



## FIFTH ITEM ON THE AGENDA

**General status report on ILO action  
concerning discrimination in  
employment and occupation****Contents**

	<i>Page</i>
I. Supervision of the application of standards on discrimination.....	1
II. Office activities to promote equality of opportunity and treatment.....	1
III. Gender equality .....	3
IV. Racial, ethnic, religious and social origin discrimination.....	7
V. Discrimination and migrant workers .....	7
VI. Discrimination and disabled workers .....	8
VII. Discrimination and workers with HIV/AIDS .....	10
VIII. Discrimination and indigenous and tribal peoples.....	11
IX. Discrimination and workers of the occupied Arab territories.....	12

1. The Director-General's campaign to promote the universal ratification of the ILO fundamental Conventions and the adoption of the ILO Declaration on Fundamental Principles and Rights at Work in 1998 continue to lead to increased ratifications of the two ILO Conventions considered fundamental in the area of discrimination in employment and occupation: the Discrimination (Employment and Occupation) Convention, 1958 (No. 111), and the Equal Remuneration Convention, 1951 (No. 100). As of 15 January 2003, 158 member States of the ILO had ratified Convention No. 111, while 160 member States had ratified Convention No. 100. The present report refers to activities to promote these and other relevant ILO Conventions, as well as to other action aimed at preventing discrimination in employment and occupation. Due to space limitations, it was not possible to include all activities, but an attempt has been made to provide at least an indication of the types, range and, where possible, the impact of activities carried out during 2002.

## **I. Supervision of the application of standards on discrimination**

2. As in previous years, the comments of the Committee of Experts on the Application of Conventions and Recommendations in 2002 drew attention both to positive measures and to concerns with regard to the effective implementation of provisions prohibiting discrimination and promoting equality. For instance, the Committee of Experts noted with interest that in several countries new legislation had been adopted adding grounds to the list of those upon which discrimination is prohibited. While emphasizing the equal importance of all prohibited grounds, it pointed to the importance of explicitly prohibiting employment-related discrimination on the basis of race and colour in multi-ethnic societies and drew attention to particularly affected groups. In several countries, the Committee noted the adoption of laws requiring the payment of equal remuneration between men and women for work of equal value and progress in closing the pay gap between men and women. In many other countries, the comments pointed to the need for specific initiatives to be taken to implement fully the principle of equal remuneration for work of equal value. Its comments also addressed issues relevant to discrimination against workers with family responsibilities, migrant workers and indigenous and tribal peoples. The Committee requested governments to take the necessary measures to ensure that existing legislation on discrimination and equality be fully enforced and applied in practice. Governments were encouraged to improve their assessment of national situations concerning discrimination and to measure the impact of policies and programmes, through measures such as studies, data collection and analysis, as well as cooperation with employers' and workers' organizations.

## **II. Office activities to promote equality of opportunity and treatment**

3. During 2002, a broad range of Office activities helped promote Conventions Nos. 100 and 111 and the principles of the Declaration through research, workshops, seminars, technical cooperation and advisory services. With the rising number of ratifications of these two fundamental ILO Conventions, action is increasingly focusing on better application, including through legislative reform, training and capacity building, awareness raising and gender mainstreaming.
4. The Equality and Employment Branch (EGALITE) of the International Labour Standards Department carried out or contributed to a number of seminars and provided technical assistance to promote understanding and application of relevant ILO standards. National

seminars on equal remuneration were held in Estonia (January 2002), Thailand (April 2002), Japan (July 2002) and Cyprus (September 2002). Subsequently, equal remuneration legislation was adopted in Cyprus, while general anti-discrimination legislation is under preparation. In cooperation with ILO Tokyo, a widely attended national ILO Forum on Equality at Work (Human Rights in the Global Age and Issues for Japan) was held in Tokyo (July 2002), followed up by an advisory services mission in December to discuss ratification. EGALITE also participated in four local public forums on equality issues within Japan. A follow-up technical advisory mission was undertaken to the Islamic Republic of Iran in May 2002 in relation to the application of Convention No. 111. As a follow-up of technical assistance provided previously to Mauritius, a national tripartite consultation reached consensus on the ratification of Conventions Nos. 100 and 111, which were subsequently registered by the Office in December 2002, and a draft act on sex discrimination is under preparation. Officials from EGALITE participated as experts in a number of international meetings including: the Meeting of Experts on Affirmative Action organized by the UN Division for the Advancement of Women and Maastricht University; the National Academy of Science of the United States of America meeting on monitoring international labour standards to which a paper was presented on sources of information and indicators on international labour standards on non-discrimination; a conference on the justiciability of economic, social and cultural rights in Mexico City, Mexico, organized by the University of Notre Dame Law School's Centre for Civil and Human Rights; and a symposium on international labour standards and workers' rights in Wuhan, China.

