

**Sixth sitting**

Wednesday, 8 June 2005, 10.15 a.m.

*Presidents: Mr. Alsalim, Mr. Chiriboga***GLOBAL REPORT UNDER THE FOLLOW-UP TO THE ILO
DECLARATION ON FUNDAMENTAL PRINCIPLES AND
RIGHTS AT WORK: INTERACTIVE SITTING***Original Arabic: The PRESIDENT*

I am pleased to open the sixth sitting of the International Labour Conference, which is dedicated to the discussion on the Global Report submitted under the follow-up to the ILO Declaration on Fundamental Principles and Rights at Work, entitled *A global alliance against forced labour*.

The elimination of forced labour is an area where the Special Action Programme to Combat Forced Labour under the Declaration follow-up, in cooperation with other units of the ILO, has moved things forward.

The purpose of Global Reports is to provide a dynamic global picture. This should enable us to evaluate the effectiveness of the action undertaken by the Organization. This is the second Global Report on this subject, which in particular enables an assessment to be made of the of action plan to date and the technical cooperation activities carried out in this area. Our discussion should help to determine priorities for the future, in the form of an action plan for technical cooperation, to be submitted to the Governing Body in November 2005.

In this respect, I would like to recall that the Report ends with a call for a global alliance to end forced labour. Therefore, it would be helpful to hear from you what can be done concretely to bring this about. At the same time, this is not the place to have a discussion on issues that are dealt with elsewhere in this Conference and, in particular, the Committee on the Application of Standards.

The discussion is now open.

Mr. TABANI (Employer, Pakistan, speaking on behalf of the Employers' group)

Let me start by complimenting the Director-General and the Office for a document that truly depicts what has occurred since the first Global Report on forced labour in 2001. There is indeed now a global alliance working collectively against forced labour. As the document unfolds, we see that the work of the Office has been supplemented by the regional as well as country offices to make the Report more meaningful.

As we all know, the Employers' group, both in the Governing Body as well as during the session of the Conference in 1998, joined with the tripartite partners to successfully draft the Declaration on

Fundamental Principles and Rights at Work for its adoption in the same year.

I will begin my statement by reiterating the principle which Employers uphold and as it appeared in paragraph 335 of the first Report: "There is no excuse for forced labour in the twenty-first century. The ILO Declaration has provided the opportunity to remind us that forced labour is unfortunately still very much with us, albeit in pockets, around the globe. It has created a renewed chance for governments to recognize this existence, for the ILO to encourage their efforts to eliminate it, and for the social partners to continue to pursue this cause for human freedom." We would therefore like to start by addressing specific areas of the Report that are of great interest to Employers. Before we address our specific comments in relation to this year's Global Report, let me begin by highlighting what we consider to be key features of the Declaration.

The Declaration is a solemn promise by all ILO member States to respect, promote and to realize the principles concerning the fundamental rights that are the subject of eight fundamental core ILO Conventions. The Declaration is, however, very different, both in procedure and substance, from Conventions. Whereas Conventions require adherence to the specific legal detail, the Declaration and its follow-up process focus on the actions taken by governments to give effect to the principles. In the light of this important difference, it would be wrong to equate the principle of forced labour in the Declaration with the Conventions on which the principle is based. It is clear that a country that has ratified these Conventions must comply with their terms, but the same cannot be expected of those who have not ratified them.

We would therefore ask that this distinction be clearly borne in mind in the context of the definition of forced labour provided in the Report. Paragraph 14 of the Report states that "the ILO definition of forced labour comprises two basic elements: the work or service is exacted under the menace of a penalty and it is undertaken involuntarily. The penalty does not need to be in the form of penal sanctions, but may also take the form of the loss of rights and privileges. Moreover, the menace of a penalty can take multiple different forms". This definition requires that both conditions have to be met for an activity to become forced labour.

We think that we have to be careful in setting the boundaries of the forced labour definition. It is important to ensure that other subtler forms of men-

aces and penalties are not included in the scope of forced labour. For example, paragraph 31 states that, within the spectrum of forced labour, it can be difficult to draw the dividing line between forced labour and poor labour conditions. Employers disagree with this statement. We believe that forced labour is a completely different issue from that of poor working conditions. Box 1.1 provides some specific examples of the different conditions making up the two basic elements of forced labour. We would like to take this opportunity to strongly urge the ILO supervisory bodies not to blur this definition. The concept of forced labour must not be diluted by references which undermine the seriousness of the principle itself.

Within the context of the problem of defining forced labour, the Report also makes reference to the low wages that are paid to indigenous workers. It goes so far as to state that their wage is sometimes \$1 or \$2 per day. This also distorts the concept of forced labour. Although poor working conditions and workers' low wages are important issues to address, it should not be done in the context of forced labour or in the context of the Declaration.

Let me now turn to the minimal global estimates of forced labour provided in the Report. It states that "at least 12.3 million people are victims of forced labour worldwide". These numbers are an estimate made by the Office using unique methodology, the reliability of which is questioned in the Report itself. Since having reliable information is an important basis from which to start a discussion, we would appreciate knowing the steps taken over the past four years to address the need to obtain reliable statistics. Paragraph 48 also states that these estimates are merely part of an ongoing process. As social partners involved and committed to the eradication of the problem of forced labour, Employers would request more details about the process of gathering this information.

While on the subject of statistics, we notice that 40-50 per cent of the global estimate of 12.3 million people trapped in forced labour are children. The Office might like to clarify whether this number is not duplicated in ILO estimates for child labour working under hazardous conditions.

Aside from the authenticity of numbers, we must echo the words of my colleague Ed Potter in 2001 and admit that the Global Report then and the Global Report today, "addressing the elimination of all forms of forced labour, looks at all ILO member States under the same lens regardless of the ratification of the relevant Conventions".

Another important concern for Employers is the link that is clearly made (not only in the press release but also throughout the Report) between globalization and forced labour. It is not correct to blame globalization for forced labour. It is true that, in this changing world, labour trends are also changing; but the problem of forced labour existed in the past in forms that were as dark and as destructive as those that exist today. We regret the press release by the Office, the main point of which was to highlight the case made by the Report that forced labour is essentially increasing due to globalization. We feel that any emphasis on the link between globalization and forced labour does the Report a disservice.

We also draw your attention to the emphasis that the Report places on certain aspects of forced labour, such as trafficking. The Report estimates that

the number of victims of trafficking at any given time is 2,450,000 which represents about 20 per cent of all forced labour. Given this information, the Report should not have placed as much emphasis on the problem of trafficking as it does. We can assume that this was done because trafficking is currently attracting the most attention and very substantial resources are devoted to its elimination, as we can see in part II entitled "A dynamic global picture". More realistically, it is likely that trafficking is highlighted owing to its close connection to movements between borders. We would have liked to see a more balanced review of all forms of forced labour. That is not to say that Employers do not recognize the seriousness of trafficking. We fully support the Report's statements that action against trafficking requires an integrated approach, with a sound legal framework for effective penal action, as well as rigorous law enforcement with prevention and rehabilitation measures.

An area that is discussed in the Report and on which greater emphasis should have been placed, is that of forced labour by the State. You have just said that you do not want to discuss issues that have come up in the Committee on the Application of Standards and therefore we will not go into much detail.

The situation of Myanmar is discussed in paragraphs 103-109 of the Report. It is an example of the horrors of forced labour imposed by the State. It is most unfortunate that the Government of Myanmar has not created conditions conducive to the implementation of the Joint Plan of Action. The latest situation was discussed in the Committee on the Application of Standards again this year, last Saturday in fact, and we are pleased with the close attention that is being paid to this case by the ILO's supervisory system.

Furthermore, we support the positive acknowledgement of the value of rehabilitation for prison labour, appearing in paragraphs 118-131.

Now, I wish to review more generally the progress made in the past four years.

The Report describes many important and effective initiatives that have been undertaken towards the eradication of various forms of forced labour. Let me take this opportunity, on behalf of the Employers, to thank the Governments of the United Kingdom, Netherlands, Ireland, the United States and Germany for their generous support for the Special Action Programme to Combat Forced Labour (SAP-FL) that has been operational since 2002.

We agree with the main components of an integrated approach to combating forced labour which are currently being developed and implemented by the SAP-FL and other ILO units, as discussed in paragraphs 313-369. In order to widen the debate, we are interested in obtaining information about SAP-FL programmes. Four years ago, we encouraged governments to step forward and ask for technical assistance. Today, we look forward to having an interactive discussion about the successes and challenges of the past four years, from which we can learn to improve performance over the next four years.

The Employers' group was, however, hoping to use this second Global Report on forced labour as an opportunity to clarify developments since 2001 and to apply the lessons learned in the past four-year cycle to the next four-year cycle. In November

2001, the Committee on Technical Cooperation of the Governing Body, stated (and I quote) "when the Conference discusses the second Global Report on forced labour, it will have an opportunity for a comprehensive assessment of the effectiveness of the assistance by the ILO in this field". This notion was repeated in *Provisional Record* No. 7 of this session of the Conference. The Report clearly describes the abundance of programmes over the past four years, but there is little information about the ILO's strategy or the impact of the initiatives. We have a piecemeal understanding, but no overall picture of the Office's follow-through on the action plan. In the future, we would appreciate the provision of more targeted information on the ILO's overall strategy, implementation and assessment of its forced labour programmes. This could be done annually or biannually through the Governing Body's Committee on Technical Cooperation, or even in a specific section in the next Global Report on forced labour.

This, of course, leads me to the discussion of the next four years. We would like to highlight and comment on three specific proposals made in the Report.

First, we would, in principle, agree with the proposal for a high-level international meeting to launch a concerted initiative against forced labour in 2006. As has been stated in the Report, such a meeting, bringing together ILO's tripartite constituents and other major international actors and agencies, could help to play an important role in combating forced labour. There is no doubt that eradicating forced labour requires a strong commitment and we would like to see the ILO maintain its status as the lead organization in this regard. We are sure that detailed information about the purpose of such a meeting, and the expected outcomes, will be provided to the Governing Body for its approval and for budgetary allocation at an early stage.

Secondly, we also agree with the important role to be played by the social partners, as suggested in the Report. Although the vast majority of forced labour is not to be found in the formal sector, we agree that employer organizations are part and parcel of the efforts being made by national governments for its eradication. However, to be effective, it will be necessary to build and enhance the capacity of employers' organizations in order for them to play a meaningful role.

The third specific suggestion to which we wish to draw your attention, is the goal of eliminating all forms of forced labour globally by 2015. Although a commendable goal, this is a huge commitment. We would have appreciated more information about the specific role that the ILO will play in contributing to achieving the target of the eradication of forced labour by 2015.

However, to speed up our efforts, or rather to speed up the ILO's efforts, establishment of national task forces to formulate national action plans and policies is also essential. They should work on the pattern of similar national task forces set up for child labour eradication.

The Employers' group would have liked to have a more specific framework on which to base an action plan over the next four years. We hope that this will be provided in the Committee on Technical Cooperation meeting to be held in November 2005.

Let me conclude by thanking the Office and the Director-General for all their efforts detailed in this

Report and for this opportunity to express our views. We are grateful to the ILO for their efforts in maintaining the profile of this important principle throughout the Report. We support the advice to governments in the Report not to deny or hide forced labour because, by doing so, they are damaging their own credibility and we look forward to the dialogue ahead. We hope that governments will use this unique opportunity to showcase the specific steps they have also taken to give effect to the principle of forced labour over the past four years.

Let me once again reiterate our resolve and commitment and add our voice to the message of the global alliance against the eradication of forced labour.

Mr. TROTMAN (*Worker, Barbados; speaking on behalf of the Workers' group*)

I hope, with your permission, that I may be allowed to speak both for the workers of Barbados and for all workers throughout the world.

May I, before addressing the subject itself, compliment Mr. Tabani on a very well-structured presentation and on having taken over from Mr. Potter. This is not to say that I do not miss Mr. Potter, but I wish to know that we value your contribution and we will tell him that you represented the interests of your side very well, although we do not agree with everything that you said.

As to the subject itself, I think here that the entire Workers' group would wish to thank the ILO for the excellent paper it has presented: *A global alliance against forced labour*. We should like to thank the United Nations General Assembly and the sub-committee which addresses this subject and which has given us plenty of material with which to deal; we should also like to thank the NGOs, the non-governmental organizations, which in fact have spent considerable amounts of time and energy working very hard in this area with what we think have been very good results.

Having made that observation, I would like to say that we ourselves thought that we might have gone the route of a technical response by sections to the Report. Indeed, some of my colleagues may take that up, but we did not want to do that in this particular presentation because I promised that I would be brief so that we could have as many contributions as possible from the house. But I should like to have some of that time back at the end, so that I might reflect on what Governments and Employers and my own colleagues have said.

I wish to state that we, on our side, believe that a crime, a major crime, is on our doorsteps in the ILO, on our doorsteps in our countries. And one major question for all of us, whether it is here or in our countries, is whether we are willing to admit that crime is being committed or whether we wish to turn a blind eye, or bury our heads in the sand and pretend that the crime does not exist. And I am prepared to argue, although I may not have all of the evidence, that there is not a single country anywhere where that crime is not in existence. And we, therefore, are going to dispense with the technical approach which Mr. Tabani has used and get down to what we consider to be the heart-rending part of this Report, with a view to seeing the extent to which, by a collective effort today, and in the future, we may be able to do something substantial to eradicate the scourge of forced labour.

We consider that the figure of 12.3 million is a “guesstimate” – one may even claim that it is a wild guess. However, we have no other option because those people who are involved in the most insidious forms of forced labour are hardly going to come forward and tell anybody. So we have to be able to make some kind of estimate regarding those areas which are more traditional and then, based on the trends that we see – perhaps the number of corners we see being occupied at certain times of the day – hazard a guess on the numbers involved. But nobody can really be too sure, except that 12.3 million is a very conservative estimate. We consider that the true figure might be many times higher.

The thing that bothers us on the labour side is that the figures, in some areas, are growing; whereas it may be argued that because poverty is being addressed in some areas, traditional forms of forced labour might be reduced, there are some forms which are being created and developed for other purposes. Indeed, we believe figures are not falling but rising in some areas. I shall come back to this subject in a moment.

Another matter which causes us some degree of concern and which we wish to put on the table early on is that the penalties for breaking the law regarding forced labour are either non-existent or, where they do exist, are by no means an effective deterrent. I think that we should confront this issue meaningfully throughout the discussion, whether we are on the side of the Governments, the Employers or the Workers. Forced labour is very old, in fact, it is as old as time itself. Some societies have sought to emerge from this miserable condition – usually those which have identified the root cause of forced labour as being poverty, in which case we believe that we may overcome poverty. In fact, we are all working towards poverty eradication and I do not want to digress to say what we could do to help eradicate it.

Part of the problem is caused by inequality – inequality that we have created on the grounds of caste, colour or creed. Inequality varies from country to country; but we believe we can overcome it, whether it springs from discrimination, either religious or otherwise. We have passed laws to remove to remove discrimination, as we have done with apartheid to give a recent example. But where the root cause lies in greed, bestiality, the desire to intimidate, or violence – then this modern social disease is very much more difficult to come to grips with. And it has to be the function of this bastion of hope, this ILO, to find ways and means through which to put forward programmes that will encourage the rest of the world to denounce greed, bestiality, intimidation and violence where they underpin the scourge of forced labour.

