



THIRTEENTH ITEM ON THE AGENDA

Report of the Committee on Sectoral and Technical Meetings and Related Issues

1. The Committee on Sectoral and Technical Meetings and Related Issues met on 11 November 2003. The Chairperson was Mr. Rimkunas (Government, Lithuania) and the Employer and Worker Vice-Chairpersons were Mr. Jeetun and Mr. Zellhoefer, respectively.
2. At the commencement of the work of the Committee, the Chairperson, the Worker and Employer spokespersons, as well as the representative of the Government of Germany – on behalf of the Government group, congratulated Ms. Doumbia-Henry on her appointment as Director of the Sectoral Activities Department.

I. A new approach to sectoral activities in 2004-05: Progress report

3. The Committee had before it a paper¹ on progress towards a new approach to sectoral activities.
4. Ms. Paxton, Executive Director of the Social Dialogue Sector, introduced the document saying that the process of consultation was continuing as the various action programmes were being developed. Several recent regional meetings had created opportunities for further consultation and development of ideas for different sectors, and a planning meeting for the construction sector had identified activities in five developing countries. As far as sectoral meetings were concerned, proposals concerning all aspects of the four to be held were contained in the paper; each had its own characteristics. The cost of extending the duration of a meeting, or increasing its size, would have an impact on the extent of follow-up that could be undertaken. One activity for the biennium remained to be determined. The Office view was that, in the light of the new approach, with its seven action programmes, the learning process for both ILO staff and the constituents, and the need to enhance the prospect of successful outcomes, the 12th activity should be foregone and the resources divided among the other activities. If this were agreed, it would not set a precedent.

¹ GB.288/STM/1.

5. Mr. Zellhoefer expressed the Workers' group's satisfaction with the progress towards a more targeted approach by the Office. Consistent and timely consultation with the three groups, including the global union federations, and the parties in the sectors concerned, was the key to success. There were several lessons to be learned from the shortcomings of the recent planning meeting for the construction sector. Focusing more on activities in the field required a major rethinking on the part of the Office if backstopping in Geneva were to be combined with effective support in the field. In the context of restructuring the Sectoral Activities Department, to enable issues such as: the new framework of activities; information and consultation; promotion of the outcomes of sectoral work; and resource mobilization, consultations with the groups are necessary to establish the basis for their involvement in sectoral activities, and ensure "ownership" of the different components. It was important that the meeting for the transport equipment manufacturing sector focus on automotive parts, as previously agreed, and that follow-up activities and the proposed database be included in this sector's programme as the latter two had not been mentioned in the Office paper. Attention also needed to be given to those sectors that were not the subject of an action programme or meeting, by following up on previous conclusions of meetings or, in the future, on recent action programmes. Some redistribution of sectors between biennia should take place to avoid having all activities for a related group of sectors, such as the public service, concentrated in one biennium. Work on HIV/AIDS, in conjunction with ILO/AIDS, UNAIDS and other related agencies should commence with a review of previous and ongoing work, followed by consultations to select countries that would enable impact to be maximized. In the unique circumstances of the start of a new programme, the proposal to divide the remaining resources among other activities was supported, provided the process was transparent, did not constitute a precedent, and sectors that were conducting follow-up activities also benefited. Having small tripartite structures was crucial for a positive outcome from the new approach, and at all times groups' secretariats should be involved. On this basis, the Workers' group agreed with the point for decision.
6. Mr. Jeetun welcomed the fact that the Sectoral Activities Department had been very dynamic recently, but sometimes perhaps too dynamic, which led to situations where too much was undertaken too late. He noted that the new approach was still in a learning phase as better planning and a greater flow of information were being implemented. The proof that extensive and continual consultation worked was the fact that the new approach had been agreed. The three major action programmes in particular required extensive consultation with, and the involvement of, the social partners. To this end, setting up tripartite steering committees was a good idea. The only meeting proposal that was a cause for concern was that concerning the transport equipment manufacturing sector. Three days was probably too short for a full discussion and the development of conclusions. Having conclusions imposed in some way would not be acceptable. Reallocating the resources in consultation with the groups' secretariats for the 12th activity was a sensible proposal for this biennium. The Employers' group agreed with the point for decision.
7. All the representatives of governments who spoke agreed with the point for discussion and with the proposal to forego a 12th activity. All but one supported the distribution of the resources among the other activities. The representative of the Government of Indonesia suggested they be used for a series of small regional meetings for different sectors. Some representatives made comments on specific matters.
8. The representative of the Government of Germany, speaking on behalf of the IMEC group, said that as far as meetings of experts were concerned, their purpose should be to share informed opinion and adopt guidelines or codes of practice. They should not be used to air politically controversial issues. The subjects chosen by the Governing Body for such meetings should therefore be as technical as possible. The letter of invitation for such meetings pointed out that participants served in their personal capacity as experts, and not

as representatives of any government, group or other interest. The conduct and outcome of the recent Meeting of Experts to Develop a Code of Practice on Violence and Stress at Work in Services: A Threat to Productivity and Decent Work was a worrying example of a meeting of experts being conducted like a tripartite sectoral meeting. There should be a clear distinction between them. Meetings of experts were an integral part of the new approach, with codes of practice and guidelines being useful products for constituents and the ILO. Failure to address this issue could jeopardize the impact of the programme and weaken the new approach.

