I feel honoured to stand before you this morning to present the report of the Committee on HIV/AIDS. Special thanks are due to my colleague and friend, Mr Ramin Hassan, Government member from the United Kingdom, who ably assisted me in the preparation of the report presented to you today.

Before I proceed to address the report itself, I would like to thank Ms Nene-Shezi, Government member from South Africa, for her very skilful navigation of the work of the Committee. Her inherent abilities to always consult with the Committee members, her drive and perseverance, and results-oriented approach guided us to proposed conclusions that we could agree upon.

Equally valuable to the outcome of the work of the Committee, were the wisdom of, and efforts made to find common grounds by: the Vice-Chairpersons, Mr Obath, Employer member from Kenya, and Mr Sithole, Worker member from Swaziland.

I would like to take this opportunity to place on record my heartfelt gratitude to the ILO secretariat team, led by Mr Martin Georg Hahn and Ms Paola Pinoargote, who, through their team of note takers, report writers, translators and text-processing clerks, not only assisted us with the difficult task of summarizing the proceedings of this Committee, but took on the completion of tasks way beyond the call of duty.

A session such as the one in which we have participated could not have happened overnight. The wheels started rolling a long time ago. It all required the conduct of surveys and the preparation of background reports, which provided the basis for our discussions and deliberations. In this regard, we were fortunate to be backed by a team of very motivated and dedicated colleagues from the ILO, under the directorship of Dr Sophia Kisting, who knew their jobs and were result oriented.

The Committee on HIV/AIDS held 23 sittings, during which we dealt with over 300 amendments, for which discussions were sometimes highly technical, long, complex and often sensitive in light of the many different perspectives that needed to be addressed. As a consequence, and due to its mandate to amend the text in light of a couple of amendments that the Committee had referred to it, the Committee's Drafting Committee had a marathon session from early Saturday morning into the wee hours of Sunday morning.

I must, however, admit that I was pleased with the level of participation and the quality of discussions during this Committee's sittings, since it clearly highlighted the significance of partnership, through both the formal and informal channels. I was certainly impressed by the camaraderie and wide level of consultation demonstrated by members of this Committee, even through very challenging times. The tripartite consensus-driven approach, embedded in a family setting, in which there was a high level of mutual respect, led to quick decisions on substantial issues.

This constructive and collaborative spirit manifested itself from the first sitting of this Committee and carried through beyond the sittings of the Committee. For instance, the bilateral meetings between Employer and Worker members and the informal meetings between the social partners have truly strengthened the content of this report.

I would like to draw particular attention to the important role that the Government members played in advancing the work of this Committee. The many meetings of the regional groups, including their informal meetings, through which positions for the whole Government group were found, were instrumental in advancing our work and in achieving the proposed conclusions before you today.

A spirit of consensus, solidarity and collaboration was present at every stage, given the fact that all the delegates had the very strong conviction that HIV/AIDS was a global problem and required a global response, based on universally accepted and supported rights and principles.

Now, let me turn my attention to the report, which is an outcome of the concerted efforts of over 200 delegates, representing over 100 member States, who participated very actively in the Committee's work. The first section of the report deals with the records of our elections of Officers, the introductory statements from the Office and the opening statements from Employers', Workers' and Government groups. This is followed by a summarized record of our discussions on each point. The second part of the Committee's report is a set of proposed conclusions that provides a framework for action, as well as the starting point for the preparation of a second discussion next year. The third part of our report is a resolution to place an item on HIV/AIDS on the agenda of the next session of the International Labour Conference.

It is not my intention this morning to give you a full account of the report, since two weeks of work would take a significant amount of your time if I were to recount our discussions. I will therefore seek to highlight some of the major points raised during our very rich and constructive deliberations and hope that I can do justice to the very stimulating discussions we had.

Firstly, I must say that the Committee's work was marked by enthusiastic and unanimous support for a meaningful and effective labour standard on HIV/AIDS. It was widely recognized that the HIV/AIDS pandemic is a complex one that can manifest itself in many ways and requires a wide level of trust and a range of interventions. It therefore calls for high levels of creativity to design what I call almost a magical way out. The world of work was acknowledged to be a major element of this design. There was consensus that the struggle against HIV/AIDS could be rendered more effective by harnessing the potential of the world of work. All delegates shared the understanding that national workplace policies through tripartite consultation need to be an integral component of national HIV/AIDS strategies. Further, special attention was drawn to the need to address the impact of HIV/AIDS on enterprises and jobs, on workers, their families and dependants, and on economies, thus making workplace interventions central to the mitigating efforts of our society, as well as to responses to the economic crisis.

The Committee recognized the importance of safeguarding workers against discrimination on the

basis of HIV status, whether it was real or perceived, and there was consensus that the proposed instrument should ensure protection of all workers, especially groups and sectors deemed to be most at risk. Therefore, the proposed conclusions before you include a categorical prohibition against mandatory testing of workers and job applicants, reinforcing the core principles of the ILO's work over the years, as reflected in the ILO code of practice on HIV/AIDS and the world of work, 2001.

It was also widely accepted that prevention should be the cornerstone of workplace HIV/AIDS responses. The Committee underlined the fact that prevention was an urgent priority and that the workplace could play a significant role in contributing to all the different forms of prevention, as it has the potential to reach the adult population with targeted interventions on a daily basis and, through them, reach their families and the rest of the community.

The Committee also reiterated the importance of not only safeguarding the considerable gains that we have made in making treatment available and affordable, but also building on the foundation and making sure that it becomes accessible to the millions who are at risk of losing their jobs and their lives.

Key to the discussions was the important role of strategic partnerships and alliances. The significance of forging strategic partnerships with AIDS committees and similar bodies that can reinforce the HIV/AIDS workplace response positively at the national, regional and international level was emphasized. The response must also become truly multisectoral and multi-level, with better integration and coordination between various sectors and actors and sustained workplace responses. Hence, it is imperative that Government, together with social partners, improve coordination at multiple levels to improve our workplace response.

The Committee further emphasized the need for an enabling environment of coherent national policies, strategies and programmes to address the HIV/AIDS pandemic in the world of work. It also stressed that occupational health and safety policies should include measures, where appropriate, to minimize the risk of workplace transmission of HIV.

The proposed conclusions recognized the key roles played by employers, workers, governments and organizations of people living with HIV/AIDS in the development and implementation of these policies and programmes, and also the importance of consultative decision making and joint actions in dealing with this pandemic. Institutionalizing arrangements to ensure sustainability of actions therefore emerge as an important tool to facilitate the response to HIV/AIDS.

Due to the precarious nature of informal employment, and often the lack of social protection and limited access to health services, the proposed conclusions highlight the importance of developing specific and targeted actions towards workers, employers and self-employed persons working in the informal economy.

Several other groups of persons were identified as being vulnerable and requiring special attention in the development of HIV/AIDS responses, including women and girls, children who have lost one or both parents as a consequence of HIV, youth, migrant workers and persons with disabilities, etc.

During the discussion, the integral link between the work being undertaken in the Committee on Gender Equality and the Committee of the Whole was highlighted. In particular, gender equality and empowerment of women were singled out as fundamental issues that need to be addressed systematically and consistently by all HIV/AIDS policies and programmes.

It was also the view that HIV/AIDS cannot be seen in isolation from the crisis, especially since poverty is attributed to be a major factor causing HIV/AIDS which, in turn, has the potential to deepen and spread poverty, thus reversing human development, levels of productivity and sustainability of economies.

This means that, when we are adjusting to the crisis, we should not do so by reducing our responses to HIV/AIDS, but rather, we should tackle the problem more aggressively in order to reduce the impact of the HIV pandemic and ensure that the crisis is not further aggravated.

The proposed conclusions before you today are the reflections of the consensus that we arrived at. There are two instances in the text of the proposed conclusions in which brackets were used. Since they were used for different reasons, I feel compelled to explain why they are there.

The brackets at point 4 are there since the Committee asked the Office to renew its consultations with other international organizations, especially UNAIDS and the World Health Organization, to ensure that these definitions are entirely accurate from a scientific point of view, and consistent with the way they are used in these contexts.

The second set of brackets, which you will find in point 29, are there for a very different reason. While many in the Committee felt that the exception from the principle was necessary, others were deeply concerned about it as a matter of human rights, good policy and coherence with the global partners fighting HIV/AIDS through UNAIDS and other organizations. The square brackets here signal the Committee's intention to return to this point next year.

In any case, the proposed conclusions before you are not a final instrument. In fact, they are the starting point for the preparation of a second crucial discussion next year, which I am sure will be made much easier given the quantum of work that was done this year.

It is hoped that in the intervening period there would be the continuation of consultations among the social partners and with the ILO in order to reinforce and clarify the consensus that we have already achieved.

The positive message emanating from this Committee in the form of the substantial set of proposed conclusions before you is not an accident. It was a choice, a choice of the Committee, and it was a testimony that tripartism can work.

We have deliberated at length and produced a very good set of proposed conclusions, I would say, that provides a framework for action, which, together with the follow up work by the Office, will guide our preparations for next year. Today, we have all emerged much richer from this experience and with a clearer idea of the way forward.

It is my sincere hope that you will return home with more inspiration and some good concrete ideas of how to make things happen in your own national environment and that you will give effect to them.

In closing, I implore us to unite our hearts and minds and fight this scourge called HIV/AIDS. Together, we can win this fight. With this, I would like to request that the International Labour Conference adopt the report of the Committee on HIV/AIDS, the proposed conclusions, and the resolution to place on the agenda of the next session of the Conference an item on HIV/AIDS.

---

Mr OBATH (*Employer, Kenya; Employer Vice-Chairperson, Committee on HIV/AIDS*)

---

It gives me great pleasure to address this plenary session on behalf of the Employers' group. Allow me to thank the Chairperson of our Committee, Ms Nene-Shezi, for the able manner in which she steered our deliberations.

My congratulations and gratitude also go to the spokesperson of the Workers' group, Mr Jan Sithole, for his negotiating skills and his considerable patience in trying to tackle this very delicate matter.

I would like to thank the Governments in our Committee for their very constructive role in our deliberations. We would not have arrived at the current document were it not for their active engagement in the work of the Committee.

I would also like to say a very big thank you to the Employer members of the Committee, and to the secretariat for the support they accorded me throughout our deliberations.

The subject of HIV/AIDS is one that has been discussed very widely, and a lot of action has taken place on this subject all over the world since the scourge was discovered.

The ILO code of practice was published almost eight years ago and has guided governments, enterprises, workers and, indeed, national organizations in their efforts to tackle this scourge. That code of practice has been a central pillar for a lot of governments in developing their own codes of practice, which have been voluntarily drawn up in the last eight years and have made a significant dent in the spread of the scourge in the world.

The last two weeks have been characterized by some tedious and tough negotiations. It was clear from the beginning that this is a problem that touches all mankind one way or another, and the workplace in particular.

The ILO needed a clear indication of how to improve its response following the successful and widely adopted ILO code of practice.

Right from the word "go" we were confronted with the question of what form of instrument was required. The Committee found itself having to decide whether to name the baby before it is born, to quote my fellow spokesman, Mr Jan Sithole, or to name the baby earlier, using modern technology to work out the sex of the baby.

The Employers' group felt strongly that the ILO Governing Body had given the Committee a clear mandate when it decided in March 2007 to place this item on the agenda of the Conference this year.

The outcome would be an autonomous Recommendation which would build on and promote the ILO code of practice. We are pleased that the first decision taken by the Committee was to adopt an instrument in the form of a Recommendation.

This decision taken by the Committee recognized the diversity of the situations prevailing in the various regions, countries, enterprises, organizations, communities and, indeed, in individual families.

This will allow member States to adopt appropriate policies and programmes in order to respond effectively to HIV/AIDS in the place of work.

Having decided on the type of instrument, we had no major issues with the Preamble. We agreed that HIV/AIDS has a serious impact on society and economies, the world of work, workers, their families and dependants, the social partners and public and private enterprises.

It is, however, important to note that the workplace cannot replace the health sector as the area with the primary responsibility to fight AIDS.

The Committee could not ignore the International Labour Conference discussions on the jobs crisis. We are facing very difficult times, with the serious threat of enterprises collapsing and of resulting job reductions.

Any attempt, therefore, to ask enterprises to take up extra costs in HIV/AIDS prevention, care, support and treatment would make them even more vulnerable in the current setting.

That is why the Employers support prevention and support policies that should be adapted to national conditions and the type of workplace concerned. These policies should take into account gender, as well as cultural, social and economic issues.

The form of instrument adopted would have to allow for changing local, regional and global circumstances to be taken into consideration when designing and reviewing interventions.

I did indicate, at the beginning, that the Committee's workload was heavy and tedious. Though, we appreciate the difficult circumstances under which the secretariat works, it really is necessary to give adequate time for the presentation of amendments. This should allow time for consultation and also for groups to present amendments that are well thought out. We hope that the secretariat can take this into account for next year.

Likewise, a well-crafted instrument is not one with too many paragraphs, but one that is clear, concise and non-prescriptive. We feel that in drafting the instrument going forward that the Office can do more to limit the number of paragraphs. Members of the Committee can also contribute to this by not repeating the same issues all the time.

We need to harmonize the Preamble, the general principles and the section on our national policies and programmes, so that one is able to distinguish clearly the purpose in the instrument.

I do feel that we have conclusions that enjoy broad support, but that need to be fine-tuned for next year. The Committee has requested the Office to consult experts from the World Health Organization in order to ensure that we have better scientific definitions where required.

There are also a number of issues that have to be clarified through consultation. For example, under "worst, exceptional and specific circumstances" would workers and job applicants be required to reveal HIV-related information about themselves or others?

In conclusion, I call on the Conference to adopt our conclusions, and look forward to a fruitful discussion next year.

---

Mr SITHOLE (*Worker, Swaziland; Worker Vice-Chairperson, Committee on HIV/AIDS*)

---

I am pleased to speak in support of the adoption of the report of the Committee on HIV/AIDS.

As workers, we are true to the fact that the HIV/AIDS pandemic is the biggest enemy that mankind has ever faced. It is an enemy that does not discriminate between the poor and the rich. It does not discriminate on the basis of gender. It does not discriminate on the basis of social status, religion or political opinion. It is a scourge that has no remorse, and has so far eluded the finding of a cure. It has killed and continues to do so in thousands, on a daily basis. It is greater and bigger in eliminating humankind, and has so far killed more people than all wars and genocides combined. It is selfish, it targets the youth, women and the majority of working-age people globally.

Coming up with a collective tripartite instrument that should be able to combat it is a task that even the Security Council of the United Nations has never faced.

The situation has been worsened by the global economic crisis; we have already learned that the Global Fund will fall short by US\$3 billion of the resources it needs to meet current needs.

It is our view as workers that governments, the international financial institutions and the G8 should strongly consider a stimulus survival package, not for any particular company this time, but for assisting the human race to survive.

Many may then ask: why is the workplace made the anchor point in dealing with the scourge? The answer is simple. In the workplace women and men of working age are gathered to earn their incomes and those of their families. It is, together with their homes, the most important place in their lives. It is also there that they produce the wealth of our societies and, with the employers, ensure production of goods and services.

HIV undermines that basic role of the workplace and, therefore, we join forces to combat it at the workplace and in the world of work, broadly.

It would be negligence of the highest order to ignore or leave out the workplace in the combat against the scourge.

The Office has provided us with an extensive amount of preparatory work, analytical and political. We are grateful to the ILO for the work done, it has allowed us today to speak and act with full knowledge of past experiences and with an update on the current situation and challenges.

In June 2001, we adopted the ILO code of practice on HIV/AIDS and the world of work. Now, in 2009, we are taking the work further because we have seen, and it is reported, that there are weaknesses and limitations in the current practice.

The instrument we adopted in 2001 was, and still is, a landmark in stimulating and supporting workplace action on HIV/AIDS and more broadly in the world of work. It contained the fundamental principles that are, and should remain, our building blocks for an internationally agreed and applicable standard on HIV/AIDS.

We have now finalized our work. For the Workers' group, the ambitions were high. It would be irresponsible of us, on the one hand, to declare HIV/AIDS the worst enemy of mankind and, on the other hand, to be casual about the kind of responses and interventions we make to address the pandemic, leaving it to the discretion of the willing.

We wanted a strong international standard in the form of a Convention. The arguments for not having one do not really convince us. Sovereignty cannot be an excuse to be complacent about the pan-

dem. We want to emphasize that doing nothing about the scourge is not an option, now or at any time in the future, if we are to be on top of managing the ravages of the deadly pandemic; we must all act positively.

In spite of that contradiction, we do have strong rights and protection clauses in the proposed instrument, which do cover some of the most challenging consequences of the pandemic for people at the workplace and their families.

We have good wording explaining the need to act both on HIV and on poverty; and in that context we took into account the vulnerability of many groups and people in society and in the world of work.

We made progress, including armed forces and uniformed personnel as specific categories that also fall under the scope of the proposed instrument.

We made good progress on the recognition of HIV as an occupational disease and its implications.

We confirmed the prohibition of mandatory testing and the right to privacy and protection of data, but we are still missing a lot of elements that will be crucial for us next year. Those will have to make the difference; the difference between a real international standard and a rewritten code of practice.

Far too many unnecessary and unjustifiable excuses have been made as escape routes whenever the issue of allocation of resources was to be considered: national policy and so-called sovereignty were introduced, especially when concrete commitments had to be made.

We also expressed strong reservations and asked for deferment on point 29 of the proposed instrument on exceptional testing for occupational health reasons, and we would like the Office to look into this in depth, and advise, with the concurrence of human rights and health experts, on the implications of the proposed clause.

Other areas of concern were the unwillingness to take account of the most vulnerable groups that we find at the crossroads of the world of HIV/AIDS and the world of work: sex workers; men sleeping with men; and those women who are negatively affected by traditional customary laws at national level.

We could have been much more concrete and forthcoming on maternity protection.

We regret very much that the language on migrant workers has now unilaterally put responsibility with the sending countries and has not ensured the prohibition of testing of migrants upon arrival in receiving countries.

We omitted to consider more thoroughly the world of education, one of the major workplaces in the world, and its role in fighting the pandemic.

Finally, we want the instrument to be monitorable and to provide the Office and all of us with the necessary reporting and supervisory mechanisms so that we can assess progress and hold governments accountable. We should be able to reinforce the instrument in the future.

Our work has now ended for this year. Ahead of us is another year of preparations and discussions.

Let me, at this point, say a few words of thanks. I would like to thank the Workers' group for the confidence that they have put in me. I would also like to thank Dr Kisting and her team for all the work done. Thanks also to the ILO staff for their kind collaboration. I would like to thank the International Trade Union Confederation (ITUC), and particularly Jan Dereymaeker and Suzanna Muskat-

Gorska, for their tireless efforts. My thanks also go to the Bureau for Workers' Activities (ACTRAV) – to all their team, in particular Amrita Sietaram and Rawane Mbaye, for their professional support and guidance. I would like to thank the Chairperson, the Reporter and my fellow Vice-Chairperson, Mr Patrick Obath.

I sincerely hope that our unwavering determination, commitment, dedication and unity of purpose will produce an instrument that will successfully combat the unrelenting ravages of the pandemic globally. An instrument that will entrench the pillars of decent work, the principles as they already exist in the code, which will guarantee prevention, treatment, support and care. Through the President, I ask the members of this august assembly to endorse and support the adoption of the proposed conclusions with a view to producing a strong international standard.

I have every reason to believe that we are in the process of crafting an instrument that will be embraced by all governments, without fail, because we all have one option, which is to combat the ravages of the scourge without compromise.

---

Ms NENE-SHEZI (*Government, South Africa; Chairperson, Committee on HIV/AIDS*)

---

I have the honour, in my capacity as the Chairperson of the Committee on HIV/AIDS, to present to you some of my observations on the proceedings of the Committee.

A little less than two weeks ago we started our discussion in the Committee on HIV/AIDS. Now the Committee's work is concluded. All delegates in this Committee worked very, very hard; the evening sittings were not an exception but a rule. The level of discussion and debate in our Committee was very high and always constructive from all three groups represented in our Committee.