A great French philosopher said some time ago that man was born free – the philosopher meant both men and women – he said man was born free, yet everywhere he was in chains. And we think that the chains that bind the physical forced labourer to his job and to that forced position are imposed by greed, bestiality and violence; we must therefore review the way in which we can approach those psychological and mental failings inherent in human societies; disrespect and disharmony that are causing problems all over this world. The planners of society are aware of these malpractices and fail to do anything to amend them.

We have said that there are problems which relate to bestiality; and how else can you explain the use of children in pornography? All of us, even if we are not parents, are likely to be godparents in one form or another, or should be mature enough to realize the value of young children. Yet we know there are very many examples of little children who are taken out of the community against their will for child pornography and for child prostitution. And there are adults who, if they want to enter into prostitution must have the right to choose, but who are forced into prostitution against their will. Their passports are taken from them, they are not allowed to communicate and they are constantly supervised by “pimps”. I know that this is not parliamentary language but the word is in the dictionary – these pimps who cause people to lose their identity and their freedom; we know it exists. I am sure nobody in this room is concerned, but we know many people who support that kind of, I call it, deviant behaviour for transient gratification, which we can very well remove as a scourge. The economists may tell us something different because they think it has been a valuable economic commodity from the beginnings of time. We think otherwise.

Since I promised to be brief, let me quickly say that we are of the view that bonded labour perpetuates slavery because the bonded person, at the end of the original bonded period, very often owes more to the employer than he owed at the beginning of the bonding period. The employer is frequently so greedy that by the time the workers is paid the notional wage, he or she has to pay living expenses which are higher than the nominal wage.

We further wish to suggest that countries ought not to address forced labour purely because they have or have not ratified the Convention. The whole of the civilized world should be able to address bonded labour, forced labour, as a scourge to be removed, regardless of whether the appropriate Conventions has been ratified.

I think there is important work to be done. First of all, let us admit – admit that there is forced labour and that forced labour can be eradicated; admit that it happens here in our country and, where it is not yet happening, that it can happen. We should then start doing something about it.

Let us raise – raise the national and global awareness of the reality of forced labour.

Let us campaign for laws to eradicate trafficking, not only against the sender but to eradicate trafficking and bring laws against the receiver as well. It is not enough simply to punish the person who steals the goods; we have to deal with the person who received the stolen goods as well.

Let us declare – declare that abductions of women and children are serious human rights violations and treat them as such and not merely address them because we have or have not ratified the Convention. Let us see them as clear human rights violations. Protection against forced labour should be the intrinsic right of every person around the world, not a right only because a country has ratified the relevant Convention.

Let us increase – increase labour inspection, especially where migrants are likely to be engaged under exploitative terms. Let us develop time-bound programmes where there are areas of traditional forced labour. We believe that it is not good enough merely to say that there are areas of forced labour;

there must be time limits by which an end must be put to forced labour.

Let us legislate – legislate immediate legal deterrents, that is to say, pass laws which are meaningful. If you, in your own country, put a penalty which is laughable, then the criminal will laugh at it and will pay the fine and start all over again to commit the crime.

Let us establish helpdesks for those people who have been held captive and whom we might be able to help escape. There must be a helpdesk to which people can go to get guidance and support and to find a way to free themselves from the scourge.

Let us – that is to say governments, and employers and workers – develop national centres with NGOs; develop groups of observers who are able to reflect on what is happening within their communities and where the government and the social partners can be of practical assistance.

And, finally, let us rehabilitate. Where trafficking and abuse have scarred victims, where violence and bestiality have taken the souls of people, let us set up programmes to bring those people back into the mainstream of society through rehabilitation centres and programmes which may be of help.

My colleagues will be addressing the subject of these and other programmes later.

Original Arabic: Mr. AL ALAWI (Minister of Labour, Bahrain; speaking on behalf of the Gulf Cooperation Council States)

I am delighted to be able to address you today on behalf of the Council of Ministers for Labour and Social Affairs of the Gulf Cooperation Council States, which includes the United Arab Emirates, Bahrain, Saudi Arabia, Oman, Qatar, Kuwait and Yemen.

I would like to express our appreciation and thanks for the efforts of the Director-General of the ILO in drafting the second Global Report on forced labour entitled: *A global alliance against forced labour*.

This Report contains an objective scientific analysis of the efforts made by all societies, endeavouring to promote the principles of social justice, within the framework of the standards of the International Labour Organization, in order to tackle the deplorable problem of forced labour which has disfigured humanity in the last few decades, with all the attendant consequences such as very poor lifestyles and working conditions.

We support our Organization in mobilizing world public opinion in order to establish fair globalization where priority is given to mankind, to ensuring that all international labour standards are respected and to dealing seriously with forced labour in order to put an end to human trafficking in all its forms. We really need to deal with this issue now so that we may define the true scope of the problem.

“Forced labour” is still an ambiguous term. We need to work in a way that will enable us to adopt legislation that will, once and for all, put an end to this form of labour in all its forms. We reiterate what is said in the Report, that this is an extremely important human matter. We therefore need to step up our struggle against forced labour, which is despicable, and introduce definitive bans in national constitutions, in all criminal codes and in all contracts of employment.

In our countries, we are moving towards modernization on a contemporary world basis. We respect the will of individuals and their ability to freely ex-

ercise their rights, to live in dignity and to work in all fields. This is why we need to strengthen legislation to reflect this vision, respecting and promoting these rights and calling on all human, institutional and social actors to actively participate in the decision-making process.

On the basis of these principles, our States have moved towards the ratification of a large number of international Conventions, especially the fundamental Conventions laying down basic labour rights. As far as the ban on forced labour is concerned, our countries have ratified the Forced Labour Convention, 1930 (No. 29). Most countries have also ratified the Abolition of Forced Labour Convention, 1957 (No. 105). Moreover, our laws and, above all, our most recent legislation, as well as amendments to existing laws comply with international labour standards. These international laws promote workers’ rights and their freedom to choose their rest periods and leave. They permit overtime only within the limits laid down in this legislation and in keeping with the terms thereof. The States of the Gulf Cooperation Council have also tried to put an end to all violations of workers’ rights and make it possible to secure fair pay.

While our labour legislation and our regulations organize labour relations and guarantee workers’ rights so as to prevent a worker from being confronted with forced labour, our countries are also taking a number of steps which are not limited to the public sector, but which include people power. Civil society organizations, human rights organizations and all workers’ organizations play a very important role. Some member States of the Gulf Cooperation Council have recently set up administrative units responsible for the protection of immigrant workers. The Kingdom of Bahrain has established a civil association for defending the rights of foreign workers in particular.

The Gulf States attach great importance to the action plan proposed in the Global Report for the eradication of forced labour which has its roots in inequality, discrimination and poverty. We agree with the Director-General on the importance of a global alliance against forced labour through the creation of global and local partnerships in which workers’ and employers’ organizations would join together and work with civil society.

We confirm the need to support all national action and to promote all the forms of technical cooperation offered by our Organization.

Mr. EIDE (State Secretary, Ministry of Labour and Social Affairs, Norway)

Traditional forms of forced labour such as bonded labour in parts of South Asia, the debt bondage affecting mainly indigenous peoples in parts of Latin America, the residual slavery-related practices in West Africa and labour extracted by the State for economic or political purposes, are still prevalent.

As the Global Report rightly points out, however, these are increasingly supplemented and aggravated by newer phenomena such as recent developments in technology, transportation and organized crime, which play an increasingly important role in the trafficking of human beings. To me, the challenge is clear: Through trafficking, we are facing the globalization of slavery.

Since the ILO Declaration on Fundamental Principles and Rights at Work was adopted in 1998, we have seen encouraging developments in a number

of member States. Action plans against forced labour, new laws and policies and ratification of the two ILO Conventions on the subject are significant developments in the right direction.

However, in spite of positive indications, the Report before us shows a rather depressing global picture. The ILO estimate of at least 12.3 million victims of forced labour worldwide clearly demonstrates the need for action, at national, regional and global levels. Since almost 80 per cent of the victims are exploited by private agents, the adoption and strict enforcement of laws against forced labour and trafficking is essential at the national level.

Forced labour and trafficking must be treated as serious crimes. Most countries have laws against forced labour but offences are hardly ever prosecuted. One difficulty, which we have also seen in my country, is that the victims, for example, of trafficking for prostitution, are reluctant to come forward to provide testimony, due to fear of violent reprisals from their exploiters or action against them from immigration authorities. Good mechanisms for identification, release and rehabilitation of forced labour victims is therefore an essential element of effective law enforcement.

Forced labour and trafficking in human beings is a complicated and multi-faceted problem that requires a coordinated and interdisciplinary, international response. Poverty, inequality, discrimination, illegal migration, lack of rule of law and judicial cooperation, insufficient border control, organized crime and corruption feed into the problem. Our response must involve the three Ps: Prevention, Protection of victims and Prosecution of perpetrators.

My Government has a clear and firm political will to combat this unacceptable violation of human rights and human dignity. We launched, in 2003, a national action plan to combat the trafficking of women and children. This plan incorporates a broad spectrum of measures, including preventive work, investigation, prosecution and help for the victims. A revised plan will be launched in a couple of weeks with a strengthened mandate and additional funding.

But our responsibility does not stop at our national borders. The problem is transnational and so must our response be. A joint effort by recipient countries, transit countries and countries of origin is absolutely essential to stop this development.

The Government of Norway, therefore, very much welcomes the Director-General's call for a global alliance against forced labour. Forced labour imposed directly by the State, as we have seen in the case of Burma, remains a serious problem. Because the nature of these cases varies from country to country, they have to be addressed individually.

In the case of Burma, Norway urges the Government to address immediately the serious issues referred to in the conclusions of the Committee on the Application of Standards last Saturday. We have carefully studied the proposed Action Plan against forced labour and we offer Norway's full support to it. Programmes for awareness raising, legislative reform and capacity building of law enforcement and labour market authorities are all very important elements of an action plan.

Above all, we must continue the global fight against poverty, because without a significant reduction of poverty we will never reach the objective of eradicating forced labour. Official Development Assistance(ODA) is crucial in this regard. I there-

fore urge all developed countries to make concrete plans to reach an ODA level of 0.7 per cent of GNI and to present their plans at the United Nations Summit for the five-year review of the Millennium Declaration in September.

Mr. PENDER (*Government, Ireland*)

Ireland is pleased to see from the Follow-up Report on Forced Labour that much has happened since 2001 and I want to congratulate the ILO for its work in this regard.

Back in 2001, when the idea first presented itself, the Irish Government was very enthusiastic about entering into a partnership programme with the ILO. Not only is partnership one of the core principles of Ireland's development philosophy and we very much empathize with the ILO's partnership model within its own programmes.

The success of our first programme, which ran from 2001 and finished in 2004, was followed by a second phase which became effective in November of last year. Funding of 5.7 million euros is being allocated to this programme over the next three years. As part of our partnership programme, we support the ILO's Special Action Programme to Combat Forced Labour. Ireland was involved in setting up the forced labour unit and worked closely with ILO officials in this regard. Preliminary results of the programme's training activities, indicate that they have empowered the ILO's constituents to play a more active role, especially in the prevention of human trafficking. Ireland will allocate 1 million euros to the Special Action Programme in the next three years.

We welcome the recently published Global Report which will generate additional media attention for the issue of forced labour. Media interest is critical in raising global awareness of the problem and in encouraging consideration of what needs to be done in the future.

In just over three years, the ILO's Special Action Programme has made a considerable impact worldwide, commanding global attention and galvanizing international action in response to this problem, which as the Reports highlight, is of growing concern on all continents.

The positive outcome of the work undertaken in the framework of the Special Action Programme has brought about a demand from stakeholders for the ILO to strengthen its activities. This success, in turn, has led to growing demands on resources, both within the ILO and by an ever-growing number of international partners. This demand is expected to grow further. As part of our current partnership programme, the Government will continue to support this very important programme and we urge other donors to do likewise.

We note from the follow-up Report that it has been proposed to hold a high-level conference here in Geneva next year to launch a concerted action against forced labour. As well as involving the ILO's tripartite constituents, the meeting will bring together other major national and international actors and agencies involved in combating forced labour. In particular, the role of international financial and development institutions concerned with poverty reduction will examine how a commitment to the eradication of forced labour can help meet the targets of poverty reduction. This meeting should form a central tenet of the proposed global alliance against forced labour referred to in the Report.

The Report identifies three main types of forced labour situations. In Ireland, we have a number of legislative proposals currently in the pipeline. A new Employment Permits Bill, which is at the final stage of preparation, will include additional protection provisions for migrant workers. Employers will be prohibited from deducting from the remuneration of migrant workers any costs associated with their recruitment, and from retaining personal documents belonging to such workers. The Bill will specify who will be eligible for a permit.

We are also carrying out a review of our Employment Agency Act in consultation with the Irish social partners. We hope to publish amending legislation by the end of the year. It is proposed to establish the recruitment of workers from unregistered employment agencies, both located in Ireland and from overseas, as an offence.

The Irish Ministry of Justice, Equality and Law Reform is also preparing legislation to criminalize trafficking in human beings for the purpose of sexual and labour exploitation, as is provided in the European Union Council Framework Decision on combating trafficking in human beings and the Protocol to Prevent, Suppress and Punish Trafficking in Persons.

In addition, the European Union has a role, we believe, in ensuring a more effective joint approach to cross-border problems, such as trafficking and smuggling of human beings. Ireland's policies in this field complement developments at both the EU and the broader international level.

Going forward, is what we are here about today. The ILO Report acknowledges that it is essential "to proceed with caution if all partners are to be kept on board and due regard is to be given to the victims of forced labour themselves". This will involve a number of players and actions.

National stakeholders must be actively engaged and informed at every stage of the design, implementation and monitoring of ILO technical assistance against forced labour. High-level political commitment and leadership are also required to provide an essential impetus for action against forced labour. Appropriate legislation and effective enforcement is also required to address the problem of forced labour and the related issue of trafficking. I have just mentioned our legislation proposals in Ireland in this regard. The social partners also have a key role to play by raising awareness of forced labour through their networks of membership-based organizations.

Finally, the Report identifies the pivotal role of the ILO's Governing Body in creating the Special Action Programme to Combat Forced Labour. We must now increase the focus on activities concerning forced labour within the Office and the Organization, thereby enabling the ILO to continue to have a decisive impact on this problem of a truly global dimension. As the Report indicates, the foundations on which to build are already in place. A lot has been done, but there is a lot more to do.

Ireland has just been appointed to the Governing Body and we want to play an important role on that Body to ensure that the ILO actions against forced labour, which have steadily gathered momentum over the past four years, will continue to do so into the future. As I said, earlier, this has been mirrored by increased global awareness of the problem and a greater willingness of member States to confront it.

As the Report concludes, and I will conclude with a quote from the Report – "a global alliance against forced labour must now be forged, backed by adequate resources and led by the ILO, to ensure that this gross violation of the rights of women, men, girls and boys across the world is finally relegated to history".

Original Arabic: Mr. EL AMAWY (Minister of Manpower and Migration, Egypt)

First of all, I would like to thank the Director-General for the efforts he has made to prepare the Report on this serious problem.

