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ILO supervisory system findings and the economic crisis



Since its creation in 1919, the mandate of the ILO has included adopting international labour standards, promoting their ratification and application in its member states and the supervision of their application as a fundamental means of achieving its objectives. In order to monitor the progress of Member States in the application of international labour standards, the ILO has established the Committee of Experts on the Application of Conventions and Recommendations. The ILO Conventions, classified as up to date, and the supervision of their application constitute the cornerstone of the rules of the game for harnessing the social dimension of globalisation and for promoting social justice. The ILO supervisory system has reiterated in 2011 its long standing positions on government interference in the collective bargaining process as part of economic stabilisation measures.

Committee of Experts



The Committee of Experts on the Application of Conventions and Recommendations –hereafter the Committee of Experts– is an independent body

composed of high level legal experts charged with examining the application of ILO Conventions and Recommendations by ILO Member States. The work of this independent Committee, composed of 20 members appointed by the ILO tripartite Governing Body, constitutes the cornerstone of the ILO's regular supervisory system on international labour standards. The Committee of Experts yearly writes its findings in its annual report which has just been published for 2011. The ILO regular supervisory system is complemented by a complaint based system such as the ILO tripartite Committee on Freedom of Association.

2011 Annual Report



The [Annual Report of the Committee of Experts](#) covers numerous matters related to the application of ILO Conventions and Recommendations in the 183 ILO Member States. The Report constitutes the basis for the discussions at the Tripartite Committee on the Application of Standards established on a recurrent annual basis by the International Labour Conference in June.

The Committee of Experts' Report is directly relevant for EU and EU Member States internal employment, as well as social and economic policies, as all 27 EU Member states have ratified the 8 Core Labour Standards Conventions such as the Conventions on freedom of association and collective bargaining. Almost all EU Member States have ratified the other ILO priority Conventions such as those on employment policy, labour

inspection and tripartite consultations. Many EU Member States have ratified the social security minimum standards Convention and one or more Conventions on minimum wage fixing machinery.

The Report is equally relevant for the EU external policies related to trade regulations (such as GSP and GSP Plus), EU bilateral trade agreements, EU human rights dialogues with third countries and EU development and external assistance. The EU Regulation on the external trade Generalized System of Preferences (GSP) and on GSP plus (promoting sustainable development in vulnerable economies) directly refers to the findings of the ILO supervisory system in relation to the application of core labour standards Conventions.

The EU has referred to the findings of the ILO supervisory system on serious and systematic violations of the application of ILO core labour standards Conventions in decisions suspending GSP trade advantages, notably in the case of Myanmar and Belarus.

The 2011 Report includes also a table listing those countries and conventions where recourse to technical cooperation could be very useful in helping ILO Member States addressing application problems (see pages 29-31). It also includes an important list with cases of progress in 40 countries (see pages 22-28).

Financial and economic crisis in EU and international labour standards

The Committee has reiterated its established positions on the relationship between economic crisis, governance interference in collective bargaining and Convention 98 on the collective bargaining at the occasion of its preliminary

comments on Greece in the framework of the mechanism to support the Greek economy with involvement of IMF and EU.

“The Committee emphasised the importance of holding full and frank consultations with the employers’ and workers’ organizations on the revision of collective bargaining machinery, in accordance with the principle of the autonomy of the parties to the collective bargaining process and in light of the long-ranging implications of such revision for the standard of living of workers. Furthermore, it must recall that as a general matter, if, as part of its stabilization policy, a government considers that wage rates cannot be settled freely through collective bargaining, such a restriction should be imposed as an exceptional measure and only to the extent that it is necessary, without exceeding a reasonable period, and it should be accompanied by adequate safeguards to protect workers’ living standards.”(see report page 83).

The Committee also notes that the revision of the collective bargaining machinery may have a wider impact on the observance of a range of ILO Conventions ratified by Greece such as the Conventions on social security minimum standards, wage protection, equal treatment and combining family and professional responsibilities.

The Committee ended its observation with the following invitation: “In light of the complexity and pervasiveness of the measures adopted in the framework of the support mechanism, which touch upon a number of ILO Conventions ratified by Greece, the Committee invites the Government to avail itself of the technical assistance of the Office and to accept a high-level mission to facilitate a comprehensive understanding of the issues”. The Committee made also a number of comments on

other EU Member States on various questions related to the economic crisis.

Systematic overview of ILO supervisory system findings on interference in collective bargaining

The detailed positions of the ILO supervisory system on public authorities interference in collective bargaining, such as through economic crisis measures, are also reflected in a systematic way in the Committee’s 1994 [General Survey on Freedom of Association and Collective Bargaining](#) and in the 2006 [Digest on Freedom of Association](#) reflecting the positions of the ILO Committee on the Freedom of Association or CFA (§ 992-1045). The CFA refers questions related to national legislation to the Committee of Experts in order to ensure consistency in the ILO supervisory system.