In our deliberations, common themes emerged. There was unanimous support in the Committee that prevention was central to combating the pandemic – for example, ensuring the active participation by both men and women in response to HIV/AIDS and recognizing the role of men as gatekeepers in addressing HIV/AIDS with behaviour change being the ultimate goal – that the stigma and discrimination needed to be addressed, and that the national workplace policies and programmes needed to be developed and implemented with tripartite support to ensure that these principles would be a reality in the workplace.

Again, the Committee supported that the scope of intervention needed to be systematically widened so that measures would not only address the needs of the workers but also those of their families and their dependants.

The Committee also emphasized that the financial and economic crisis had a serious impact on the social protection system and the productivity of enterprises. It, therefore, recognized that it was crucial that the goal of protecting workers living with HIV and their rights to decent work should not be undermined.

Although the Committee was dealing with the very specific aspect of the world of work, we did not work in isolation. Instead, it was felt that there was a need to ensure a two-way flow of information in discussions held in our Committee on HIV/AIDS and, those held in relation to the global crisis and gender equality, since poverty and gender inequal-

ity, as well as other forms of discrimination, were regarded by the Committee as major contributing factors to the increase of the HIV/AIDS pandemic.

The fact that we have been able to complete the discussion of all over 300 amendments is due to all delegates' perseverance and the calm and concentrated way all groups have conducted their work.

I should also like to point to the commitment and expertise brought to our discussion by over 200 participants. We had amongst ourselves lawyers; we had medical doctors; we had labour inspectors and policy-level officials from over 100 countries.

We, also, were privileged as a Committee to have amongst us a person representing organizations of persons living with HIV, who shared his practical experiences, and it certainly enriched our discussion in our Committee.

Besides the knowledge and expertise present, the thing that impressed me most was the spirit of goodwill that prevailed throughout the Committee's deliberations. All of us – we never ceased to try to find consensus. This collaborative approach is strongly reflected in the proposed conclusions and witnessed by the fact that not a single vote had to be carried out in the Committee on HIV/AIDS.

The success of the Committee is, indeed, as a result of all our efforts and the competence of many individuals. The Vice-Chairpersons of the Committee, Mr Obath for the Employers and Mr Sithole for the Workers – I highly appreciated their professionalism and the strong voice they gave to their respective groups. At the same time, throughout our work, their spirit of cooperation never ceased and had a very positive impact on both the good working relationships of the officers and the entire Committee. I admire their expertise and their calm and friendly manner, in which they dealt with difficult issues that we were to deliberate on in our Committee on HIV/AIDS. I was very impressed by their wise counsel, which had a very positive impact on the steering of the work of our Committee.

Other important contributions were made by Reporters, the members of the Committee – Drafting Committee – and the speakers for the regional groups.

I am very proud to be able to inform you that the Government members also played a very important role in our work. They worked tirelessly, both inside and outside the sittings. Especially, the regional groups were instrumental in our success. Indeed, the spirit of social dialect prevailed in our Committee.

Finally, I would also like to thank the Office for the long hours that it put into this Committee. Dr Kisting's team was most effective and helpful, and, at the same time, it was always, always a pleasure to work with them. I am therefore very happy and honoured to present to you the outcomes of our Committee's deliberations. I strongly believe that, during the past weeks, the Committee produced a solid map and set us well on the path for the crucial discussions which will happen this time next year. I would herewith like to thank my Committee again for its hard work and therefore humbly request the International Labour Conference to adopt the report, the resolution and the proposed conclusions on HIV/AIDS.

---

The PRESIDENT

I now open the floor for discussion of the report of the Committee on HIV/AIDS.

---

Mr MAKEKA (*Employer, Lesotho*)

It gives me great pleasure to give this supporting statement to that of the spokesperson of the Employers' group, Mr Obath, calling for the adoption of the report of the Committee.

The HIV/AIDS problem has become a global epidemic with alarming proportions. More than 96 per cent of new infections are in low- and middle-income countries. In the majority of low-prevalence countries, infection rates are increasing. Almost 45 per cent of the infected are young people between 15 and 34 years of age.

HIV/AIDS is still spreading though it has slowed down in some regions. Thanks to PEPFAR, the Global Fund to Fight AIDS, Tuberculosis and Malaria, and other initiatives, treatments have become more available.

My country, Lesotho, is in the southern tip of Africa, which has the highest rate of HIV infection. At the present rate of 23.6 per cent, the pandemic for Lesotho is certainly too high, and as such, unacceptable to us.

The Employers' group has always called for the ILO to get involved in strong engagement in practical support to member States and to social partners in order to help them scale up HIV/AIDS prevention efforts, address discrimination in the workplace as a result of real or perceived HIV/AIDS status, and provide care and support to affected and infected employees. We are pleased that the draft conclusions, that we have worked out during this session of the Conference, provide a very clear framework on how to develop and implement national policies and programmes.

Employers throughout the world have always provided strong support for the ILO code of practice on HIV/AIDS and the world of work as the framework for workplace action globally. The code adopted in 2001 is a consensus document, developed through a tripartite group of experts, nominated by governments, employers and workers and adopted officially by the Governing Body. By adopting this document, the ILO constituents demonstrated their commitment and political will to address the pandemic. The general principles contained in the code of practice have been translated into national legislations and are a useful guidance to policy development and practical and concrete responses at the enterprise and national levels.

We are pleased that the conclusions provide adequate guidance on how to deal with: (a) prevention of HIV/AIDS; (b) management and mitigation of the impact of HIV/AIDS on the world of work; (c) care and support of workers infected and affected; (d) elimination of stigma and discrimination on the basis of real or perceived HIV status; and (e) issues of occupational safety and health as they relate to HIV/AIDS.

We strongly hope, therefore, that the autonomous Recommendation that we will be developing and hopefully adopting in June 2010 will: build on the good work that the ILO has done since 2001; build on the ILO code of practice and its implementation; promote united action and collaboration between the ILO and other UN agencies because the workplace is only a component of national responses and approaches; suggest measures to build the capacity of ILO constituents so that they can respond effectively to the challenges of HIV/AIDS; avoid overburdening the enterprise, particularly at a time when

many enterprises are collapsing due to the global financial and economic crisis; integration of workplace responses to HIV/AIDS into national programmes with particular emphasis on tuberculosis in so far as Lesotho is concerned.

---

Ms LYNCH (*Worker, Ireland*)

---

HIV/AIDS is a critical issue for all of us, as the vast majority of people living with HIV/AIDS are aged between 15 and 49, and are in the prime of their working lives. HIV/AIDS threatens their fundamental rights at work. It threatens decent work in the workplace. That is why the workplace and the ILO are central to an effective response to the pandemic.

HIV is preventable and treatable, yet from the moment HIV/AIDS were identified, denial, fear, blame, stigma and discrimination have accompanied the pandemic. At work, workers fear discrimination and stigma.

Individuals affected, or believed to be affected, fear losing their jobs, fear how they will be treated at work, and for some workers the discrimination and stigma is compounded by other prejudices, in particular for workers who are gay. I am sad to say that this stigma and discrimination is an unacceptable reality in workplaces in Ireland and in workplaces in Europe, as much as it is in any other part of the world.

And when this discrimination and stigma are combined with a lack of information, a lack of preventative means, such as condoms, underfunding in health care and unaffordable treatment, they combine to become key ingredients that spell disaster for workers, their families and communities. And that is why I am so very proud of the work that we have done here this year.

The work that we have done is very meaningful. We have laid a foundation for what we can achieve next year. In a strong instrument, the provisions we provided will reduce fear by protecting workers against discrimination and stigma, by protecting privacy and confidentiality and by establishing a mechanism for speedy and effective complaints, for an adjudication of the complaints and for dissuasive sanctions.

The provisions will open doors to prevention and treatment by empowering women, making available preventative measures, such as condoms, and using reasonable accommodation measures in the workplace.

In a strong instrument, the provisions will provide for trade unions to play their full role, both at the national and enterprise level, through collective agreements, where workers trust their trade unions to advocate, educate and fight on their behalf.

I look forward to returning to Ireland, where I will tell my worker colleagues, and indeed my son, about the important work that we have done here. I would like to record my own thanks to the other colleagues in the Drafting Committee. I want to thank the Employer colleagues, I want to thank the Government members of the Committee, and I want to thank the Office and Dr Kisting for her advice and support. And finally, I would like to record my thanks to my colleague, Jan Dereymaeker, in the Drafting Committee, and to the Worker spokesperson, Mr Jan Sithole, for his leadership.

---

*Original French: Mr BISSALA (Worker, Cameroon)*

---

As a member of the Committee, I would like to thank and congratulate the Worker Vice-Chairperson for the excellent way in which he conducted the work of our group and for his participation in the Committee discussions.

Given the damage caused by AIDS at the workplace, we want a strong instrument to be adopted by the Conference in 2010. We support the adoption of the report of the Committee.

---

Mr EYTLE (*Employer, Jamaica*)

---

On behalf of the Caribbean Community (CARICOM) employers in the Committee, we would like to support the report and conclusions which provide us with a document which we can use for our deliberations and action leading up to next year's final discussion.

The Committee reinforced the importance of the issue of the impact of the HIV/AIDS pandemic on the workplace, the world of work and beyond. The connection between HIV/AIDS and poverty was highlighted and we feel that this has to be one of the crucial issues and areas of focus in order to determine avenues through which action must be taken in prevention, treatment, care and support.

In the context of the report, and more specifically the conclusions, we support the need for an instrument which is facilitative and not prescriptive, but which provides an integrated framework for action by the social partners, along with other key partners and agencies, with roles and responsibilities clearly defined and clear and achievable objectives.

Within this framework, we fully endorse the focus on information, education and training as being a critical element of any plan to deal with HIV/AIDS in the world of work, and we stand ready to fulfil our role as employers in CARICOM. However, further deliberations would need to address complex and thorny issues, such as stigma, discrimination, testing and confidentiality in order to ensure consensus and to determine the way forward.

Of particular note was the inclusion of sectors such as the uniformed services, migrant workers and the informal sector in the conclusions and the concerns expressed during our discussions. These issues will also require further discussion at the national and regional levels in the lead up to next year's finalization of the instrument.

We therefore look forward to next year's deliberations and, even more importantly, the urgent requirement for us to work in the intervening year on the development and implementation of the plans to bring back to next year's deliberations.

In the interim, we will be reviewing these conclusions as employers and conducting the required follow-up activities.

I would like to use this opportunity to say thank you to Mr Patrick Obath, who was the Employer Vice-Chairperson, Mr Sithole and Dr Kisting.

---

Mr TIWARI (*Worker, India*)

---

I would like to thank our Chairperson, Ms Nene-Shezi; our spokesperson for the Workers, Mr Sithole; our Employer Vice-Chairperson, Mr Obath; and Dr Kisting, for their useful remarks and their very hard work in preparing this document containing the conclusions of our HIV/AIDS Committee.

I would like to indicate my support for the work of the Committee and note that, during the discussion, the leadership of this group did a very compe-



tent job in finalizing the amendments made by the members; I note in particular the inclusion in the draft conclusions of references to dependents and family members of persons affected by HIV. The work was truly remarkable.

Now we have taken a welcome step forward in our work, which began with the adoption in 2001 of the ILO code of practice on HIV/AIDS and the world of work and has led to the discussion of a Recommendation in June 2009; we feel, however, that we need to work more effectively in this area in the coming years. Although we were hoping for a Convention, which would have been a very reasonable instrument, we are ready to work on what we more or less have got here.

Now I would like to refer what was said by His Excellency President Sarkozy, when he was speaking in the plenary about the global recession. He said that the global crisis has given a licence for imagination.

Let us imagine equality in the world order, where developed countries contribute generously, without any preconditions, to developing countries of the world, so that humankind can survive with the decent work policies advocated by our beloved Director-General of the ILO, Dr Juan Somavia.

I would also like us to move towards a world that is free of inequalities, where there is decent work and where it is possible to save humankind from pandemics such as HIV/AIDS. In this regard, I would also like to mention here that our tripartite instruments are working in our country to eliminate the stigma and discrimination associated with affected people and to raise awareness. We are working with the generous help of some of our Government-sponsored institutions such as the Central Board of Worker's Education, and we have agreed that this is a labour issue. In addition, our national AIDS control organization is working very effectively with the direct support of the Government of India.

I would like to point out that, despite all these programmes, the ILO should give more emphasis to our country because we are a big country and have a huge population. Already, 2.7 million people are affected by this pandemic, and in order to ensure that we have a strong future and to ensure that our people will not be affected by this pandemic, we want the ILO to give purposeful instructions to the ILO Regional Office for Asia and the Pacific so that it can engage more with the central trade union organizations of the country, which have direct access to the country's 449 million workers, rather than entrusting this work to those that have no direct access.

I hope that this regular mechanism of tripartite social dialogue will enable us to prevent, cure and eliminate this scourge which is affecting our country and that we will be able to improve the conditions in, and eliminate this pandemic from, our country. I hope that this report, and our hard work over the last two weeks, will make it possible for us to adopt a very sound instrument for the elimination of HIV/AIDS in the world.

---

*Original French: Mr BARDE (Employer, Switzerland)*

Even if it is a paradox that we are today faced also with the risks of the H1N1 virus pandemic, HIV/AIDS is a scourge which we must combat through prevention and treatment. The Committee appointed to that end set to work with determination

and conviction and we should be grateful to it for that. However, the question remains what real contribution can the ILO make to combating this disease?

The function of the ILO is to deal, as a matter of priority, with relations between employers and workers. In this particular case, the confidentiality which is rightly required in order to protect workers' privacy, in the broad sense of the term, makes it difficult to know about cases of HIV/AIDS, because of medical secrecy. The legal responsibility of employers can therefore only be extremely limited and may give rise to confusion and false hopes even.

How should we understand the paragraph contained in the draft conclusions concerning "the important role of the workplace as regards information about, and access to, prevention, treatment, care and support"? Who is responsible both legally and financially? All that is more a matter for the public health authorities, than the responsibility of the enterprise alone. How can we make reasonable provision in the enterprise, including making modifications to the place of work, when the enterprise does not even know if anyone is carrying the virus? How can we broaden the scope of application of the instrument to jobseekers and to dismissed workers if, by definition, they have no contractual relationship with an employer and an enterprise? How can the enterprise deal with temporary absence from work related to HIV/AIDS like absences for other health reasons when the person who is compelled to be absent temporarily is covered by confidentiality provisions?

Paragraph 14 of the draft conclusions stipulates that a person's real or perceived HIV status should not be cause to prevent his or her recruitment or continued employment. But as already stated, the employers are not aware of it. What would happen in case of dismissal? Could the employee take legal action against the employer?

There is too much vagueness and confusion in these conclusions. I think, personally, that the role of our Organization and of the world of work in general is more to take steps aimed at prevention and empathy and to support all efforts made by the public health authorities, rather than to open up questions which I think remain without an answer.

---

*Original French: Mr BOISNEL (Government, France, speaking on behalf of the IMEC group)*

Having been responsible for coordinating the IMEC group, I would like to make my own comments on this discussion. Firstly, I would like to say, once again, that the countries of our group support the adoption of the conclusions and the accompanying resolution. I would also like to make certain comments, based on three key words.

The first word is "difficulty". Given a subject with such major importance as HIV/AIDS, we absolutely could not risk failure. However, it required a great of energy and mutual understanding for us to reach agreement on these conclusions because it was a particularly difficult subject. There were practical difficulties, the technical complexity adherent in the subject, and two other very specific and recurrent difficulties.

The first of these was reconciling respect for the scope of the ILO's remit, which is very broad, including employment, work and social protection, with the need for a global response to HIV/AIDS that goes well beyond that specific remit of the ILO.

The second difficulty was reconciling the drafting of an international labour standard, a legal text, with the need to give a strong, clear and politically effective message.

Of course, you cannot draft an international labour standard in the same way as a statement or a declaration, but we had to reconcile these two approaches.

My second key word is “commitment”. Many speakers, and I would like to thank them for it, have already mentioned the involvement of governments in this discussion. Of course, the exceptional tragedy of HIV/AIDS requires an exceptional response. Nonetheless, the involvement and, above all, the unity of the governments in this discussion, are only too rare within the Organization, and I would like to thank all those who contributed.

The IMEC group was able to define common positions on many subjects, without wondering whether the ideas came from Europe or elsewhere, but instead focusing on dialogue and agreement between groups.

Not only has the dialogue been constructive and productive but, perhaps more importantly given a subject of this nature, it has been done in a brotherly manner with our colleagues, the spokesperson for the Africa group and the spokesperson for GRULAC.

My third and final key word is “availability”. We are available between this session of the Conference and the next and, of course, during the 2010 International Labour Conference, to talk with all other governments and all other groups to make any necessary changes, improvements or clarifications to the text. We think that this text is an excellent basis and makes progress in areas that we should not revisit. However, we do also think that, it could be improved and that, in order to achieve the aim of effective and concrete implementation, there may be a need for some changes so that it is easier to use in the field. We are, therefore, open to any form of cooperation in this regard, and we can draw on the mutual confidence that has been established on a personal basis among the various delegates to the Committee.

By way of conclusion, I must, of course, thank the Office and all its team, who have lent us precious assistance, without which we would not have been successful.

---

The PRESIDENT

Many thanks for your comments. This concludes the discussion of the report. Let us now move to the

approval of the report, contained in paragraphs 1–409. If there are no objections, may I take it that the Conference approves the report?

*(The report – paragraphs 1–409 – is approved.)*

**PROPOSED CONCLUSIONS OF THE COMMITTEE ON  
HIV/AIDS: ADOPTION**

---

The PRESIDENT

We shall now proceed to the adoption of the Committee’s proposed conclusions with a view to a Recommendation, section by section.

*(The proposed conclusions – paragraphs 1–50 – are adopted seriatim.)*

It there are no objections, may I take it that the proposed conclusions, as a whole, are adopted?

*(The proposed conclusions, as a whole, are adopted.)*

**RESOLUTION TO PLACE ON THE AGENDA OF THE  
NEXT ORDINARY SESSION OF THE CONFERENCE  
AN ITEM ENTITLED: “HIV/AIDS AND THE  
WORLD OF WORK”: ADOPTION**

---

The PRESIDENT

I now invite the Conference to proceed to the adoption of the resolution to place on the next ordinary session of the Conference an item entitled: “HIV/AIDS and the world of work”. If there are no objections, may I take it that the Conference adopts this resolution?

*(The resolution is adopted.)*

That concludes the examination of the report of the Committee on HIV/AIDS. I think we can all agree that the Committee has had a very successful first discussion on this very important issue and that they deserve our warmest congratulations for all the work they have put into their outcome document. And let us not forget the staff of the secretariat who backed them up valiantly, often late into the night, to enable the work to go on in the Committee.

I thank all of you; you have completed the first stage on the way to a very useful international instrument.

*(The Conference adjourned at 12.55 p.m.)*

## **Eighteenth sitting**

Thursday, 18 June 2009, 2.35 p.m.

*Presidents: Mr Zellhoefer and Mr Hossain*

### **REPORTS OF THE CHAIRPERSON OF THE GOVERNING BODY AND OF THE DIRECTOR-GENERAL: DISCUSSION (CONT.)**

---

The PRESIDENT (Mr ZELHOFER)

---

The 18th sitting of the 98th Session of the International Labour Conference is called to order. We shall begin our work this afternoon by continuing the discussion of the Reports of the Chairperson of the Governing Body and of the Director-General.

---

Mr ROÓZ (*Employer, Hungary*)

---

My home country, Hungary, celebrated the fifth anniversary of its accession to the European Union six weeks ago. The anniversary was an occasion for us to assess how different the situation and the general mood was five years ago from what it is today.

On that day, we were looking forward with great anticipation to all the advantages offered by a free market economy, and a properly regulated, functioning economic and social model respecting freedom of association, the right to assembly and freedom of speech. Today, we are forced to also see the weaknesses of the model, and I must add that the global financial and economic crisis comes as a greater challenge to a country that is weaker than to a strong economy with firm foundations and a developed society. That is because the democratic institution system provides excellent answers to how we should distribute surplus value that is generated effectively and justly.