5. The InFocus Programme on Promoting the Declaration (DECLARATION) has continued its various research projects in order to strengthen the ILO's knowledge base on discrimination in the world of work and to prepare the Global Report 2003 on discrimination. In May 2002 a technical consultation involving academics from different regions was held in Geneva to discuss, inter alia, the changing manifestations of discrimination at work and national policy responses.
6. The Employment Sector's Management and Corporate Citizenship Programme (MCC) has published the book *Corporate success through people – Making international labour standards work for you* which features a chapter on non-discrimination. The publication promotes the notion that the ILO's international labour standards are tools for good managerial practice.
7. During the 2002 session of the International Labour Conference, the InFocus Programme on Child Labour (IPEC) supported the organization of a side event on "Discrimination: How does it affect child labour and working children?".
8. The ILO was actively involved in the preparations for the Second World Assembly on Ageing as well as in the Assembly itself, in Madrid, Spain (8-12 April 2002), to which it contributed a report entitled "An inclusive society for an ageing population: Employment and social protection issues" prepared by the Employment and Social Protection Sectors. The report highlights, inter alia, that age discrimination underlies many of the difficulties that older workers and especially older women workers face in the labour market. The documents adopted by the Assembly reflect ILO concerns.
9. The ILO Office in Brasilia has continued to support its constituents' initiatives for the promotion of equality of opportunity and treatment at work. In 2002, the conclusions and recommendations of the National Seminar on Global Compact Principles, held in Belo Horizonte in 2001, were published. The Office also supported the organization of a round table with representatives of multinational companies to discuss the implementation of the ILO's revised Tripartite Declaration of Principles concerning Multilateral Enterprises and Social Policy and the Declaration on Fundamental Principles and Rights at Work and its Follow-up. Under a technical cooperation project implemented by the ILO

and the Ministry of Labour and Employment (MTE) on certification of competencies, guidelines for policy-makers and managers were published in April 2002 on how to promote diversity of gender, race, ethnicity, sexual orientation, AIDS and disability in training programmes financed by the MTE's national training programme. A book was published on how to promote diversity and equal employment opportunities for vulnerable and discriminated groups. In October 2002, the San José MDT and Area Office organized a training course on international labour standards for magistrates and judges from eight countries, focusing on non-discrimination and freedom of association.

10. In the Caribbean, a policy and legal framework study was completed on employment discrimination in the Caribbean with a focus on the Bahamas, Guyana, Jamaica, and Trinidad and Tobago. Case studies will be carried out in Caribbean enterprises early in 2003 under the PROMALCO Declaration project (Promotion of Management and Labour Cooperation) on the impact of anti-discrimination and equal employment opportunity policies and programmes to demonstrate their positive impact on productivity and competitiveness and reinforce practical ways to ensure fundamental workers' rights. The results of the study and case studies will be submitted to a subregional consultation to determine follow-up activities and disseminate good practices.
11. The Office has continued to collaborate in the field of standards with the United Nations, its specialized agencies, and intergovernmental organizations with which the ILO has entered into special arrangements for this purpose. As in previous years, it has submitted written reports and provided oral information on its activities, including in regard to discrimination in employment and occupation, to various United Nations treaty bodies, as well as to the United Nations Commission on Human Rights and its subsidiary bodies. Efforts are under way to reinforce cooperation on human rights issues with UNESCO, including in the field of equality.

### III. Gender equality

12. As part of its continuous efforts to promote a gender mainstreaming strategy within the ILO and constituent organizations, the Bureau for Gender Equality (GENDER) has launched an interregional project on "Enhancing the gender mainstreaming capacity of ILO constituents". Targeted countries are China, Nepal, United Republic of Tanzania and Uganda. The pilot project's main objective is to develop ILO constituents' and other stakeholders' capacity to assess the implications for women and men of any planned action, and implement strategies for making women's as well as men's concerns an integral dimension of employment policies and constituents' agendas. Adequate institutional mechanisms and national and interregional networks of gender advocates will be created and strengthened. The project, building on the experience of the First ILO Gender Audit, includes gender assessments in selected constituents' organizations and will develop tools and guidelines to mainstream a gender perspective into specific decent work issues that have been identified by national task forces. Several ILO units (DECLARATION, IFP/DIALOGUE, ACTRAV and ACT/EMP) are actively involved in the project and in the targeted countries, relations and synergies have been established with major ongoing ILO projects. In addition to this project, the Office has begun providing assistance to constituents in each region to establish and strengthen their gender strategies and to promote gender equality in national socio-economic policy and planning processes, employment policies and planning, poverty alleviation strategies and poverty reduction strategy papers (PRSP) processes. The First ILO Gender Audit identified the need for basic materials on gender mainstreaming for staff and constituents. Work is in progress on the preparation of short practical ILO guidelines and a compendium of good practices on gender mainstreaming as well as specific guides for workers' and employers' organizations. The ILO gender audit manual has also been revised and streamlined.