9. The representatives of the Governments of China, Ecuador and Mexico wondered if the meeting of experts for the iron and steel industry could last five days rather than the eight suggested by the Office.
10. The representatives of the Governments of Mexico, the United Kingdom and the United States highlighted the need for the Tripartite Meeting on the Future of Work and Quality in the Information Society: Media, Culture, Graphical Sector, to take into account the outcome of the first session of the World Summit on the Information Society in December, so that the outcome of the Meeting could make a significant input to the second session of the Summit in 2005. The representative of the latter two Governments suggested that a decision on the direction of the Tripartite Meeting be taken after the December Summit.
11. The representative of the Government of Barbados, speaking on behalf of the Caribbean Community (CARICOM), hoped that some of the resources for the action programme on construction would be devoted to activities in the Caribbean.
12. The representative of the Government of the United States welcomed the increased consultations and stressed the need, when identifying countries for activities, to adhere to the principles of impact, relevance and effectiveness. The possibility of bringing new sectors into consideration and reviewing the existing ones should be examined. He reiterated his request for short papers on each sector that outlined issues, activities and options for the future. Such papers would help gauge the relative importance of the sectors. Regardless of the length of the meeting on the transport equipment manufacturing sector, it should demonstrate its value through a concrete outcome of clear proposals for action.
13. An Employer member (Mr. Lambert) emphasized the value that came from sectoral meetings. Diverse views and experiences, through social dialogue, led to an agreed position on the important issues facing the sector. In view of its importance, and the significance of the subject, the transport equipment manufacturing meeting would need five days to achieve its goals, not three.
14. Mr. Zellhoefer said there were good reasons to keep the proposed small transport equipment manufacturing meeting to three days. With thorough preparation, documentation and participation, this time was adequate. Decisions on the redistribution of the resources earmarked for the 12th activity should be made with consultation, be transparent and not set a precedent. He agreed with the Employers' group about the utility of tripartite steering committees for the larger action programmes. The IMEC statement on meetings of experts was a very serious one that needed further consideration.
15. Mr. Jeetun sought further discussion at the group level before addressing the question of meetings of experts in the Committee.
16. Ms. Paxton replied to a number of points and questions. She emphasized the need for continued consultations, including the need to improve consultations – particularly with governments – to maximize the possibility of success with the new approach. Four time slots for small, short planning meetings for action programmes in the first quarter of 2004

had been blocked, although the sectors had not been identified for particular slots. The purpose of the tripartite meeting for the transport equipment manufacturing sector had not changed; it would focus on automotive parts. The proposed database had resource implications for other parts of the Office, thus its feasibility and cost were being examined. Expanding the meeting to five days would, however, also have resource implications. The Office had used its best judgement in proposing eight days for the meeting of experts on the iron and steel code of practice and five days for the forestry meeting based on technical content and complexity. The allocation of the resources from the 12th activity would be made in consultation with the constituents. This decision would provide more flexibility for both the action programmes and for follow-up activity. Short papers on each of the sectors would be prepared and provided to the Committee at its next sitting. Having regard to internal deadlines for completing the report for the Tripartite Meeting on the Future of Work and Quality in the Information Society: Media, Culture, Graphical Sector, the Office would take into account the outcome of the December session of the World Summit on the Information Society. The Office would prepare a paper on meetings of experts for consideration by the Committee at its next sitting. In response to a request made at the previous sitting, a table of sectoral activities was distributed to the Committee.