However, we have less established answers to how deficit should be distributed when we have fewer jobs each day, shrinking revenues and smaller budgets. In our particular case, the internationally known challenges are compounded by the duty of rectifying government overspending in the past. No wonder that such economic difficulties also generate social tensions. Social partners must pay particular attention to the international experience that is made available here by the ILO. Employers and employees, as well as governments, can learn from best practice elaborated in peacetime by countries more fortunate than Hungary, in a period of only minor economic difficulties, with the purpose of resolving those conflicts.

We have been struggling for many years with unwanted economic and social phenomena such as illegal work, corruption and tax evasion. It is important to emphasize the agreement of employers' and employees' federations with the principle that only law-abiding businesses, respecting the rights of em-

ployees, should be able to achieve economic success. Today, entrepreneurs increasingly recognize that adhering to these principles is an important factor in competitiveness at a European level.

We hail the ILO's flexible adaptation to the current economic and social situation and the talks it is conducting, in conjunction with the tasks and requirements resulting from that situation.

The Hungarian social partners are prepared to utilize and follow all the experience, Conventions, and recommendations promoting a democratic solution to the increasingly acute tensions, in harmony with the basic principles advocated by the ILO.

The advice of colleagues and examples are sometimes worth more than official documents. Hungarian employers have recently spent some time studying the practice of our Finnish friends on how to overcome the crisis.

They mitigate the effect of the economic and employment crisis by reducing the working week to four days, and using the fifth to provide further training and retraining to the redundant workforce.

It is a pleasure for us, among the difficulties listed above, that this year also marks a celebration, that of the 90th anniversary of the foundation of the oldest specialized agency of the United Nations, the ILO.

It is the conviction of Hungarian employers that the anniversary is being celebrated in a worthy manner if we make a list of all the values and basic principles on which this Organization was built, and whose respect helps us build an effective, democratic society that honours the institution of social dialogue, and places it among its essential values.

I am equally pleased to say that our cooperation in staging the celebration of this anniversary, in cooperation with the ILO Budapest Interdisciplinary Team, is perfectly natural, as the team has, on so many occasions, given us generous theoretical and practical assistance and aid in research projects.

---

Mr PETRIASHVILI (*Worker, Georgia*)

---

My congratulations to Mr Juan Somavia, on his re-election as Director-General of the ILO. It is our hope that he will continue to seek effective ways of promoting decent work and overcoming poverty.

Unfortunately, we have seen our Government really making no efforts to harmonize relationships between the different groups within society. The way the Georgian society lives and functions today is exactly contrary to how it did 20 years ago, meaning that the working class domination over capital has been reversed to just the opposite. It is

obvious that the neoliberal ideology will end up in a total fiasco, just as was the case with communism. This is already happening and it is well marked by the current financial crisis.

Hundreds of thousands of workers have been unfairly laid off, the number of unemployed exceeds 450,000, the unemployment compensation system is being abolished, the number of fatal workplace accidents and injuries has increased dramatically and genuine trade unionism is being deliberately opposed by the creation of fake unions being allowed. These are the consequences of the policies of ignoring social dialogue, limiting the right to collective bargaining, abolishing the labour inspectorate and making the labour legislation a tool to promote the standards of the nineteenth century. By encouraging the creation of fake unions, the state officials attempt to weaken the labour movement. Teachers, metalworkers, miners and employees in other sectors are forced to withdraw from the trade unions of their own choosing and move to the counterfeit ones. Where they resist, they simply get fired.

It was due to the Government's disregard for social dialogue that the economic growth as high as 12.4 per cent did not improve and neither did employment nor the general social conditions in the country.

Aiming to remedy the situation, the Georgian trade unions have submitted to Parliament petitions supported by more than 100,000 signatures of workers across the country. Unfortunately, three months later, these documents are still waiting for discussions to take place in Parliament. While the Georgian authorities cite political turmoil as the reason for the delay, we are sure that the authorities' abusive approach to workers' rights has played a major role in escalating the political tensions.

There is some good news too. That is the tripartite agreement recently achieved by the social partners and the Government. This became possible only after a new Minister of Labour was appointed. Thanks to his reasonable approach to the ILO's role, along with the great efforts of Mr Kari Tapiola with respect to Georgia, coupled with the effective work of the ILO's International Labour Standards Department and its InFocus Programme on Promoting the Declaration, a 30-point list of amendments to the Labour Code was negotiated and agreed. I sincerely thank all those people who facilitated the negotiations.

But, while two native regions of Georgia remain under Russian occupation where human trafficking, forced labour, drugs and arms smuggling are the main business activities, there is no chance to overcome hardship and crisis in the country. Furthermore, the small Georgian community still living there is not allowed to study and get an education in the Georgian language: children are deprived of their childhood. The reason their stay in the occupied territories is tolerated by the aggressors is that it is the intention of the occupiers to convince international society that there has been no ethnic cleansing there.

It makes no sense to talk about happiness while 400,000 of our sisters and brothers are prevented by the modern-day fascists from returning to their homes.

The Georgian trade unions call on the ILO, of which the Russian Federation is a member State, and the UN, where Russia currently holds the Presidency of the Security Council, along with the repre-

sentatives of different countries that are present here, to support and help us to overcome the fascists of the twenty-first century. We should have the right to work and live in our homes. I do not want my people to divert from a path of peaceful development. Please help us; otherwise, one fine day, you will find all the same problems knocking on your doors.

In Greek, "crisis" means "punishment". Yes, the world is being punished for the insane and unfair policies promoted by some politicians. To find the way out, the world needs to rediscover the long-standing values of solidarity and peaceful coexistence between the nations.

---

Mr EDSTRÖM (*Worker, Sweden*)

---

On behalf of the Swedish trade unions, I welcome the excellent Report by the Director-General, *Tackling the global jobs crisis: Recovery through decent work policies*. In Lisbon, at the eighth ILO European Regional Meeting in February 2009, I expressed on behalf of the workers, our serious concern about the financial crisis. Since then, the crisis has aggravated. Regrettably, the recommendation from Lisbon to keep up the demand and the wages, income and purchasing power of the workers and the levels of remuneration in the social security systems failed to attract the enthusiasm of many governments.

For instance, we can see in our neighbouring Baltic countries that their governments have more or less declared a "war" and primarily target their own workers by cutting wages dramatically in the public sector – in this regard applauded by the International Monetary Fund and lending governments – despite the fact that these workers are not guilty of causing the crisis.

In my own country, we can witness that pressure is put on workers and trade unions everywhere to agree to a reduction in wages (sometimes with a reduction in working hours, sometimes not), and that such calls are spreading beyond the manufacturing industry to practically every sector of economic activity, regardless of whether it is profitable or not, or if it is private or public. An opportunity has come for certain actors to try to take back what the trade unions have achieved during many years in terms of decent wages and working conditions and employment security.

We now witness that unemployment grows dramatically in Sweden, with open unemployment reaching 11 per cent and a huge increase in spending on minimum social benefits. In my plenary speech in 2007, I criticized measures taken by the Swedish Government that resulted in several hundreds of thousands of workers leaving the unemployment insurance system. Now, when the crisis is having its full effect, many unemployed are accordingly left without any real income protection. The question is whether the so-called Swedish model, seeking tripartite consensus, will have a future and who will in the end defend it. Among Swedish workers there is a growing feeling that our social contract has been breached. We, as trade unions, have agreed to restructuring and modernization measures, even if these are often very painful to our members concerned. We did it because we knew that society offered income protection, active labour market policies with job prospects and an assurance that poverty would not become the reality after losing a job. Regrettably, our Government is now, due

to its neoliberal economic theories, abandoning that commitment to us, the workers.

And I must admit that I still have not understood the clever idea behind the insistence by our Government that low-income blue-collar women workers in the private service sector have to pay double the nominal sum to the unemployment insurance scheme compared to high-income earners in academic professions (mostly men), because each group should pay for their own risk of being unemployed.

Concerning the disputed rulings by the European Court of Justice, undermining workers' rights, I would like to remind European Union (EU) Member States and the relevant EU institutions of the conclusions adopted unanimously in Lisbon, that, and I quote: "It is of key importance to ensure that the interpretation and implementation of freedom of association and collective bargaining at regional and subregional level is fully consistent with international labour standards and the ILO supervisory system." Could the message be clearer?

I attended my first session of the International Labour Conference in 1988 – a Conference that was overshadowed by the conflict concerning Palestine and the occupied Arab territories. Today, 21 years later, the Report by the Director-General shows no improvement, but instead that the situation for the Palestinians has worsened since then. The brutal attack by Israel targeting civilians in the Gaza strip is a grim reminder of the failure of governments and the United Nations to take the necessary actions to stop this shameful denial of legitimate human rights, including economic and social rights for the Palestinian people. I call on the EU to adopt the measures needed.

---

Mr RUKORO (*Employer, Namibia*)

---

I am sure that under the President's able command, this Conference will guide the tripartite partners in speedily implementing the policy options set out in the Global Jobs Pact in order to arrest the current economic and jobs crisis, and help them address matters of HIV/AIDS and gender balance.

During the debate in the Committee of the Whole, the Namibian Government delegate reminded the meeting that Namibia's crisis pre-dated the current crisis: namely 36 per cent unemployment, a very low GDP and falling receipts from the SACU customs pool, accounting for some 26 per cent of our national budget.

We, the Namibian Employers' Federation, support our Government in all their actions to address our historic problems, as well as the current problems, since this is a national problem which needs tripartite solutions. Over the last three weeks we have listened to many possible solutions to the current crisis, but there have been few which suit the microeconomy of a small developing nation such as ours.

What should Namibia do? I perused the Director-General's Report and noted that he refers, among other things, to the Conclusions concerning the promotion of sustainable development, adopted in 2007: "a well functioning financial system provides the lubricant for a growing and dynamic private sector"; Namibia's banking system is just that. However, I further note that the Director-General suggested, and it was frequently suggested in the Committee of the Whole, that income taxes should be reduced to ease the burden on individuals. In our

country this is, however, easier said than done, since any reduction in the Government's revenues will result in many other problems, such as reduced funds for education, health and social protection. The Report also suggests that governments should increase expenditure on capital infrastructures. We agree with this wholeheartedly but wish to call upon our Government, as well as governments elsewhere in Africa, to ensure that contracts for capital projects are given only to those companies who comply with local laws, relative to core labour standards and workers' rights – and in the case of foreign companies, only to those who commit to transfer skills to Namibians and to plough back a substantial portion of their profits in the local economy.

The need to help people back into work was stressed at the London Summit (Growth, Stability and Jobs), and this holds true for Namibia. In our country this must be extended to read "helping people into work" and target basic education and implementation of the vocational training system, as well as skills development in general.

Whatever government does, it must bolster the private sector to continue and expand doing business, in support of free enterprise, to create jobs and poverty alleviation. In this regard, the Namibian Employers' Federation calls upon our Government to do all it can to reduce the cost of doing business in Namibia, to ease export regulations and generally to reduce non-tax labour costs, all of which add up to make our environment less business-friendly, hence less competitive than it should be.

Governments in general need to review their priorities and to enhance the Decent Work Agenda. The creation of sustainable work is a requisite of any development. More entrepreneurs mean more jobs, sustainable enterprises pay more taxes, and sustainable enterprises employ more people – who in turn pay more taxes. All of this leads to more reserves to increase social protection. Too often short-sighted decisions and actions are made for short-term political expedience, instead of considering long-term job creation.

I said this is a tripartite problem needing tripartite solutions. What should the workers do for their share? I believe two things: first, they should become more realistic about their demands for wage increases given the current economic situation facing enterprises; and, second, labour leaders should encourage their members to be more productive, both individually and collectively, as this is key to the survival of the enterprises and the concomitant retention of jobs.

The final share of the tripartite solution is naturally incumbent upon the employers. We, the Namibian Employers' Federation, have already called upon our members to look at retrenchments as the absolutely final step after all others have been seriously investigated. I am pleased to report that the vast majority of our members have heeded this call and continue to do so.

In addition, all wage increases granted by our members have been either at or above the level of inflation, despite the crippling effects of the global economic meltdown. Only "cowboy" employers who are not members of the NEF and whose employees are non-unionized would have acted differently, but this is only a small minority anyway.

In addition, employers – including and especially those in Namibia – should be flexible themselves

and be innovative in looking at a diversification of their operations and hence of the economy.

Furthermore, employers should at all times maintain and promote the sustainability of employment standards. We are all in this tripartite boat together and we all need to cooperate and work together to save our economy. Finger pointing or playing the “blame game” will simply serve no purpose.

Finally, on behalf of the Namibian Employers’ Federation, I wish to thank the ILO for all its moral and physical support in the past and hope that our young nation, with its struggling economy, can look forward to further physical and fiscal support in the future.

---

*Ms ZAÇE (Deputy Minister of Labour, Social Affairs and Equal Opportunities, Albania)*

---

I am honoured to participate and deliberate in this Conference, which is dedicated to many issues of importance for economic and social development and for improving the quality of life of our citizens.

Decent work is one of the most significant concepts for guaranteeing human dignity and personality. Work is the basis of the existence of the society, the key element of development and progress and the most influential component in the social formation of the individual.

A society that aims to meet the standards of decent work should in parallel invest and monitor some important indicators, such as reduction of the informal economy, improvement of the social protection system, equality in salaries, and improvement of human resources capacities with a view to adapting to the demands and needs of the labour market.

In this context, investment in setting the parameters of gender equality is extremely important. Gender inequality is one of the key factors that can increase the informal economy, weaken the social protection system, particularly for the discriminated-against female gender (women and girls), reduce levels of human professional capacities, and reduce the possibilities of adapting human demand to the needs of the labour market.

This is the reason why all key decent work policies and programmes are essentially policies and programmes aimed at the achievement and realization of gender equality in every sector of development.

The Albanian Government seeks to improve the status of women and advance gender equality through policies such as the direct intersectoral National Strategy of Gender Equality and Domestic Violence 2007–10.

With the economic empowerment of women as an objective, the strategy seeks to: (1) increase the number of projects or programmes which encourage vocational training and employment of women and girls, as well as extending those programmes to rural areas; (2) support all initiatives for the establishment of credit programmes for women and girls; (3) promote the development of small businesses managed by women and girls, improving their benefit programmes through financial and marketing advice, training, management, improvement of products and restructuring of human resources.

A number of other sectoral policies of the Albanian Government aimed at reducing poverty and providing services through employment promotion programmes provide support for vulnerable groups

and categories of women in need in the field of employment and vocational training.

In the field of rural development, the national strategy anticipates that such cooperation programmes will be undertaken with local governments to promote rural women. These will include the direct involvement of those women in decision-making processes, providing financial assistance for the development of activities organized by them in the field of health, and promoting the importance of the protection of women’s health and family planning. Albanian legislation prohibits discrimination in the field of employment, occupational activities and social security benefits. The legislation is constantly improved in accordance with changes that occur in the labour market. The right to work is guaranteed by article 32 of the Labour Code without any kind of discrimination for all Albanian citizens of working age.

Employment is one of the most important indicators for evaluating gender equality, but strengthening the role of women in society has a significant impact on non-discriminatory social policies, programmes and support services, which constitute a priority of the next programme of the Albanian Government.

The labour legislation does not discriminate against women; indeed, some categories such as mothers with many children are given priority in the sphere of employment. Many programmes that aim to promote women’s employment have been implemented.

The implementation of these programmes consists of financing social security contributions, while for trafficked women over 35, women from the Roma community and women with disabilities, compensation is provided for part of their salaries up to the level of the minimum wage.

In addition, fees for the vocational training system for women and girls in public and private centres and for groups or individuals in need are reduced or waived.

In conclusion, I would like to extend our gratitude in particular to the ILO for its contribution towards the promotion of understanding and fostering the spirit of cooperation and respect for universal rights and freedoms in the context of integration processes which are taking place in south-eastern Europe and further afield.

In view of the serious commitment of the ILO, and considering the good experiences and positive effects that continue to reflect this commitment, I would greatly appreciate the continuation of such support and commitment with regard to the further development of ILO initiatives as an important contribution to growth with a regional and global dimension.

---

*Mr DALLI (Minister for Social Policy, Malta)*

---

It is an honour and privilege for me as Minister for Social Policy of Malta to address the Conference once again.

For quite some time now, the ILO has been at the forefront in highlighting the problems related to unfair globalization, with the resultant increase in social and economic inequalities.

Unfortunately, the bad effects of globalization have been compounded by the current unprecedented world economic crisis. This global economic downturn has resulted in spiralling unemployment. The loss of employment is further compounded by

new entrants into the job market looking for their first job. The size, complexity and consequences of the problems facing us are enormous. If not actively confronted, they can combine to cause considerable misery and social and political upheaval.

We congratulate the ILO for once again raising an important and very relevant issue for international tripartite debate. The Global Report, *Tackling the global jobs crisis: Recovery through decent work policies*, is comprehensive and timely and it deserves serious reflection, especially as it attempts to find concrete ways to address the global jobs crisis.

Despite a projected degree of recovery in mid-2010, a projection which we hope is not premature, history has shown that employment does not reach pre-crisis levels before a passage of around five years. It is the presence of more and better jobs that allows economies to thrive and provides the necessary funding for sustainable health, education and social programmes, the cornerstones for an improved quality of life.

The reality is that we have to work hard to retain existing jobs and work even harder to create new jobs. Anticipating and adapting quickly to change has become a matter of life or death. Whether casualties of globalization or recession, certain industries and the jobs they brought with them are gone forever and have to be replaced by new ones with new skills requirements. People are having to shift out of old occupations and into new ones. A balance has to be found between investing in keeping people in old jobs, something important in the short term, and funding training for new jobs, a longer-term perspective. At the same time, we must be careful to retain as much flexibility in our labour markets as possible, whilst ensuring that the supporting social nets and training schemes are sufficiently strong.

The importance of harnessing all available resources at both the national and the international level, in an attempt to minimize and neutralize the harmful effects of the current global recession, cannot be underestimated. We are in agreement with the concept of a Global Jobs Pact. The policy options it would offer would assist governments in the formulation, in consultation with the social partners, of specific responses to the crisis adapted to national circumstances. We are aware that millions of people were living in abject poverty across the world even before the current crisis, and now they are even worse off.

We thank the ILO for continuing to play a leading role in making a practical effort to improve the outlook of millions of people on a global level. Much has been done, but we have to work much harder now and with more urgency, to ensure that the advances of recent years, which in some areas have been wiped out by the past months of global crisis, are reclaimed as quickly as possible. The situation may well get worse before it gets better, but a judicious mix of decent work policies would certainly constitute an effective response and hopefully lead to faster recovery, especially if applied in a concerted manner on an international scale. Taking the wrong decisions now would consign millions of people to decades of decades.

So far, Malta has been spared the worst effects of the recession, and our Government has taken concrete measures to support productive and sustainable enterprises facing difficulties. These include improving enterprise access to credit, shorter working hours, and employee training, in addition to in-

creased emphasis on active labour market measures and increased investment in infrastructure. The social partners' input has been substantial, not only at the national level but at the enterprise level too, where cooperation in implementing tailor-made strategies to improve enterprise competitiveness and the quality of work has been essential to enterprise survival.

This international tripartite partnership that is the ILO continues to serve us well. Together, particularly by applying the policies outlined in the Report in a precise and coordinated manner, a lot can be achieved at the local, national, regional and global level. We need to implement the best strategies for decent and better quality work if we are to reduce poverty and ensure sustainable economic growth. Without jobs, we cannot guarantee sustainable social protection, health and education.

The ILO has our best wishes in its efforts to achieve these laudable aims. Most importantly, it has our full support.

---

*Original German: Mr RAMME (representative, International Confederation of Executive Staff)*

---

I would like to congratulate all the ILO staff involved for the remarkable work done on this Report.

The Report provides excellent information on the state of play with regard to fundamental workers' rights throughout the world, as well as the many initiatives to improve the situation of workers.