- 13.** The Gender Promotion Programme (GENPROM) updated and expanded the web site of its “Information base on equal employment opportunities for women and men (e.quality@work)”. The EEO information base is used by various units of the Office to provide technical input into national workshops and advice to constituents, for example on a draft “Pakistan Code on gender justice”. At the request of the Malaysian and Indonesian Governments, GENPROM conducted two tripartite national workshops on the gender aspects of equal employment opportunity. The workshop in Indonesia, organized jointly with the MDT Manila, resulted in proposals for the establishment of a national database on EEO, a new gender unit in the Ministry of Manpower and Transmigration and input into new policies and guidelines. In Malaysia, in addition to raising awareness via media coverage, the workshop resulted in identifying proposals to promote gender equality.
- 14.** The GENPROM “Resource kit for trade unions on promoting gender equality” has been widely disseminated and national trade unions, the International Confederation of Free Trade Unions (ICFTU) and the International Trade Union Secretariats (ITS) have used the kit for training and awareness-raising activities. The kit has been translated into French and Spanish and parts were translated into Chinese following a national workshop in China in late 2001. An Indonesian language version was prepared under a DECLARATION project and used for a workshop held in Indonesia with technical inputs from GENPROM. Arrangements are being made for translations into Japanese and Portuguese. Other training and information materials produced by GENPROM included a “Guide on economic opportunities identification for women’s groups and communities”, as well as ten national working papers covering female migrant workers. Based on this research an “Information guide on preventing discrimination, exploitation and abuse of women migrant workers” is under preparation. Recognizing the discrimination that poor women continue to face in access to decent work, GENPROM undertook technical cooperation activities in Bangladesh, Estonia, India, Mexico, Nepal, Nicaragua, United Republic of Tanzania and Viet Nam emphasizing a life-cycle and rights-based approach to combat sex-based discrimination.
- 15.** In the context of the regional joint ILO/Asian Development Bank (ADB) technical cooperation project on strengthening the role of labour standards, including on gender equality, coordinated by EGALITE, national studies and case studies were prepared and workshops were held in Bangladesh, Nepal, the Philippines and Thailand in 2002. A separate paper is before the Committee on this question.
- 16.** The Special Action Programme to Combat Forced Labour (SAP-FL) recently launched a technical cooperation project on the eradication of trafficking and forced labour in five countries of Central and South-Eastern Europe. The project will help understand and combat labour market discrimination against women in these countries.
- 17.** IPEC continues to strengthen gender mainstreaming in its work at headquarters and in the field. Recent activities focused on capacity building for IPEC staff and partners in gender analysis and planning. A workshop was held in Izmir, Turkey (30 October to 1 November 2002) on gender training and network building in the Arab States and Eastern Europe for child labour national programme managers, governmental authorities in charge of child labour and implementing agencies, including trade unions. A compilation of “Good practices on gender mainstreaming in IPEC” was prepared and is to be published early in 2003. Further activities aimed at building the gender capacity of the new generation of Time Bound Programmes, through several stakeholder meetings and preparatory activities in Indonesia and the Philippines. A practical guide on promoting gender equality in action against child labour was adapted and translated into various languages ranging from Albanian to Thai and Spanish, while a network on gender, child labour and the media was launched for MERCOSUR countries.

18. The Conditions of Work Department (CONDIT) has contributed a chapter on “How working conditions affect families: Working time, family health and gender equality” to a forthcoming Oxford University Press publication, *Work and health in a global economy*. CONDIT is also conducting research on recent developments in working time in industrialized and developing countries, which takes into account their implications for gender equality. In addition, country studies on measures related to reconciliation of work and family have been conducted and include an assessment of their impact on gender roles and equality of opportunity and treatment.
19. The ILO (SECTOR) and UNESCO October 2002 publication, *A statistical profile of the teaching profession*, contains sections on a gender profile of the teaching profession throughout the world and the participation of women in management positions. The ILO (SECTOR), in cooperation with the World Health Organization (WHO), Public Services International (PSI) and the International Council of Nurses (ICN) published a number of country case studies, a state-of-the-art paper and *Framework guidelines for addressing workplace violence in the health sector in 2002*. The guidelines explicitly call for recognition of and action by the tripartite constituency and other stakeholders on the gender dimension of workplace violence in health services. SECTOR has also commissioned the Seafarers’ International Research Centre of Cardiff University to undertake a study on “Women seafarers: Global employment policies and practice”, which will be published by the ILO in early 2003.
20. ACT/EMP, in cooperation with IFP/SEED, EMP/ENT and GENDER, organized an Asia-Pacific Regional Workshop on Promoting Women’s Entrepreneurship through Employers’ Organizations in Bangkok in May 2002. The meeting led to recommendations for follow-up action for employers at the national level which, inter alia, emphasize the importance of developing the knowledge base of women entrepreneurs, the need to provide business development services for them, and the need for employers’ organizations to reach out to women entrepreneurs’ associations. In September 2002, ACT/EMP, in cooperation with CNP-Benin, organized a seminar on promotion of SMEs and women entrepreneurship in Benin, to identify the specific needs of women entrepreneurs in order to provide better assistance to help them improve their business and to integrate women entrepreneurs better in national employer structures. A regional seminar on women’s entrepreneurship development and the role of employers’ organizations was carried out in Morocco in October 2002 in cooperation with the CGEM national employers’ organization, IFP/SEED, EMP/ENT and the IOE. The seminar resulted in an action plan on employers’ strategies for the promotion of women entrepreneurship both in the formal and informal sectors, including measures proposed to be taken by state authorities.
21. The area offices and MDTs have focused on issues of gender equality as part of their general programme on international labour standards, in cooperation with the various relevant units at headquarters. In Latin America, analytical studies on labour costs differentiated by sex have been carried out in Argentina, Brazil, Chile, Mexico and Uruguay which concluded that the persistent wage gap between men and women cannot be justified because the “maternity costs” perceived by the employers as additional costs in hiring women workers are not directly borne by the employers. National assessments concerning the incorporation of gender equality in collective agreements have been completed under the regional project on collective bargaining and gender equality. As a result, constituents and the ILO are in a position to evaluate progress made from 1990 to 2000, as well as persistent obstacles to gender equality in this context. Support to national commissions on the promotion of equality of opportunity in the world of work in Argentina, Paraguay and Uruguay continued in 2002. A number of activities were carried out throughout the region under a capacity-building programme for employment promotion, gender equality and poverty eradication (GPE programme). The Buenos Aires Office has undertaken an assessment of the situation in respect of employment and poverty