17. Mr. Jeetun said that a three-day meeting for the transport equipment manufacturing sector was acceptable, provided that the conclusions were properly discussed and agreed, not produced by the Chairperson.
18. The Chairperson summed up, stating there was consensus on all the decisions that were required. The Office would consult the social partners on the distribution of the freed-up resources and keep the Committee informed. The Office would prepare short information papers on each of the 22 sectors for the next sitting, as well as a paper discussing aspects of meetings of experts that had been raised.
19. *The Committee on Sectoral and Technical Meetings and Related Issues recommends to the Governing Body that:*
 - (a) *the type of meeting, the duration, the number of delegations, Governing Body representation and the method of selecting the participants be as proposed in paragraphs 13, 14 and 18 (document GB.288/STM/1);*
 - (b) *the purpose of the Tripartite Meeting on the Future of Work and Quality in the Information Society: Media, Culture, Graphical Sector, be as proposed in paragraph 12; (document GB.288/STM/);*
 - (c) *the purpose of the Tripartite Meeting on Employment, Social Dialogue, Rights at Work and Industrial Relations in Transport Equipment Manufacture, be as proposed in paragraph 17 (document GB.288/STM/1); and*
 - (d) *it invite the Director-General to prepare for the next session, papers concerning meetings of experts, information papers on each of the 22 sectors as well as a table of sectoral activities, ongoing and planned.*

II. Effect to be given to the recommendations of sectoral meetings

(a) Joint Meeting on Public Emergency Services: Social Dialogue in a Changing Environment (Geneva, 27-31 January 2003)

20. The Committee had before it the *Note on the proceedings*² of the Joint Meeting on Public Emergency Services: Social Dialogue in a Changing Environment.
21. Ms. Sasso Mazzufferi, Employer member and the Chairperson of the abovementioned Meeting, noted with great satisfaction that the deliberations had taken place in a positive atmosphere of cooperation and compromise. Social dialogue had led to consensus and to the recognition that striving towards improving working conditions for workers in public emergency services (PES) could go hand in hand with the delivery of quality services, even during times of great public concern for safety and security. The Meeting had made an in-depth review of the considerable difficulties faced by PES workers such as long working hours, night work, work/life balance, and a number of other health, safety and security problems.
22. Mr. Jeetun thanked Ms. Sasso Mazzufferi for her able leadership in steering the Meeting towards consensus and compromise, and endorsed the points for decision.
23. Mr. Zellhoefer indicated that the Workers' group welcomed the innovative outcome of this Joint Meeting. Social dialogue was not only the topic of the Meeting, but was reflected in the true spirit of the gathering and of the output. The set of *Guidelines on social dialogue in public emergency services in a changing environment* – the first time that such a document had been adopted in a meeting lasting only one week – showed that the path to a diversified approach to sectoral activities had already been practised in the current year. In consultation with the constituents, follow-up activities at the national level had been initiated by the Office in order to develop strategies to narrow the gaps between what was promoted in the Guidelines and the current reality, in particular concerning training and the availability of proper equipment. He recommended that the Guidelines be published in a user-friendly booklet by the end of 2003 in English, French and Spanish. Mr. Zellhoefer was also pleased to note that the relevant elements of the *draft resolution concerning future activities of the ILO relating to public emergency services* were included in the appendix to the Guidelines. In thanking Ms. Sasso Mazzufferi and endorsing the points for decision, he emphasized the importance and legitimacy of holding certain joint meetings and activities.
24. The representative of the Government of the United States was pleased that his delegation had played an integral role in attending the Meeting and in the adoption of the Guidelines. This document stressed the vital role performed by front-line emergency service workers in responding to the increasing threats to life and property today and pointed towards achieving higher standards for the sector. He expressed concern that the research that was conducted by the Office was primarily from material that was available on the Internet. Despite the obvious benefits of research on the Internet, and even though his country was thoroughly covered in the report, the danger of relying too heavily on one single research tool may lead to skewed results. As such the report had a heavy focus on OECD countries, and the supplementary papers on Argentina and South Africa that were provided at the

² JMPES/2003/10 appended to GB.288/STM/2/1.

meeting were most welcome. He also stressed that the Office should not neglect devising suitable follow-up activities to implement the Meeting's conclusions, and looked forward to the Office's plans.

25. Ms. Paxton replied that the Office intended publishing the Guidelines as a booklet by the end of this year in three languages. Concerning the heavy reliance on research on the Internet for the report, she recognized the valid points made, but also reminded the Committee that the Meeting topic had been changed close to the time of the Meeting, which had made it particularly difficult for the Office to conduct its research. As a follow-up to the Guidelines and as a complement to the Meeting report, research and activities were being currently undertaken in Bulgaria, Kenya and Mexico.
26. The representative of the Government of Ecuador noted that Spanish-speaking delegates present at the Meeting had raised several linguistic discrepancies with regard to the Spanish translations of the Meeting report and of the documents produced during the Meeting itself, and wanted the Office to take note.
27. *The Committee on Sectoral and Technical Meetings and Related Issues recommends that the Governing Body:*
- (a) *authorize the Director-General to communicate the Note on the proceedings:*
 - (i) *to governments, requesting them to communicate the text to the employers' and workers' organizations concerned;*
 - (ii) *to the international employers' and workers' organizations concerned;*
 - (iii) *to the other international organizations concerned;*
 - (b) *request the Director-General to bear in mind, when drawing up proposals for the future work of the Office, the wishes expressed by the Meeting in paragraphs 1 and 2 of the annex of the Guidelines.*