Forced labour is a very worrying phenomenon which affects a large number of developing and developed countries. The victims of this phenomenon, unfortunately, are mainly citizens of developing countries or members of ethnic minorities migrating to developed countries. Globalization, with all its social consequences, has played an important role in propagating this problem and stimulating the emergence of new forms of forced labour. We must therefore be resolute in dealing with this problem.

For this reason, Egypt has adopted legal sanctions against forced labour and has made an effort to eliminate this practice and apply its Constitution and laws which are in conformity with the provisions of the Forced Labour Convention, 1930 (No. 29), and the Abolition of Forced Labour Convention, 1957 (No. 105). These are fundamental forced labour Conventions ratified by Egypt in the 1950s. We have also created the National Council of Human Rights in order to show the political commitment of our country promoting human rights.

The Report mentions the various types of forced labour in every country and also mentions the efforts made by many parties to confront this problem.

I would like to make a number of observations. First, the phenomenon has to be abolished, even if strict measures are required in order for legislation to be applied, and that must go together with a global strategy to fight poverty in order to provide legal and economical protection for the most marginalized parts of society, especially women and children.

Secondly, migration of populations is today a natural phenomenon. However, it is unfortunate that many developed countries have become fertile ground for trafficking and exploitation of migrant workers. For that reason, developed countries must adopt serious and effective measures in order to establish equality amongst all workers, especially migrant workers. In this respect, the first step should be to ratify the Convention on migrant workers and their families. This Convention has unfortunately not been ratified by many countries to date.

The Report also mentions the Action Plan that has been proposed in order to combat forced labour, and we hope that this Action Plan will really be put into effect in a serious manner with full support from all member States.

I would like to stress a few points. First of all, the Action Plan must not only concentrate on theoretical research at national level. We have to emancipate the victims of forced labour, protect them and rehabilitate them so that they can integrate in a healthy manner into society.

Secondly, the Action Plan should not concentrate only on the fight against certain types of forced la-

bour. It should also include all forms of forced labour and adhere to a very precise timetable.

Thirdly, this Action Plan should concentrate on strengthening competencies and institutional capacities of governments, workers' and employers' organizations, in order to raise awareness of the seriousness of this problem through the media.

Fourthly, the programme must help countries to create new labour inspection in sectors vulnerable to forced labour practices mechanisms.

Fifthly, the programme should emphasize the importance of a high-level meeting to launch a joint initiative against forced labour, to be held in 2006. This must also take into account the role played by international financial and development institutions involved in this fight against poverty.

Highlighting the problem will in itself enable us to tackle it. This is a responsibility for the entire international community, and will require cooperation with the United Nations and all the other international organizations. The ILO will not be able to combat forced labour effectively on its own. It has to cooperate closely with other agencies.

The ILO must also follow up its assistance programmes, and must offer its expertise to other development agencies involved in combating forced labour. We are convinced that if we work together we will be able to deal with this problem in the near future.

Mr. BUWALDA (*Secretary of Labour, New Zealand*)

New Zealand's Associate Minister of Labour, the Honourable Ruth Dyson, offers her greetings and regrets that she could not remain to participate in this discussion. She is, however, keenly here in spirit as we engage with this important issue.

New Zealand applauds the ILO's work to present concrete and comprehensive information on the nature and scope of forced labour. The Global Report provides a stark reminder of the plight of those throughout the world caught up in this enslavement – some three times the population of my own country.

However, condemnation alone is of no solace to the victims of forced labour. We agree with the ILO that if we are to end this situation, committed global cooperation and action are required. The Report is a useful first step in that regard, by giving us the information we need to develop a plan of action to this end. In doing so, we need to ensure an approach which tackles all elements of this problem.

First, we need to address the root causes of forced labour, including social, political and economic factors. There are no excuses for this practice, but addressing issues such as poverty (particularly extreme poverty) the empowerment of women, decent work options and strengthening respect for fundamental human rights and freedom would go far in reducing supply and demand.

Second, we need to continue to improve our work in promoting and educating workers, employers and governments on their basic rights and obligations in the world of work. We must support local efforts to expose instances of forced labour to the hard light of national and international scrutiny, for it is a practice whose defence lies only in darkness.

Finally, we need to pursue and take appropriate action nationally, regionally and internationally against those who perpetuate this unacceptable practice. In many countries, a culture of impunity exists which allows forced labour to continue un-

abated. Governments must show the political will to give a firm and unequivocal response to demonstrate to victims that there is no place in any modern society for forced labour.

I will now briefly outline some of the efforts made by New Zealand at the national and international levels in support of the ILO's campaign against forced labour.

The Report notes that a good deal of trafficked forced labour can involve those within regular migration status working at the margins of the formal economy. These are the very people least likely to denounce forced labour practices for fear of economic loss or deportation.

Whilst we do not perceive a particular trafficking problem in New Zealand, we remain determined to identify and address any such activity. New Zealand has a policy of vigorously pursuing cases involving migrant "sweatshop" labour and has mounted significant prosecutions against the perpetrators of such practices. New Zealand policy is also to enforce all minimum employment rights, irrespective of migrant status, so that, even where employees have not been lawfully employed, they will receive their due.

Alongside ratification of the relevant international instruments, New Zealand is also taking positive steps at the national level. One initiative has been the development of a National Action Plan to combat smuggling and trafficking in persons. The scope of the action plan is intended to address the prevention of trafficking persons, the protection of victims, the prosecution of traffickers and the reintegration of victims. We would be happy to share our progress with the ILO as the action plan develops.

Trafficking is, of course, a global problem involving many actors and requiring global cooperation for resolution. To that end, my Government has been supporting the Governments of South-East Asia through our participation in UNICEF-led and other multilateral programmes addressing child protection issues, including trafficking and the labour and sexual exploitation of child workers.

We have also provided substantial funding to the United Nations Inter-Agency Project on Human Trafficking in the Greater Mekong Sub-region, facilitating collaboration between national and provincial authorities, capacity building and anti-trafficking projects in specific regions.

The Report also notes that the reality of the newer forms of forced labour may involve more subtle patterns of coercion used to push down wages and make people work in poor and unsafe working conditions.

In New Zealand, there have been instances where the lack of knowledge by recent immigrants of their minimum entitlements is taken advantage of by unscrupulous employers, who are often of the same nationality as their victims.

New Zealand has recognized this reality by forming a front-line Decent Work Taskforce to help ensure that all such workers receive their legal entitlements and have their immigration status clarified. The Taskforce comprises labour and safety and health inspectors and immigration officers, often with strong inter-agency connections with police, legal advisers and interpreters, whose input is often required to resolve these complex situations.

New Zealand has also taken steps to address the ILO's concern that the pressures of globalization may increase the risk of reduced minimum condi-

tions for workers. The Report notes that “the negotiators of multilateral or bilateral trade agreements can play an important role in promoting incentives towards a globalization free of forced labour” (this is in paragraph 298).

The New Zealand government’s policy *Framework for integrating Labour Standards and Trade Agreements* has the ILO’s Declaration on Fundamental Principles and Rights at Work at its core. In negotiating trade agreements, New Zealand aims to ensure that the outcomes are consistent with, and do not undermine, core labour standards and the promotion of decent work, and that all participants benefit from the opportunities created.

I conclude by noting that the ILO has set an ambitious target for the eradication of forced labour by 2015. We are certain that the 12.3 million who live daily with this burden would say it is not soon enough.

We must also understand that this is not merely an issue for the ILO. Forced labour is an issue for all of us – governments, employers and workers. If we are to hold true to the ideals of this Organization, we must commit to working together to ensure the victims of this practice gain hope that there will be positive action taken to ensure the eradication of forced labour in our, and their, lifetime.

Ms. GOLDBERG (*Employer, United States*)

On behalf of the United States Employers’ delegation, I am pleased to offer the following comments on the 2005 Global Report, which is on forced labour.

Under the ILO Declaration, all member States are obliged to realize the elimination of all forms of forced or compulsory labour. This Report makes very clear the extent to which governments have not met this obligation and the tragic consequences to the victims, their families and their communities.

Since forced labour results from efforts by some to profit, unfairly and illegally, from the work of others, employers and employers’ organizations have a clear role to play in combating such abuses.

For one thing, responsible companies and employers’ associations must remain vigilant against the use of forced labour in commodity inputs in their production processes. But, perhaps most importantly, employers need to actively participate in national programmes to help develop economic and employment opportunities as an alternative to the desperate actions taken by the disenfranchised and the unemployed, that put them at risk of falling into the hands of traffickers and thus at risk of entering the world of forced labour.

I would like to turn my attention now for the rest of my remarks to the issue of the connection between forced labour and globalization. As has been noted several times here this morning, the sad truth is that forced labour in all its many forms – prison labour, state-sponsored forced labour, bonded labour, human trafficking and outright slavery – has existed for centuries and will likely persist at some level for the foreseeable future.

Even the international aspects of forced labour are not new. There were press gangs and a thriving slave trade before there was modern transport. To the contrary, international integration and technological advances of the past decade have dramatically increased awareness of forced labour and global understanding of the scope of the problem. The problem itself is neither new nor caused by

globalization, but can we imagine that without globalization we would be sitting here today? Indeed, the process of globalization is constantly expanding and focusing the searchlight of public attention to those parts of the world in which these problems are most real making it ever more difficult for those regimes that practise or condone forced labour to hide their activities. The world is shrinking and time is on the side of those fighting forced labour.

Another key aspect of globalization is that, its benefits flow most readily to areas governed by the rule of law: well-regulated and governed countries grow more quickly and integrate with each other more readily than economies with weak or corrupt governance systems.

This fact is revealed by the inverse correlation between those countries that are most open and globalized and those where forced labour is most common.

We need to be clear that forced labour is a crime and needs to be treated as such. Establishing laws and regulations are merely the first and, in most cases, the easiest step. Criminals will constantly try to circumvent the law.

Aside from a few notorious exceptions, most countries have national laws in place to prohibit forced labour and slavery, but simply having laws in place is not enough. The key is implementing and enforcing those laws at all levels, particularly at the local and national levels where abuses abound.

As is the case with all labour laws, effective implementation and enforcement of laws against forced labour require an underlying national legal framework based on democracy, the rule of law, viable and independent courts, freedom from corruption and civil liberty. These attributes are global prerequisites to good governance and effective implementation of all laws, including those on forced labour.

In conclusion, the United States Employers’ delegation takes the issue of forced labour extremely seriously and we join those in calling on the ILO member governments to meet their obligations to realize the elimination of all forms of forced or compulsory labour, but the long history of forced labour reveals the fallacy of pointing to the ongoing global integration as the source of forced labour. Indeed, it shows that forced labour is not a function of globalization but rather a lack of the rule of law and globalization is a force to be harnessed in our efforts to fight.

The means to combat forced labour are not difficult to identify but they can be difficult to carry out, as we have heard. They entail establishing a strong framework of national governance based on the rule of law and the effective implementation and enforcement of national laws.

The simple lesson from the many programmes to combat forced labour is that law cannot exist on paper alone or be applied unevenly across a country. The law must be real, apply to all citizens equally, and reach down to the local level if our efforts are to have an impact.

Mr. HAYAT (*Secretary, Ministry of Labour and Manpower, Pakistan*)

The Global Report, *A global alliance against forced labour*, presents the issue in a global context and also assesses ILO technical assistance programmes to eradicate forced labour. It recognizes

efforts being made globally to eliminate forced labour; it challenges policy-makers to come forward with pragmatic solutions to address this global problem. It is clear that for effective action at national level, the ILO Governing Body should support tailor-made, nationally owned and driven programmes for technical assistance.

On Pakistan, the Global Report acknowledges the significant achievement of its Government in its efforts to eradicate forced and bonded labour. Forced labour is prohibited under the Pakistani Constitution. We have ratified the Forced Labour Convention, 1930 (No. 29). The Supreme Court of Pakistan issued a moral decree against debt bondage, which was followed by the Bonded Labour System (Abolition) Act. The Government is committed to the eradication of forced labour in all its forms. In Pakistan, it takes the form of debt bondage only.

The Global Report recognizes the Government of Pakistan's commitment to eradicate forced labour. A number of initiatives have been taken to this end. The 2001 national policy and plan of action for abolition of bonded labour and rehabilitation of freed bonded labour, the first of its type, envisaged a relief package for free labour, the creation of an information base through studies and surveys, awareness raising, counselling and advocacy, and vocational training programmes. The challenge is to implement the policy and plan. We are trying our best to meet the challenge. Technical assistance provided by the ILO has helped us make our national policy and plan of action operational. Such technical assistance should be provided in a more sustained manner.

A National Committee for the Abolition of Bonded Labour and Rehabilitation of Freed Bonded Labourers has been constituted as a watchdog to coordinate efforts for the abolition of bonded labour and rehabilitation programme. The committee includes leading civil society advocacy organizations. It provides policy advice for national programmes to end bonded labour.

District vigilance committees are being reconstituted in response to the Government's policy of devolving power to local levels. These committees are representative and inclusive and have civil society representation. The membership includes women councillors, minority councillors, district chiefs of police, district chief prosecutors, academic researchers, local NGOs, representatives of the legal profession and the press. Many district vigilance committees meet regularly and provide leadership at grass-roots level.

We have been working constantly with the ILO to develop an information base, as recognized in the Global Report. Bonded labour is embedded in poverty and underdevelopment and is also compounded by invisibility. We have made a good beginning by undertaking the largest rapid assessment studies of bonded labour in ten sectors of the economy. This was the first ever survey of its kind.

We are implementing an elaborate strategy for training government functionaries in order to build capacity, including judiciary, police, civil servants, labour inspectors and district government officials.

Projects to provide free legal aid services to bonded labourers have been approved recently. These projects will be funded by the Bonded Labour Fund established by a directive from the President, General Pervez Musharraf.

Another project pertains to the construction of low-cost houses for freed bonded labourers. We continue to work earnestly on this problem inside Pakistan, while building alliances with international organizations, civil society organizations and NGOs. Our efforts are based on genuine commitment to address the issue squarely.

We feel that cooperation with the ILO has its downside too. Countries cooperating voluntarily and enthusiastically are showcased in a manner that gives the impression that problems only exist in these countries and that the rest of the world is free of such ills. This distorts the global picture and needs to be rectified. The Conference is aware that the problem of bonded labour is not restricted to Pakistan but is rampant in south Asian regions. This needs to be taken into account. In Pakistan, because of our egalitarian approach, the problem is being addressed.

We are striving for economic justice and fairness. There is an inherent relationship between economic growth and social equality. Economic justice cannot be dispensed without economic development. A comprehensive study to work on social problems cannot but include the need to address the economic root causes of the problem. For our part, we are taking affirmative action to rectify imbalances that may exist and to ensure that economic and social progress are being achieved.

Mr. AMIN (*Government, India*)

On behalf of my delegation, I would like to compliment the Director-General of the ILO for bringing out the comprehensive and well-researched Report, *A global alliance against forced labour*. This Report reflects in spirit and action the ILO's deep commitment to the elimination of forced labour and the promotion of human life and dignity.

We appreciate the recognition given in paragraphs 158, 159, 160 and 174 of the Report to our federal initiatives – the efforts of the state governments, Supreme Court and National Human Rights Commission in the direction of eradication of forced labour in India. The Constitution of India and other democratic institutions, especially an independent and pro active judiciary and free press, are instrumental in tackling the menace of forced labour practices.