in Argentina from a gender perspective, which it expects to publish in 2003. In Brazil, a study on the work of the Ministry of Labour and Employment's units will be carried out to assess the use of mediation as an instrument to enforce anti-discrimination legislation. It is expected that the project will contribute to the elimination and control of discriminatory practices at the workplace and the adoption of workplans for promoting equal opportunities in employment and occupation. In April 2002, a seminar on equality of opportunity took place in Cuba, with the participation of officials from the Ministry of Labour and Social Protection.

22. In the Caribbean, a Subregional Seminar on Developing Strategies for Organizing Workers in the Services and Knowledge-based Sectors (Port-of-Spain, 10-12 July 2002) enhanced the involvement of women in organizing labour campaigns. Sexual harassment training was provided to the Banking, Insurance and General Workers' Union and to the Human Resources Management Association of Trinidad and Tobago. Follow-up is envisaged to measure the impact of the training and any need for further guidance.
23. In Africa, the South African MDT published a discussion paper on "Gender equality in employment: The legal framework in the case of Zimbabwe" in November 2002. The paper examines the content of various pieces of legislation from a perspective of gender equality and makes recommendations on ways to combat discrimination. It is being taken into consideration in the current preparations of a Labour Relations Amendment Bill and will continue to be used as a tool for sensitization of decision-makers and those likely to be adversely affected by discrimination. The Abidjan Area Office, in cooperation with GENPROM and ACTRAV, organized a workshop for Benin and Togo to enhance the role of trade unions in the promotion of gender equality.
24. In Asia, implementation of the DECLARATION project "Decent employment for women in India", focusing on vocational training for poor women with low educational opportunities working in the informal sector, has continued. In Bangladesh, more than 45,000 rural women have enrolled so far as cardholders in the micro-health insurance schemes that are being tested in the framework of the DECLARATION project "Women's empowerment through employment and health". IFP/DIALOGUE carried out training on gender and collective bargaining for social partners in Indonesia in July 2002. A five-day national conference on preventing and redressing sexual harassment and a high-level forum on gender issues and responses in the world of work for the executive officers of the Federation of Free Workers (May 2002) were organized in the Philippines.
25. In Europe, ILO-CEET (Central and Eastern European MDT) has been undertaking a study on gender impacts of social security reform in the Czech Republic, Hungary and Poland, which will be completed in 2003. The study shows instances of substantial erosion of family benefits and a loss of pension protection for women due to reform measures. A conference co-organized in April 2002 by ILO-CEET and the Governments of Estonia and Finland on information and communication technologies and decent work raised awareness of policy-makers in Central and Eastern European countries on gender issues in this field, calling for action to avoid increasing gender inequalities in the information society. A Romanian guide on good practices in promoting equality for labour inspectors was translated into English. The ILO Ankara Office and EMP/ANALYSIS organized a seminar in Ankara on active labour market policy restructuring in Turkey which resulted in an agreement that ILO Ankara, headquarters and the social partners would formulate a pilot project on active labour market policy for restructuring of the services of the Turkish Employment Office. ILO Ankara is further undertaking a research project on working conditions in small and medium agro-enterprises with particular reference to women.