(b) Tripartite Meeting on the Future of Employment in the Tobacco Sector
(Geneva, 24-28 February 2003)

28. The Committee had before it the *Note on the proceedings*³ of the Tripartite Meeting on the Future of Employment in the Tobacco Sector.
29. Mr. Wojcik, Worker member of the Governing Body and Chairperson of the abovementioned Meeting, thanked the Office for the preparation of documents and reports, which allowed the participants to work in a spirit of cooperation and understanding. There were two tendencies in the tobacco sector: the decreasing consumption of tobacco in the general population, coupled with the decrease in employment due to new technologies and heightened competition. There was also a need to raise awareness among unorganized and unprotected workers regarding labour rights and safety and health standards. The conclusions of the Meeting supported the crucial need to promote the ILO Declaration on Fundamental Principles and Rights at Work and its Follow-up as well the Tripartite

³ TMETS/2003/15 appended to GB.288/STM/2/2.

Declaration of Principles concerning Multinational Enterprises and Social Policy. The ILO needed to continue its efforts to promote international social dialogue in this sector, particularly regarding employment and safety and health issues. In conclusion, Mr. Wojcik praised the Meeting participants for their adoption of the five resolutions, including one concerning child labour in the tobacco sector.

30. Mr. Zellhoefer, in mentioning that originally the Meeting had been planned for the industrialized aspects of tobacco production but had been opened up also to specifically include the countries where tobacco is grown, praised the high level of Government representation at the Meeting. He pointed to the *resolution concerning the employment of women in the tobacco sector* as being of particular relevance, and endorsed the points for decision.
31. Mr. Jeetun thanked Mr. Wojcik for his able chairmanship, noted the Employers' satisfaction with the set of adopted conclusions and commended the participants for their productivity in negotiating and adopting five resolutions. With these comments, he offered his group's endorsement of the points for decision.
32. The representative of the Government of Germany pointed to the dilemma faced by Meeting participants as the WHO Meeting on the Framework Convention on Tobacco Control (FCTC) had been held during the same period as the ILO Meeting. FCTC was a long-term attempt to prevent smoking and he referred in particular to paragraph 2 of the meeting's *conclusions on the future of employment in the tobacco sector* which stated, inter alia, "... choices are imposed on governments which have an impact on their responsibility on the one hand, to preserve and safeguard the health of their citizens, and on the other, for employment policy". Regarding the *resolution concerning child labour in the tobacco sector*, he encouraged closer cooperation between IPEC and SECTOR in addressing the important risks and hazards for children working in this sector.
33. The representative of the Government of India referred to the pivotal role of the tobacco industry in his country. Not only were non-cigarette forms of tobacco consumption such as beedis, chewing tobacco, and gutka very high in India, but most of these products were produced in the unorganized sector and unbranded – which made it difficult to regulate. A comprehensive study was required to plan for alternative employment for those likely to be displaced by the FCTC regulation. The representative expressed his delegation's appreciation for the suggestions for research made in paragraph 16 of the conclusions, and made further suggestions to the Office for additional topics.
34. The representative of the Government of Indonesia supported the points for decision contained in paragraphs 4 and 5 of the document, since his country had a strong tobacco industry and was concerned about employment in this sector and substantial government revenue from the sale of tobacco products.
35. The representative of the Government of Mexico pointed to her country's active participation in WHO's FCTC meeting, and the need to balance public safety and health and job creation. Over 70 countries had signed the Convention, but only three had so far ratified it. Close cooperation between the ILO and WHO was needed in order to seek solutions to governments' concerns for workers in the tobacco sector – a matter also raised in an important provision in the FCTC. The representative also indicated her delegation's support for ILO research on employment trends as well as on employment of vulnerable groups in the tobacco sector.
36. The Chairperson of the Committee drew the attention of its members to paragraphs 94 and 95 of the *Note on the proceedings* in which the Employers' group of the Meeting,

supported by the Government group, wished to bring the chronic shortage of time for the negotiation of conclusions to the attention of the Governing Body.

37. *The Committee on Sectoral and Technical Meetings and Related Issues recommends that the Governing Body:*

(a) *authorize the Director-General to communicate the Note on the proceedings:*

(i) *to governments, requesting them to communicate these texts to the employers' and workers' organizations concerned;*

(ii) *to the international employers' and workers' organizations concerned;*

(iii) *to the other international organizations concerned;*

(b) *request the Director-General to bear in mind, when drawing up proposals for the future work of the Office, the wishes expressed by the Meeting in paragraph 16 of the conclusions and in the relevant parts of the resolutions.*

(c) **Tripartite Meeting on the Employment Effects of Mergers and Acquisitions in Commerce**

(Geneva, 7-11 April 2003)

38. The Committee had before it the *Note on the proceedings*⁴ of the Tripartite Meeting on the Employment Effects of Mergers and Acquisitions in Commerce.