On behalf of the International Confederation of Executive Staff, I would like to dwell on a few points. First and foremost, a few words on the international financial crisis.

Managers are seen by the public as being under great pressure. They are held responsible for the worst economic crisis for many decades. It is true that in the banking sector, a number of irresponsible managers did build "castles in the air" and created a huge bubble with shady deals. Such greed is to be condemned, all the more so because the effects, once the bubble bursts, hit ordinary people and poor countries worst of all.

But we should be wary of branding all managers as irresponsible and greedy. The great majority are very responsible and do a lot for their companies to help them develop and create prosperity for all.

Our association, representing executive staff from many countries, advocates quality criteria for responsible managerial behaviour. Anyone abiding by those criteria can help avoid a future crisis.

It is also true, however, that the failure of government financial inspection made such irresponsible behaviour possible. This means for the future that, if we want to tackle this crisis, we need to improve and strengthen supervision through international agreements and state action. In future, the advantages of the free market must be subject to the conditions of social balance and fairness. Some countries in Europe have already put forward models for this, and those criteria need to become global standards.

It is the duty of the international community to attenuate the affects of the crisis on the poorest countries. It is to be regretted that this crisis has hit us at a time when we face another threat to growth and prosperity – the threat posed by demographic developments in the developed economies. I imagine the ILO will be addressing this problem in future.



The executive staff represented by our association have a particular responsibility to anticipate the likely consequences of demographic change for their enterprises, and to take timely action such as hiring younger workers and creating a good working environment for older workers.

In conclusion, I would like to point out that the situation of executive staff in many countries remains very unsatisfactory because they are denied the right to associate and bargain collectively. This is one of the fundamental rights of workers, but in some countries it is still denied to executive staff. Our worldwide association is committed to defending the fundamental rights of workers in the interests of a just and decent world of work.

---

Mr JENNINGS (*representative, Union Network International*)

I am speaking on behalf of UNI Global Union and our 20 million members in 150 nations. Our members are victims of the global economic storm. They have seen lifeboats for bankers and ask, "Where are the lifebelts for workers?". Workers did not cause this crisis but they are paying the heaviest price for it in terms of lost jobs, falling wages and pensions, and growing poverty. We have the tragic spectre of 700,000 additional infant deaths on all consciences.

Every day all over the world our members wake up not knowing whether they will have a job at the end of the day. Will today be the day they get fired for organizing a union? They do not know whether they will be evicted from their apartment that evening because they cannot pay the bills. No wonder workers are angry. There is a backlash and I have to say, we have great difficulty in finding the green shoots of economic recovery. We must put in place a new inclusive process of globalization and ditch the financial casino model of the last decades.

We have seen economic failure, regulatory failure, social failure and the collapse of good business sense and practice. What did the graduates of Harvard Business School actually learn? Short-termism, financial speculation, tax avoidance and worker exploitation, along with extracurricular studies in building a culture of greed.

We congratulate the Director-General and all ILO partners on shifting the global debate from saving the financial sector to looking at how we can give hope to working people. We have a global institution which is doing something about people's daily concerns.

There must be no more marginalization of our issues. The ILO must use this great opportunity to take its rightful seat at the global policy-making table.

Let us take the Global Jobs Pact to the next G20 Summit in Pittsburgh in September. Let's make it the jobs summit. Let's demonstrate how we will create 300 million jobs, fight the new development gap, retrain and retain, bring social protection to all workers and real gender equality and free every worker from vulnerable and precarious conditions through a proper labour contract. Let us show that social dialogue really works, from the G20 to every region, every nation and every company.

Let us be free of the tyranny of union busting and intimidation by governments and employers to deter people from joining unions. The anti-union virus is ever present. That is why we say to President Obama that he should set a good example to the world and pass the Employee Free Choice Act.

In February, the ILO held a conference on the financial crisis, involving UNI Finance Global Union and all social partners. We produced a social road map for dealing with the crisis. Real debate. Real solutions. We need social dialogue forums in every key sector of the global economy. We ask you to treble the staff and treble the budget of ILO sectoral activities.

We look to the ILO to assist unions and business to reach global agreements. There are now over 80 in existence. We at UNI have negotiated over 30. We signed the first global agreement with a Japanese company, Takashimaya, an act witnessed by the Director-General himself.

Our message to all global employers is to build dialogue with UNI, to establish a framework based on ILO standards and to work together to resolve issues and promote decent work. Indeed, we welcome the Norwegian Government white paper that supports global agreements.

How refreshing it was to share a speakers' panel here with Jenni Myles, the HR chief of the security company, G4S, the largest employer quoted on the London stock exchange, and with whom UNI has a global agreement and now active global dialogue.

We see an important role for the ILO to act as a facilitator, to promote global agreements and help deal with any conflicts. We want our members to be free from fear. We are angry at repression from Burma to Zimbabwe. Fifteen months after his assassination, bank union leader, Leonidas Gomez's killers in Colombia have still not been brought to justice. How can governments make trade deals with Colombia without an improvement in human rights there?

We want our host nation, Switzerland, to improve the law to prevent the unfair dismissal of union leaders.

We welcome the ILO mission to the Philippines. We call upon the ILO to intervene with the Government of the Democratic Republic of the Congo to end the repression of union members at SYNCASS.

In conclusion, UNI Global Union is determined to build unions everywhere in services. We are geared to recruiting workers in areas never organized before and to gaining recognition of rights everywhere. Organize and recognize – essential pillars of inclusive globalization to bring justice, to make a huge dent in inequality and to create socially responsible companies.

Companies keep saying that now is the wrong time to demand a fair deal for workers and that we cannot afford it in this time of crisis. But they are wrong. At this time of crisis, we cannot afford not to do it.

Here's to a new era in which we lift all the boats! To a new global deal that puts people first!

(*Mr Hossain takes the Chair.*)

---

*Original Spanish: Mr MAILHOS (Employer, Uruguay)*

The analysis of the Report of the Director-General, as in previous years, encourages us to make a few comments as regards the situation in our country and, in our case, from the employers' point of view.

We have to say that, even before the economic crisis, there was a crisis of confidence in our country, which led to a breakdown in our country's tradition of effective, broad and fruitful tripartite social

dialogue. Since 2005, the situation has deteriorated so much that 18 months ago the employers' sector withdrew from its discussions with the Government on the creation of standards because of a consistent failure to take our views adequately into consideration. For years, that dialogue had been conditioned in such a way that in reality it had become a mere exchange of information and a matter of accepting the draft standards put forward by the Government as if it were a standard form contract.

It has got to the point where the standards created, although they meet the formal requirements for adoption, are being imposed on the employers' sector and therefore, in our view, they do not have social legitimacy.

The reintroduction of wage councils has been trumpeted as a recent Government success, with many agreements reached. In general, what is not said is that they are strictly regimented by the Government, which influences the results. The Government decides when they meet and also establishes the framework for negotiations. Moreover, it decides when increases and benefits will apply. The wage councils are therefore not a panacea. They have not adapted to the legal precepts underpinning the fixing of minimum wages and categories. They have regulated many aspects, such as the percentage of increases in the entire wage pyramid, as well as other benefits.

If there is no agreement between workers and employers, a compulsory State arbitration system is imposed, which is unacceptable. The result is greater conflict and a greater degree of rigidity in labour relations. In the near future, when we will feel the real force of the international crisis, the different branches of activity will suffer from the effects of this rigidity, for example, it will become more difficult to pay any increases that have been agreed. There is no doubt that these results will have an impact on creating and maintaining jobs in the formal sector and that they will foster the informal sector, which already represents 38 per cent of our economy.

Things are no better as regards vocational training. The creation of a new National Institute for Employment and Training was established without taking into consideration the views of the employers. We have moved from a tripartite system to a bipartite one that works on majorities. The natural environment of tripartite cooperation has become bipartite, with the ensuing conflicts when one of the parties does not accept the design and execution of the various active employment policies.

There is no national Decent Work Country Programme that is tripartite in nature, as required by the Governing Body.

Perhaps the most disconcerting thing is the current bill on collective bargaining that the Government has submitted to Parliament. In this particular case, the solutions put forward face tremendous resistance from employers. This bill violates the spirit of the Right to Organise and Collective Bargaining Convention, 1949 (No. 98), which establishes that negotiation should be free and voluntary. On the contrary, the first article of the bill establishes an obligation to negotiate. It also affects other important Conventions, such as the Collective Bargaining Convention, 1981 (No. 154), which establishes that, by definition, collective bargaining should be bipartite and take place exclusively between workers and employers, without, as the bill says, the compulsory

intervention of the State in the Higher Tripartite Council.

The Government has the faculty to influence and decide many issues relating to enterprise management. This bill also has negative repercussions as regards the right of the parties to negotiate, as established in Convention No. 98. Making it compulsory to carry out wage negotiations in wage councils is a violation of collective autonomy.

For many reasons, including that the bill legally enshrines the right to occupy private enterprises and a procedure for doing so, which contravenes the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), this bill has been challenged by many chambers of commerce and enterprises on a national level. After three years, and even though it would meet with the approval of the Public Prosecutor's Office, it has still not been discarded.

With regard to the most serious omissions, we highlight that there are no peace clauses. Because of these shortcomings, the bill was the subject of a complaint submitted to the Committee on Freedom of Association by the employers of Uruguay under Case No. 2699.

Today, we glimpse the possibility of re-engaging in bipartite dialogue with the trade unions, which would get us back on the path of overcoming differences and would make it possible to put forward amendments to the bill. We need to be able to count on the advice of the ILO and to know that this matter will be dealt with by the Committee on Freedom of Association.

We would like here to say something about the first part of the Report of the Director-General, which concentrates on the repercussions of the present crisis. The idea of a Global Jobs Pact as the ILO's response to the crisis should focus on and respond to the needs of its constituents, as defined by the constituents. Therefore, there has to be a demonstration of flexibility by the ILO in meeting the hopes and expectations of its members. The ILO will have to disconnect itself from the rhetoric and devote itself to concrete activities to meet local needs and ensure that the activities of the ILO become more effective.

When the economic recovery comes, it will be led by the private sector and it will only be successful if the needs of enterprises are at the centre of the recovery measures that are adopted. In order to save jobs, we have to save enterprises.

---

*Original Spanish: Mr NAVARRO FERNÁNDEZ (Worker, Cuba)*

Looking at the most recent data in the Report, it is estimated that, by the end of 2009, 50 million additional people will lose their jobs. We can see how serious this phenomenon is, and that it is predicted to have a much greater impact.

Cuban workers are also being affected by this crisis; the income of our country has dropped as a result of a decrease in demand and in the prices of our exports, making it more difficult and limiting our resources to cover our balance of payments and our means to be able to buy necessary supplies.

This is all happening at a time when we are recovering from last year's three hurricanes, which were the most devastating in history and destroyed a lot of our country, causing US\$10 billion worth of damage to the economy.

In addition, we are having to face one of the most long-standing and merciless blockades in history,

imposed upon our country almost 50 years ago by the Government of the United States in an obsessive and failed attempt to crush our people with hunger and illness and to destroy the revolution.

In circumstances like this, the Workers' Central Union of Cuba understands the need for the ILO to develop a Global Jobs Pact as a policy response to this worldwide crisis. However, we also believe that this crisis reflects the worsening of all the irreparable contradictions of capitalism.

Over the last few days we have heard two types of speech. There are those made by supporters of capitalism, who attribute the crisis to mismanagement by bankers and governments and who believe it can be overcome. Then there are those who are opposed to capitalism, who think that this crisis is linked to the essence of capitalism. If we take into account that the failure of neoliberalism has led to the fall of the last bastion of capitalism, we think that the only way to overcome this integral and final crisis of the system is by establishing a new method of production, in which the State can play its rightful role in society.

Internationally, we need a radically different set-up. Therefore, this is not the time to put our trust in the International Monetary Fund, the World Bank or the World Trade Organization. These hackneyed and discredited institutions, at a time of such an acute crisis, are still trying to apply only measures which will save large financial and business organizations in order to preserve the capitalist system that, crisis after crisis, has shown its decadence and lack of ability to respond to the increasing needs of millions of people worldwide.

Cuban workers and trade unions realize that this worldwide economic crisis is not just the result of the bursting of the property bubble in the United States, or other problems that have been talked about, but it is a systemic problem. Neoliberalism has demonstrated that it does not work. This is clear when, at times of crisis, the largest corporations beg the State to come to their aid. State intervention in large private corporations is done at taxpayers' expense.

We find it very encouraging to see, in Latin America, that strong social movements are developing and strengthening, that progressive revolutionary governments are coming to power that fight for their people and speak out internationally in favour of the right to self-determination, the development of their nations, freedom, independence and control over their resources and wealth.

Following this path, some nations of Latin American and the Caribbean are moving now towards real integration that is not just based on trade, but on mutual cooperation, complementarity and solidarity. This is not the brutal and selfish competition that is typical of the relationship between the main sources of power in the world and their less developed neighbours; it is about working together to promote economic and social development, emphasizing important social programmes that will lead to the elimination of illiteracy and the promotion of health, energy and food security, and culture, amongst other important items. I am referring to the Bolivarian Alternative for the Americas.

We as Cuban Workers believe that our country meets the standards of decent work. Cuba is leading the rest of Latin America in terms of distribution of wealth, enjoyment of the right to freedom of association and participation of workers in decision-

making at different levels. This makes permanent social dialogue a major part of daily life. We have wide-ranging protection for the rights of children and mothers; an advanced law on maternity and paternity; a social security and social welfare system that covers every citizen; the right to free and universal general and technical education for all Cuban children, with an employment guarantee for students even before they conclude their studies; a free and universal health system for the whole population; legal guarantees for job protection and security; and we have full employment.

We welcome the Report and we would like to reiterate our commitment to continue to act constructively within this Organization, where it is necessary to continue to promote the unity in diversity that is required in the international trade union movement.

I will conclude, with all due respect, by saying that I regret very much that this Conference does not respect the list of speakers as it was initially drawn up and circulated to the delegates. The floor has been given to delegates in an arbitrary fashion.

---

Mr SEN (*representative, Trade Unions International of Public and Allied Employees*)

---

Today, the world economic scenario has drastically changed, with the most adverse effect on the working class. The Wall Street crash of 15 September 2008 has set off a grave crisis of world capitalism and a recession of alarming magnitude.

For this severe economic calamity the workers and employees are not at all responsible. It is the crisis-ridden character of capitalism per se and its present neoliberal globalization, with reckless greed for limitless profit, that ultimately knocked down the world capitalist system into such unparalleled turmoil and turbulence.

While talk and promises are being heard from the world capitalist leaders for more and more bail-out packages and other stimuli for crumbling industries and the economy as a whole, neither the governments of the G8 nor the G20 nor any other government is thinking in terms of the fate of the working class.

It is by the ILO alone, particularly in the Director-General's Report, *Tackling the global jobs crisis: Recovery through decent work policies*, that the terrible impact of this crisis on the working class has been adequately mentioned. Besides providing a scenario of how the working class is severely affected by the crisis, with millions of workers thrown out of jobs, the Director-General rightly points out that the crisis threatens to undermine the rights of workers and their families through large-scale retrenchments, scarce opportunities for first-time job-seekers and the further deterioration of conditions in the informal economy.

Trade Unions International represents about 20 million public services workers in different countries. These workers are equally affected by this crisis and accompanying recession. Moreover, attempts are being made to snatch their pension benefits away by privatizing pensions and investing pension funds in the share market. In the United States, the present crisis has already wiped out US\$1 trillion of the pension funds of American public employees. This is going to happen to all public service employees in other countries if the World Bank and IMF's formula of pension privatization are not withdrawn immediately.

We appeal to the Director-General of the ILO for his personal intervention in this matter as well.

In this hour of crisis, we hope that the ILO will stand by the workers and public employees against the various attacks that are coming up on them, including pension privatization, curtailment of trade union rights, so-called flexibility of jobs, loss of jobs, etc.

We want the ILO to be a representative body of the working class, with proportionate representation of all segments of the workers' organizations at all levels of the ILO structure, to make it a democratically representative body. Only thus will it be able to protect the interests of the workers in a proper way.

---

Mr WALDORFF (*representative, Public Services International*)

I address you in the midst of one of the most profound economic and social recessions that the world has ever witnessed. The ILO projects that as many as 239 million people will have lost their jobs before the end of this year. The number of unemployed young people is expected to rise by 11–17 million. And women workers, who so often make the difference in lifting households out of poverty, will suffer disproportionately. This is a crisis that was created, not by the working class, but by the financial elite. Yet it is ordinary working people that are being made to bear the brunt.

In Puerto Rico, the Government plans to dismiss 40,000 public servants as part of its “fiscal austerity measures”. In Ecuador, the Government proposes to remove the collective bargaining rights of public sector workers. In Latvia, the Government has slashed public sector wages by up to 50 per cent. This is reflected in Asia and Africa. Public sector pay and pensions across the globe are under attack.

I ask you, how can measures designed to increase unemployment and reduce vital public services help lift us out of this crisis?

While governments in the North dug deep into their pockets to bail out not just the banks, but also the bankers who had brought the global financial market to its knees, they were slow to react to protect the real economy and the jobs of ordinary citizens.

It is time for a new model of globalization: one that puts people first; one that shifts the focus from capital to labour; one with decent work, social justice and quality public services for all at its heart.

The neoliberal experiment of the last 30 years has ended in abject failure. It has deepened inequalities, widened social divides, sown conflict, increased poverty in the global South, and weakened the capacity of developing countries to provide basic services for their people. Yet there are those who cling to the belief that this crisis is just a “temporary blip” and that the markets will correct themselves; as well as those who cling to the notion of the small state, of deregulated markets, of limited employment and social protection. But let us be clear: there can be no more business as usual. There can be no retreat from collective bargaining, from social dialogue or from international labour standards.

Organized labour is not part of the problem, but key to the solution. And in PSI we strongly support the Employee Free Choice Act in the United States. The adoption of this new legislation will send the right signal to the rest of the world, not least of all to Colombia, which continues to be the most dangerous place in the world for trade unionists. During

this Conference alone, three more trade unionists have been murdered in Colombia: this is a totally unacceptable situation.

As we move forward towards a post-crisis era, a new consensus is needed. International financial institutions must abandon conditionalities and adjustment programmes that have plunged developing countries deeper into poverty and robbed millions of young people of a decent future. The role of the State as regulator must be strengthened, as must the role of the State in development.

To repeat the words of the Commission on Growth and Development, “No country has sustained rapid growth without also keeping up impressive rates of public investment in infrastructure, education and health.” Indeed, markets alone will not produce the growth in developing countries that will lift them out of poverty.

The PSI firmly supports the call for a Global Jobs Pact. The challenges posed by climate change must be a central part of this policy response, just as must trade, health, education, water and food security. Now is not the time to shy away from commitments to the Millennium Development Goals, but to redouble efforts to achieve them.

Action on gender equality must not slip to the bottom of the list. The PSI applauds the work done by the Committee on Gender Equality. We hope it will not be another 24 years before the ILO hosts another such discussion.

We welcome the work of the Committee of the Whole in seeking to develop a tripartite response to the global and economic crisis. The ILO is the right setting, the only setting, to develop sustainable solutions to this crisis. We urge all social partners to find the courage for a new way forward and to paraphrase a famous quote, “Those who do not learn from their mistakes are doomed to repeat them.” Let us learn the lesson together.

---

The PRESIDENT

Thank you Mr Waldorff, and Mr Waldorff was the last speaker on the general discussion. That concludes the general discussion on the Reports of the Chairperson of the Governing Body and of the Director-General. I should like to thank you all for your contributions to this debate.

---

**REPORT OF THE COMMITTEE ON THE APPLICATION OF STANDARDS: SUBMISSION, DISCUSSION AND APPROVAL**

---

The PRESIDENT

We will now move on to the submission, discussion and approval of the report of the Committee on the Application of Standards, which is published in *Provisional Record* No. 16 (1st, 2nd and 3rd parts).