Forced, bonded or indentured child labour is prohibited under Indian law. The Bonded Labour System (Abolition) Act, 1976 provides for the abolition of bonded labour systems. The Act also provides for statutory institutional mechanisms to prevent bonded or forced child labour in the form of vigilance committees, at the district and subdivision level to monitor the situation on the ground. The Act also lays down stringent penal provisions for offending employers. Sincere efforts are made by the central Government, state governments, non-governmental organizations and research institutions for the identification, release and rehabilitation of bonded labour. Further, the National Human Rights Commission has been monitoring the implementation of government policy with respect to bondage and forced child labour.

As you are aware, bonded labour is a complex socio-economic issue. India has inherited this problem as a legacy of the colonial era. Poverty, unemployment, underemployment and illiteracy are the important factors that contribute to forced labour conditions. We are addressing this problem by un-

dertaking developmental activities in rural areas, with emphasis on employment and other labour welfare measures. In this context, the ILO can play a crucial role by helping to create the necessary awareness helping in the launching of and in supporting programmes to be taken up by respective governments for the identification and documentation of information on forced and bonded labour based on a universally accepted definition of forced labour. The ILO should play a catalytic role and provide technical and financial assistance in the field of employment creation, skills development and microfinance.

Trafficking clearly violates the fundamental right to live with dignity. We fully agree with the proposed action plan in paragraphs 402 and 403 of the Report, that there is an urgent need for improved and more rational migration management in destination countries. In the globalized world, the user countries should have strong laws so that the rights of migrants are not violated.

In India, serious efforts are being made to identify vulnerable areas and groups in order to strengthen law and enforcement and the creation of appropriate programmes and policies to check trafficking effectively. We are endeavouring to formulate comprehensive laws for the apprehension, prosecution and punishment of traffickers. Efforts have also been made at Government, as well as non-governmental organization level, to prevent trafficking, to create programmes that would empower the vulnerable and to frame adequate measures to rehabilitate and restore the trafficked women and children of our country.

While it is important that trafficking should be controlled in all countries, it is felt that the developed world is invariably the destination of human trafficking, including children. We feel that it is as much the responsibility of the destination countries from the economically developed world as it is that of the countries of origin. The problem of trafficking is rooted in extreme poverty, deprivation, and human degradation. To tackle the problem, developing and developed countries should work together.

I would like to conclude by saying that concerted efforts need to be directed at social mobilization, sensitization and awareness generation at local, national and international levels to eradicate the misery of forced labour from human history and ensure a life with dignity for all our fellow human beings.

Original French: Mr. KPOKOLO (Worker, Central African Republic)

The Report talks a lot about contemporary forms of slavery, which exist on a broad scale and affect thousands of people. However, that does not mean that we can allow ourselves to lose sight of the traditional forms of slavery.

Whether you are talking about traditional or contemporary slavery, there is one common factor: poverty, injustice and discrimination. Indeed, I would go as far as saying that they both involve the complete belittlement of human beings.

Slavery still exists in some countries, particularly in Sudan and Mauritania. We regret that the Report does not make much reference to this.

Thanks to the work carried out by trade union organizations, progress has been made in the struggle against forced labour in many countries. This has not been an easy task and we need to continue our support for these organizations.

This will involve enhancing the role of social dialogue within institutions so that they can better defend the rights and interests of those subjected to slavery, so that forced labour becomes a priority in countries where it exists, and so that this complex phenomenon is eradicated once and for all. At national level, this will mean launching campaigns to raise awareness of this issue and provide training.

Trade unions should be the main targets of such campaigns. Once they are aware of the situation, they can get information to the most remote areas in their countries. This is how to guarantee the success of any such campaign.

The Report refers to alliances. At national level, a great deal still needs to be done.

Thanks to the WCL Global Programme on Human Rights and International Labour Standards, training seminars have been held focusing on forced labour and, therefore, on Conventions Nos. 29 and 105. This training has made it possible to carry out interesting programmes with trade union organizations' members responsible for forced labour issues.

In Niger, for instance, our friends at the WCL have been particularly active in generating discussions on this topic with heads of local communities. This kind of experience should be repeated with local and religious leaders.

In conclusion, there are three specific suggestions I would like to make to guide the direction taken by the InFocus Programme on Promoting the Declaration during the next four years.

First, the training of workers and employers on Conventions Nos. 29 and 105, at national and international level.

Second, social dialogue focused on those two core ILO Conventions.

Third, the development of strategic partnerships at local levels, similar to the ones I have just described.

(Mr. Chiriboga takes the Chair.)

Original Spanish: Mr. FUNES DE RIOJA (representative, International Organisation of Employers)

On behalf of the Employers' group, I would like to stress that I endorse everything that has been said by Mr. Tabani as spokesperson, as he has clearly expressed the opinion of the Employers. We have heard colleagues, and will hear others, who will comment on the Global Report and give us a picture of what is happening in the various regions; however, my group has asked me to attend this sitting, primarily in order to confirm our commitment to the Declaration, and also to make a number of observations.

Eight years after it was adopted, the Employers continue to support fully the ILO Declaration on Fundamental Rights and Principles at Work. It is an important point of reference in the international debate to focus the attention and efforts, not only of the ILO, but of the entire international community.

The Declaration and its follow-up have become an essential part of the ILO's work, and have proved to be an effective means of identifying the needs of the constituents in regard to technical cooperation provided by ILO in order to implement effectively the four fundamental principles.

The Declaration itself is a promotional policy instrument, but it also has an ethical basis which makes it binding. We, the Employers, are convinced that that is its strength. Even those member States

that have not ratified the fundamental Conventions are obliged to give full effect to the principles laid down in the Declaration. This is important, because it highlights the moral commitment of member States that arises from their membership of the ILO. This was also made clear in the Declaration of Philadelphia, and mention should also be made here of the Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy, which proves how efficient this instrument is.

In 1919, our predecessors were inspired by this vision when they drafted the ILO's Constitution and identified those values which should be promoted by governments, employers and workers all over the world, making them custodians of this moral commitment.

We have often said – and we said again in the World Commission on the Social Dimension of Globalization, together with the President of our organization, François Perigot, – that there can be no market economy, there can be no democracy if they are not based on values. This Organization is also based on values.

The 1998 Declaration crystallized this commitment, hence its promotional nature. However, the procedures under the follow-up to the Declaration also serve another, equally important objective; they are the basis for dialogue between member States and the ILO regarding their obligations under the Declaration.

These mechanisms, which we have all voluntarily adopted in our sovereign capacity create obligations that are different from other legal obligations under the Constitution, such as those arising from the ratification of Conventions and acceptance of Recommendations. While ratification of Conventions requires detailed adaptation, the Declaration and its follow-up focus on the steps taken by member States in order to realize the four fundamental principles in practice.

Here the question is not whether it has the moral force of a moral commitment, which it does; neither is it essentially a question of finance; it is the moral commitment of our Organization that is at stake.

The success of the ILO Declaration on Fundamental Principles and Rights at Work shows that the ILO is capable of providing innovative and effective responses to the needs of today's world of work – and this is different from the traditional normative approach, which it complements.

To conclude, I would like to say that this debate, this tripartite analysis on the elimination of all forms of forced labour will enrich not only our focus but our commitment, and obviously the Employers' group as a whole would like to draw the attention of the Governing Body and of the Office to the importance of technical assistance to address today's reality. This tripartite debate will certainly produce a wealth of recommendations for our future work.

Original Spanish: Ms. ROMERO (Government, Paraguay)

The Government delegation of Paraguay would like to take this opportunity to congratulate the Director-General for the Global Report under the Follow-up to the ILO Declaration on Fundamental Principles and Rights at Work which this year refers to the application of Conventions Nos. 29 and 105.

On this specific point my delegation would like to point out that the Republic of Paraguay considers this subject to be a priority and, taking into account

the references made to our country in the Report, we would like to inform the Conference of the efforts being made by the competent national authorities in order to resolve this situation, and to report on the progress made so far.

First of all, three local seminars were organized in our country on the issue, with separate meetings being held with representatives of the employers, workers and expert public employees in charge of ensuring that labour standards are respected. The document presented by the ILO special advisers was widely distributed and social partners who participated in these activities have expressed their interest in continuing this work together on the subject of forced labour.

Likewise, the Ministry of Labour and Justice is preparing to install a regional office of the Ministry of Labour in the Chaco region in the west of Paraguay, in order to make access to information easier for those workers who need to consult documents, or to report irregularities, or who are applying for the compulsory work documents that the law demands.

My delegation would like to stress to this Conference that the national authorities of our country are committed to continuing their efforts to fully respect the obligations of Paraguay as a member State of the ILO when it comes to applying international labour standards.

Bearing in mind that it is necessary to be able to count on the support of all the social partners in order to carry out this task, so that strategies can be coordinated which will allow us to deal with the problem, we appreciate that there is a wealth of experience at international levels on this subject, and for that reason we would urge the ILO to give us its full cooperation so that this initiative will be of benefit to our country.

Mr. RICHARDS (*Government, United Kingdom*)

Like some other interventions this morning, the following comments provide some thoughts based around the questions suggested for the discussion, rather than an attempt to answer each question individually.

The United Kingdom Government welcomes this Report. In addition to its value as a source of information and the comprehensive analysis this provides, the annual Global Report gives us all, as ILO constituents, an opportunity to reflect on what is at the heart of the ILO's efforts to improve the lives of working people – the practical effect and achievement of its core labour standards on the global stage. There is no doubt that some of this Report makes uncomfortable reading. An estimated 12.3 million people are today victims of forced labour, and that is a cautious estimate. That statistic alone should strengthen our resolve in continuing to call for the universal ratification and implementation of the ILO's forced labour Convention. And the Report highlights other concerns. New forms of coercion and compulsion are emerging. Developments in technology, transport, and the impact of organized crime are exacerbating the problem of forced labour. The ILO is to be commended for its attempts at encouraging a rational debate about what is, as the Report acknowledges, an emotive subject.

The Report also brings a good deal of clarity to the complexity of the issue. It considers how forced labour is defined in international law, and draws a dynamic global picture of contemporary trends

through a detailed analysis of the prevalence and different types of forced labour in different geographical regions.

The Report is also to be commended for its balance. It recognizes and welcomes that there is evidence of a commitment by the international community and individual member States to tackle forced labour. Those States are to be commended. The Report also acknowledges the complexity and difficulty, as well as the obvious need, to collect accurate information on the extent of the problem, particularly in regard to the informal economy. The United Kingdom Government acknowledges that the problem of labour exploitation exists and takes the exploitation of migrant workers very seriously. It has taken a number of specific actions to tackle the issue of forced labour. Enforcement action on illegal working must be stepped up and, in its recent five-year plan for asylum and migration, the Government announced plans to introduce "on the spot" penalty fines for employers for each illegal worker they employ. The Government has also announced the setting up of a joint workplace enforcement team, involving staff from a range of government departments, to tackle a range of issues relating to illegal working.

As the Global Report acknowledges, the UK response has also included the introduction of new legislation which makes trafficking of persons and sexual or labour exploitation criminal offences punishable by a maximum of 14 years imprisonment. The United Kingdom Government is also committed to tackling exploitation by unscrupulous gang masters and has set up the Gang Masters' Licensing Authority, which came into existence in April this year as a result of a new Act of Parliament. The Authority is responsible for designing and implementing a licensing scheme for gang masters operating in agriculture, shellfish and related industries. Over the coming months, the Authority will be consulting on the conditions that should be attached to the issue of a licence; it is anticipated that some of these will be based on tackling aspects of forced labour, such as long working hours, retention of identity documents, and the withholding and non-payment of wages.

In the period leading up to the introducing of licensing, the Government is working closely with the Ethical Trading Initiative's temporary labour working groups to implement a code of practice for labour providers, as well as setting out the legal requirements that gang masters must comply with. The code makes it very clear that employment must be freely chosen and no worker should be treated in a harsh or inhumane manner. The Ethical Trading Initiative (ETI) I mentioned is an alliance of United Kingdom retail companies, NGOs and trade unions that work to improve labour conditions in a supply chain of its corporate members. The labour standards adopted come from the ILO core labour standards. The United Kingdom Government helped set up the ETI and supported it from the start.

Our drive against immigration crime, including people-trafficking, continues relentlessly at European level. The multi-agency taskforce, Reflex, co-ordinates intelligence on law enforcement activity against organized immigration crime. Reflex has had a number of significant successes, disrupting 38 major networks and achieving 38 convictions in one year. The United Kingdom Government also works closely with employer groups and workers' associa-

tions to develop the United Kingdom strategy towards the prevention of illegal migrant working, including encouraging business to comply with the law. It is particularly important to reach workers in the host country before they leave, as it is often much harder to help workers who may not speak English and have no accommodation arranged, once they arrive.

We have therefore produced leaflets to explain employment rights of migrant workers in their own language. To date, we have produced leaflets in partnership with the Portuguese, Polish and Lithuanian Government which have been distributed widely.

In conclusion, forced and bonded labour and other abusive practices, as the Global Report recognizes, are both a cause and a result of poverty, and these practices persist where poverty denies people their rights and a decent livelihood. All the United Kingdom's international development programmes are intended to contribute to improving the livelihoods of poor people and helping them to realize their rights. The United Kingdom looks to the ILO as a strong partner in its efforts to tackle the abuse of forced labour internationally. Through its partnership framework agreement with the ILO, the United Kingdom provides support for technical assistance designed to eliminate forced labour in South Asia and West Africa. As the report makes clear, no country can afford to be complacent or to suggest it has all the answers. For the United Kingdom this means that we continue to look at further ways to combat forced labour. We will shortly be meeting with governments of a number of source and destination countries as part of an ILO project we are supporting that seeks to raise awareness and build the capacity of those responsible for implementing policies aimed at combating the forced labour dimensions of trafficking. The project has stimulated a good deal of interest across government, and a number of United Kingdom departments will be involved.

Finally, on the global stage, this year is, of course, one which provides us, ILO constituents, with a unique opportunity to transform our approach to the elimination of poverty and the hugely damaging effect it has on working people. When Heads of State meet at the United Nations in September to review progress towards the Millennium Development Goals, the importance of decent work is clearly extremely relevant to that review.

Mr. TROTMAN (*Worker, Barbados*)

Given that this is an interactive debate, I would wish to ask your permission to invite the distinguished spokesperson for the United Kingdom to provide a clarification to ensure the smooth running of this meeting. In the run-up to the recent elections, there was much talk about the number of migrants arriving in the United Kingdom. It seems as though the spokesperson in his presentation may have been mixing up figures on illegal migrants with those on forced labour. I wonder whether he may not wish to make a distinction between illegal immigrants and migrants who are involved in forced labour to avoid any misunderstandings or confusion.

Mr. RICHARDS (*Government, United Kingdom*)

I think I would be happy to come back, maybe this afternoon, with a more detailed response, but certainly the United Kingdom law is designed to

protect those workers who are being exploited. There is no distinction between whether they are legally working or illegally working. The whole point of the law is to protect labour exploitation and as the Report itself acknowledges, we have taken numerous practical and legislative steps to address that issue. However, I am happy to consider Sir Leroy Trotman's intervention and to come back to you later this afternoon.