39. Mr. Jeetun indicated that his group had no particular comment to make, except to highlight the decision by the Meeting that recognized the prerogative of management as to decisions affecting the future of the enterprise.

40. Mr. Zellhoefer communicated the Workers' group's support for paragraphs 18-21 of the *conclusions on the employment effects of mergers and acquisitions in commerce* and for the adopted *resolution concerning future ILO activities in commerce*. In reference to follow-up activities, he raised the compelling need to develop capacity building on social dialogue. Because mergers and acquisitions were strategic, they were the result of long-term decision-making processes. Workers and their representatives needed to be informed in a timely manner by employers prior to public announcement. The timing of such information and subsequent consultation should comply with applicable national laws and regulations and fair practice. Throughout mergers and acquisitions, partners needed to promote and realize in good faith the fundamental principles and rights in the ILO Declaration as well as those contained in the MNE Declaration, the OECD Guidelines and the EC Directives. Research needed to be carried out on the specific effects of mergers and acquisitions in commerce, opportunities for women workers, training needs for the commerce sector and the impact of technology within the merger and acquisition context. The Workers' group invited the Office to keep facilitating social dialogue in the sector through supporting the work of the already established small tripartite ILO forum in commerce as well as by allocating resources for specific activities at regional and subregional levels. In conclusion the points for decision were endorsed by the group.

⁴ TMMAC/2003/11 appended to GB.288/STM/2/3.

41. *The Committee on Sectoral and Technical Meetings and Related Issues recommends that the Governing Body:*

(a) authorize the Director-General to communicate the Note on the proceedings:

(i) to governments, requesting them to communicate these texts to the employers' and workers' organizations concerned;

(ii) to the international employers' and workers' organizations concerned;

(iii) to the other international organizations concerned;

(b) request the Director-General to bear in mind, when drawing up proposals for the future work of the Office, the wishes expressed by the Meeting in paragraphs 18-21 of the conclusions and the relevant part of the resolution concerning future ILO activities in commerce.

**(d) Tripartite Meeting on Challenges and Opportunities facing Public Utilities
(Geneva, 19-23 May 2003)**

42. The Committee had before it the *Note on the proceedings*⁵ of the Tripartite Meeting on Challenges and Opportunities facing Public Utilities.

43. Mr. Lambert, Employer member of the Governing Body and Chairperson of the abovementioned Meeting expressed his pleasure in chairing the Meeting. He noted that it had been the first occasion for many of the Meeting's participants to attend an ILO sectoral meeting. The process of sectoral meetings demonstrated the value of social dialogue with people who knew and cared for the sector and was remarkable in its reinforcement of tripartism. It was therefore a process well worth keeping. Good public utilities were essential – particularly to many impoverished parts of the world where millions of people were without electricity and water. Addressing education and skills development was fundamental in creating employment in general and in public utilities in particular.

44. Mr. Zellhoefer thanked Mr. Lambert for his commitment to the successful outcome of the Meeting. He noted his group's pleasure in approving the conclusions, particularly in giving effect to SECTOR's new action programmes in which regional and national activities in the utilities sector were to be developed with social partners. Equally relevant was the *resolution concerning future ILO work programme and future action for the public utilities sector*, which called for the promotion of social dialogue in responding to the current challenges to public utilities in order to meet basic human needs in water and energy, and in implementing the UN Millennium Declaration. He reminded the Committee that the Labour Minister of Tajikistan had requested the ILO to organize a follow-up meeting in Dushanbe. The representative of the Government of Luxembourg expressed interest in supporting such an activity. That Government was currently studying a proposal prepared by the Office to support research activities in the Central Asian countries on the status of social dialogue in the public utilities sector reform, and related activities. The countries to be involved were Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan and Uzbekistan. The

⁵ TMCOPU/2003/11 appended to GB.288/STM/2/4.

Workers' group encouraged the Government of Luxembourg as well as other governments to support the much needed social dialogue on reform issues at the national level. In conclusion, he communicated his group's endorsement of the points for decision.