The Committee elected its Officers as follows: the Chairperson was Mr Paixão Pardo of Brazil; the Vice-Chairpersons were Mr Potter of the United States for the Employers, and Mr Cortebeek of Belgium for the Workers. The Reporter was Mr Horn of Namibia. I invite them to take their seats on the podium, and I invite the Reporter now to introduce the Committee's report.

---

Mr HORN (*Government, Namibia; Reporter, Committee on the Application of Standards*)

It is a great pleasure and an honour to present to the plenary the report of the Committee on the Application of Standards.

The Committee is a standing body of the Conference, empowered under article 7 of its Standing Orders to examine the measures taken by States to implement the Conventions that they have voluntarily ratified. It also examines reports submitted by States as part of their constitutional obligations. The tripartite structure of the Committee and its long history makes it a unique forum at the international level, gathering together actors in the real economy with first-hand experience of national social realities.

The operative approach of the Committee's work is oversight through discussion – which is also the ILO's hallmark. The fruitful dialogue between the Committee and the Committee of Experts on the Application of Conventions and Recommendations is key in this respect. The Committee works closely with and, to a large extent on the basis of, the Report of the Committee of Experts. This year, the Committee had the pleasure of welcoming the new Chairperson of the Committee of Experts. At this point, it is important to recall that the work of both Committees hinges primarily on the information contained in the reports submitted by Governments.

The Committee welcomed the substantial progress made by member States in submitting the reports due, which contributed to an overall increase in the number of reports received. Further progress is still necessary and indeed crucial for the effectiveness of the ILO supervisory system. The Committee called on the Office to pursue its technical assistance to member States to enable them to fulfil their constitutional reporting obligations.

The Committee held 20 sittings, during which it received information from 50 Governments on the situation in their country. It continued to implement the recommendations of the tripartite working group set up to examine its working methods.

The Committee confirmed that the outcome of the implementation of the various recommendations was positive and resulted in greater transparency and understanding. It accordingly stressed that the working group would continue to discuss further improvements, in particular with regard to time management and the need to achieve a better balance of cases, selected between fundamental and technical Conventions and among the fundamental Conventions themselves.

The report before the plenary is divided into three parts, corresponding to the principal questions dealt with by the Committee. The first part takes up the Committee's discussion on general questions relating to standards and to the General Survey of the Committee of Experts, this year on the Occupational Safety and Health Convention, 1981 (No. 155). The second part takes up the discussions on the 25 individual cases examined by the Committee and its conclusions on those. The third part concerns the Committee's special sitting on the question of the observance by Myanmar of the Forced Labour Convention, 1930 (No. 29). In summary form, I will address each of these questions in order to recall the salient features of the Committee's discussions.

I referred earlier to the way in which the national level knowledge and experience of the Committee's members is a crucial component of its work. It was only natural, therefore, that the impact of the economic and financial crisis swayed the Committee's discussions throughout and provided a very immediate impetus to come up with concrete suggestions.

The Committee devoted a good part of its general discussion to the importance of international labour standards within the context of the global economic crisis. This rich debate resulted in the adoption by the Committee of a statement reaffirming the central role of international labour standards in the context of the crisis. It emphasized that the crisis must not be used as an excuse for lowering standards. It also recalled that treaty obligations, voluntarily undertaken, were to be fully respected and that ensuring respect for fundamental principles and rights at work resulted in undeniable benefits to the development of human capital and economic growth in general and, more particularly, to global economic recovery.

The Committee stressed that international labour standards provided essential tools and useful guidance in developing effective policies for sustainable economic growth and recovery. Beyond the fundamental rights at work, standards related to wage protection, employment promotion and social safety nets also served as indispensable baselines for the protection of all workers. The Committee suggested that, in the light of the role played by the ILO in earlier times of crisis and economic recession or depression, the question could be revisited at the 2010 session of the Conference with a view towards the adoption of an instrument to guide Governments in their policy-making and action, as well as the social partners, when confronted by critical global crises.

During its discussion on the General Survey concerning occupational safety and health, the Committee recalled that the ILO Constitution provided for the protection of workers against sickness, disease and accidents at work as a fundamental element of social justice. There was common agreement that occupational safety and health was, and remained, a subject matter of fundamental importance for all parties, and was particularly highlighted in the present context of the financial and economic crisis. Investment in workplace safety was a key factor in productivity and competitiveness. On the other hand, the Committee regretted the lack of up to date data on occupational accidents and diseases, particularly in the light of their high human and economic costs. Given the importance of ILO instruments, the Committee adopted conclusions in which it invited the ILO to adopt an action plan on occupational safety and health, which should include, inter alia, the promotion of the ratification and the effective implementation of Convention No. 155 and its 2002 Protocol and the Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187); the collection, evaluation and dissemination of statistical data on occupational safety and health, including the development of specific indicators; the promotion of a preventative safety and health culture aimed at sensitizing all levels of the workforce and management; and the examination of ways to address the challenges faced in implementing occupational safety and health measures by small and medium-sized enterprises (SMEs) and the informal economy.

The Committee's conclusions on its discussion regarding the 25 individual cases constitute a useful compass to tackle the impact of the crisis, notably on social dialogue, employment and social security schemes and on irregular migration and equality between migrant workers and nationals in the labour market.

The priority that the Committee has placed on ILO technical cooperation and assistance to help member States in implementing international labour standards remains more crucial than ever in the present circumstances.

As a result, and as it now has been doing for the last four years, the Committee has called for, or requested, technical assistance in 16 of the individual cases examined.

The special sitting to examine developments concerning the question of the observance by the Government of Myanmar of the Forced Labour Convention, 1930 (No. 29), was held pursuant to the resolution adopted by the Conference in 2000. The Committee, once again, strongly urged the Government to implement fully, without delay, the recommendations of the Commission of Inquiry and the comments made by the Committee of Experts.

The Committee decided to include in its report three special paragraphs on the application by the Islamic Republic of Iran of the Discrimination (Employment and Occupation) Convention, 1958 (No. 111), and on the application by Myanmar and Swaziland of the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87).

In accordance with the Committee's working methods, the case of the application by Myanmar of Convention No. 87 was also listed as a case of continued failure over several years to eliminate serious deficiencies previously discussed.

In closing, it has been an enriching experience, as well as a great pleasure, to present this year's report of the Committee. I would like to thank the Chairperson, Mr Sérgio Paixão Pardo, and the Employer and Worker Vice-Chairpersons, Mr Edward Potter and Mr Luc Cortebeek, for their competence, efficiency and spirit of cooperation, which has enabled the Committee to carry out its work. I would also, in particular, like to present my gratitude for the great work that the Office has done in this respect.

Therefore, I would like to recommend that the Conference adopt the report of the Committee on the Application of Standards.

---

Mr POTTER (*Employer, United States; Employer Vice-Chairperson of the Committee on the Application of Standards*)

On behalf of the Employers' group, I commend the report of the Committee on the Application of Standards to this plenary today. You have it before you, and it has been well described by the Reporter.

Notwithstanding our differences, which are only natural, the overall working relationship with the Workers' group and its exceptional chairperson, Luc Cortebeek, are cordial, transparent, honest and collaborative.

As the only standing committee of the ILO Conference, our work this year took place in an environment in which the Conference was giving priority attention to employment and job creation, as should be the case.

Our Committee's report describes the Committee discussion on the economic crisis and standards, and we were able to reach a consensus on a set of conclusions, as described by the Reporter.

The current crisis was primarily caused by a failure of governance in the finance sector, not a failure of markets generally.

The Committee's report highlights the importance of the implementation and maintenance of ratified international labour standards during these difficult

times. No sustainable recovery can be built without sustainable and up to date labour standards.

This year we began our work under the same working methods that we adopted last year. The working methods are a consensus document that reflects the views of governments from all regions based on consultations over the past several years. In this year's debates, it was especially notable that Committee members were respectful of each other's point of view in accordance with our rules of decorum.

As part of the Committee's ongoing continuous improvement, as reflected by our ongoing discussions on working methods, the Employers' group has a number of suggestions concerning the working methods and our Committee practice under them.

First, the first part of the Committee's work, the general discussion – and I want to be clear here, we are talking about the general discussion, except for the General Survey – appears to have less significance to Committee members, taking up less than half a day, most of which are the statements by the Worker and Employer spokespersons, whereas, in the past, it could have taken up to two days.

Most of the issues discussed in the first part of the general discussion could be discussed under other parts of our work or as part of the ongoing consultations on working methods. This would reduce the overall workload of the Committee in the first week of the Conference, give us additional time to discuss the General Survey and finalize conclusions with respect to it, and would provide more time to consider the final list of cases.

Second, last year we amended our working methods to provide for the discussion of the substance of the cases concerning governments that are accredited and present at the Conference, but have chosen not to be present before the Committee. A refusal by a government to participate in the work of the Committee is a significant obstacle to achieving the core objectives of the ILO and the core mandate of our Committee, since 1926, to provide a tripartite forum for dialogue on outstanding issues relating to the application of ratified international labour standards.

The same obstacle is present if a government is not accredited or registered to the Conference. This year, the Employers' group dropped a case from the final list that was on the pre-list of cases because the country was not accredited or registered to the Conference at the time the list was adopted, and the Employers' group did not want to block the consideration of another case the Workers' group wanted, on the chance that the government might become accredited.

The country was subsequently accredited in the middle of the week in which the cases were discussed. All member governments have the right and possibility to attend the Conference, and, therefore, the Committee should be able to discuss the substance of the application of standards found in the Committee of Experts' observations, even if the government is not accredited to the Conference.

Third, under our working methods, we need to have better rules and practice on the number of cases to be discussed daily and effective time management. These issues are linked.

We should not have to work until 11.45 p.m. and 4 a.m., as we did last Thursday and Friday, respectively. It is not respectful to any member of the

Committee, or the secretariat, and reflects badly on the supervisory machinery.

Each year we select 25 cases for discussion. It should be possible to discuss 25 cases over five days – five each day. Some cases take less time to discuss and others have histories where we know the discussion will be longer. If there is more than one complex case to be discussed on a given day, then the number of cases should be reduced for that day and governments who delayed signing up should be directed to present their case on another day.

We have rules relating to registration by governments to present their case and rules for scheduling countries on the list who do not register by the deadline. We do not have rules that make it clear that, if the schedule is full on a particular day, most notably on the last day, Friday, the government will need to register for another day.

Fourth, we need effective and consistent time management. This is the Committee's problem, not the Chairperson's. The Chairperson has many responsibilities, the most important of which are parliamentary and preparing the conclusions of each case. Our working methods specified in document D.1 need to be explicit on the time limits for the discussion of cases in line with the announced time limits for the past several years – 15 minutes for the Government, Employer and Worker spokespersons, five minutes for everyone else, except for the Employer and Worker from the country concerned, who would have ten minutes.

A lot can be said in five minutes. These time limits should be enforced by a light system similar to the one used in this plenary, with the speaker's microphone turned off when the time limit is reached. This approach is objective and transparent and treats everyone the same.

Had we had just five cases each day and a firm time limit system, equally applicable to all, the Employers' group is convinced that we would not have had the extreme hours of work that we endured this year.

Fifth, our working methods need to be explicit on the need for governments to submit D documents if their case is complex or requires responding to an information request from the Committee of Experts, and it is not otherwise possible to present their explanation to the Committee in 15 minutes.

Sixth, we need language in our working methods on the overall number of speakers in a particular case. This year, the number of speakers, including Government, Worker and Employer spokespersons ranged from five to 29 in one particular case.

The Employers continue to believe that we need a greater diversification of the cases discussed. This seems to be an objective that many governments have as well. On the tenth anniversary of the Worst Forms of Child Labour Convention, 1999 (No. 182), we think a substantial number of cases should have been on this subject for discussion, as well as on forced labour and equal treatment. There are an exceptionally large number of detailed forced labour, child labour and discrimination observations made by the Committee of Experts this year that cry out for discussion. This is not to minimize the freedom of association cases on the list, but to highlight that there are very serious problems affecting women and children that should be discussed as well.

In this regard, the International Organisation of Employers (IOE) has, for a number of years, given a high priority to addressing forced labour and child labour, as illustrated by its technical assistance manuals and its programmes to mobilize global business on the eradication of forced and child labour in all its forms that the IOE sponsored in cooperation with the ILO in 2008 and 2009.

Some countries continue to criticize the transparency and the criteria that are used to select the 25 cases from the hundreds of observations made by the Committee of Experts. The criteria are clearly set out on page five of document D.1 and the Worker and Employer spokespersons explain the basis for the selection of cases after the list has been adopted by the Committee.

In particular, with respect to the criteria used to select the list of cases, the Tripartite Working Group on the Working Methods of the Conference Committee has consistently concluded during our review of our working methods that there was no need to change the criteria. Moreover, the Governments concluded that it continued to be appropriate for the Workers' and Employers' groups to agree on the list of cases to be discussed. As last year, no new cases were added that were not on the pre-list.

This year's General Survey and the Committee's discussion made it clear that a safe and healthy workplace is a priority for everyone. There are many ways to assure workplace health and safety beyond laws and regulations, and social dialogue is a key aspect. It is notable that the Occupational Safety and Health Convention, 1981 (No. 155), is ratified by less than one third of ILO constituents, but that half of the ILO member States have occupational safety and health policies, suggesting that the Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187), may be a preferable course of action in view of the difficulties in ratifying Convention No. 155.

In selecting the cases on the list this year, we used the long-standing criteria for the selection of cases found in document D.1. These selection criteria are not mathematical, but a selection of 25 is made from among the 2,500 observations made by the Experts in the report. This year, we took seven of the eight double footnoted cases designated by the Experts. It is our view that the Experts double footnote too many cases, which limits the Committee's overall discretion.

The selection of cases will always be a point of contention in our Committee. It is human nature that no person or country likes to be criticized. Except for cases of progress, which is a positive discussion to illustrate and demonstrate the positive outcomes of the supervisory process, selection on the list can be avoided by meeting the international obligations to comply with ratified Conventions. If there is a lack of compliance or lack of forward movement towards compliance with ratified Conventions, then there is the possibility that a country will be selected. It will always be the situation that the list of cases is composed of both very serious cases and cases of technical compliance. Regional balance, level of development and diversity of subject matter are also factors. With respect to the diversity of cases, as we have said, the Employers' group would like to see more cases on forced labour, child labour and equal treatment than has been the case in recent years.



This year, we would have liked to have discussed the case of Uzbekistan under the Abolition of Forced Labour Convention, 1957 (No. 105), in line with the IOE submission to the Committee of Experts in October 2008, calling the Experts' attention to the widespread use of forced child labour in the cotton harvests in Uzbekistan. Child labour is state-sponsored. It is estimated that many tens of thousands of children are involved in this physically arduous work. We request that there be a full observation by the Experts so that we can discuss this case with the Government next year.

For the reasons given by the Employers' delegate of Uruguay in his speech just prior to the discussion of this report, we would also have liked to have had the case of Uruguay concerning the Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144), and the Right to Organise and Collective Bargaining Convention, 1949 (No. 98), on the list of cases as well.

The Committee of Experts' report contains a section labelled Cases of progress. In Paragraph 54, the Experts express satisfaction at the concrete actions taken by 40 countries, including Colombia, under the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87). In view of the essential fact-finding role of the Experts, it would be very surprising if anyone in our Committee would disagree with the Experts on this point.

Colombia was the only country on the final list of cases from this list of 40 countries where the Experts had indicated satisfaction. A notation of satisfaction is indication of progress. It was on this basis that the Employers' group accepted and agreed that Colombia should be on the list of cases and discussed this year.

The Committee's conclusions on Colombia mention in several places where progress, positive developments and improvements have occurred in the country. It is notable that the Colombia case conclusions are the only conclusions this year that contain the word "progress" and more than once, while at the same time recognizing and stressing that there was much more that the Government needs to do to address the issue of impunity and other difficult issues in the country.

There are a number of cases where there were significant problems of implementation and compliance with voluntarily ratified Conventions. These involve the Bolivarian Republic of Venezuela (Convention No. 87); Myanmar (the Forced Labour Convention, 1930 (No. 29), and Convention No. 87); Swaziland (Convention No. 87); the Islamic Republic of Iran (the Discrimination (Employment and Occupation) Convention, 1958 (No. 111)); and Belarus (Convention No. 87). Special paragraphs, as the Reporter noted, were designated for Myanmar (Convention No. 87), Swaziland and the Islamic Republic of Iran.

There is no more important a case to the Employers' group than the case of the Bolivarian Republic of Venezuela, where the Government continues to suppress and interfere in the internal affairs of the most representative employers' organization (FEDECAMARAS), and seeks to eliminate the private sector through the expropriation of property. If there is no private sector, there is no tripartism or freedom of association for employers, both of which are cornerstones of the ILO and fundamental to the implementation of Convention No. 87. This case,

which has been discussed over the last 14 years, constitutes a continuing failure to implement and is one step away from a Commission of Inquiry. The Governing Body should authorize sending a direct contacts mission to the Bolivarian Republic of Venezuela before deciding on the action to be taken on the complaint under article 26 of the ILO Constitution.

The special sitting on the application of Convention No. 29 with respect to Myanmar continues to make clear that there remains a substantial gap in this country's commitment to abolish forced labour in law and practice. Concrete action to abolish and eliminate forced labour is required of the Government. With respect to Convention No. 87, there is no viable trade union movement in the country. Our Committee urged the Government to accept an extension of the ILO mandate to include matters relating to Convention No. 87. The Committee also decided to mention this case as a continued failure to implement the Convention.

The case of the Islamic Republic of Iran presents long-standing problems of implementation of its international obligations under Convention No. 111. In addition to the shortfalls in law and practice with respect to equal treatment concerning the protected classifications, in particular those of women, of central importance to the Employers' group, is the freedom of association crisis in the country and the lack of social dialogue. The freedom of association link in the case of the Islamic Republic of Iran is significant because of the Government's interference in the elections of the Iran Confederation of Employers' Associations (ICEA) which took place on 1 November 2007, the subsequent dissolution of the ICEA by the administrative authority and the official backing of a new and parallel employers' organization. This undermines fundamentally the validity of consultations called for under Convention No. 111 with respect to representative organizations of employers and workers under article 1.

In closing, I would like to thank the Office for its excellent support in the development of our work, in particular Ms Doumbia-Henry, Karen Curtis and their staff – we could not succeed without them. Our deepest appreciation and thanks go to the entire secretariat for hanging in there during our late sitting on Friday. Also, I would like to thank the Chairperson, Sérgio Paixão Pardo, and the Reporter, Christiaan Horn, for their work. In particular, I would like to thank Luc Cortebeek, the Worker spokesperson, for his continued cooperation and good will.

I would also like to thank the Employers' group and especially my colleagues Sonia Regenbogen, Roberto Suárez, Thomas Prinz, Juan Mailhos, Richard Calver, Félicité Awassi, Manuel Terán and Chris Syder, for helping me to prepare and present several of the individual cases.

Last, but not least, I would like to thank María Paz Anzorreguy and Maud Megevand of the IOE and Christian Hess of ACT/EMP for their ongoing support before, during and after this session of the Conference.

In conclusion, I reaffirm the Employers' continued support of the ILO's supervisory machinery. We support this report without reservation.

I would like, first of all, to thank the Workers' group for the excellent work we have accomplished together over the past three weeks. I would like to thank my group for the work they put into the preparations for this Conference, for the support they have given me and for the team spirit which has been so essential to the successful conclusion of our work in the Committee on the Application of Standards.

I should particularly like to thank the Officers of the Workers' group in the Committee who have been very much involved in the organization of the work. Here I would personally like to thank Annie Van Wezel, Cécilia Brighi, Alison Tate, Trine Lise Sundnes, Bianca Kühl, Lisa Pecherot, Judit Czugerne-Ivany, our Secretary Kurshid Ahmed, Mademba Sok, Stan Gacek, José Pinzon and Evgeny Sidorov.

Thanks to them, discipline was generally respected within our group and verbal excesses were avoided.