Original Bulgarian: Mr. SIMEONOV (Deputy Minister of Labour and Social Policy, Bulgaria)

First of all, I would like to take this opportunity to express my appreciation for the exceptionally interesting Global Report, *A global alliance against forced labour*. Both the subject of the Report and the conclusions reached in it underscore the important role played by the ILO in the process of eradicating forced labour – that social evil that should not exist in today's world. This is an unimaginable process and it must be carried out with the active participation of the governments of ILO member States, employers' and workers' organizations and the entire international community.

One of the elements of the Report that causes particular concern is human trafficking. Globalization and the integration of employment are causing an increase in migration in various regions of the world. The countries of Central and Eastern Europe are particularly affected by this trend as a result of their democratization at the end of the last century and the development of market economies.

I would particularly like to emphasize that the Government of Bulgaria has adopted specific measures intended to prevent and combat human trafficking, as a way of curbing forced labour. In 2001, Bulgaria ratified the United Nations Convention against Transnational Organized Crime and its supplementary Protocols against the Smuggling of Migrants by Land, Air or Sea and to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children.

At the same time, measures were taken to introduce national legislation in accordance with international standards in this area.

In 2002, the National Assembly of the Republic of Bulgaria adopted the appropriate amendments to our Criminal Code, as a result of which, trafficking in human beings and exploiting the victims of human trafficking for forced labour have become criminal offences.

In 2003, the law on combating trafficking in human beings was passed, regulating the criminal law aspects of this phenomenon and ensuring an end to the trade, protection for victims and their rehabilitation. The law provided for the establishment of a National Commission for Combating Trafficking in Human Beings, in which all interested stakeholders participate. At the initiative of the Stability Pact for South Eastern Europe and in cooperation with our international allies, we have been able to establish a special group on combating trafficking in human beings, as well as a specific subgroup on combating trafficking in children.

We fully agree that the first steps towards eradicating forced labour are to ensure competent structures, as well as making the general public aware of the situation. The Ministry of Labour and Social Policy has organized wide-scale information campaigns intended to make people aware of the hidden risks in irregular job offers as well as the law on

employment and residency in Bulgaria and abroad. In that connection, our Ministry is successfully cooperating with the International Organization for Migration, with which we have signed a memorandum.

In accordance with the negotiations that are under way with a view to the accession of Bulgaria to the European Union, we are seeking to bring our national legislation fully into line with European standards in this area. We are also constantly studying and applying the best practice learned in other countries of the world in this field. One of the aspects involved in managing migration processes is, concluding bilateral agreements in the field of employment and social protection, which we are trying to do in parallel with all our other efforts.

We are very much aware of the point made in the report that between 40 and 50 per cent of the victims of human trafficking are children. Children are particularly vulnerable and must therefore receive proper protection from any form of exploitation. That is why the Government of the Republic of Bulgaria, in March this year, signed a memorandum on cooperation with the ILO's International Programme on the Elimination of Child Labour. We consider that Bulgaria's involvement in this will serve to promote successful implementation of the technical assistance project in the countries of Central and Eastern Europe to combat trafficking in children, and to fight against the exploitation of children for work or sex.

Another particularly important point that we note in this Report is the need to combat poverty, discrimination and social exclusion as a way also of combating forced labour. Undeniably, it is true that the key to overcoming these social problems involves productive employment and conditions for decent work to be enjoyed by all workers. We have a national plan on employment in Bulgaria which includes realistic mechanisms intended to ensure decent work and adequate income for all citizens. We also support the fruitful and very timely idea of holding a high-level meeting in 2006, with the aim of launching an initiative on combating forced labour. The Report foresees that meeting being followed by similar forums at the regional level, and we think this would be a good basis for a more in-depth discussion of how the problem should be approached.

In conclusion, I would like once again to express our support for the basic thrust of this Global Report, which is that while eradicating forced labour is something that presents an enormous challenge to us all, it is nonetheless something that can and must be overcome. Only by taking decisive steps can the member States of our Organization and the international community, in general, achieve significant progress in combating forced labour, which has rightly been called the dark side of globalization, and thus make it possible for us all to enjoy a globalization that is fair to all.

Mr. SHEPARD (Government, United States)

I appreciate the opportunity to participate in this discussion. The United States welcomes this timely and vital contribution to our understanding of forced labour, a scourge that has existed for centuries and that continues to persist in the shadows of the global economy.

As the Global Report makes clear, forced labour is present in nearly every country and it has taken

on a number of modern forms which continue to elude authorities and entrap millions of victims across the world.

The United States is responding to the challenges outlined in the Global Report by taking firm action, both within the United States and abroad, to combat forced labour in all its forms. Our Trafficking Victims Protection Act, first passed in 2000 and reauthorized in 2003, codifies new crimes and strengthens penalties for existing crimes related to forced labour. It also establishes innovative programmes to protect victims and to call global attention to forced labour and human trafficking. This law is buttressed by US trade legislation which has included prohibitions on the importation into the United States of goods made wholly or in part with forced or indentured labour since 1930. US trade policy also promotes international compliance with poor labour standards, including prohibitions on forced labour, by integrating enforceable labour clauses in all free trade agreements negotiated under current trade promotion authority legislation.

Our commitment to eradicating forced labour is also clearly reflected in the substantial support provided by the United States Government to targeted international technical cooperation programmes. In the fiscal year 2004, the United States Government contributed over \$96 million to efforts to combat human trafficking in more than 86 countries. This amount includes funds allocated through the President's anti-trafficking initiative, which President Bush announced before the United Nations General Assembly in September 2003. Over the past decade, the Department of Labor has invested more than \$175 million in international technical cooperation projects to combat forced labour and human trafficking. These programmes aid national efforts to strengthen legislation, assist victims and prevent forced labour through the support of income-generation and awareness-raising initiatives.

A major challenge raised by the Global Report, which I would like to highlight, is the virtual impunity enjoyed by many traffickers and by those who violate laws regarding forced labour. Too often, perpetrators go unpunished because of vague, outdated laws or weak, uncoordinated enforcement efforts. For this reason, it is vital that the ILO support efforts to update legislation, to include clear definitions of modern forms of forced labour, including human trafficking. It is equally important that these laws are supported by resources and strong enforcement efforts at the national level. In the United States, the Department of Labor is prioritizing labour inspection in low-wage industries to target likely violators of forced labour laws and is cooperating closely with other enforcement authorities and regional taskforces to identify victims of labour trafficking.

Forced labour persists in the modern world largely because it remains hidden – hidden in sweatshops, isolated plantations and brothels. Additional efforts are clearly needed to better understand the scale of the problem and to bring it squarely into the view of authorities and the public at large.

We applaud the ILO for this excellent Report and for the attention it has attracted to forced labour throughout the world. We are gratified to have supported the Report's release through our contributions to the Declaration's global campaign and we look forward to continuing our engagement on this issue with our partners at the ILO and with nations

similarly committed to eradicating forced labour wherever it persists.

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

I am going to address all of you concerning items raised in the Report regarding my country, Brazil, but I hope I will be able to do so based on concepts which are important at a global level.

I would first of all like to refer to paragraph 192 which states that forced labour is firmly rooted in the social, economic and ethnic structures of the continent.

As far as my country is concerned, I could accept this statement if the concept of forced labour were linked to the roots of Judaeo-Christian culture – which, in the first pages of the Bible condemns man to work, or to that other source of our Western culture which is Greece, where the only ones who worked were those who did not have citizenship. What I am trying to say is that the concept of forced labour should be more detailed and examined in more depth. If you look at Box 1.1 where you have a list of the factors that are characteristics of forced labour, there you will see the aspect of psychological compulsion. In other words, being forced to work and threatened in cases where there is no compliance. The Box also lists the different types of threats and penalties and it also says that being discharged from your employment is one of these penalties. This leads to me to conclude that there is no such thing as forced labour whereby people have a job for life, or cannot be dismissed. I think this interpretation is complex. Human work straddles a wide spectrum. It starts with the bad aspects – slavery – and goes to the other extreme which is the ideals of the ILO – decent work – and in the third part, I found a reference to completely voluntary work.

What I am trying to say is that, apart from the cultural aspect of a society or a country, we also have the aspect of national reality when we are talking about development levels. Of course, it is important for the ILO to continue to promote a fair globalization for these very reasons because it is not enough to talk about disseminating uniform standards and concepts such as the very welcome concept of decent work. It is also necessary for the ILO to continue promoting fair globalization so that, apart from the standards, there should also be uniform conditions under which countries and populations work in order to achieve further development.

In paragraph 90 and elsewhere, the Report recognizes that Brazilian national culture classifies the worst possible forms of forced labour, as Mr. Trotman said, criminal offences imposing working conditions which are tantamount to slavery is a crime. If we look at paragraph 193, there is mention of the fact that employers' organizations in our country should cooperate in order to eradicate forced labour.

What I am trying to say is that, employers' organizations fully support the Ministry of Labour staff, who are trying to solve the problem by running the campaign mentioned in the Report, and this does not just involve reforming laws but also ensuring that laws are not broken. There are also references to positive results in this Report.

I should mention one more item that should be improved in ILO reports and in the analysis performed. If you look at Figure 2.1, you can see that, in the year 2003, 4,900 workers were released in Brazil. It could be a lot, but it could be a little, de-

pending on the population of a country, more than 70 million in rural areas covering over 8.5 million square kilometres. So, what is this table trying to show?

The important thing that we have to bear in mind is that a correct evaluation must be made to prevent ideological and political factors from distorting results. Brazil perhaps missed an opportunity regarding implementing agrarian reform, when some countries were already doing so in the nineteenth and twentieth centuries. We are now committed to reform, but the Government's efforts cause frustration because they cannot respond to all the demands.

The social demands of the landless are not going to be resolved by giving them some land to plant on unless there is an appropriate infrastructure which includes education, health and safety.

Developing countries cannot always fulfil these requirements. In Brazil, for example, the MST, (Brazil's Landless Workers' Movement) is highly organized and very politicized and the media reflects that, and it is connected to elements which contest the constitutional principle of private property, and such a distorted figure showing the magnitude of the crime of forced labour in our country could be used for political and ideological ends.

In conclusion, I would like to say that Brazilian employers are committed to fully supporting the struggle in order to utterly eradicate the worst types of forced labour, and to continuing with initiatives that will allow us to promote sufficiently strong economic development so that in our country we will have appropriate conditions so that all men and women who are able to work productively will be able to do so under the conditions of decent work promoted by the ILO.

Original Russian: Mr. VOLYNETS (Worker, Ukraine)

In discussing this Global Report, I would like in particular, to focus on the issue of forced labour in countries of Central and Eastern Europe.

Ukraine is a young country. When it was just finding its feet on the international stage, it encountered a whole range of problems with regard to compliance with fundamental human rights and freedoms. These problems included forced labour, child labour, slavery, human trafficking, poverty and mass illegal emigration to other countries. In recent years this whole situation has worsened, by the emergence of oligarchies, widespread corruption, a lack of media freedom and an impotent legal system. However, the Orange Revolution that took place at the end of last year has begun to move matters forward in a more positive direction.

Nonetheless, the fact remains that around 500,000 children are in work in Ukraine: that is on in 20 children. The average age of these children is 12 years old. According to research by the ILO, there are 97,000 children between the ages of seven and twelve in work. Children are involved primarily in agriculture and trade. They also collect bottles and other items on rubbish dumps. The worse form of child labour are to be found in illegal mines.

In Ukraine, we have had serious problem with the restructuring of our coalmining industry. Loans from the World Bank for that purpose were not used in the way that was intended, and numerous mines were closed down, without any posts being created for the people who had been made redundant. Hundreds of thousands of people found themselves un-

employed, and whole mining communities were thrown into extreme poverty. In places where mines had closed, illegal mines were opened. These mines are little more than holes in the ground, and there is absolutely no respect for safety and health regulations.

A number of years ago, back in the days of State ownership, we saw a particularly tragic case in which an already large family took in another ten children from a children's home and then forced their own and the other children to work at night down a mine. For the past seven years, the independence trade unions in our country have been trying to draw the attention of official bodies both within our country and abroad to the scope of this problem in Ukraine. What frequently happens is that these illegal mines are operated with the connivance of the local authorities, with local militias and prosecution services simply turning a blind eye and under the control of organized criminal elements.

As a result of this, of course, taxes are not paid. This means that services cannot be provided in the towns where these illegal mines exist. Schools, hospitals and kindergartens close, meaning that many children are not able to be educated and find any other kind of job. A vicious circle is created.

At the beginning of June this year, the independent trade unions, which are very much aware of this problem, organized a round table on this issue, as well as others related to child labour. This is with a view to the International Day Against Child Labour, which will, of course, be marked as always on 12 June.

Ukraine has ratified the Forced Labour Convention, 1930 (No. 29), and the Worst Forms of Child Labour Convention, 1999 (No. 182). In recent months, the new Government has begun to prepare measures intended to eradicate these phenomena, but as yet we have not had the time to develop a fully fledged employment policy.

I have given you some examples of what is going on in the mining sector in the eastern part of the country, but the situation is no better in other parts of Ukraine. For that reason, 5 million of our citizens have left the country and have gone abroad. We have a population of only 47 million. The majority of those who have left are working illegally abroad – 1.2 million Ukrainians are working in Russia, others, in Western Europe. Of course, these illegal persons are not in an position to enjoy any kind of social protection. They frequently find themselves in forms of work comparable to slavery and, if they return home, they often come without any money whatsoever in their pockets. Moreover, we must be aware that these people's employers are in a sense dumping them on the labour markets of the countries to which they go and, therefore, they are actually undermining the achievements that have been made in those countries through collective bargaining, etc. This means that everyone suffers.

The phenomenon of mass emigration from Ukraine is caused by very low wages in our country and the fact that sometimes wages are not paid at all. The informal sector still accounts for more than 55 per cent of our economy. This is a shameful indicator for a country like Ukraine, although it is improving very slowly.

In recent years we have also seen the new phenomenon of false declarations of bankruptcy. This is simply a way in which companies avoid paying

wages while their bankruptcy case is going through the courts. It means that workers do not receive their pay on time, or in some cases at all, as salaries cannot be paid if an enterprise is bankrupt. This debt amounts to a total of US\$250 million.

Very recently, however, Ukraine has turned its attention to these issues. We have, for instance, focussed particularly on human trafficking, recently designating this and related offences, as criminal acts. In particular, of course, this is something which affects women and children. We have also worked on measures to prevent women and children being caught up in prostitution, and to combat AIDS in our country and sexual exploitation in general. We are hoping to make progress in implementing these measures and to introduce various reha-

bilitation programmes for people who have suffered. In the course of 2004 it is estimated that there were more than 1500 instances of trafficking in human beings and related offences. These are now recognized as criminal acts and judicial measures are being taken. We are also trying to regularize the work permit system, which is currently open to abuse.

Although our Government is very new, we are doing our best to combat these scourges, but we recognize that what we are able to do is far from sufficient as yet. If we are to achieve anything significant, we need to be able to count on the help and assistance of the ILO and the international community.

(The Conference adjourned at 1 p.m.)

Seventh sitting

Wednesday, 8 June 2005, 3.15 p.m.