45. Mr. Jeetun thanked Mr. Lambert for his chairmanship and voiced his group's support for the points for decision.
46. The representative of the Government of Germany also thanked Mr. Lambert for his commitment. He added to Mr. Zellhoefer's comments regarding the ILO proposal for social dialogue in Central Asia, and stated that as far as he was aware, the proposal was now with the Prime Minister's Office in Luxembourg.
47. The representative of the Government of India communicated his delegation's full endorsement of the points for decision.
48. *The Committee on Sectoral and Technical Meetings and Related Issues recommends that the Governing Body:*
 - (a) *authorize the Director-General to communicate the Note on the proceedings:*
 - (i) *to governments, requesting them to communicate these texts to the employers' and workers' organizations concerned;*
 - (ii) *to the international employers' and workers' organizations concerned;*
 - (iii) *to the other international organizations concerned;*
 - (b) *request the Director-General to bear in mind, when drawing up proposals for the future work of the Office, the wishes expressed by the Meeting in paragraphs 11-13 of the conclusions and the relevant part of the resolution.*

III. Joint ILO/UNESCO Committee of Experts on the Application of the Recommendations concerning Teaching Personnel (CEART)

Interim Report of the Eighth Session

49. The Committee had before it an interim report⁶ on the recent session of the Joint ILO/UNESCO Committee of Experts on the Application of the Recommendations concerning Teaching Personnel.
50. Mr. Zellhoefer stated that the Workers' group wished to underscore the point made in paragraph 4 regarding the wide gap between ratification of international labour standards and effective practice of social dialogue at national level, a point that the group had made within the ILO over many years. He also made reference to paragraph 4 and to the spiralling problem of HIV/AIDS and its impact on teachers, and on families and communities that are expected to support schools. The call made for ILO and UNESCO

⁶ GB.288/STM/3.

collaboration to address these problems should provide the impetus for ILO work on these challenges within the framework of the proposed cross-sectoral action programme on HIV/AIDS. The sector of education covered by the Joint ILO/UNESCO Committee of Experts was another example of the sectors for which the Workers' group considered there to be justification for maintaining a joint approach within the ILO's sectoral work.

51. Mr. Jeetun stated that the Employers' group took note of this interim report and looked forward to the full report of the Joint Committee at the March 2004 session of the Governing Body.
52. The Chairperson concluded that the Committee had taken note of the interim report.
53. The Committee on Sectoral and Technical Meetings and Related Issues invites the Governing Body to take note of the interim report.

IV. Report of the Joint ILO/IMO Working Group on Port Security

54. The Committee had before it the report⁷ of the Joint ILO/IMO Working Group on Port Security.
55. Mr. Jeetun stated that there was no need for discussion on the Office paper, since it did not require a decision to be taken. The speaker reminded the Committee that the meeting in question represented a step towards the adoption of a code of practice on security, safety and health in ports. The Employers' group was looking forward to the Tripartite Meeting of Experts on Security, Safety and Health in Ports to be held from 8 to 17 December 2003.
56. Mr. Zellhoefer made reference to paragraph 10 of the Office paper. He agreed with Mr. Jeetun on the importance of the forthcoming Meeting. He drew attention to the importance of paragraph 12 for the Workers' group, which strongly believed that the costs associated with the implementation of such a code of practice should not be borne by the workers.
57. The Committee on Sectoral and Technical Meetings and Related Issues took note of the report.

V. Report of the Subcommittee of the Joint Maritime Commission and of the Joint Working Group on Wages of Seafarers (Geneva, 5-8 July 2003)

58. The Committee had before it the report⁸ of the Subcommittee of the Joint Maritime Commission and of the Joint Working Group on Wages of Seafarers.
59. Mr. Zellhoefer complimented the Office on the facilitation of the discussion provided throughout the Subcommittee Meeting. He indicated that his group supported the adoption

⁷ GB.288/STM/4.

⁸ SJMC/2003/6(Rev.) appended to GB.288/STM/5.

of the recommendations contained in paragraph 5. He requested the Office to convene a further Joint Maritime Committee meeting in 2005 to enable the social partners to undertake another review of the AB (able seafarers) basic wages, based on the application of the well-established ILO formula. Mr. Zellhoefer also noted with pleasure that, following the 5-8 July 2003 Meeting, a further meeting had taken place, resulting in a joint statement of the ISF and the ITF which not only further elaborated on the ILO minimum wage for an AB but also resulted in agreement that the current total monthly minimum salary of an AB should be over \$800. This represented a significant development, and should be recognized as such. The Office should therefore be congratulated for facilitating social dialogue at the international level in the maritime sector. He then suggested the replacement of the word “seamen” in paragraph 3 of the abovementioned document – which also appears throughout the text – to the gender-neutral “seafarer”.