I should also like to thank Mr Sérgio Paixão Pardo who was once again the Chairperson of the Committee. My thanks go also to Ms Doumbia-Henry, Ms Curtis and their ILO staff for the technical and legal assistance they gave us. I should also like to thank Mr Christiaan Horne, our Reporter. I am very grateful to the ILO staff for being so kind and helpful throughout the Conference and I am grateful to the ITUC, and particularly Stephen Benedict, June Soerensen and Manuela Chavez. I would also like to thank our colleagues from ACTRAV, Beatrice Vacatto and Enrico Cairola. I am particularly grateful to my close friends Gilbert, André, Véronique and Chris.

This year, our work took place against the backdrop of a crisis which is not only financial but also economic. The workers, of course, have not the slightest responsibility for the crisis, but they have to bear the direct, or supposedly direct, consequences of it. In these circumstances, we need to be alert also to the consequences of climate change and the measures we shall have to take to deal with them because they will have an impact on economic and social development and therefore unemployment, income levels and our attempts to alleviate poverty.

When our Committee began its work, I reminded it, speaking on behalf of the Workers' group, of the importance of ILO standards and all the international regulatory mechanisms, including the supervisory mechanisms specific to the ILO especially in the light of the present situation. The Organization's supervisory mechanisms alone are likely to ensure that globalization really does have a social dimension. As trade unionists, we know that there can be no economic progress if workers are not protected and their rights are trampled underfoot.

A lack of job security can only be dealt with through appropriate protection of workers, in terms of their work contracts, in terms of decent working hours, in terms of occupational safety and health, as well as social security benefits and training. A worker without job security can never ever be a productive worker.

ILO Conventions are modern and relevant instruments, useful to us in managing and mitigating the consequences of the crisis. Social dialogue and col-

lective bargaining contribute an enormous amount of value to our attempts to alleviate the negative impact of the crisis on working conditions and on economic and business activity. The particular relevance of Conventions Nos 87 and 98 cannot be underestimated.

The report of our Committee will contain a statement of the Conference Committee on the Application of Standards on the importance of international labour standards within the context of the global economic crisis. It is the duty of our Committee to make an effective and highly visible contribution to the conclusions of the Committee of the Whole.

In the course of our work, we reached a consensus on four main points. Firstly, there can be no sustainable economic recovery without equally sustainable and up to date labour standards. Secondly, international labour standards provide essential tools and useful guidance in developing effective policies for sustainable economic growth and recovery. Thirdly, labour standards, productivity and job creation are essential to sustainable economies and to the protection of those who are most vulnerable. And fourthly, beyond the fundamental rights at work standards related to wage protection, employment promotion and social security safety nets also serve as indispensable baselines for the protection of workers.

This approach combines growth, employment and social protection without allowing purely economic issues to dominate. We need to react urgently, and whatever we do needs to be inspired by the role which the ILO has already played in the past in helping us deal with crises.

I would now like to turn to the list of individual cases which was discussed in the course of the Committee's work this year. Rather paradoxically, I would like to begin with a case which was not considered, even though it has been the subject of comments made by the Committee of Experts since 1996, virtually without a break. Eleven comments have been made on this case since 1996. I am talking obviously about the case of Japan and the Forced Labour Convention, 1930 (No. 29).

In the Workers' group we did everything to get this case put on the list. We even went so far as to try and draft a compromise text to be proposed to the Japanese Government with the hope that nobody need lose face. This attempt was commensurate with the comments of the experts in 2009. They said that they hoped that the Government would, with the surviving victims of abuse, strive to find an appropriate way of providing those victims with compensation. However, as one says on the rugby field, that try was not converted.

The Employers' group insisted that this case was not for discussion at the Conference Committee and therefore the compromise text was not submitted. Apparently, the Employers do not wish to discuss the issue of the "comfort women" here again. We note that, but it does not mean that we are giving up on this case. We will continue to push for these women to be compensated and for their dignity to be restored.

We shall come back to this case again and again, as long as it takes, shedding more and more light on it, perhaps even more light than if it were dealt with once and for all by our Conference Committee.

Of the 25 cases we examined, 12 concerned social dialogue in its broadest sense, exercised through freedom of association and the right to collective

bargaining; four dealt with equality of treatment and equality of opportunity; three with the elimination of child labour and the protection of children; five related directly to Conventions which are very important with respect to the consequences of the current worldwide crisis, such as employment policy, social security and labour inspection; and one case, the case of Peru, came up under the Indigenous and Tribal Peoples Convention, 1989 (No. 169), added on 5 June. This case even made international headlines, following a violent conflict that broke out in the north of the country and led to 33 confirmed deaths.

All this makes one thing obvious to us: freedom of association is under threat in many countries. The cases we discussed covered all four continents with particular attention being paid to Asia, Africa and Latin America – which are particularly in danger. I am thinking in particular of the so-called solidarity movement and direct agreements being signed with select worker groups, as well the establishment of standing committees in Costa Rica, which in essence has become a laboratory for anti-trade unionism; and thinking also of the associated labour co-operatives which are now competing with mainstream trade unions in Colombia.

Europe was dealt with twice for failure to comply with Convention No. 87. In the case of Turkey, given that this is a long-standing case and the Government has been doing little to resolve it, it was proposed to send a high-level bipartite mission to assist the Government in making meaningful progress towards bringing its legislation into conformity with the provisions of ILO Convention No. 87.

The Government of Belarus was requested, for its part, to continue with the efforts it has already made since the International Labour Conference of 2008. It has been asked to provide a timetable for, and review of, procedures to ensure effective participation of independent trade unions in the process of social dialogue in that country. Technical assistance has been proposed to that end by the ILO.

Generally speaking, I must acknowledge that cases such as Belarus and Georgia, which was considered in 2008, prove that the action taken by the ILO supervisory bodies and various types of technical assistance mechanisms offered by this Organization could help countries to make progress in building real social dialogue – which, in the final analysis, is the engine of the change required in those countries because of their proximity to the European Union. There are still very negative aspects, of course, in trade union-related legislation in Belarus and in Georgia, but as I say, there is light at the end of the tunnel, I think. These situations will be carefully monitored in the course of our work in 2010.

With that, I would like to continue to run through the list of cases and express either my satisfaction or surprise at the subsequent results.

We have drawn attention to three special cases in three paragraphs in the report of our Committee this year. The first concerns Burma and Convention No. 87. The ILO has a presence in Burma already and has been monitoring the Government's implementation of Convention No. 29 for some time. Now, it is also monitoring its compliance with Convention No. 87. The Government of Burma has, in a quite unacceptable way, attacked the dignity, integrity and indeed the person of our colleague Maung Maung and the legitimacy of the organization he heads. This is totally intolerable.

The second special paragraph covers the Islamic Republic of Iran concerning the application of Convention No. 111, for very long-standing cases of discrimination against women and ethnic and/or religious minorities.

The third special paragraph concerns Swaziland and Convention No. 87.

On the latter, Swaziland, once again our friend Jan Sithole faces threats of serious reprisals from the Government of Swaziland.

In addition to that, a campaign is under way to smear the trade union movement in that country. The *Times of Swaziland* of Sunday 14 June says that the presence of Swaziland on the list of individual cases for discussion by the Committee has done considerable damage to that country's reputation in the eyes of the international community. Our friend is in real jeopardy, and has sought protection from the ILO. We demand that the media across the world monitor his situation carefully.

The conclusions we have reached in the case of Colombia show that we are cautiously confident of the future of this case. Why cautiously? Well, changes have been noted in the approach of the judiciary through the efforts of the Prosecutor General and in respect of the law on illegal strikes.

However, while our Committee met, during the first week of the Conference, a trade union activist in Colombia was assassinated. In the course of the second week, two more trade union activists have been assassinated. This brings the number of trade union activists murdered as a result of their trade union activity in Colombia in 2009 to 20. So there are still many murders taking place and too often they go unpunished. The ILO has offered assistance to the Government, in particular to help it to strengthen social dialogue further and to continue to apply the tripartite agreement reached in 2006. We have asked that everything necessary be done so that the ILO continues to be represented in that country.

This case will certainly have to be discussed again to ensure follow-up monitoring of the effectiveness of the Government's commitments.

Turning now to the very serious cases of Guatemala and Costa Rica, we had urged that a special paragraph be adopted on those cases, but that was not agreed to. We will never understand the reason why our Employer colleagues refuse to accept the inclusion of a special paragraph in the report for the cases of Guatemala and Costa Rica.

We also asked that a high-level mission be sent as a matter of urgency to Peru, but that was rejected as well. That remains a total mystery to us, since what is happening in Peru is a dramatic illustration of a problem that has become critical throughout Latin America: the exploitation of natural resources and environmental devastation for purely commercial purposes, with total disregard for indigenous peoples and for biodiversity.

Our Committee expressed its concern at this violence and urged the Peruvian Government to do more to guarantee respect for the human rights and fundamental freedoms of indigenous people. The Committee noted that the violence occurring in Peru today is a result of the issuance of decrees for the exploitation of natural resources on lands which have been traditionally occupied by Peru's indigenous peoples. Totally contrary to the ILO Indigenous and Tribal Peoples Convention, 1989 (No. 169), these indigenous peoples have been deprived

of their right to be consulted in these areas, and the mechanisms in place to ensure that this consultation does take place are ineffective.

The Government has been strongly urged to take serious measures as a matter of urgency, both in law and in practice, to bring its legislation into conformity with Convention No. 169, and in particular to set up appropriate and effective mechanisms for the consultation and involvement of indigenous peoples.

While our request for the dispatch of a high-level mission to that country was ultimately rejected, we may hope that, given the very detailed nature of the conclusions reached by our Committee on this case, the Government's attention will be drawn to the changes and reforms it needs to undertake and how to undertake them.

This really is an urgent situation: we cannot wait. This is a case in which positive developments have to take place within the next three months.

As everybody is aware, the case of the Bolivarian Republic of Venezuela was put on the list of individual cases by the Employers' group. However, that does not mean that there are no difficulties for the trade union movement in the Bolivarian Republic of Venezuela: quite the contrary. But divisions on this case are very considerable within the workers' ranks, and indeed within the country itself.

The Framework Act on Labour, which is causing difficulties in the Bolivarian Republic of Venezuela, has both positive and negative aspects. In this particular context, the Committee required the Government to take, without delay, all measures necessary to avoid interference by the National Electoral Council in trade union elections. It also urged the Government to intensify social dialogue to the benefit of all the social partners. It furthermore requested follow-up to the 2006 high-level mission to provide the necessary assistance to the Government and the social partners.

These conclusions were deemed satisfactory, including, it would appear, by the Government. That leads us to hope that time will do its work and that, as the situation with respect to legislation becomes clearer, this will reduce the internal tensions.

Generally, the conclusions on the other individual cases emphasize the need to follow up on requests made by the Committee of Experts. They also, however, sometimes request further information or urge action within specific deadlines so that the cases in question can be considered again by the Committee at its November session.

As I said earlier, and subject to the major comments I have just made, we are, generally speaking, satisfied with the conclusions reached this year by our Committee. The conclusions are broadly acceptable – and we have defended them among our Worker colleagues – since they are the outcome of a respectful balancing act between the often very divergent interests of the two groups, workers and employers.

We shall continue to defend the relevance of these conclusions over the next few months as we monitor the commitments made and check that governments whose individual cases were on the list and were discussed are actually complying with the requests made to them.

The work done in the course of this Conference is not an end in itself: it is the beginning of a long period of work in the field, in which social dialogue will be put to the test in all the countries whose

cases were discussed in our Committee. We shall continue with that work, I have no doubt, next year as well.

In conclusion, let me just say a quick word on the possible implications of the 2008 Declaration on Social Justice for a Fair Globalization, particularly in respect of the General Survey.

The Workers' group looks forward to seeing the effects of the new questionnaire provided for under article 19 of the ILO Constitution. We hope that the new procedure will add greater depth to discussions on the General Survey in the Committee on the Application of Standards, and that the impact of those discussions will strengthen the ILO's standard-setting policy, particularly at this time of economic crisis.

The description of the new procedure, by the representative of the Secretary-General in her introductory statement to the Committee, was very encouraging. We hope that it will not lead to a watering down of the intrinsic value of the General Survey, but will instead be a way of promoting ratifications in the future. We shall keep a very careful eye on this question.

We recommend that the International Labour Conference adopt the report of the Committee on the Application of Standards.

---

*Original Portuguese: Mr PAIXÃO PARDO (Government, Brazil; Chairperson of the Committee on the Application of Standards)*

On behalf of the Government of Brazil, I would like to thank you for the trust placed in me as Chairperson of this Committee.

At the moment we are facing a serious world financial and economic crisis. This Committee agreed on the need to draft a statement based on a general discussion, reflecting our thinking on the crisis and the role of the standards of the ILO and the strengthening of its supervisory mechanisms. That statement can be found in paragraphs 96–100 the general part of our report.

We have made progress also in drafting conclusions on the General Survey on Occupational Safety and Health. This is in anticipation of the mandate under the Declaration on Social Justice for a Fair Globalization concerning the subjects that our Committee will have to discuss under article 19 of the ILO Constitution, with a special focus on employment next year. We have worked well and we can improve our performance. Our time management can be improved and in that regard it is important to consider the proposals made by the speakers before me.

The conclusions of individual cases were adopted by consensus in a constructive manner and they will contribute to solving problems in the application of standards. There is no risk of these conclusions being forgotten. They are the very basis of cooperation and technical assistance which this Organization carries out in member States.

To the Committee of Experts we express our thanks for the material provided, which was of the highest quality and helped us to do our work in committee.

To Mr Potter, Employer Vice-Chairperson, and Mr Cortebeeck, Worker Vice-Chairperson, our appreciation for the respect and admiration that they showed each other. To Mr Horn, our kind, young and competent Reporter and to the secretariat represented by Ms Doumbia-Henry, the support teams

and the interpreters, a very big thank you for having made our work possible and our results so positive.

Our work is not just empty words. Our work is the very hope of social players throughout the world who hope for a world of freedom, decency and equality. Millions have their eyes and hopes trained on our work. It is to them that we dedicate our final result.

In conclusion, I commend the report for adoption.

---

The PRESIDENT

---

The general discussion of the report is now open.

---

Mr SANKAR SAHA (*Worker, India*)

---

We, in the Committee, have painfully experienced that the gap between law and practice has been rapidly growing. Standards values, once upheld, are now trampled down. An absence of political will, along with the absence of an effective trade union movement, may be one reason, but not the basic one, for such a rapid erosion of values of standards.

The actual reason for the downfall will be found in the present day socio-economic system, which is no longer in a position to give rights to the workers that live and thrive without protection, although when the system was not moribund such rights were given. What we have been observing for almost two decades of globalization are: the deregulation of labour laws; millions of job losses; attacks on jobs, job opportunities and hard-won rights for the maximization of profit; big business swallowing small and medium-size businesses; the dismantling of the organized sector; the contrarization and casualization of the permanent nature of jobs, detrimental to the concept of decent work; a forcible expansion of the informal sector; an increase in the number of forced labour cases; and an increase in working hours, where labour standards do not exist. In fact, the situation cannot be otherwise. It must be understood that globalization is not a new stage of development in the history of civilization. Neither is it a new economic order, as was claimed when it was introduced. The reality is that it has come at a particular stage of development of the exploitative capitalist system, at its moribund stage, and was the latest design to extend the lease of life of crisis-ridden capitalism, plunged into deep recession.

In this connection, the background of the conclusion of GATT-94 must be recalled. It is also pertinent to recall what the former Director-General of GATT, Peter Sutherland, once observed: "If we lose this round, the whole existing fabric and structure will have been significantly, perhaps, irreparably damaged." He also commented that the entire world economy was tottering and would have crumbled had not the managed trading system been evolved.

Hence, it is clear that globalization was introduced to rescue an inhuman and tortuous order from inevitable collapse. Naturally, it can neither be humane nor fair. To plead for a new globalization or "fair globalization" in the face of the catastrophic failure of the policy of globalization to pull the economy out from a recession, which has by now assumed the character of an irreversible phenomenon is a case of either consolation or deception. It must also be understood that the usual cyclic order of slump and boom in a capitalist economy is no longer operative, as it has been replaced by perpetual and unabated recession. This is neither the outcome of weak governance nor of management of the economy at a given period.

With this backdrop, the question of tackling the ever-aggravating job crisis is inseparably linked with the question of putting an end to the perpetual nature of the global recession once and for all. Stimulus bail-out packages given to the corporate sector or to bankrupt institutions will not bail out the bankrupt economy.

For the conscious proletariat, who aspire to re-establishing the humane values of fundamental rights, the situation calls for them to find ways and means of setting in motion united efforts. The struggle of the working class of the world is for the establishment of a qualitatively different new economic order, free from exploitation of man by man. The only guarantee for job and social security, including health, education and shelter, is a society with higher ethics and culture.

The distinguished delegates cannot have overlooked the news item that sales of Marx's books in Europe have multiplied. Common people are going through his works. But what is most noteworthy is the fact that the President of France, the Pope, a minister in the Belgian Government, an archbishop in England, all these dignitaries are flicking through the pages of *Das Kapital*!

These were the same group of signatories who had declared a decade ago that Marxism is buried forever!

---

Mr RADIBE (*Worker, Botswana*)

---

We appreciate very much the work that has been done by the Committee. However, we are making certain observations that we feel need to be looked into.

Many member countries have ratified Conventions of their own free will, but we observe that as time goes implementation of the ratified Conventions proves to be something of a problem from the standpoint of the democratic rights of workers and particularly their trade unions. We see a number of cases where there were no police nor soldiers present when the Government voluntarily ratified a Convention, and now that things are getting tough the police and soldiers the police and soldiers are being used against the people and the workers. There are several cases where this has been going on for a very long time.

The case of Colombia, for example, is very serious, because there the trade unionists have no freedom at all. Colombia has thus joined Zimbabwe and Myanmar, which is most unfortunate. In Swaziland too, the labour movement is not free and the people and workers are not free to move around. The Terrorism Act that has been introduced is going to make people too scared to participate effectively in the affairs of that country.

Another point that we would like to raise concerns, of course, the economic and financial crisis. We observe with dismay that now the social and financial crisis is being used as an excuse not to protect the workers, and we would like to encourage the ILO to see to it that the IMF, the World Bank and the World Trade Organization do not misdirect the G20.

We believe strongly that the ILO should play a leading role because it has a strong foundation of social justice. We need social justice for the people and for the workers of the world.

The last point I would like to raise concerns social dialogue. We firmly believe that, in accordance with the Decent Work Agenda, social dialogue

should be at the centre of everything, because it will go a long way towards enabling the social partners to contribute meaningfully to the social, political and economic wealth of their country.

Certain multinational corporations have long been circumventing labour standards, and I believe the time has come to make sure that they are adhered to.

---

*Original Spanish: Mr DORADO CANO-MANUEL (Government, Bolivarian Republic of Venezuela)*

---

My Government very much regrets that it has to take the floor again in order to refer to points that we thought had already been dealt with and which appear to be a whim of the Employers. It would appear they are trying to distort the Committee's report by introducing political considerations that go beyond the technical examination of the cases.

Mr Potter, in referring on behalf of the Employers' group to the conclusions and recommendations reached by the Committee in its report, has implied the existence of condemnations that are simply not there, in an attempt to paint a distorted picture of my country and of my Government, just as he did in Committee.

I do not think Mr Potter appreciates the progress that has been made by my country, which is even cited in the report of the Credentials Committee that we adopted this morning. That progress was repeatedly recognized by the countries of Latin America and the Caribbean and by governments from other regions in the course of the discussion in Committee.

On behalf on my Government, I urge Employers' group to be more open-minded and understanding and to present a more transparent and objective picture of the situation in my country.

I believe that those who attack the democratic state of law and justice that the people of the Bolivarian Republic of Venezuela have given my country, to the extent of provoking coups d'état and the constant sabotage of our economy, would do better to recognize the wide-ranging and inclusive social dialogue promoted by our Government, which refuses to accept monopolies. Our policies have the broad support of the workers and peasants, who are embarking upon an economic development policy which is an alternative to the capitalist model and which is conducive to social inclusion, equality and the fair distribution of wealth.