#### IV. Racial, ethnic, religious and social origin discrimination

26. The Office continued to contribute to the follow-up to the World Conference Against Racism, Racial Discrimination, Xenophobia and Related Intolerance held in Durban in 2001, including through the submission of reports to the United Nations on ILO activities relevant to the implementation of the Programme of Action adopted by the World Conference. The Office has cooperated with the Anti-Discrimination Unit of the Office of the High Commissioner for Human Rights (OHCHR), providing ILO expertise on racial, ethnic and religious discrimination. A fact sheet to follow-up on the joint ILO/OHCHR initiative on “Discrimination is everybody’s business” was made available to delegates at the ILC in June 2002.
27. ILO-CEET has completed two projects on the situation of the Roma, in cooperation with the UNDP Regional Bureau for Europe and the CIS in Bratislava. As a result, a human development report on the integration of the Roma in Bulgaria, Czech Republic, Hungary, Romania and Slovakia was launched in Brussels on 16 January 2003. It offers governmental institutions in the countries concerned policy recommendations with the aim to improve the Roma’s employment situation and to further integrate them into the national societies. A second report, which contains an analysis of the specific labour market situation of Roma in Hungary and policy recommendations, is about to be published.
28. In Brazil, a project on gender and race discrimination implemented by the Municipality of Santo André, with support from the ILO and the *Centro de Estudos sobre Relações do Trabalho* (CEERT) was awarded with the International Dubai Award for Best Practices to Improve the Living Environment in July 2002. The main objective of the project is to enhance employment opportunities for women and black people in the region by integrating gender and race dimensions into the indicators and in the agenda of the Regional Development Agency. The output of the project will be published and launched in a national workshop to be organized by the ILO in May 2003. In order to contribute to the integration of the gender and race dimensions into public policies on poverty reduction and the fight against social exclusion, the ILO has consulted with international and national partners on the implementation of the Gender, Poverty and Employment Programme (GPE) in Brazil. It was decided to add a new module on race in the GPE’s kit.
29. The Special Action Programme to Combat Forced Labour (SAP-FL) recently launched a four-year project for the sustainable eradication of bonded labour in Pakistan. This project, which targets the more extreme manifestations of forced labour, also tackles discrimination at work based on religion and ethnicity, as the beneficiary group comprises members of disadvantaged religious and ethnic minority groups. ILO Kathmandu has commissioned a study on discrimination and forced labour of the *Dalits* (untouchables) in Nepal, which will be finalized during a workshop in Nepal in early 2003.

#### V. Discrimination and migrant workers

30. The International Migration Programme (MIGRANT) launched a national research project to measure discrimination in employment against migrant workers in Italy, supported by the Italian Ministry of Labour/Welfare. This complements earlier research in Belgium, Germany, the Netherlands, Spain and other countries, and will serve to assist the Government of Italy and social partners to meet requirements of the European Union Directive on racism, 2000/43/EC. MIGRANT also continued efforts to compile a compendium of anti-discrimination “good practice” measures from all European countries. In responding to requests for technical assistance, the Office encouraged the development

of new national frameworks in the Republic of Korea and Thailand for prevention of discrimination against migrant workers; and proposed enhancement of efforts in Bangladesh and Indonesia towards protecting national workers abroad.

31. Attention to anti-discrimination concerns was featured in the ILO tripartite forum on labour migration in Southern Africa, held in Pretoria in November 2002. ILO experts addressed labour migration, discrimination and human rights questions at high-level intergovernmental conferences on regional migration policy cooperation in Nairobi in May for East Africa and the Horn of Africa countries, and in Istanbul in July for Central Asia, the Caucasus and neighbouring countries, organized by the International Migration Policy Programme (IMP), in which ILO is a full partner together with the United Nations Institute for Training and Research (UNITAR), United Nations Population Fund (UNFPA) and the International Organization for Migration (IOM). ILO high-level contributions to the 7th Conference of European Ministers Responsible for Migration Affairs in Helsinki in September 2002, to the Hemispheric Conference on Migration, Human Rights and the Trafficking in Persons in the Americas, held in Santiago de Chile in November 2002, to the European Red Cross and Red Crescent Regional Conference in Berlin in April 2002 and to the Asia-Pacific-Middle East Assembly of Red Cross and Red Crescent Regional Conference in Manila in November 2002 all emphasized challenges and responses in combating discrimination against migrants. Recommendations consistent with ILO policy, calling for further cooperation with the Office, were adopted at these events.
32. A Caribbean subregional technical workshop to strengthen national vocational training policy focused, inter alia, on equality of opportunity and treatment of migrant workers. A national trade union seminar in St. Maarten considered ILO standards relevant to migrant workers and focused on discrimination against migrant workers and other problems that they encounter; as a result, the trade unions have asked for further assistance to pursue action towards improving the situation of migrant workers. The Central Africa Multidisciplinary Advisory Team (EMAC) has conducted national studies on obstacles in applying the ILO Conventions on migrant workers in the relevant countries. The studies will be submitted to a subregional workshop on migrant workers to be held in March 2003.