60. Mr. Jeetun remarked that paragraph 3 of the report recommended “the updating of the current ILO minimum wage for an able seaman of US\$465-500 as of 1 January 2005”, and understood that a freeze on this salary would be applied until that date. He otherwise indicated that his group agreed to support the recommendations made in the operative paragraph.
61. Mr. Zellhoefer remarked that the abovementioned text indicated a deferral, and not a freeze.
62. Ms. Doumbia-Henry explained that it was clear that, based on the resolution attached to the report, the amount of US\$465 would continue to be applicable to the AB until 1 January 2005.
63. *The Committee on Sectoral and Technical Meetings and Related Issues recommends that the Governing Body take note of the report and recommends that the Governing Body approve the recommendations contained in paragraphs 3 and 4 of the paper.*

VI. Report of the outcome of the Fifth Worldwide Air Transport Conference (Montreal, 24-29 March 2003)

64. The Committee had before it the report⁹ of the outcome of the Fifth Worldwide Air Transport Conference.
65. Mr. Jeetun referred to paragraph 5 of the Office paper and suggested that the presentation made by the ILO representative to the Conference should be made available to the Committee’s groups, or should be posted on the Department’s web site. He also invited the Office to provide, at least to the groups’ secretariats, copies of presentations to be made by the Office on behalf of ILO constituents in international events. With this request, the Employers’ group supported the proposal contained in paragraph 8.
66. Mr. Zellhoefer thanked the Office for the clarity of the paper and reminded the Committee of the Conference’s successful conclusion. He recalled that the Memorandum of Understanding mentioned in paragraph 6 of the paper had been concluded in 1954. He also referred to the successful meeting on civil aviation held in Latin America in May of this

⁹ GB.288/STM/6.

year and noted that a meeting on civil aviation for the African region was planned for next year as part of the implementation of the conclusions of the tripartite meeting on civil aviation held in January 2002. The Workers' group endorsed the point for decision.

67. The representative of the Government of India also endorsed the point for decision.
68. In response to the question raised by Mr. Jeetun, Ms. Doumbia-Henry explained that the ILO's main contribution to the meeting had been the specially prepared report for the meeting, which had been made available to the tripartite delegation attending the Conference. This report could be found on the Department's web site. The Office would, however, be willing to provide copies of the presentation to all interested parties.
69. *The Committee on Sectoral and Technical Meetings and Related Issues recommends that the Governing Body take note of the information in the report and invites the Director-General to consult with the Secretary-General of the ICAO on ways of strengthening cooperation between the ICAO and the ILO.*

VII. Report of the Meeting of Experts to Develop a Code of Practice on Violence and Stress at Work in Services: A Threat to Productivity and Decent Work (Geneva, 8-15 October 2003)

70. The Committee had before it the report¹⁰ of the Meeting of Experts to Develop a Code of Practice on Violence and Stress at Work in Services: A Threat to Productivity and Decent Work.
71. Ms. Paxton provided a brief historical background to introduce the Meeting, which had been convened by the 279th Session (November 2000) of the Governing Body. The Meeting had been attended by 36 experts from the three groups, as well as by observers from eight countries, one IGO and 12 NGOs. The Meeting had considered and reviewed the draft code. Following discussions on the issue of stress, and taking into account the subject's complexity and reservations by some experts about addressing it, the experts had decided to limit guidance in the code to provisions dealing with workplace violence in services sectors. The Meeting had then worked on a restructured draft code that focused on workplace violence in services sectors, and emphasized a proactive and preventive health and safety management system approach to the issue. After examining that restructured draft, the experts had adopted the code of practice, entitled code of practice on workplace violence in services sectors and measures to combat this phenomenon.
72. Mr. Zellhoefer expressed his disappointment that the Meeting of Experts had been unable to address the mandate unanimously given to it by the Governing Body, namely violence and stress at work in services sectors. He noted that meetings of experts were not normally politicized, as the experts were willing to work together in their personal capacity rather than acting as groups. The Meeting had initially agreed to delay discussion of stress until the Employers were willing to address it. The compromise proposed by the Government experts to discuss the issue of stress under the heading "workplace violence *and related problems*" was in the end rejected by the Employers after several days of debate which the Workers felt had been time wasted. The work of adopting a code of practice had therefore

¹⁰ MEVSW/2003/11 appended to GB.288/STM/7/1.

become an awkward compromise that was only achieved thanks to the good faith of the Government and Worker experts in agreeing to focus on workplace violence alone. The Workers' group was dissatisfied with the outcome, but it was an important achievement that a code of practice on workplace violence in services sectors had been adopted due to the spirit of dialogue and compromise towards the end of the Meeting. He endorsed the code of practice and felt that it was important that it be adopted and published as soon as possible. He also requested a clear commitment from the ILO to undertake further work on the general issue of workplace stress, especially in services sectors.

