



THIRD ITEM ON THE AGENDA

**Effect to be given to the recommendations
of sectoral and technical meetings****(c) Meeting of Experts on Updating the
List of Occupational Diseases
(Geneva, 13-20 December 2005)**

1. In accordance with the decision taken by the Governing Body at its 291st Session (November 2004),¹ the Meeting of Experts on Updating the List of Occupational Diseases was held at ILO in Geneva from 13-20 December 2005. Thirty experts participated in the Meeting.
2. The agenda of the Meeting, as determined by the Governing Body, was as follows:

Examination and adoption of an updated list of occupational diseases which will replace the list of occupational diseases included in the Annex to the List of Occupational Diseases Recommendation, 2002 (No. 194).²
3. The Meeting examined a proposed list prepared by the Office and proposed changes to the list. A report of the Meeting was adopted unanimously by the experts and will be available at the Committee sessions.³ The report of the Meeting includes two proposed lists of occupational diseases, which reflect the positions of the Government and Worker experts, on one hand, and the Employer experts, on the other.
4. The list proposed by the Employer experts includes, as an introduction, a set of general criteria for identifying occupational diseases. This introduction is intended to be applied to all the individual disease items and to replace the open-ended items which allow the recognition of the occupational origin of diseases not specified in the list if a link is established between exposure to risk factors arising from work activities and the disorders contracted by the worker.

¹ GB.291/8(Add.).

² GB.293/10, para. 24.

³ MEULOD/2005/10.

5. The Worker and the Government experts supported keeping the open-ended items, as slightly modified by the Office, and considered that the changes proposed by the Employer experts, as above, went beyond the mandate determined by the Governing Body for this Meeting. The Government experts believed that it was for individual member States, not the ILO, to adhere to the first three criteria of the introduction proposed by the Employer experts, especially for the purposes of compensation.
6. The Meeting sought legal advice from the Office concerning the mandate of the Meeting as determined by the Governing Body. The legal advice given confirmed that its mandate was as stated in paragraph 2, which refers to an updated list of occupational diseases. According to this advice, an amendment which addressed the criteria for identifying such diseases would go beyond the mandate given to the Meeting. The Employer experts disagreed with the legal advice, as they believed that the mandate of the Meeting, which was to update and replace the current list, should be understood as broad enough to allow for their changes.
7. The Office has no formal rules for the proceedings of meetings of experts. This Meeting of Experts maintained the tradition of attempting to reach decisions by consensus; this was not possible in relation to the adoption of a single updated list of occupational diseases.
8. *The Governing Body is invited to:*
 - (a) *take note of the report of the Meeting of Experts on Updating the List of Occupational Diseases;*
 - (b) *authorize the Director-General to communicate the report of the Meeting to governments and, through them, to employers' and workers' organizations, to the international employers' and workers' organizations and other international organizations concerned and to other institutions and services as appropriate;*
 - (c) *consider the convening of another meeting of experts to proceed with the examination and adoption of an updated list of occupational diseases which would replace the list of occupational diseases included in the Annex to the List of Occupational Diseases Recommendation, 2002 (No. 194), taking into account the report of the Meeting already held; and*
 - (d) *refer the issue of the possible desirability of adoption of rules to govern meetings of experts to the competent committee of the Governing Body.*

Geneva, 1 February 2006.

Point for decision: Paragraph 8.