---

*Mr LWIN (Government, Myanmar)*

---

The important and serious work of this august body should be reciprocated with the same level of seriousness on the part of the delegations. Delegations should demonstrate their seriousness in their work by exercising mutual respect and adopting a proper code of conduct. If we do not act in this manner, we shall be deviating from our principle objectives. In this context, I would like to remind, once again, those delegations which are not referring to my country by its proper name that, the official name of our country is the Union of Myanmar and that this name is recognized in the United Nations system and in all its official documents.

I wish to provide clarification and, at the same time, place on record the position of the Government of Myanmar with regard to paragraphs 1 and 2 of the conclusions of the special sitting on Myanmar held on 6 June 2009, and paragraph 5 of the conclusions of the management meeting of the Committee

on the Application of Standards. These paragraphs are also reflected in parts 2 and 3 of the report of the Committee on the Application of Standards which we are now considering for adoption. The position of the Government of Myanmar is as follows: "With regard to paragraph 5, subparagraph 1 of the conclusions of the special sitting on Myanmar held on 6 June 2009, contained in the report of the Committee on the Application of Standards, I would like to state for the record the position of the Government of Myanmar as follows: the provisions of the Village Act and Towns Act have been implemented effectively and legally by Order No. 199 dated 14 May 1999, and Order supplementing Order No. 199, dated 27 October 2000, both of which have the force of law. In addition, it should also be mentioned that, 380 domestic laws are under review. With regard to paragraph 5, subparagraph 2 of the conclusions of the special sitting on Myanmar held on 6 June 2009, contained in the Report of the Committee on the Application of Standards, and paragraph 5 of the conclusions of 9 June 2009 on the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), contained in the Report of the Committee on the Application of Standards, I would like to state, for the record, the position of the Government of Myanmar as follows: the provisions of the new Constitution of Myanmar, including sections 354 and 359 of Chapter 8, adequately capture the spirit of the Forced Labour Convention, 1930 (No. 29), and of the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87). These provisions, like other provisions, were thoroughly discussed with actors representing all strata of life in Myanmar and were incorporated into the Constitution which was overwhelmingly approved by the people of Myanmar in a national referendum. When the Constitution comes into legal effect, the laws concerned will be drafted accordingly. The inalienable right of the people to save their destiny should be respected."

I would also like to report that we shall be taking up these points with the ILO and its Committee of Experts on the Application of Conventions and Recommendations.

In conclusion, I would like to request that this statement be issued as an official document of this meeting.

---

*Original Spanish: Mr GARZÓN (Government, Colombia)*

---

I greatly appreciate the summary which we have heard from the Chairperson of the Committee on the Application of Standards and the reports of the spokespersons.

The Colombian Government views the conclusions of the Committee on the Application of Standards in a positive light. Our Government would like once again to reiterate its condemnation of the murders of trade unionists and in that regard I would like to convey the message that the Minister for Social Protection, Mr Diego Palacio, has asked me to do.

Firstly, the conclusions of the Committee should be converted into a sort of road map for social dialogue between the employers, the workers and the Government of Colombia. This dialogue should include the presence of a delegate from the Workers' group and one from the Employers' group and, as has always been the case in the past, there should be active support from the ILO.

Also, with a view to combating impunity and reducing violence in our country, and in order to strengthen the commitment of the Colombian State in its fight for the respect of human rights, including labour rights, the Prosecutor-General of the country is going to spend a week in Geneva from next Saturday. We have arranged meetings with the ILO on standards and freedom of association and also with the Office of the High Commissioner for Human Rights. We would also like him to have meetings with the International Trade Union Confederation, as requested by the General Secretary of that organization, and with the International Organisation of Employers, with whom we have also requested an appointment.

In conclusion, I would like to say that what we have here is a joint effort on the part of the Government, the workers, the employers and the whole of Colombian society, seeking to reduce violence in all its forms and combat impunity. We very much hope that, the next time the Committee of Experts meets, the progress sought not only by the Government of Colombia but by Colombian society as a whole will be visible and in the process of being consolidated, because we are all tired of so much violence in our country.

---

*Original Portuguese: Mr LIMA GODOY (Employer, Brazil)*

I do not wish to add anything to the reports and the statements made by the officials of this Committee, which are undisputable. However, I feel compelled to ask for the floor in order to object to the inadequate and inappropriate comments made by a speaker from the Venezuelan delegation, which were addressed both to the Employers' group and to its spokesperson, Mr Potter. I am grateful for this opportunity to clarify to this plenary that Mr Potter neither spoke on his own behalf nor on behalf of the Bolivarian Republic of Venezuelan employers; he spoke on behalf of employers around the world, in defence of the principles and values which we are bound to defend, especially at this place which is committed to the defence of labour rights: the ILO.

---

*Original Spanish: Mr PÉREZ (Worker, Bolivarian Republic of Venezuela)*

The conclusions reached in the Committee on the Application of Standards have been adopted. Our Worker representative said that he did not understand how, in the case of Peru, Colombia, Costa Rica and Guatemala, the Employers' group did not support the decision of the Committee, in particular in the case of Peru, that there was clear genocide, with over 200 people dead. However, from its exceptional position, it attacks one country because employers there do not have the same privileges as in other countries.

We, the workers of the Bolivarian Republic of Venezuela – when people talk about social dialogue – would like to point out that we are talking about social dialogue in a crisis that has been created by the financial sector and its employers, who refuse to shoulder their responsibility. They are therefore trying to come along now and convince us that the responsibility for what has occurred and for this major crisis should be shouldered by ordinary people and, above all, by workers.

That is why in Latin America we believe, indeed we are convinced, that an alternative approach is possible. In the Bolivarian Republic of Venezuela, workers and progressive trade unions believe in

Conventions Nos 87 and 98 and the preamble to the ILO Constitution, and are convinced that there will only be justice when there is understanding between the constituents, and there will not be justice anywhere in the world until that has been crystallized in practice.

Over the last 19 days, we have listened to certain speakers urging increased labour flexibility, for workers to work four hours a day and for governments to be allowed to do whatever they feel is right. That is basically wrong, because it is workers who end up paying for the actions of the financial bodies.

We believe, as I have said, that a different society and economic model is possible, one which is not capitalism. That is why people are trying to drag the Bolivarian Republic of Venezuela through the mud; that is why people are trying to undermine the Bolivarian Republic of Venezuela from a commercial point of view. But that will not work because the Venezuelan people are determined to be free and, along with Cuba, Nicaragua, Bolivia and Ecuador, the people of the Bolivarian Republic of Venezuela are going to prove that there are other ways, such as the Bolivarian Alternative for the Americas, through which workers and countries can bring about real change.

---

*Original Spanish: Ms SIFUENTES DE HOLGUÍN (Worker, Peru)*

I would like, as the representative of the workers, to make a comment and simply say that we, the workers of Peru, did ask for a high-level mission. We are observing certain aspects, such as the problem of stability and legal security, which are affecting our rural communities.

We are very deeply concerned because this Committee on the Application of Standards could have done more in this respect.

We would also like to request that the International Labour Office in Peru be strengthened so that it can carry out its work effectively, because these are questions of human life, and we have a fundamental right to life, it is something which we feel is extremely important.

As the representative of the workers has said, exploitation is very concerning, and we have to be sure that more efforts are made to protect the environment and human life. Therefore, I would also like to say that this Committee on the Application of Standards should continue as a spokesperson for us, the workers, and its task has to be one where it should really try to solve the problems that are faced by our country.

We associate ourselves with the workers of the Bolivarian Republic of Venezuela and Colombia because it is absolutely essential that we make it clear that the Conventions of the International Labour Organization should be complied with.

We urge the Committee to make greater efforts in our country.

---

*Original Spanish: Mr CHOCANO BURGA (Government, Peru)*

My delegation is not going to refer to the specific subjects which have been referred to by the Worker representatives of Peru and of the Bolivarian Republic of Venezuela, which have been dealt with extensively in the Committee on the Application of Standards. The Committee's conclusions are also in the report.



I simply wish to reiterate the Peruvian Government's commitment to dialogue. That commitment that has always been present, as can be attested by the fact that the Government has asked Congress to annul Legislative Decrees Nos. 1064 and 1090, and only last week invited the rapporteur on indigenous peoples to visit the country. He arrived in Peru yesterday, with every guarantee of openness and transparency on the part of the Government. He will be meeting the political authorities, the military authorities, the Ombudsperson and the indigenous workers' cooperatives, and we are awaiting his report so that we can draw the appropriate conclusions.

What we do regret is the manipulation of this issue for political purposes, particularly as regards the number of dead. We cannot accept that people come here and claim without any justification that there were 200 dead. The official report, and even unofficial accounts, speak of a "certain number of deaths", which of course we all deplored because they are Peruvian dead and that is unacceptable. We therefore appeal to the Workers' representatives not to use such a serious matter for political ends, because it is that kind of political manipulations that is in part responsible for what has happened.

---

*Original Spanish: Mr DE ARBELOA (Employer, Bolivarian Republic of Venezuela)*

---

It is with regret that I have to make a statement here, in the light of what was said earlier by my compatriot from the Government and just now by the Workers' representative.

I would first like to support fully and completely the work of Mr Potter, who has taken a particular and special interest in dealing with the problems of Latin American countries and the difficulties that we – some more than others – are facing with regards to compliance with the fundamental ILO Conventions.

Second, I would like to make a particular reference to the statement that we heard this morning from the official delegate of the Venezuelan Federation of Chambers of Commerce and Manufacturers' Associations (FEDECAMARAS), Ms Albis Muñoz. She was formerly the president of FEDECAMARAS and at that time was prevented from leaving the country. Those who would like to know what is really and truly happening in the Bolivarian Republic of Venezuela, without any exaggeration, should read her speech.

Third, I believe that it is also important to refer to the reports and recommendations resulting from ILO visits to the Bolivarian Republic of Venezuela, which have taken place on a number of occasions over the last few years, in the form of direct contact missions and high-level missions; the contents of these reports speak volumes about the situation in Bolivarian Republic of Venezuela.

It is with deep regret – and I say this with total sincerity – that I have to refer to the deplorable comments that were made by our Government representative about "the coup leaders" of FEDECAMARAS. Only one person has been known to carry out a coup d'état in Venezuela and this person was arrested, but tried and freed by a democratic court, and this is the current President of the Republic. There are no other perpetrators of coups d'état in Venezuela because, if there were, they would be under arrest.

What is unacceptable is that there should be an attempt of this kind by our employer to threaten us so that we keep quiet and do not say what we have to say. We will use every mechanism that we have, in accordance with the Universal Declaration of Human Rights, to make our opinions heard.

Finally, I would like to ask for respect and request that consideration and due regard be paid to the content of the report of this Committee, which is currently before us.

---

The PRESIDENT

---

That concludes the list of those wishing to speak on the report of this Committee.

We shall now proceed to the approval of the report. May I take it that the Conference approves this report in its Parts One, Two and Three?

*(The report, as a whole, is approved.)*

Thank you again and allow me, before moving on, to express my gratitude to the Officers and members of the Committee on the Application of Standards for the excellent work they have achieved. This Committee is a critical part of the ILO's supervisory machinery and its work is consequently of great importance. My gratitude, and that of my fellow Officers, therefore goes to all who participated in the discussions and to all who worked on the report, including the members of the secretariat.

---

**RECORD VOTE ON THE RESOLUTION CONCERNING  
THE PROGRAMME AND BUDGET FOR 2010–11  
AND THE ALLOCATION OF THE BUDGET OF  
INCOME AMONG MEMBER STATES**

---

The PRESIDENT

---

We shall proceed to hold a record vote on the resolution concerning the Programme and Budget for 2010–11 and the allocation of the budget of income among member States, which is published in *Provisional Record* No. 12.

*(A record vote is taken.)*

*(The detailed results of the vote will be found at the end of the record of this sitting.)*

I now wish to inform you of the result of the record vote on the resolution concerning the adoption of the Programme and Budget for 2010–11 and the allocation of the budget of income among member States.

The result of the vote is as follows: 410 votes in favour, 3 against, and 6 abstentions. Given that the quorum was 305 and the required two-thirds majority is 276, the resolution is adopted.

*(The resolution is adopted.)*

A number of delegates have requested the floor in order to explain their votes.

---

*Original French: Mr LAUBER (Government, Switzerland)*

---

Switzerland support the main thrust of the proposed Programme and Budget for 2010–11 and the strategic framework outlined therein. However, as a member State of the ILO and as the host country, Switzerland notes with concern that, in the present budget, the budget item containing resources for the renovation of the headquarters is not adequately funded.

In line with its approach, vis-à-vis, the other international organizations of which it is a Member,

Switzerland has always asked the ILO to include in its budget at least 1 per cent of the real estate value of the building, which would mean some US\$7 million for 2010–11. The proposed budget in fact provides for only US\$2.5 million.

Switzerland is therefore in favour of an increase in the resources to finance the renovation of the building that would correspond to 1 per cent of the real estate value of the building.

Notwithstanding these comments, in order to ensure the smooth functioning of the Organization, Switzerland voted in favour of the Programme and Budget for 2010–11, while urging the ILO, in the future, to provide sufficient resources for the renovation of its headquarters.

---

*Original Spanish: Mr LORENZO DOMÍNGUEZ (Government adviser and substitute delegate, Mexico)*

---

We reiterate the commitment made by the Government of Mexico to the ILO. That is why we voted in favour of the Programme and Budget for 2010–11.

Under the programme and budget and the scale of contributions approved by the ILO, Mexico will pay about 9 million Swiss francs (CHF) in 2010.

The support given by governments to the ILO budget in the midst of the biggest economic and financial crisis of the last 70 years is a clear reflection of the importance we attach to the work of this Organization in combating the loss of jobs and the drop in the living standards of our people, particularly the most vulnerable sections of the population.

In the case of Mexico, the economic crisis has been worsened by the negative impact of the health emergency caused by the outbreak of H1N1 flu, to which my country responded with decisiveness and responsibility, vis-à-vis, the international community.

The Government of Mexico has adopted concrete measures to protect jobs and support the income levels of workers and their families, in particular the poorest.

For this purpose, we have channelled financial resources into an expansion of social programmes. We have increased resources for public infrastructure investment to preserve jobs and we have promoted specific programmes to support industry and SMEs.

We trust that the ILO will respond to our needs and live up to our expectations. We also trust that the International Labour Office will strive to save money and increase efficiency in line with the

enormous efforts we are making to reduce the impact of the financial crisis on our people.

Mexico considers that the crisis situation obliges us all, governments and international organizations alike, to make substantial savings, rationalize resources and be accountable in a transparent and responsible way.

---

*Ms CRENNAN (Government, New Zealand)*

---

Firstly, let me say that New Zealand supports the work of the ILO to achieve social justice for all and we also acknowledge the efforts made to reduce the programme and budget proposals.

New Zealand's economic situation requires the exercise of financial prudence and sacrifice. We are not able to support an inflation-adjusted budget when we have had to make difficult budgetary decisions at home.

We think that international organizations should also be making these decisions. This is why New Zealand abstained in the vote on the resolution for the adoption of the current programme and budget.

Here, New Zealand provides its assurance that we will continue to work constructively with the Office, and the social partners, on programme and budget matters.

---

*A Government delegate of Canada*

---

Canada aligns itself with New Zealand in abstaining from the support of this budget.

Our views on the need for budget discipline have already been expressed clearly in the Governing Body.

In these difficult economic times, Canada had hoped that the ILO would apply fiscal restraint, maximize cost savings through operational efficiencies and re-prioritize key activities, allowing the Organization to act effectively but within its existing resource levels.

Unfortunately, this has not occurred.

We also urge member States to remember and reflect on the fact that, when we discuss the next Programme and Budget in 2011, the new base for that budget will be 13.2 per cent higher, not the 3.7 per cent we discussed in March.

---

The PRESIDENT

---

With that, we have come to the end of this sitting of this Conference.

I declare the 18th sitting of the International Labour Conference closed.

*(The Conference adjourned at 5.45 p.m.)*



**Vote par appel nominal sur la résolution concernant l'adoption du Programme et Budget pour 2010-11 et la répartition du budget des recettes entre les Etats Membres**

**Record vote on the resolution concerning the adoption of the Programme and Budget for 2010-11 and the allocation of the budget of income among member States**

**Votación nominal sobre la resolución relativa a la adopción del Programa y Presupuesto para 2010-11 y al prorrateo del presupuesto de ingresos entre los Estados Miembros**

***Pour/For/En Pro: 410***

***Contre/Against/En contra: 3***

***Abstentions/Abstentions/Abstenciones: 6***

***Quorum: 305***

***Maj./May.: 276***

**Pour/For/En Pro: 410**

*Afrique du Sud/South Africa/Sudáfrica*

NDEBELE, Mr (G)  
NENE-SHEZI, Ms (G)  
MDWABA, Mr (E)  
MASEMOLA, Mr(T/W)

*Albanie/Albania*

CANI, Mr (G)  
BEQIRI, Mrs (G)  
KANANI, Mr(T/W)

*Algérie/Algeria/Argelia*

JAZAÏRY, M. (G)  
ZAIDI, M. (G)  
MEGATELI, M. (E)  
SIDI SAID, M.(T/W)

*Allemagne/Germany/Alemania*

HOFFMAN, Ms (G)  
FITTING, Ms (G)  
GERSTEIN, Ms (E)  
KÜHL, Ms(T/W)

*Angola*

LUSSOKE, M. (G)

*Arabie saoudite/Saudi Arabia/Arabia Saudita*

AL HOQUBANI, Mr (G)  
ALYAHYA, Mr (G)  
ALKERNASS, Mr (E)  
RADHWAN, Mr(T/W)

*Argentine/Argentina*

CELAYA ÁLVAREZ, Sr. (G)  
DUMONT, Sr. (G)  
FUNES DE RIOJA, Sr. (E)  
MARTÍNEZ, Sr.(T/W)

*Australie/Australia*

YARDLEY, Mr (G)  
SMYTHE, Mr (G)  
GROZIER, Mr (E)  
BURROW, Ms(T/W)

*Autriche/Austria*

FEHRINGER, Ms (G)  
DEMBSHER, Ms (G)  
TOMEK, Mr (E)  
BEI, Ms(T/W)

*Bahreïn/Bahrain/Bahrein*

HUMAIDAN, Mr (G)  
AL-KHOOR, Mr (E)  
HUSAIN, Mr(T/W)

*Bangladesh*

ISLAM, Mr (G)  
RAHMAN, Mr (E)

*Barbade/Barbados*

SIMMONS, Mr (G)  
BURNETT, Mr (G)  
WALCOTT, Mr (E)  
TROTMAN, Mr(T/W)

*Belgique/Belgium/Bélgica*

LAURIJSSEN, M. (G)  
VANDAMME, M. (G)  
DA COSTA, M. (E)  
DE LEEUW, M.(T/W)

*Belize/Belice*

MARTINEZ, Mr (G)  
WILLIAMS, Mr (G)  
AIKMAN, Mrs (E)  
RENEAU, Mr(T/W)

*Bénin/Benin*

KORA ZAKI LEADI, Mme (G)  
AZONGBE DJIDJOHO, Mme (G)  
ZANOOU, M. (E)

*Botswana*

SEEMULE, Ms (G)  
MOAHI, Mr (G)  
MACHAILO-ELLIS, Ms (E)  
RADIBE, Mr(T/W)

*Brésil/Brazil/Brasil*

LUPI, Mr (G)  
FARANI AZEVÊDO, Mrs (G)  
LIMA GODOY, Mr (E)  
GOULART, Ms(T/W)

*Bulgarie/Bulgaria*

NAYDENOV, Mr (G)  
BOJKOV, Mr (G)  
TRENCHÉV, Mr(T/W)

*Burkina Faso*

SAWADOGO, M. (G)  
KYENDREBEOGO NÉE NAMA, Mme (G)  
NACOUUMA, M. (E)  
TIENDREBEOGO, M.(T/W)