ILO Director-General expresses concern about situation in Arab World and North Africa



The ILO follows with utmost concern the current evolutions in the Arab World and in North Africa. The situation in many countries of the region illustrates that unattended widespread unemployment, poverty and lack of freedoms are a major impediment to development and can lead to grave national and international security risks.

Several ILO missions went to Tunisia in order to assess the needs of social partners and public authorities. A matrix for urgent and longer term

priorities is being prepared in order to support our constituents in the region.

Moreover the ILO notes with interest the Council of the European Union [Conclusions](#) on Developments in the Southern Neighbourhood underlining the need for addressing human rights, social and economic cohesion, jobs and economic opportunities.

ILO issues background note on Promoting Decent Work in a Green Economy to UNEP Green Economy Report



The Report Towards a Green Economy: Pathways to Sustainable Development and Poverty Eradication issued by UNEP –hereafter the [Green Economy Report](#) or GER– is a milestone in the international discussion on a more sustainable development path. It lays out the threat and the challenge, but it also holds out hope for a greener future if the right choices are made – in time.

The ILO has worked closely together with UNEP in developing and writing the Report. The purpose of the ILO's collaboration in the Green Economy Report is to strengthen the analysis of the implications on the labour market –enterprises, workers and the self-employed– of setting and achieving environmental goals. For that reason the ILO also issued a [Background Note on Promoting Decent Work in a Green Economy](#) to highlight the labour market implications of the analysis in the Green Economy Report.

More information on Green Jobs can be found on: www.ilo.org/greenjobs

ILO comments on EU single permit directive



The European Parliament (EP) is currently discussing a European Commission (EC) proposal for a "single permit" directive. This directive aims to simplify the administrative procedure for all non-EU citizens applying to live and work in an EU Member States, by enabling them to obtain work and residence permits via a single procedure. It seeks to guarantee the equal treatment with national workers on pay, working conditions and social security.

The EC original proposal is under discussion in the European Parliament. One of the amendments voted by the Civil Liberties Committee (LIBE) states that a Member State may make the application of equal treatment on acquired pensions conditional to the existence of bilateral agreements in which the reciprocal exports of pensions is acknowledged and a technical cooperation established.

Experts of the ILO analysed and commented the revised text, focussing on the social security and equal treatment/non-discrimination dimensions. The ILO recommends that the European Commission's original clause on payment of acquired pensions abroad is reinstated in order to guarantee equal treatment to third-country nationals in this important area. Moreover, where

third-country nationals may not have met the qualifying conditions for acquiring social security rights, and in the absence of applicable bilateral or multilateral social security agreements, ILO recommends that consideration is given to inserting an amendment ensuring reimbursement of those social security contributions which do not give rise to rights. The ILO comments are available on the [ILO-Brussels website](#).

European Parliament Hearing on Combating Trafficking for Forced Labour



On 9 February a European Parliament Hearing on Combating Trafficking for Forced Labour was jointly organised by the Churches' Commission for Migrants in Europe and the EPP group in the European Parliament. At the hearing ILO-Brussels gave an overview presentation on Trafficking for forced labour in Europe.

At the end of last year, the European Parliament also approved a new trafficking directive. This [Directive](#) on 'Preventing and Combating Trafficking in Human Beings, and Protecting Victims' is agreed by Parliament and Council and lays down minimum rules for defining criminal offences and sanctions for traffickers. It also introduces common rules to step up crime prevention and protection for victims. Once the directive is adopted, Member States will have two years to transpose it into their national laws. The ILO welcomes the directive's objective to combat *all* forms of human trafficking and to protect victims of such serious forms of exploitation.

Solidarité Mondiale" launches campaign: « Health, a right for ALL! »



"Solidarité Mondiale" launched a new campaign « [Health, a right for ALL!](#) », with the purpose of raising public awareness on the need for basic social protection, including basic healthcare and right to health, especially in the South. The campaign was launched on 15 February in Charleroi and was further advertised in Liege on 3 March.

The ILO Office in Brussels was invited to speak in Charleroi and Liege about access to social protection. At these occasions, the ILO stressed the necessity for all to enjoy a decent access to quality healthcare and also presented the UN Social Protection Floor Initiative which will be subject for a discussion at the next International Labour Conference in June.

ILO Research Conference on 'Key Lessons from the Crisis and Way Forward'



The ILO organised a research conference on 'Key Lessons from the Crisis and Way Forward' on 16-17 February in Geneva. This conference contains interesting discussion papers on future ILO research. It covered topics as achieving income led



growth, inequalities in Europe, interplay between financial regulation and employment, wages in the global economy, trade and labour market regulation and social protection. It also dealt with labour markets and social protection in regions and countries such as Arab States and North Africa, Romania, Brazil and India. Mr Georg Fischer, Director at DG Employment, Social Affairs and Inclusion of the European Commission, participated in the conference. All research documents of the Conference are available at: <http://www.ilo.org/public/english/bureau/inst/rcsearch/rc-index.htm>.

New colleague for ILO-Brussels

ILO-Brussels is highly pleased to welcome Ms Irène Wintermayr as a new colleague.

Scheduled meetings

[List of scheduled ILO meetings](#)

Contact us

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