73. Mr. Jeetun said that the Employers' group welcomed the fact that the experts had been able to discuss, revise and adopt the code in a good spirit, and that they were very satisfied with the end result. He referred to the paragraph in the report requesting the Office to undertake further research on workplace stress. His group was of the view that the code could be applied to other sectors and not only to services sectors, and they were happy to endorse its publication.
74. The representative of the Government of the United States endorsed the code of practice, but noted that the Government and Worker experts were dissatisfied that half of their mandate from the Governing Body remained unfulfilled, as they had not addressed the issue of stress in the final text. The IMEC countries expressed deep concern that the appendices to the original draft code had been dropped, and believed that they should be reinstated in order to promote the exchange and gathering of information on violence and stress in services sectors, and in particular the bibliographical references contained in Appendices A and B. These were important for countries, particularly developing countries. In view of the problems encountered with the Meeting, he requested a full post mortem of the Meeting for the March 2004 session of the Governing Body in terms of the lessons to be learned.
75. The representative of the Government of Germany observed that a political decision by 12 of the experts to effectively remove the issue of stress from the discussion was highly regrettable. Important and useful documentation would be omitted from the code by removing its appendices, and he regretted the removal of the word "stress" from the entire document. He welcomed the support from the Workers' group for further research on workplace stress, and considered it essential to continue hoping that there would be a useful ILO document on workplace stress in due time. For the March 2004 session of the STM Committee, he requested a full legal explanation of how meetings of experts were to function in the future, as well as confirmation of the orientation of ILO work on the issue of stress in the coming years.
76. The Chairperson took note of the comments of the various speakers, and undertook to incorporate those views into the point for decision.
77. *The Committee on Sectoral and Technical Meetings and Related Issues recommends that the Governing Body:*
- (a) *take note of the report of the Meeting of Experts and authorize the Director-General to publish the code of practice on workplace violence in services sector and measures to combat this phenomenon;*
 - (b) *invites the Director-General to continue research on the issue of workplace stress in the sectors.*

VIII. Other questions

78. Mr. Jeetun raised the Employers' group's concern regarding the guidelines that had been adopted by the Interregional Tripartite Meeting of Experts on Safety and Health in Ship-breaking, held in Bangkok from 7 to 14 October 2003. As the Meeting was only an interregional Meeting, he felt that it did not have the mandate to come forward with ILO guidelines for the whole world. The Employers were thus proposing that these guidelines not be considered as global ILO guidelines but only as relevant to the regions involved in the Meeting of Experts, and sought clarification from the Office on this point.
79. Ms. Paxton replied that the Meeting of Experts was a culmination of a number of activities with respect to ship-breaking that were reported to the March 2002 Governing Body (GB.283/STM/3). The decision to hold an interregional meeting with the mandate to review, revise and adopt the ship-breaking guidelines was approved by the Officers of the Governing Body in accordance with standard procedures. The Meeting of Experts itself was the result of extensive collaboration between SECTOR, SafeWork, and the ILO Regional Office for Asia and the Pacific in Bangkok. The Asian countries that had participated in the Meeting accounted for 92 per cent of the world's ship-breaking activity. Ms. Paxton also noted that the guidelines were a complement to the guidelines that had been developed by the IMO and the Conference of the Parties to the Basel Convention. Ms. Paxton appreciated that the Employers were not disagreeing with the substantive work which was the outcome of the Meeting but rather had concerns about the procedure. The point was well taken and greater regard would be given to the procedural issue in the future. The report of the Meeting of Experts and guidelines were to be submitted to the March 2004 session of the Governing Body.
80. A further point was raised by Mr. Jeetun concerning the management and administration of sectoral meetings. As had been previously raised, the Employers were of the view that sectoral meetings should be managed by RELCONF which had a broader view of all meetings being held in the Office. There was a sound rationale to better coordinate and use meeting expertise in the house itself; that different people with different competencies should be grouped together. He suggested that this synergy under RELCONF should be considered by SECTOR.
81. Ms. Paxton replied that 23 meetings had been held just in this biennium alone, and the Department had developed considerable expertise. Nevertheless, a study had been commissioned internally to review the meeting services in which SECTOR was participating, in order to make decisions on the best way to provide these services.
82. The representative of the Government of the United States asked the Office to pay closer attention when scheduling future sectoral meetings during other major events taking place in Geneva, as this added to prohibitive accommodation costs.

83. Ms. Paxton replied that the situation referred to had been looked into. In the particular case of the Meeting of Experts on Violence and Stress which had been held in October, there was a series of events that had contributed to the scheduling conflict; these were unlikely to happen again, but steps had been taken to prevent another such occurrence.

Geneva, 14 November 2003.

Points for decision: Paragraph 19;
Paragraph 27;
Paragraph 37;
Paragraph 41;
Paragraph 48;
Paragraph 63;
Paragraph 69;
Paragraph 77.