Presidents: Mr. Finlay and Ms. Anderson

GLOBAL REPORT UNDER THE FOLLOW-UP TO THE ILO DECLARATION ON FUNDAMENTAL PRINCIPLES AND RIGHTS AT WORK: INTERACTIVE SITTING (*CONT.*)

The PRESIDENT (Mr. FINLAY)

We shall now continue with the discussion of the Global Report on the elimination of all forms of forced or compulsory labour. The floor is open. I would like to call on Mr. Tambusai of Indonesia to speak.

Mr. TAMBUSAI (*Government, Indonesia*)

At the outset I would like to thank the secretariat for preparing the excellent and comprehensive Global Report, which is on forced labour and which forms the basis of our discussions, and for its efforts encouraging the setting up of a global alliance to combat forced labour in all its forms.

The Indonesian Government has a long and historic commitment to eradicating forced labour. Our people experienced forced labour over several centuries as a result of our colonial history, and the suffering which it caused is still vivid in the memories of Indonesian workers and civil society. For this reason Indonesia was one of the first countries to ratify the Forced Labour Convention, 1930 (No. 29), in 1950, soon after becoming a Member of the ILO.

Our commitment is based on the Indonesian Constitution of 1945, which explicitly states that all citizens have the right to work and to a decent life as human beings. On this basis, aside from the ratification of Convention No. 29 and the Abolition of Forced Labour Convention, 1957 (No. 105), I should mention that several national laws were enacted, among them Law No. 39 (1999) on human rights, Law No. 13 (2003) on manpower, Law No. 39 (2004) on the placement and protection of Indonesian migrant workers, or the law on the elimination of violence in the household, which also protects domestic workers to quote but these.

The object of this body of national legislation and other regulations is to regulate a minimum wage, working and leisure time, the minimum working age for children, and to protect the labour of children and women, occupational health and safety, and the placement of Indonesian migrant workers. Thus all the Government's efforts are geared towards preventing people from becoming victims of forced labour and of its worst form, human trafficking.

Nevertheless, we acknowledge that the root causes of forced labour are poverty, lack of education and limited job opportunities. These circumstances deprive workers of any bargaining leverage when they are seeking jobs. In this regard they will accept any jobs, thereby becoming vulnerable to exploitation in the form of low wages and bad working conditions or, worse still, to becoming victims of trafficking and people smuggling.

Therefore, in addressing this big problem, the Government of Indonesia is directing its efforts to protecting vulnerable people from trafficking and smuggling. For instance, the prevailing Act No. 39 of 2004 aims to ensure secure migrant worker placement, right from the process of initial recruitment until their return to their homeland. In parallel, the Government is drafting a bill on criminal undertakings in trafficking in persons, which is currently in the final stages of examination by parliament.

Other measures being taken by the Indonesian Government include the dissemination among the population of all laws and government regulations, expanding training to improve skills, providing training for labour inspectors and reinforcing the rule of law, including strengthening the capacity of the police. All these measures and actions are established in close collaboration with our social partners, including the workers' and employers' organizations.

With regard to the issue of trafficking, we are not just focusing on prevention, but also concentrating on the rehabilitation of victims of trafficking. This action has been given a country-wide dimension, with decentralization and autonomy given to provincial governments, enabling the central government to work closely with local government to develop programmes and actions at a provincial level in order to combat trafficking and people smuggling. In fact the Government has developed and established a national action plan on that particular issue and requested the provincial governments to implement its directives by developing provincial action plans and other provincial regulations.

We support the effort to promote a global alliance against forced labour. However, we believe that certain issues have to be addressed if our efforts are to be successful. As stated earlier, the root cause of all these problems is poverty. Therefore we have to tackle the poverty issue as a priority if we want to eradicate forced labour completely. Thus we have to acknowledge that there are some negative impacts of globalization, namely inequality, that we must address.

The industrial, or developed, countries must lend their assistance and support the developing countries' efforts to combat poverty through investment and debt relief mechanisms. Then we can continue to promote basic education and to expand vocational training to prepare people to enter the job market and to find decent work.

Furthermore, addressing trafficking efficiently means having strong and well-developed cooperation between the resource countries and the countries of destination. People are being trafficked because there is also a lack of enforcement in the destination countries. Even migrant workers are increasingly being subjected to forced labour.

The perception in the countries of destination should be addressed accordingly and employers educated so that migrant workers are not exploited or threatened. In fact, it is now acknowledged that migrant workers make a significant contribution to the development of destination countries. Therefore, when we speak about combating trafficking, we speak about the need for a joint effort and for shared responsibility between resource countries and countries of destination.

The involvement of the whole international community is very pertinent to establishing an alliance to address forced labour in all its forms.

In closing, let me reiterate my Government's strong determination to find solutions to this issue, as well as its readiness to work together in addressing and eradicating forced labour from the face of the earth.

Ms. BAKORU ZOE (*Minister of Gender, Labour and Social Development, Uganda*):

I want to congratulate the secretariat of the ILO for the extensive Global Report, *A global alliance against forced labour*, and I also want to thank the ILO for highlighting this issue and saying that by the year 2015, forced labour and slavery should be eliminated.

I want to stress the commitment of my Government to this Declaration, but it is critical to say that for us in Africa, where the Report highlights issues of human trafficking as a source of forced labour and slavery, it is very unfortunate because of the large percentage of our children who are orphaned as a result of HIV/AIDS. We also have the problem of conflict which creates a very fluid environment for forced labour. There are many people who believe that migrating to developed countries provides better opportunities for employment, and we also are aware that forced labour and trafficking has a gender perspective. It is believed that poverty can be a cause of forced labour, and it is also associated with the risks of trafficking for sex, drugs, or terrorism. In my country there have been abductions by the Lord's Resistance Army. As you are aware, the case is being examined by the International Criminal Court. There are also known cases of people being trafficked for human sacrifice. It is very unfortunate that the powerful are the ones who are trafficking these children from poor countries, in the name of eliminating poverty or earning money for themselves.

I find it interesting that people sometimes make very unfortunate judgements. Deviant behaviour is often seen as animal behaviour, but we also know that animals never abuse their young ones. Nobody has ever seen a dog or a goat abusing its young ones, but this is the kind of behaviour which is oc-

curing among humans, who are supposed to be superior to animals.

Migrant labour, that is, the free movement of labour across borders, is supposed to be a source of income for us. The line between migrant labour and forced labour in fact seems to be very fine. For rich countries, it is illegal migration; for poor countries, it is going to look for better job opportunities. It is critical that rich countries provide real help to poor countries, the so-called developing countries, because our women and children are being trafficked into rich economies, not poor ones. If we advocate decent work and migration of labour, how can we distinguish between migration of labour and people taking advantage of others, trafficking women and children for their own selfish gain?

In the East African Region, our labour ministers are working together to see how we can enable labour to move within the region with checks and balances so that we can avoid human trafficking. But beyond our borders, we need the support of other people and we obtain this in tripartism, with our workers and employers. We need support, we need help, so that our own people are not trafficked for sexual exploitation, drugs, or terrorism. I know that it is very dehumanizing for someone to come to another country as gang labour, as we heard this morning from the United Kingdom delegate, there are gang masters who have decided, because they have the money, to put their money into trafficking people instead of giving this money to the poor so that they may immunize or educate their children. It is amazing how people can do such horrible things to their friends.

We all have a role to play, I agree, so people should become more responsible and I always argue in our meetings that if there was no demand, there would be no supply because you would not have sex workers on the streets selling their services if there were no punters to purchase them. I think the time has come for us not just to come to the ILO meetings and discuss this at this high level, but to see how this filters down, because we are privileged to come at this level and interact with others, we are not the people who get trafficked; we are more challenged than ever to ensure that we protect our own constituents. I want the United Nations agencies work together on this because we have been working with UNICEF on the issue of child trafficking but then UNIFEM complains about women being trafficked. If these resources could be pooled together, I believe we would have more impact than if we had one programme here and another parallel programme there. This splits the minimum and meagre resources and means that you cannot make an impact.

I want to appeal that we work together on this, both the developed world and the developing world, because our children are very vulnerable, many of them think someone is coming to help them, when they say "you have an opportunity to study", only for the child to be trafficked. I urge all of us to work together to eliminate this dreadful practice.

Original Chinese: Ms. ZHANG (Government, China)

The Report submitted by the Office is the second report of its kind on the eradication of forced labour. It analyses all manifestations of forced labour across the world and the reasons behind it. It details ILO activities and progress in this regard and proposes future action plans which serve as a sound

foundation for our discussions. We appreciate this Report.

In recent years, China has participated in effective cooperation and dialogue with the ILO concerning the Forced Labour Convention, 1930 (No. 29), and the Abolition of Forced Labour Convention, 1957 (No. 105). Joint activities between the two sides include seminars, training sessions and joint field trips for senior officials from the Ministry of Labour and Social Security, the Ministry of Public Security, the Ministry of Justice and the Legal Affairs Committee of the National People's Congress. We have cooperated with the Special Action Programme to Combat Forced Labour of the Declaration and engaged in joint activities against human trafficking. These undertakings are demonstrations of the Chinese Government's political will and resolve to fight all forced or compulsory labour. They have undoubtedly played a positive role in the reform currently under way in the Chinese judicial system.

We are ready to continue exchanges and interaction with the ILO and its constituents and to step up cooperation to oppose and eradicate forced labour.

Forced labour is a social evil. As stated in paragraph 388 of the Global Report, the time has now come to galvanize concerted action through the creation of global and local partnerships. The ILO is the ideal organization to lead such efforts.

We appreciate the activities already undertaken by the ILO and those it plans to take, including surveys, studies and applied research to understand the nature and extent of forced labour, strengthening of the combined role and concerted action of governments and the social partners, advocacy to raise public awareness of forced labour and prevent forced labour, provision of assistance to victims of forced labour and work for the eradication of forced labour.

The Chinese Government will continue to cooperate with the ILO and its constituents in order to eradicate, once and for all, all forms of forced labour.

Mr. SOBASHIMA (*Government, Japan*)

In response to the call from the President to make statements as brief as possible, I have worked hard to reduce the size of the prepared text. Now it looks like a skeleton, but I hope it will still get our message across clearly.

Japan very much welcomes this Global Report. We are taking a range of measures to combat human trafficking, including the adoption of a comprehensive national action plan and related legislation. We hope that the ILO will continue to play a central role in combating forced labour. Japan hopes that the member States will cooperate with the ILO to support the efforts made to eliminate forced labour.

Ms. TAYLOR (*Worker, United Kingdom*)

I am a representative of the United Kingdom, representing the Trades Union Congress.

The TUC welcomes this Report, and especially the ILO definition of forced labour. It is defined as work or service that is extracted under the menace of a penalty and is undertaken involuntarily.

This is important because this definition focuses on the individual and their contribution to societies and not on the process that brings the individual to be in this situation. We also welcome the recognition that forced labour is not only an issue of devel-

oping countries but very much of the developed countries. Forced labour brings shame on our society, that we need to exploit human beings in order to enrich our own economy. In the TUC report on forced labour published on the TUC web site, we have found that forced labour can be found in both private and public sectors. I would like to give you a face of forced labour by telling you about a man called Reny.

Reny is a young 28-year-old man highly qualified from the Philippines. In order to secure employment, he must accept a loan of £3,000 from a recruitment agency. All of this loan must facilitate his passage to Britain and this he must repay at a higher interest rate than in Britain. For his survival, he was given a month's advance in wages which he must repay. As part of his employment contract he must live in accommodation provided at £320 a month which he must share with another person. After income tax, national insurance, his accommodation, debt and loan deduction, his final wage is about £250 a month, of which he sends £200 home to the Philippines to support his family.

In March this year, I contacted Reny and he told me that he has only £5 to live on and his next pay day is 28 days away. Reny lives in fear and in shame of his debt burden and he must work as many hours that he can physically to support his family, and finally Reny is employed within the public sector in my country.

Like many other countries, the United Kingdom provides no legal protection against forced labour itself, and it should challenge all of us that if forced labour is not illegal, does that make it legal. In the United Kingdom, we have the Gangmaster Licensing Act requiring compulsory registration for labour contractors. This Bill gained all party support after the death of 20 Chinese cockle pickers in Morecombe Bay; it is an excellent piece of legislation. However, this Act does not require the gangmaster to provide a safe and healthy working environment, because all the gangmaster has to do is provide the labour, not the work required nor the environment in which the work has to be done.

The trade union movement, in combating forced labour, will have a difficult challenge in linking this piece of legislation to forced labour. Without legal protection, stories like that of Reny and the Chinese cockle pickers and many others will be a daily occurrence.

I would like to add my support to the British Government's call for the ratification of all ILO Conventions, especially the Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143).

In conclusion, I would like to say that, as a trained nurse, I was taught that all diseases must be taught holistically or else the disease will mutate and re-emerge in another form. So, unless we eliminate forced labour as a whole, rather than in bits, we will never get rid of this disease.

Mr. RICHARDS (*Government, United Kingdom*)

I take the floor with some hesitation as I do not want this committee to duplicate the work of the Committee on the Application of Standards and to turn this into a discussion of an individual case. We certainly note what has been said and we welcome the supportive noises that a worker colleague has made about the legislation we have introduced, which I think I covered this morning and I do not think I need to go into details about that again.

As I said, we take the issue of labour exploitation very seriously. We have introduced a range of measures, including legislation to counter trafficking in labour and sexual exploitation. We do not claim to have all the answers. We are engaged with the ILO on providing further support. So I certainly respect what our worker colleague has said and her right to say it but I do not think we should let this discussion develop into one about an individual case.

I would like to respond to Mr. Trotman's query this morning, just to clarify what I said very briefly. The initiatives and the legislative measures I referred to, things like on-the-spot fines for employers employing illegal workers, joint enforcement teams to combat illegal work and anti-trafficking legislation, all these things apply to all workers, irrespective of whether they are migrant workers. Clearly some categories of workers, including migrant workers, might be more vulnerable to exploitation and need more help, hence the leaflets I referred to, which set out potential workers' rights in their own language.

I just hope that this clarifies the situation and I would like to apologize again to Mr. Trotman for not catching the first bit of his question. I would hate him to think that I do not like the sound of his voice. Unlike a few people here, I can listen to his voice for some time. So, I hope that makes the position clear.

Original Portuguese: Mr. SALDANHA (Government, Brazil)

The Brazilian Government would like to congratulate the Director-General on the Global Report concerning a global alliance against forced labour. We are happy to see the positive comments made concerning Brazil's struggle against forced labour. In the Report we see that as many as 25,000 persons in Brazil are subject to slave labour conditions. We have recognized the problem of forced labour and we intend to eliminate it by the end of the year 2010. Recognition of this scourge and demonstration of the political will to react are the first steps in eradicating the problem.

We realize that this problem also involves human trafficking and this requires close cooperation between all government bodies, especially the Ministry of Justice, Human Rights Agency, Ministry of Labour, Ministry of Public Health and Ministry of Employment.

The Brazilian Government has made great efforts to make people aware of the need to combat forced labour in our country. We have a national body for the eradication of slavery with the Government, employers, trade unions and relevant NGOs all working on this issue.

One essential element of the work is reliable data.

It is important to have a database in which to put all the results of the studies so as to obtain funding for the elaboration of policies for the workers who have been liberated.

We are working closely with the ILO to set up a national database on forced labour and slavery. We also wish to continue with the work to exclude from the production chain those employers employing forced labour. Another important element is a list of offenders maintained by the Ministry of Labour.