## **VI. Discrimination and disabled workers**

33. The ILO Disability Programme (IFP/SKILLS) was actively involved in the promotion and dissemination of the code of practice on managing disability in the workplace, through participation in meetings, seminars and workshops. The code has now been translated into nine languages in addition to the official translations and an implementation guide is in preparation. As a contribution to the deliberations taking place concerning the development of a United Nations Convention on the rights of persons with disabilities, a paper on the issue was submitted with specific relevance to issues of employment and work.
34. The Disability Programme, in cooperation with IFP/DIALOGUE and the standards specialists in the field, undertook a review of legislation concerning vocational training and employment of persons with disabilities, and its implementation in seven East Africa countries and nine countries of Asia and the Pacific, as part of a project to enhance the capacity of national governments to implement effective legislation on the employment of persons with disabilities. In Central and Eastern Europe, it provided technical advice to the Governments of Bosnia and Herzegovina, Poland and the Ukraine and contributed to meetings on disability organized by ILO-CEET. In the Asia and Pacific Region, a regional web site was launched that includes web pages designed specifically for employers and trade unionists. A survey was initiated of all workers' and employers' organizations in the region to identify their policies and practices concerning disabled workers. Technical

assistance was provided to two employer networks on disability (Cambodia and Sri Lanka), and the ILO collaborated in three awareness meetings for employers (Cambodia, Sri Lanka and Thailand). The Regional Office, in collaboration with the East Asia Multidisciplinary Advisory Team (EASMAT) and the ILO Disability Programme finalized production of two videos: *AbilityAsia* and *AbilityThailand*. These videos, along with the ILO code of practice on managing disability in the workplace, were distributed to all employer associations, ILO offices and NGOs in the region. To develop a model that addresses the needs of poor disabled persons in the informal economy and rural areas, the “Alleviating poverty through peer training project was launched in Cambodia.

35. The Sri Lanka Area Office, in collaboration with the Employers’ Federation of Ceylon (EFC), has made great strides in creating greater awareness of employers of their social responsibilities to recruit disabled persons. The database of employable and trainable disabled persons now contains the names of 1,482 persons and thus far 27 companies have employed disabled persons as a result. EFC also publishes a newsletter every quarter containing success stories of companies with disabled persons and applications of persons who wish to be employed.
36. In the absence of a disability MDT specialist in the African Region, activities in Africa were organized, to the extent possible, by IFP/SKILLS. An ILO tripartite technical consultation was organized on the impact of policy and legislation on the employment of persons with disabilities in seven Eastern African countries. A background report was submitted on national policy and legislation in these countries, with a particular focus on non-discrimination legislation and positive action measures in employment. In Ethiopia, support was provided for a study on the employment of persons with disabilities in the Ethiopian civil service, and the formulation of guidelines on equality of opportunity and treatment, to be included in the Civil Service Reform Programme. A pilot project to support the development of entrepreneurship among women with disabilities in two regions of Ethiopia is being carried out in collaboration with the IFP/SEED-WEDGE programme.
37. The Central American Multidisciplinary Advisory Team (CAMAT) provided support to constituents in the Caribbean on issues related to employment and disability. Action programmes were based on constituent demands identified in a 2001 subregional technical meeting on strengthening rehabilitation services in the Caribbean. Actions implemented in 2002 included a tripartite training of trainers workshop on “Assisting people with disabilities in finding employment”, carried out in collaboration with IFP/SKILLS and drawing on materials developed by the Disability Programme in the Asia and Pacific region. In addition to preparing trainers to use their workshop training upon return to ministries of labour, employers’ organizations, trade unions and disability commissions, participants were also involved in developing regionally sensitive training materials for job placement of persons with disabilities and developing seven national action plans for follow-up in 2003 by participants among specialized target groups including youth and women. The Caribbean Office also established a web-based information clearing house of publications/media on disability issues.
38. The Regional Office for Arab States, through the ARMAT Disability Specialist and with the support of IFP/SKILLS, organized two subregional tripartite meetings to promote Convention No. 159 and the code of practice on managing disability in the workplace. Technical support was also provided to the Arab Conference on the Declaration of the Arab Decade for Disabled People. Training workshops in Bahrain, Iraq, Jordan, Lebanon and Oman were also carried out to strengthen the capacities of rehabilitation practitioners and to promote the rights of people with disability to productive and remunerative employment.

39. In Latin America, the Disability Programme, in collaboration with the Brasilia Office, translated materials concerning employment services for persons with disabilities into Spanish and customized them for the region. The code of practice on managing disability in the workplace was translated into Portuguese and will be published in preparation for a meeting to promote the code, planned for early 2003. The Buenos Aires Office provided technical assistance to the Ministry of Labour and Social Security of Uruguay in the preparation of a regulation on equal opportunities of persons with disabilities.