*Cambodge/Cambodia/Camboya*

HOU, Mr (G)  
HEANG, Mr (G)  
SOUNG, Mr(T/W)

*Cameroun/Cameroon/Camerún*

NGANTCHA, M. (G)  
NTONE DIBOTI, M.(T/W)

*Canada/Canadá*

WOOLFORD, Mr (E)  
BYERS, Ms(T/W)

*Chili/Chile*

HURTADO FERNÁNDEZ, Sr. (G)  
PORTALES, Sr. (G)  
MUGA, Sr. (E)  
DÍAZ, Sr.(T/W)

*Chine/China*

JIANG, Mr (G)  
LU, Ms (G)  
CHEN, Mr (E)  
JIANG, Mr(T/W)

*Chypre/Cyprus/Chipre*

HADJICHRYSANTHOU, Mr (G)  
NICOLAOU, Mr (G)  
PILIKOS, Mr (E)

*Colombie/Colombia*

GARZÓN, Sr. (G)  
ECHAVARRÍA, Sr. (E)  
MORA, Sr.(T/W)

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

JUNG, Mr (G)  
YI, Mr (G)  
KIM, Mr (E)  
JANG, Mr(T/W)

*Costa Rica*

BENAVIDES VÍQUEZ, Sra. (G)  
AGUILAR ARCE, Sr.(T/W)

*Côte d'Ivoire*

BOSSON , M. (G)  
BOLLOU BI, M. (G)  
OUATTARA, M. (E)

*Croatie/Croatia/Croacia*

ŽUNEC BRANDT, Ms (G)  
DRAGIČEVIĆ, Ms (G)  
HORVATIĆ, Ms (E)  
HANŽEVAČKI, Ms(T/W)

*Cuba*

PARRA ROJAS, Sr. (E)  
NAVARRO FERNÁNDEZ, Sr.(T/W)

*Danemark/Denmark/Dinamarca*

LORENTZEN, Mr (G)  
WESTH, Ms (G)  
RØNNEST, Mr (E)  
OHRT, Mr(T/W)

*Egypte/Egypt/Egipto*

EL-MESLAWY, Mr (G)  
ALLAM, Mr (E)  
MONGY, Mr(T/W)

*El Salvador*

AVILA DE PEÑA, Sra. (G)  
CASTRO GRANDE, Sr. (G)  
AVALOS, Sr.(T/W)

*Emirats arabes unis/United Arab Emirates/Emiratos Arabes Unidos*

AL NASI, Mr (G)  
AL KHAYYAL, Mr (G)  
AL GAIZI, Mr (E)  
AL MANSOORI, Mr(T/W)

*Equateur/Ecuador*

HERRERA GARCÉS, Sr. (G)  
THULLEN , Sr. (G)  
ESTUPIÑAN MALDONADO, Sr. (E)  
TATAMUEZ MORENO, Sr.(T/W)

*Erythrée/Eritrea*

MEHARI, Mr (G)  
WOLDEYESUS, Mr (G)

*Espagne/Spain/España*

ARNAU NAVARRO, Sr. (G)  
FERRER DUFOL, Sr. (E)  
FRADES PERNAS, Sr.(T/W)

*Estonie/Estonia*

KÄÄRATS, Ms (G)  
KAADU, Mr (G)  
PÄÄRENDSON, Ms (E)  
TAMMELEHT, Ms(T/W)

*Etats-Unis/United States/Estados Unidos*

CHICK, Ms (G)  
POLASKI, Ms (G)  
POTTER, Mr (E)  
ZELHOEFER, Mr(T/W)  
*Ethiopie/Ethiopia/Etiopía*  
MITIKU, Mr (G)  
YIMER, Mr (E)  
FOLO, Mr(T/W)

*Ex-Rép. Yougos. de Macédoine/The Former Youg. Rep. of Macedonia/Ex Rep. Yugoslava de Macedonia*  
BOSHKOV, Mr (E)

*Fidji/Fiji*

CAWARU, Mr (G)  
TUIVAGA, Mr (G)  
SEETO, Mr (E)

*Finlande/Finland/Finlandia*

KANGASPERKO, Ms (G)  
MODEEN, Ms (G)  
SAJAVAARA, Ms (E)  
LEHTO-KOMULAINEN, Ms(T/W)

*France/Francia*

MARTIN, M. (G)  
BOISNEL, M. (G)  
JULIEN, M. (E)  
VEYRIER, M.(T/W)

*Gabon/Gabón*

EKOUMA NZUE, M. (G)  
OGUEWA ÉPOUSE BA, Mme (G)  
AWASSI ATSIMADJA, Mme (E)  
NSIAMA ONTSIA, Mme(T/W)

*Grèce/Greece/Grecia*

TSILLER, Mme (G)  
CAMBITSIS, M. (G)  
VAYAS, M. (E)  
TZOTZE-LANARA, Mme(T/W)

*Guatemala*

CHÁVEZ, Sra. (G)  
MARTÍNEZ, Sr. (G)  
RAMÍREZ, Sr.(T/W)

*Guinée/Guinea*

DIALLO, M. (G)  
CAMARA, M. (G)  
SAVANE, M. (E)  
DIALLO, Mme(T/W)

*Guinée équatoriale/Equatorial Guinea/Guinea Ecuatorial*

BOKUNG ASUMU, Sr. (G)  
EKUA SIMA, Sr. (G)

*Honduras*

BÚ FIGUEROA, Sra. (G)  
URTECHO, Sr. (E)

*Hongrie/Hungary/Hungria*

LAKOS, Ms (G)  
ROÓZ, Mr (E)

*Inde/India*

SAJINARAYANAN, Mr(T/W)

*Indonésie/Indonesia*

HANARTANI, Mrs (G)  
SULISTRI, Ms(T/W)

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

SHAHMIR, Mr (G)  
NATEGH NOURI, Mr (G)

*Irlande/Ireland/Irlanda*

CUNNIFFE, Mr (G)  
HIGGINS, Mr (G)  
LYNCH, Ms(T/W)

*Italie/Italy/Italia*

D'AVINO, M. (G)  
ZAPPIA, Mme (G)  
DEL RIO, Mme(T/W)

*Jamaïque/Jamaica*

LOCKE, Ms (E)

*Japon/Japan/Japón*

TAGAYA, Mr (G)  
KITAJIMA, Mr (G)  
SUZUKI, Mr (E)  
NAKAJIMA, Mr(T/W)

*Jordanie/Jordan/Jordania*

ABU-NIJMEH, Mr (G)  
HALASEH, Mrs (G)

*Kazakhstan/Kazajstán*

SAPARBEKULY, Mr (G)  
SARBASSOV, Mr (G)  
BAIKENOV, Mr (E)  
MUKASHEV, Mr(T/W)

*Kenya*

KITUYI, Ms (G)  
KIRIGUA, Mr (G)  
MUGO, Ms (E)  
WANGARA, Mr(T/W)

*Kiribati*

TAATO, Mrs (G)  
INGINTAU, Mr (G)  
BAKOAUEA, Mrs(T/W)

*Koweït/Kuwait*

RAZZOOQI, Mr (G)  
AL KANDARI, Mr (G)  
AL MESHARI, Mrs (E)

*République dém. populaire lao/Lao*

*People's Dem. Republic/República*

*Dem. Pop. Lao*

MOUNTIVONG, Mr (G)  
PHENGTHONGSAWAT, Mr (G)  
PHIRASAYPHITAK, Ms (E)  
VONGRAPH, Mr(T/W)

*Lesotho*

KHETSI, Mr (G)  
LETHOBANE, Mr (G)  
MAKEKA, Mr (E)  
RAMOCHELA, Mr(T/W)

*Lettonie/Latvia/Letonia*

DREIMANE, Mrs (G)  
STAKIS, Mr (G)  
EGLE, Mrs (E)  
BALDZĒNS, Mr(T/W)

*Liban/Lebanon/Libano*

RAZZOUK, M. (G)  
FAYAD, M. (G)  
GHOSN, M.(T/W)

*Lituanie/Lithuania/Lituania*

KAZLAUSKIENE, Ms (G)  
JUODPUSYTE, Ms (G)  
GUZAVICIUS, Mr (E)  
PUSKEPALIS, Mr(T/W)

*Luxembourg/Luxemburgo*

ZAHLEN, M. (G)  
WELTER, Mme (G)  
KIEFFER, M. (E)  
PIZZAFERRI, M.(T/W)

*Madagascar*

RABESANDRATANA, M. (G)

*Malaisie/Malaysia/Malasia*

BASRI, Mr (G)  
SH. MOHAMED, Mr (G)  
SYED MOHAMUD, Mr(T/W)

*Malawi*

NGONGONDO, Mr (G)  
ZIRIKUDONDO, Mr (G)  
MWALE, Mrs (E)  
MKWEZALAMBA, Mr(T/W)

*Mali/Mali*

MAHAMANE, M. (G)  
DIAKITE, M. (G)

*Malte/Malta*

VELLA, Mr (G)  
AZZOPARDI, Mr (G)  
FARRUGIA, Mr (E)  
MERCIECA, Mr(T/W)

*Maroc/Morocco/Marruecos*

ADDOUM, M. (G)

*Maurice/Mauritius/Mauricio*

PRAYAG-GUJADHUR, Mrs (G)  
RAMSAMY, Mrs (G)  
BENYDIN, Mr(T/W)

*Mauritanie/Mauritania*

OULD ABDEL KADER, M. (G)  
KANE, M.(T/W)

*Mexique/Mexico/México*

MORALES GAUZÍN, Sr. (G)  
LORENZO DOMÍNGUEZ, Sr. (G)  
ANDERSON NEVÁREZ, Sra.(T/W)

*Mongolie/Mongolia*

GANBAATAR, Mr (E)  
SAINKHUU, Mr(T/W)

*Montenegro*

SOĆ, Mrs (G)

*Mozambique*

DENGO, M. (G)

*Myanmar*

LATT, Mr (G)  
LYNN, Mr (G)  
THET, Mr (E)  
SOE, Mr(T/W)

*Namibie/Namibia*

HIVELUAH, Mrs (G)  
HORN, Mr (G)  
PARKHOUSE, Mr (E)  
MUHEUA, Mr(T/W)

*Nicaragua*

CRUZ, Sr. (G)

*Niger/Niger*

SIDDO, M. (G)  
SAMNA SOUMANA, M. (G)  
SAGBO, M. (E)  
SALIFOU, M.(T/W)

*Nigéria/Nigeria*

IZUEGBU, Mr (G)  
ILIYA, Ms(T/W)

*Norvège/Norway/Noruega*

YTTERDAL, Ms (G)  
WAAGE, Ms (G)  
RIDDERVOLD, Ms (E)  
SUNDNES, Ms(T/W)

*Nouvelle-Zélande/New*

*Zealand/Nueva Zelândia*

KELLY, Ms(T/W)

*Oman/Omán*

ALABDWANI, Mr (G)  
ALAKHZAMI, Mr (G)  
ALKHUNJI, Mr (E)  
ALJABRI, Mr(T/W)

*Pakistan/Pakistán*

NUSRAT, Mr (G)  
ISMAIL, Mr (G)  
TABANI, Mr (E)  
AHMAD, Mr(T/W)

*Panama/Panamá*

MENDOZA GANTES, Sr. (G)  
AGUILAR JAÉN, Sr. (G)  
LINERO MENDOZA, Sr. (E)

*Papouasie-Nouvelle-Guinée/Papua*

*New Guinea/Papua Nueva Guinea*

DIALA, Mr (G)  
PAINAP, Ms (G)  
MAINO, Mr (E)

*Paraguay*

MONGELOS SCHNEIDER, Sr. (G)  
LÓPEZ, Sra. (G)  
PARRA, Sr.(T/W)

*Pays-Bas/Netherlands/Países Bajos*

DRIESSEN, Mr (G)  
BEETS, Mr (G)  
RENIQUE, Mr (E)  
VRIELING, Ms(T/W)

*Pérou/Peru/Perú*  
PONCE VIVANCO, Sr. (G)  
SCHIALER SALCEDO, Sr. (G)  
BARRENECHEA CALDERÓN, Sr. (E)  
SIFUENTES DE HOLGUÍN, Sra.(T/W)

*Philippines/Filipinas*  
BALDOZ, Mrs (G)  
MAMON, Mr (E)  
VILLAVIZA, Mr(T/W)

*Pologne/Poland/Polonia*  
NOJSZEWSKA-DOCHEV, Ms (G)  
RAPACKI, Mr (G)  
WOJCIK, Mr(T/W)

*Portugal*  
PACETTI CORREIA, Mme (G)  
VALADAS DA SILVA, M. (G)  
PENA COSTA, M. (E)  
DE CARVALHO, M.(T/W)

*Qatar*  
AL-KHULAIFI, Mr (G)  
AL-OBEIDLY, Mr (G)  
AL-KUWARI, Mr(T/W)

*République dém. du Congo/Democratic Republic of the Congo/República Democrática del Congo*  
TSHIMUANGA MINCHIABO, Mme (G)  
TSHIKUYA KAYEMBE, M. (G)  
LUZAZA DONGO, M. (E)  
NDAMBO MANDJWANDJU, M.(T/W)

*Roumanie/Romania/Rumania*  
DUMITRIU, Mme (G)  
SPÂNU, Mme (G)  
COSTACHE, M. (E)  
JURCA, M.(T/W)

*Royaume-Uni/United Kingdom/Reino Unido*  
RICHARDS, Mr (G)  
KITSELL, Ms (G)  
MOORE, Mr (E)  
GURNEY, Mr(T/W)

*Fédération de Russie/Russian Federation/Federación de Rusia*  
GONCHAR, Mr (G)  
SHMAKOV, Mr(T/W)

*Saint-Marin/San Marino*  
GALASSI, M. (G)  
GASPERONI, M. (G)  
UGOLINI, M. (E)  
BECCARI, M.(T/W)

*Sénégal/Senegal*  
THIAM, M. (G)  
DIOP, M. (E)  
GUIRO, M.(T/W)

*Serbie/Serbia*  
DJURIČKOVIĆ TUVIĆ, Ms (G)  
KUZMIĆ, Ms (E)

*Singapour/Singapore/Singapur*  
TAN, Mr (G)  
NG, Ms (G)

*Slovaquie/Slovakia/Eslovaquia*  
DŽUPA, Mr (G)  
LEDNICKY, Mr (G)  
HRDINA, Mr (E)  
MOJŠ, Mr(T/W)

*Slovénie/Slovenia/Eslovenia*  
JERMAN, Mr (G)  
GROBELNIK, Ms (G)  
ČERIN, Ms (E)  
KRŽIŠNIK, Mr(T/W)

*Soudan/Sudan/Sudán*  
HAMAD MOHMED FADL ALLAH, Mr (G)  
ELHASSAN HAMID, Mr (G)  
ELSIDDIG BABKER, Mr(T/W)

*Sri Lanka*  
MADIHAHEWA, Mr (G)  
LLYANAGE UPALI WIJAYAWEEERA, Mr (G)  
LAKSEN PRASANNA PEIRIS, Mr (E)  
SHAH, Mr(T/W)

*Suède/Sweden/Suecia*  
MARTIGNIER, Ms (G)  
ERIKSSON, Mr (G)  
EDSTRÖM, Mr(T/W)

*Suisse/Switzerland/Suiza*  
VOLLENWEIDER, Mme (G)  
ELMIGER, M. (G)  
PLASSARD, M. (E)  
PEDRINA, M.(T/W)

*Suriname*  
EMANUELS, Ms (G)  
MANGROE, Ms (G)  
BLOKLAND, Mr(T/W)

*Swaziland/Swazilandia*  
NKHAMBULE, Mr (G)  
DLAMINI, Mr (G)  
MABUZA, Mrs (E)  
SITHOLE, Mr(T/W)

*République arabe syrienne/Syrian Arab Republic/República Árabe Siria*  
NOFAL, Mr (G)

*République-Unie de Tanzanie/United Republic of Tanzania/República Unida de Tanzania*  
LUGAKINGIRA, Mr (G)  
MAPURI, Mr (G)  
MLIMUKA, Mr (E)  
AYOUB, Mr(T/W)

*Tchad/Chad*  
KADE, Mme (G)  
DJEGUEDEM, M. (G)  
ALI ABBAS, M. (E)  
BRAHIM, M.(T/W)

*République tchèque/Czech Republic/República Checa*  
BLAZEK, Mr (G)  
POKORNY, Mr (G)  
DRBALOVA, Mrs (E)  
STECH, Mr(T/W)

*Thaïlande/Thailand/Tailandia*  
CHOOMRAT, Mr (G)  
PHUANGKETKEOW, Mr (G)  
NGADEESANGUANNAM, Mr (E)  
PINYOYONG, Mr(T/W)

*Timor-Leste*  
SORO, Mr (G)  
GUTERRES, Ms (G)  
DA SILVA, Mr (E)  
DA COSTA, Mr(T/W)

*Trinité-et-Tobago/Trinidad and Tobago/Trinidad y Tobago*  
BALDEO, Ms (G)

*Tunisie/Tunisia/Túnez*  
MASMOUDI, M. (G)  
CHOUBA, Mme (G)  
M'KAISSI, M. (E)  
SHIMI, M.(T/W)

*Turquie/Turkey/Turquía*  
TURKAN, Ms (G)  
ERDEM, Mr (G)  
CENTEL, Mr (E)  
GOK, Mr(T/W)

*Ukraine/Ucrania*  
MAIMESKUL, Mr (G)  
KHARA, Mr(T/W)

*Uruguay*  
BONOMI, Sr. (G)  
WEISSEL, Sra. (G)  
MAILHOS, Sr. (E)

*Venezuela (Rép.bolivarienne)/Venezuela (Bolivarian Rep)/Venezuela (Rep. Bolivariana)*  
ARIAS, Sr. (G)  
DORADO CANO-MANUEL, Sr. (G)  
MUÑOZ, Sra. (E)

*Yémen/Yemen*  
SAGHER, Mr (G)  
OBAD, Mr (G)  
AL-GADRIE, Mr(T/W)

*Zambie/Zambia*  
SITHOLE MWENDA, Mrs (G)  
CHABWERA, Mr (E)

*Zimbabwe*

MUSEKA, Mr (G)

CHIPAZIWA, Mr (G)

MATOMBO, Mr(T/W)

---

**Contre/Against/En  
contra: 3**

*Cuba*

LLUCH, Sr. (G)

LAU VALDÉS, Sra. (G)

*Venezuela*

*(Rép.bolivarienne)/Venezuela*

*(Bolivarian Rep)/Venezuela (Rep.*

*Bolivariana)*

PÉREZ, Sr.(T/W)

---

**Abstentions/Abstentions/  
Abstenciones: 6**

*Canada/Canadá*

OLDHAM, Mr (G)

ROBINSON, Ms (G)

*Nouvelle-Zélande/New*

*Zealand/Nueva Zelandia*

CRENNAN, Ms (G)

HOBBY, Mr (G)

MACKAY, Mr (E)

*Panama/Panamá*

RODRÍGUEZ SOLÍS, Sr.(T/W)



## CONTENTS

Page

### *Seventeenth sitting*

Second report of the Credentials Committee: Submission and noting, and approval of the Committee's proposals .....	1
Reports of the Chairperson of the Governing Body and of the Director-General: Discussion ( <i>cont.</i> ) .....	2
Report of the Committee on HIV/AIDS: Submission, discussion and approval.....	9
Proposed conclusions of the Committee on HIV/AIDS: Adoption.....	17
Resolution to place on the agenda of the next ordinary session of the Conference an item entitled: "HIV/AIDS and the world of work": Adoption .....	17

### *Eighteenth sitting*

Reports of the Chairperson of the Governing Body and of the Director-General: Discussion ( <i>cont.</i> ) .....	18
Report of the Committee on the Application of Standards: Submission, discussion and approval.....	26
Record vote on the resolution concerning the Programme and Budget for 2010–11 and the allocation of the budget of income among member States .....	37
<b>Record vote on the resolution concerning the adoption of the Programme and Budget for 2010–11 and the allocation of the budget of income among member States: Results .....</b>	<b>39</b>