In order to achieve our aims, not only do we require the cooperation of the Government but also that of society, including university researchers, etc. And I think it is important to remember that labour

courts have concerned themselves with the problem; these are itinerant judges visiting the regions where slavery exists to look into the situation and we are slowly but surely getting rid of areas in which there was total impunity with regard to forced labour. We apply ILO Conventions Nos. 29 and 105, as well as all the provisions under Brazilian labour law and we attempt to see to it that slave workers are freed and permitted to enjoy all their labour rights, and are compensated for the injury and the collective moral damage they have suffered. This is done in order to punish, financially those who are responsible for forced labour. Of course, much still remains to be done in the fight against slavery and forced labour, but we believe that with the cooperation of the workers, employers, civil society as a whole and the ILO, we will be able to extend and to give back to all the workers in Brazil their dignity so that they will be able to work with justice.

Mr. LAMBERT (*Employer, United Kingdom*)

I am very pleased to be here today with you and to have this opportunity to present the United Kingdom employers' position with regard to forced labour.

I would like to outline three key areas of United Kingdom employers' thinking. Firstly, forced labour is not a major issue in the United Kingdom, but employers are willing to work with the Government to stamp it out where it does exist. In the United Kingdom our recent focus has been on illegal workers, and in particular on the growing trend for migrant workers, where we are working with the Government to ensure that migrant workers are employed in the formal sector. We believe that forced labour, which is unacceptable, remains a significant issue around the world and the ILO action must be targeted to combat this. According to the Global Report, at least 12.3 million people are trapped in forced labour around the world, and only 360,000 of these are in industrialized countries. Leroy mentioned this morning that he thought that figure was a guesstimate, and I tend to agree with him. How can you be precise about how many people there are in forced labour? Clearly, it is a significant number. But the point I am making is that 360,000 is a small part of 12.3 million, if 12.3 million is correct, which means that the number of forced labourers in the United Kingdom is a relatively low figure compared to most other countries. However, even though forced labour may not be a major issue in the United Kingdom, because of the serious violation of human rights it entails, the employers are committed to eradicating forced labour in our country. An example of this is the broad-based business support that the Gangmaster Licensing Act received. There was a massive tragedy in the United Kingdom when 18 Chinese cockle pickers – illegal workers – were drowned in Morecombe Bay. The authorities did not know they were there and they were drowned; it was a terrible tragedy, and the Act was introduced to ensure that such terrible tragedies did not happen again, that they become a thing of the past.

Supporters of the legislation included: the Confederation of British Industry; the trade associations representing companies involved in the fresh fruit, vegetables and flower sector; the Recruitment and Employment Confederation; the Ethical Trading Initiative; companies involved in packing fruit and vegetables produced for major retailers; and the United Kingdom's major supermarkets. Where

forced labour does exist in the United Kingdom, it is definitely associated with illegal working. Actions to combat illegal working are focused on maintaining legal routes for migrants entering the labour markets, since illegal working is concentrated in key sectors of labour shortage, and on enforcing new regulations to minimize the phenomenon.

Illegal working not only undermines the employment rights of workers, but also exposes legal employers to unfair competition on labour costs and increases the incentive for employers to resort to illegal labour. Employers in the United Kingdom have supported moves to restrict illegal working and have been working with the Government to ensure that new rules are introduced in a way that maximizes their effectiveness. That means a risk-based approach, seeking to prevent rogues – rogues may be a word that does not mean much to many people, but to us it means people we do not want in our society – rogues in the illegal economy from being able to continue operating. Employers have participated in the Government's Illegal Working Steering Group and are keen to help the Government develop regularization strategies that will ensure people can be drawn out of the illegal economy into the regular economy.

Finally, the vast majority of forced labourers are in developing countries, and this is where concerted action must be targeted. Serious crimes such as trafficking for sexual exploitation must be eradicated. Basic human rights, including employment rights, must be respected and the ILO has a huge role to play in this, not only through standard setting, but also via technical assistance.

Ms. YACOB (*Worker, Singapore*)

First let me congratulate the Office for putting out this Report which is comprehensive and discuss in some depth the issues and challenges that we face in fighting forced labour.

Forced labour is a great evil that one associates with the darkest moments of human civilization in the past, but which, one feels, has no place in today's society. Yet, like a curse, this great evil persists and even flourishes. As the Global Report indicates, there are an estimated 12.3 million victims of forced labour worldwide – and this is supposed to be a conservative estimate. Despite the fact that many countries have ratified the Forced Labour Convention, 1930 (No. 29), and Abolition of Forced Labour Convention, 1957 (No. 105), the problem has persisted. We need to conduct an objective, factual, in-depth analysis of this problem and think of new strategies and solutions to deal with it. Above all, we need to search deep into our own conscience and ask ourselves whether we have done enough or are we guilty of lip service, of appearing before committees and international conferences and the media to articulate positions which, in our clearest moments of reflection, we know are mere white-washing.

We are deeply concerned to find that Asia continues to have the highest incidence of forced labour: 9.5 million out of a total of 12.3 million, or two-thirds of the total. Forced labour is all the more deplorable because it affects the most vulnerable and weakest members of our society. According to the Report, 56 per cent of the victims are women. In the case of forced commercial sexual exploitation, 98 per cent are women and girls. It is also estimated

that children represent 40-50 per cent of all victims, so, both in Asia and throughout the world, we really have to put ourselves under the microscope and take definite action to stop forced labour.

Let me come now to a few specific points raised in the report.

One important point raised by the Report is the failure to prosecute those responsible for forced labour. The Report noted that forced labour is hardly ever prosecuted, and, when forced labour cases are prosecuted, the sanctions are very small compared to the gravity of the offence. We urge governments to put in place effective legislation that prohibits and punishes the various forms of forced labour, as well as to enforce such legislation effectively. It is also essential that the number of prosecutions brought to successful convictions and the number of sentences passed against those using forced labour be recorded and made publicly available. Without this information, it is difficult to know whether the law is really punishing people and having the intended deterrent effect.

It is a matter of grave concern to us that those responsible for forced labour, who are crooks and criminals, are allowed to commit their crimes with impunity. In the course of this discussion, we hope that governments will be able to tell us exactly what they are doing to overcome these weaknesses in their legislation and enforcement regimes.

My next point is on the importance of reliable statistics and information at national and local levels, so that we can understand better the nature and extent of forced labour, and the factors contributing to it, in each country. This will, in turn, facilitate effective policy formulation and the development of a more targeted and focused action plan in each country to aid governments and the ILO in their efforts to eradicate forced labour.

There is little or no information about forced labour in many countries because governments do not conduct surveys or research on the issue. I do not know whether this absence is because of inertia on the part of governments, perhaps arising from their refusal to acknowledge the existence of forced labour within their boundaries, or because of a lack of capacity to carry out such work. I would argue that it is in the interests of governments to gather such statistics and information, as, otherwise, the ILO and other international organizations will have to rely on statistics collected from other sources – sources which I have frequently heard governments dispute as being inaccurate. Of course, it is important that, for such information to have any value, it must follow some internationally accepted methodology.

In this regard I would like to urge the ILO to further study how it could assist governments in this area, and I do urge governments to make full use of the ILO's services, for I truly believe in going beyond mere rhetoric in our efforts to eradicate forced labour.

I agree entirely with the statement made this morning by the representative of the World Federation of Trade Unions that all countries with a forced labour problem needed to comply with international standards, not only those that had ratified the Forced Labour Convention, 1930 (No. 29), and the Abolition of Forced Labour Convention, 1957 (No. 105). In other words, I do not agree with the suggestion made this morning that there should be a distinction made between those who ratified the Con-

ventions and those who have not. Surely, saving people from slavery and bondage cannot depend on whether or not a country has ratified the relevant Conventions.

To accept this distinction would be tantamount to accepting that countries which have not ratified the Forced Labour Convention, 1930 (No. 29), and the Abolition of Forced Labour Convention, 1957 (No. 105), could allow the most blatant forms of forced labour to continue because they had no legal commitments under the Conventions.

Various objections were also raised over the link that the Report made between forced labour and globalization. Having read the Report very carefully, I do not think that the Report actually blamed globalization; rather, the Report raised concerns about how global competition had put intense pressures on the global production system and this, in turn, had resulted in suppliers resorting to elements of forced labour in order to cut costs and stay alive. The ILO defines forced labour as a situation where worker service is extracted under the menace of a penalty, or where it is involuntary. Thus, if a worker is forced to do overtime with no extra pay and under the threat of dismissal if he refuses to do so, is that not forced labour? If there are a few thousand others waiting for his job, and he is the sole breadwinner feeding a big family, can we realistically say that he has not been forced to work beyond his normal hours? Furthermore, if rural workers coming to work in factories are confined to a factory and not allowed to leave its premises, even during their free time, and – worse still – after they no longer wish to work for the company, is that not considered forced labour? In Asia, there have been cases where workers who were confined in this manner were burnt alive because there were no means of escape when fire broke out. Are we still not able to see the link between globalization and intense, cut-throat competition placed on suppliers which, in turn, forces them to behave like slave-masters? I think that, if employers want to play a more positive role, they can do so by monitoring particular industries to ensure that no forced labour is being used, and by ensuring that their members comply with legislation and labour standards. Employers can also do more to ensure that their suppliers are not using forced labour, by working with governments and appropriate agencies to monitor the situation.

There was also a suggestion this morning that we should not put too much emphasis on the link between trafficking and forced labour. Trafficking is a serious problem and there is a direct connection between the two. The Report informed us that private agents are responsible for 80 per cent of all forced labour; of this, 20 per cent is an outcome of trafficking. Since we are talking about 12.3 million victims of forced labour worldwide, the number who are forced into forced labour because of trafficking is not small; hence, we cannot divorce the two. If trafficking is not stopped, forced labour will continue to escalate, particularly among women and children from very poor families.

I fully support the Report's finding that we cannot hope to eradicate forced labour without tackling the underlying causes, that is, social exclusion, gender discrimination, illiteracy, labour market failures and the exclusion of the poor from equitable financial services and social protection.

We should strongly support all efforts directed at tackling these problems at national level through

time-bound programmes supported by the ILO, through drawing up national plans of action and through multilateral cooperation in this area, including efforts to rehabilitate forced labourers.

I would also like to suggest that there should be some integration on the various issues that we have discussed in the ILO's contribution to the Millennium Review to be held in September this year. We look forward to receiving a detailed action plan involving all relevant ILO departments for discussion at the next meeting of the ILO Governing Body in November.

We have heard so much being spoken today about forced labour. The challenge before us is how to translate all this into action. Otherwise, the goal of eradicating forced labour by 2015 will remain just a goal, with no useful impact on the lives of the millions who are still in bondage, long after this debate.

Mr. ELMUFTI (*Government, Sudan*)

First and foremost I would like to avail myself of this opportunity to thank the distinguished Director-General for his Report, despite the reservations we have regarding the references in the Report to Sudan. I would also like to reiterate before this august body, the strong and continuous commitment of the Government of Sudan to combat and completely eradicate abduction and forced labour in the country, through the Government's establishment of the Committee for the Eradication of the Abduction of Women and Children (CEAWAC).

Through this statement we intend to respond to the information contained in paragraphs 208-210 of the Report of the Director-General, and we humbly submit at the outset that the information contained in the Report about abduction in Sudan needs to be updated, since there is tremendous progress on the ground. We have therefore distributed a summary report of activities outlining the tremendous achievements of the Committee for the Eradication of the Abduction of Women and Children, which I have had the honour and privilege to chair since its establishment in 1999 in response to a resolution adopted by consensus by the United Nations Commission on Human Rights in April 1999.

This statement is a brief summary and analysis of our viewpoint. Regarding the specific achievements of CEAWAC on the ground, I am pleased to report to this august body that out of the 14,000 cases of abduction, CEAWAC has so far succeeded in processing more than 11,000 cases through a very complex process of documentation, retrievals, tracing of families and reunification. Therefore, the contention in footnote 91 of the Report that 11,000 abductees remain unaccounted for does not really reflect the facts on the ground, since that piece of information goes back to the year 2002.

More than US\$3 million have been spent on this work so far and the Government of Sudan has provided more than two-thirds of those funds during the last 12 months. In addition, the Government has committed itself to providing all the funds needed to complete the remaining work. Thus, there is an effective policy framework for the eradication of abduction, as recommended in paragraph 209 of the Report.

On the other hand, this massive and unprecedented field work, is undertaken by CEAWAC Joint Tribal Committees, whose membership exceeds 300 tribal persons, in collaboration with the Dinka Chiefs' Committee. Therefore, there is very strong

support for indigenous conflict resolution methods, as recommended in paragraph 209 of the Report.

Furthermore, the work of CEAWAC has been undertaken in close cooperation with the international community, as elaborated in detail in our Report. And the most recent cooperation between CEAWAC and the international community, in particular, with the Special Representative of the Secretary-General of the United Nations for Sudan, on 16 May, is elaborated in the Report.

Not only that, but also the United Nations Commission on Human Rights in Geneva has, in many of its resolutions about the situation of human rights in Sudan, endorsed CEAWAC's course of action in not pursuing penal sanctions as long as abductors are cooperating with CEAWAC. For example, in resolution No. 2002/16, the United Nations Commission on Human Rights, referred to in paragraph 13, has called upon the Government of Sudan "to bring to justice the perpetrators who are not willing to cooperate with CEAWAC", and I am obliged to report before this body, that the local communities are extending full cooperation to CEAWAC and therefore the need has never arisen to take the legal action recommended in paragraph 210 of the Report.

Regarding the use of the word "slavery" in paragraph 210, it has been the mutual understanding of the Government of Sudan and the United Nations Commission on Human Rights in Geneva, since the adoption of its resolution of April 1999, that, in connection with the use of terms the word "slavery" should never feature again and that all parties concerned should confine themselves to the use of the word "abduction". Ever since 1999, the word "slavery" has never featured in documents regarding the situation of human rights in Sudan.

I would like to assure this august body that the statement in paragraph 210 of the Report, that there were reports of abduction in late 2004, is not true in the light of the explanations I have given.

Finally, I would like to reconfirm once again the commitment of the Government of Sudan to combat abduction and forced labour. It has exerted tremendous efforts towards achieving this goal.

Original French: Mr. DE VADDER (Government, Belgium)

We were very interested by what we read in this second Global Report on forced labour, presented today by the Director-General. I would first like to praise the quality of this Report because this time, for the first time, it contains statistical analysis of the state of forced labour in the world, with an estimate of the number of individuals affected and the profit made by people traffickers. This Report and these figures show, in a quite hair-raising way, what an enormous problem this is. It is a problem, incidentally, which has led to considerable levels of public concern in Belgium. I think that circulating this Report worldwide through a media campaign would be extremely useful and would contribute to the promotion of rights, and to more general progress.

The ILO, which has available to it more and more very useful information on this question, and which has used it to draw up a special plan of action to combat forced labour, should, we feel, continue to play a leading role internationally. That role is recognized by the most international organizations.