## VII. Discrimination and workers with HIV/AIDS

40. The ILO code of practice on HIV/AIDS and the world of work, adopted in May 2001, has proved increasingly popular. Non-discrimination and gender equality are among the key principles of the code and constitute the basis for addressing the disease in the workplace. It is now translated into more than 20 languages and others are in preparation. In December 2002, a comprehensive educational and training manual was produced to support the code's implementation.
41. The ILO Programme on HIV/AIDS and the World of Work (ILO/AIDS) developed its activities to help governments, employers and workers contribute actively to national efforts against HIV/AIDS and raise awareness on the fact that the workplace has a leading role to play in preventing the spread and reducing the impact of the epidemic, and projects are currently operational in 24 countries. Four full-time ILO HIV/AIDS technical specialists have been appointed in the field: in Bangkok, Harare, Moscow and Port-of-Spain, and two more are to be appointed in Beijing and San José.
42. Within UNAIDS, the ILO will convene an Inter-Agency Task Team (IATT) on HIV/AIDS and the World of Work, with the objective of assisting task team members and other partners to develop and implement workplace policies on HIV/AIDS, based on the ILO code of practice. One of its first tasks will be to assess HIV/AIDS policies in UN agencies and develop indicators to monitor the implementation of such policies.
43. Two technical workshops were organized by ILO/AIDS in Geneva in 2002: the first in March on population mobility, migration and HIV/AIDS that focused on mobile populations as a vulnerable group, and the second on HIV/AIDS and the informal economy. During the 2002 ILO Conference ILO/AIDS also held an official side event: a panel representing the tripartite constituents discussed the use of social dialogue in the implementation of the ILO code of practice on HIV/AIDS and the world of work: the roles of employers, workers and their organizations. The ILO also held two meetings during the XIV International (World) Conference on AIDS, in Barcelona (12 July 2002) and took part in the World Summit on Sustainable Development in Johannesburg and in several seminars and workshops held during the year in 13 countries.
44. A workshop on enterprise action regarding HIV/AIDS was held by ACT/EMP in Togo in November 2002, in cooperation with the National Employers' Council (CNP) of Togo, UNAIDS and the National Council on the Fight against HIV/AIDS (CNLS). The output of the workshop was guidelines and recommendations which will improve CNP-Togo's capacity to help member enterprises engage more actively in the elimination of HIV/AIDS, in particular as regards information, education and sensitization. A similar workshop was held in Burkina Faso in October 2002. A practical guide on the elaboration of action plans regarding HIV/AIDS in enterprises was prepared in cooperation with the Inter-Enterprise Group of Cameroon (GICAM). A study on the extent of awareness of enterprises in Senegal regarding HIV/AIDS, undertaken in 2002, revealed that relatively few enterprises have so far taken action regarding HIV/AIDS.

45. In the Caribbean, a special session was devoted to stigma and discrimination in the ILO Caribbean Meeting on HIV/AIDS and the World of Work: Mobilizing for Action (Barbados, 15-17 May 2002). As an outcome, the governments and social partners have taken the ILO code of practice as a guide for fighting stigma and discrimination and specifically made reference to this in the Platform for Action on HIV/AIDS and the World of Work in the Caribbean adopted by the meeting. The impact is already shown through the drafting of policies by employers' and workers' organizations, governments and individual enterprises. CAMAT is also actively involved in the UNAIDS world campaign against stigma and discrimination.

## VIII. Discrimination and indigenous and tribal peoples

46. Supervision of Conventions Nos. 107 and 169 continued as usual in 2002, with the Committee of Experts adopting a number of comments. Reports are due from all ratifying countries in 2003. Since the last report was submitted, the Governing Body declared receivable, at its 283rd (March 2002) Session, a representation by the Authentic Workers' Front (FAT) under article 24 of the ILO Constitution alleging non-observance by Mexico of Convention No. 169.
47. The interregional programme to support self-reliance of indigenous and tribal communities through cooperatives and self-help organizations (INDISCO) has continued its work on projects in Asia and Africa. In Asia, a regional workshop was organized to discuss sustainable indigenous land and natural resource management practices with representatives of indigenous and tribal peoples (ITPs) from seven countries. Other activities in the region were concentrated on linking grass-roots initiatives with the national policies in India and the Philippines, to influence and strengthen indigenous and tribal development policies and programmes of the member States, using INDISCO best practices in participatory project planning and implementation. Strengthening sustainable livelihoods of ITPs was given top priority in order to assist them in utilizing effectively their ancestral lands and other natural resources, regenerating their forests and degraded lands and conserving biodiversity, as well as protecting the environment. Capacity building for indigenous organizations in project planning and implementation was another key area in these countries, and INDISCO partner organizations improved their capacities by direct implementation and evaluation of their own projects. Project partners, particularly indigenous and tribal women, in India, the Philippines and Viet Nam continued to use their own microfinance schemes to eliminate discrimination against access to credit. In India, a framework document was finalized jointly with IFP/CRISIS on indigenous and tribal peoples' coping strategies with natural disasters. A survey on the employment creation potential of cooperatives and self-help organizations among ITPs was carried out in the Mekong region. In Africa, project activities continued in two countries, Cameroon and the United Republic of Tanzania, concentrating on capacity building and job creation for the Masai and the Pygmies respectively, helping these communities to strengthen their traditional livelihoods, reduce emigration and eliminate discrimination in national employment policies.
48. The EGALITE-based project to promote ILO policy on indigenous and tribal peoples has carried out capacity building and other assistance to pastoralists and hunter-gatherers in Kenya, with a view to ensuring their informed participation in the constitutional review process. This culminated in the presentation of a position paper to the Constitution of the Kenya Review Commission in July 2002, which represented the collective views of over 15 different indigenous and tribal peoples in Kenya, comprising hundreds of communities across the nation. Many important elements of their position paper have been incorporated into the new draft Constitution. The project also undertook its first activity in the Central

African region, in collaboration with ILO/Yaoundé, INDISCO, OHCHR and UNESCO, in the form of human rights training for Pygmies from six different countries in Central Africa; and a number of projects have been planned as a result. Further, a national training workshop on the human rights of indigenous peoples was conducted in Malaysia; a workshop on highland peoples' development was held in collaboration with the Government of Cambodia; activities were undertaken in the Philippines (analysis of national legislation concerning indigenous peoples) and Argentina (capacity building for indigenous peoples). In addition, it has engaged widely in inter-agency collaboration, particularly in respect of the new United Nations Permanent Forum on Indigenous Issues.

49. DECLARATION's Special Action Programme to Combat Forced Labour (SAP-FL) has selected the question of forced labour and its linkages to discrimination, poverty and indigenous peoples as a thematic priority in Latin America. Workshops, bringing together government officials, other policy-makers and analysts, and human rights and development organizations, were conducted in Central America and the Andes during 2002. Consideration is being given to a major regional project on forced labour, discrimination and indigenous peoples in seasonal labour markets.
50. IPEC and EGALITE have been collaborating in activities on indigenous peoples, such as the indigenous fellowship programme (July 2002), so as to give due consideration and attention to the link between the issue of child labour among indigenous peoples. In January 2002, IPEC, in partnership with INDISCO, carried out a desk review on indigenous and tribal children vis-à-vis the education and child labour challenges. Among the findings of the exercise was the need for more systematic documentation of the issue within IPEC projects. It was also stressed that indigenous children are among the most vulnerable because of their socio-economic marginalization. Within the framework of the recently started project "Including the excluded: Combating child labour through education", funded by the Government of the Netherlands, the study will be enriched and converted into a working paper to be published by May 2003, shedding light on the issue and providing guidance for future IPEC interventions.
51. The MDT in San José has continued to promote better understanding of the scope and contents of Convention No. 169 throughout Central America through a wide range of activities, including workshops, training programmes, or supporting publications. As a result of previous work under the regional programme on training for indigenous women, an educational guide for training workshops, including a video, on this issue was published in March 2002. The web site of the project on legal empowerment of indigenous peoples in Costa Rica, Guatemala, Honduras and Panama includes a wide range of information and materials, as well as the impact achieved.

## **IX. Discrimination and workers of the occupied Arab territories**

52. Among the achievements to date of the ILO programme of assistance most relevant to non-discrimination and equality are the Sheik Khalifa Ben Zayed Vocational Rehabilitation Centre in Nablus funded by the United Arab Emirates, which has trained more than 200 disabled persons most of whom subsequently found gainful employment. More than 300 Palestinian women trained both in the West Bank and at the ILO Turin Centre in order to improve their socio-economic status. However, due to the dramatically changing situation in the occupied Arab territories, most of the ILO's technical cooperation activities were halted in September 2001.
53. In keeping with past practice, the Director-General sent missions to the region to assess the employment situation of workers of the occupied Arab territories in April and May 2002.

In view of the grave situation, it was decided to strengthen and upgrade this mission, the findings of which were reported to the Conference in June 2002. The report analyses in detail the rapidly deteriorating economic and social situation in the territories, including the effect of closure of areas and cities. The report also states that Arab workers and farmers face discrimination and unfair competition, as observed by the ILO mission in discussions held in the Golan and in the Syrian Arab Republic, and as reported by the Arab Labour Organization. The report called for an enlarged programme of ILO technical cooperation to be built around the notion of decent work, addressing rights at work, employment, social protection and social dialogue. Subsequently a tripartite high-level delegation from the occupied territories visited the ILO in July 2002 to identify technical assistance priorities and the Director-General allocated US\$300,000 from ILO resources to meet immediate needs. In September 2002, the ILO fielded a mission to assist with the reconstruction of the Ministry of Labour within the framework of the Palestinian Authority reform.

Geneva, 29 January 2003.