The Report shows the importance of information and raising awareness. You cannot, in our opinion,

judge that by the number of Conventions ratified, you need to judge it by the progress made in actually applying the Conventions. The Report also highlights the fact that many governments still do not recognize, or do not sufficiently recognize, the problem of forced labour. The effectiveness of ILO technical cooperation depends on the governments concerned recognizing the need to fight against this phenomenon, the case of Myanmar is a case in point. We urge the Office to share out its time, resources and energy in a balanced way between those countries which, like Myanmar, have very serious forced labour problems and therefore need technical support from the ILO. We would have appreciated an appendix to the Report giving a complete list of countries to which the ILO has provided technical assistance, what form that technical assistance took and the period of time over which it was provided.

We believe that regional meetings are an excellent way of providing information and raising awareness of forced labour. Using examples of progress in certain countries in the region concerned might encourage other governments to do the same. We would therefore urge that forced labour be put systematically on the agenda of regional meetings.

Given the scale of forced labour worldwide, we are surprised that there have not been very many complaints and allegations brought over recent years. Maybe the Office should look into how it could be made easier for victims of forced labour to call on the procedures of the supervisory system. This could be done by increasing assistance to trade union organizations but also to social inspectorates in labour ministries, by encouraging the specialized services within the ILO, such as ACTRAV and ACT/EMP, to be aware of the problem, and also supporting the action taken by non-governmental organizations.

Belgium paid particular attention to the chapters of the Report dealing with migration and people trafficking. As with all other international initiatives, we would like to reiterate our willingness to work together with the ILO to find the most appropriate ways of tackling this scourge. A Bill has in fact just been brought before the Belgian Parliament, aiming to strengthen the fight against human trade and trafficking.

Mr. LAWAL (Minister of Labour and Productivity, Nigeria)

The inclusion of the Global Report, *A global alliance against forced labour*, as an item on the agenda of the Conference is commendable. It has achieved the feat of focusing the attention of the tripartite constituents of the ILO on the critical areas of defects in the global agenda of social justice and decent work. In this regard, I wish to, on behalf of my delegation, congratulate the Director-General and the secretariat for this achievement.

The 2001 Global Report, *Stopping forced labour*, drew our attention to the gravity of the problems of forced labour in the modern world. This year's Global Report, *A global alliance against forced labour*, is therefore an added advantage in tackling this worrisome problem. The Report has identified the various facets of forced labour such as human trafficking, child labour, child soldiering and bonded labour.

The document is both comprehensive and informative. It has increased the awareness and sensitiv-

ity of member constituents on the forms of forced labour.

Permit me to share with this august assembly my joy in observing that, in the Report, forced labour practices have been upgraded to criminal offences attracting serious international sanctions. Forced labour has also been seen as inimical to human development. It portrays countries that export and receive migrant labour under such forced labour conditions in a very bad light. I am grieved, however, by the fact that some governments are involved in exacting forced labour for political or economic purposes. I therefore support the proposal in paragraph 7 of the Report that forced labour must be punishable as a crime.

The Report has identified the various core Conventions which apply to the phenomenon of forced labour and member States should be encouraged to ratify these Conventions, namely the Forced Labour Convention, 1930 (No. 29), the Abolition of Forced Labour Convention, 1957 (No. 105), and the Worst Forms of Child Labour Convention, 1999 (No. 182), as a solution to the problem. In addition, legislation on forced labour and trafficking should be encouraged. Nigeria currently has a law on human trafficking. There are also provisions in our Constitution and the Labour Act prohibiting forced labour. Furthermore, the reviewed labour legislation has taken account of this, as noted in paragraph 346 of that document.

It is sad to state that, out of the estimated 12.3 million people in the world who are at present victims of forced labour, 9.8 million are exploited by private agents, including 2.4 million who are in forced labour as a result of human trafficking, while the remaining 2.5 million are forced to work by States, or rebel military or militia groups.

Based on the geographical analysis of the situation mentioned in paragraphs 56-59 of the Report, sub-Saharan Africa shares with Asia and Latin America a significant proportion of the victims, estimated at 20 per cent. It has been highlighted that 43 per cent out of the 2,450,000 people trafficked are in forced labour for commercial sexual exploitation; 32 per cent for economic exploitation, while the balance of 25 per cent are for mixed, undetermined reasons.

It has also been identified that different parts of the world have different forms of forced labour. In many parts of Africa child trafficking is pronounced, as these countries serve as source, transit and destination points where these children are mostly engaged in domestic work, whereas human trafficking is transcontinental and mainly linked to commercial sex.

The enormity of the problem demands political will on the part of governments and economic sacrifice on the part of employers, who should restrain themselves from the economic decision of engaging cheap labour. Workers must rise to the challenge of defending and protecting the rights of fellow workers who are victims of forced labour. The ILO has a crucial role to play in identifying and providing technical assistance where required, in addition to carrying out continuous research on this project. I support the view in paragraph 75 of the Report that effective action against trafficking must combine elements of all the mentioned approaches.

On this note, I wish to acknowledge the assistance received by my country from the ILO through its Office in Lagos, Nigeria, and from other interna-

tional agencies, in one of the projects undertaken by Nigeria that is tangential to halting the scourge of forced labour in the West African subregion.

There is the newly established National Agency for Prohibition of Trafficking in Persons and Related Matters, otherwise known as NAPTIP, which has developed a National Plan of Action to combat trafficking in humans. With the assistance of the ILO, this body has organized a stakeholders workshop with tripartite social partners and NGOs in different parts of Nigeria. The Plan of Action recommended by NAPTIP will further require appropriate legislation to channel poverty alleviation programmes to groups vulnerable to trafficking. This is in addition to the establishment of a national monitoring system.

In addition to the efforts of the Government in working towards this objective, Nigeria will appreciate continued technical assistance from the ILO and other international bilateral agencies, together with the support of employers' and workers' organizations, in Nigeria and globally, to jointly address the issue of forced labour in the following specific areas: (i) capacity building in enforcement activities; (ii) sensitization and awareness-raising programmes; (iii) effective rehabilitation programmes carried out in concert with private institutions for those rescued from forced labour; (iv) developing of credible and effective redress mechanisms for victims of forced labour; and (v) involvement in research and pilot projects with ILO assistance in the new area of the application of labour laws to prisons.

Finally, I wish to assure the President and this august gathering that with the support of the ILO, as indicated above, Nigeria will be an effective partner and will serve as a good example to follow in the global alliance against forced labour.

Mr. SALMENPERÄ (*Government, Finland*)

My Government also feels obliged to start by thanking the Office for the excellent Report, even if its content makes the reader sad and angry at the same time.

Forced labour is a phenomenon that perfectly demonstrates the capabilities and ruthlessness of human beings. It no longer seems to be exclusively a question of ignorance and cultures or traditions based on such factors; more and more, it constitutes straightforward and consistent exploitation with no regard to human dignity and rights. As the objects of this scourge are the poorest and the most vulnerable, in other words exactly those who, on the contrary, would be in need of special protection, the practice of forced labour is a form of evil that threatens the very core building blocks of any society: justice and compassion.

Arguably, forced labour is a complex phenomenon which also encompasses forms that are less vicious. There is no need, however, to show any understanding for any of these forms as they all demonstrate the same disease of disregard of human liberty and right to choose a livelihood freely.

The Report and indeed the ILO's Special Action Programme to Combat Forced Labour excellently illustrate the measures that are needed, and these measures are well summarized in paragraph 385 of the Report so there is little need to repeat them. There is, however, reason to repeat or to emphasize that forced labour is not only a problem of developing nations. Globalization has brought about a

smaller world where the narrow borderline between wealth and poverty creates an environment where forced labour can take root if it is not constantly checked. It is obvious, as is pointed out in the Report, that without a systematic approach and adequate resources to combat forced labour it will rapidly spread also in industrialized developed countries.

Finland has a national action plan in the preparatory stage to eradicate the underground economy, which includes forms of forced labour. Part of that plan is to develop legislation so as to enable more effective supervision of conditions of employment. It seems necessary to introduce measures that will shift part of the responsibility for criminal and discriminatory practices to those who use the results of the work done. This approach is, in a globalizing world, difficult to implement effectively without international cooperation and normative action based on that work.

Original French: Mr. ONI (Government, Benin)

I would like to begin by thanking the group of experts which prepared the Report because it is a high-quality document containing a great deal of information and sound analysis. I should also like to thank those who provide funds to the Declaration programme, especially the Government of France and those 16 tireless representatives. I would like to mention in particular Ms. Coent and Mr. Giacomini. They have frequently visited the French-speaking countries of Africa to help workers' and employers' organizations and governments in activities to promote the Declaration in those countries.

Promotion of the Declaration, and especially the fight against forced labour, should, in our opinion, be done through national programmes and integration of countries in the efforts to combat child labour supported by the International Labour Office.

My country feels that we need to organize and support the African States, especially the French-speaking States, in drawing up bilateral agreements and setting up national observatories to deal with the problem of forced labour. I support the idea of a global alliance with the participation of the National Institute for Combating Forced Labour.

Original Spanish: Ms. FRANCO (Government, Mexico)

The Government of Mexico would like to thank the ILO for the Global Report under the follow-up to the Declaration on Fundamental Principles and Rights at Work which for the second time, is tackling the issue of forced labour. The Report concludes that this phenomenon is dangerous and the cause for grave concern. The figures contained in the Report show that the phenomenon has taken on alarming dimensions and constitutes a major challenge for the international community. My Government fully agrees with what is stated in the Report concerning the issue of migration. In this connection, we believe that in order to reduce and eventually eliminate the exploitation of irregular migrants, Governments must set up cooperation mechanisms that ensure full respect for the human and labour rights of migrant workers, irrespective of their migration status.

The Government of Mexico is also of the opinion that, as stated in the Report, if progress is made towards achieving gender equality, providing decent work, and eradicating poverty, the unacceptable

practice of forced labour will gradually disappear worldwide.

The Government of Mexico believes that, at all times, labour should dignify, not humiliate a person. This is why forced labour is illegal in our country. Our legislation stipulates that individuals must not be coerced into working against their will and must receive fair remuneration for their work. We cannot allow any agreement, convention or contract that seeks to impair, restrict or forego individual freedom for whatever reason.

Forced labour and debt servitude are rendered illegal by Mexican legislation and punished accordingly. We agree with the statement made by the spokesperson of the employers' association that bad working conditions should not be confused with forced labour as such.

In this regard, my delegation would like to address the issue of trafficking in persons, which is also tackled in the Global Report. In Mexican legislation, trafficking in persons is codified as a criminal offence. No labour relationship may be established through the use of force, be it physical violence or threats. There may also be no labour relationship if the activity undertaken is illegal and not a type of activity which is regulated by our labour legislation. Nonetheless, the Secretariat of Labour and Social Provision does cooperate with the competent authorities to combat this phenomenon.

To conclude, I should like to emphasize that the Secretariat of Labour and Social Provision will continue to follow closely the activities undertaken by the ILO with regard to this issue, and in other international forums.

Original French: Mr. PARROT (Worker, Canada)

First of all, I would like to congratulate the Director-General and all those who contributed to the drafting and production of this Report, it is a report of a very high standard.

For many of us, when we hear the words "forced labour" our minds immediately turn to the situation of workers in Burma.

Unfortunately, this situation, which at this current time requires our full attention, tends to make us forget that there is forced labour everywhere in the world and that it actually encompasses far more situations than just the unacceptable circumstances in Burma.

The definition of forced labour as set out in the Report allows us to recognize the many different forms of forced labour which exist across the world. Although I do not wish to go into detail regarding specific cases, I cannot help but think of the women and men working in Iran who are forced to work without any pay, knowing full well that if they were to protest against this state of affairs they would face immediate dismissal. Such action has been taken against others before them, and they would lose the wages they have already earned but have not yet been paid.

The Report makes it clear that we also have to look at the situation in industrialized countries. Do we not also have migrant male and female workers who are in a state of forced labour in our countries? There are men and women working in our countries in what is commonly known as the sex industry and they surely are also in a situation of forced labour. Do we not also have men and women working in our countries who are forced to work overtime against their wishes? It is obvious that these forced

labour situations do exist in our industrialized countries. They are the result of threats, fear or the exploitation of the most vulnerable members of our communities. I am thinking particularly of male and female workers, often immigrants, working in the agricultural sector, or who do office cleaning, or are domestic employees and who are trapped in a state of dependence.

In Canada, the Province of Ontario has deprived agricultural workers of the right to bargain, thereby making them particularly vulnerable and liable to have to work under very poor conditions and against their wishes under threat of dismissal.

There are also men and women who are unemployed and who are forced to accept poorly paid jobs, or as I once saw during a postal strike, are forced to act as strike breakers or lose their benefits.

The PRESIDENT (Mr. FINLAY)

Mr. Tabani has requested a point of order.

Mr. TABANI (*Employer, Pakistan*)

Thank you, Mr. President. We are discussing the Global Report on forced labour. We are supposed to discuss the general aspects of the Report and, as was said this morning, we do not wish to go into individual countries which are being discussed separately in the Committee on the Application of Standards. The President made it very clear this morning in his introductory remarks.

The speaker just now first talked of Iran. I thought I would let it go without interfering, but then again he has named another country, and I would suggest that you avoid naming countries but go on with the general discussion as far as the Report is concerned.

The PRESIDENT (Mr. FINLAY)

Mr. Parrot, would you like to continue? Please do not refer to specific cases and stick to the issue before us today: forced labour.

Mr. PARROT (*Worker, Canada*)

I have heard all the Governments today talking about what they are doing in their countries. I have heard other people raising issues about different countries, so I just wanted to show that Canada, as many other countries, has some problems it needs to address. I come from Canada and I think I have the right to say that.

Here I was just making a point, without dealing with a specific case; I was not talking about the country so much as the people that are in that situation. That was the country which came to my mind, and it could have been any other country. Now I will go back to the rest of my intervention.

(The speaker continues in French.)

In my country, the right to collective bargaining has been taken away from agricultural workers, making them particularly vulnerable, so that they have to work against their will under deplorable conditions, under the threat of losing their jobs. There are also workers who are unemployed and who are forced to accept poorly paid jobs; and in one case during a strike they were forced to act as strikebreakers under threat of losing their benefits.

It was the representative of the Government of Ireland who, this morning, stressed the importance of giving extensive media coverage to the issue of forced labour. The ILO Department of Communication needs to do some work here, since we have already begun to get some coverage for this in the

Canadian press. Unfortunately, however, these articles tend to understate the extent of this problem in industrialized countries. In an Ottawa newspaper, it was only in the very last paragraph that reference was made to the very few cases which exist in the industrialized countries; in another publication, once that point had been made, the article hastened to add that this problem was particularly prevalent in developing countries.

But it is not enough to denounce forced labour. In these articles, the kind of forced labour we have in mind must be clearly identified. Obviously, within the action plan, the industrialized countries have to invite other countries to put an end to forced labour. But just as obviously, they have to address the issue in their own countries and identify the sectors where forced labour might occur, so as to ensure that it is avoided.

As for the action plan which will emerge from our discussions, governments must recognize that, as I said, forced labour may well exist in their own countries, and they need to take the necessary measures to identify and remedy such situations wherever they exist in each of our countries. The action plan must also promote ratification of Conventions Nos. 29 and 105 in order to raise the awareness of the authorities and of populations to this phenomenon, which is all too often ignored in our societies today.

I agree with the Workers' group that the trade unions have to be at the heart of the action plan. The plan should be on a par with that adopted under the Global Report on Conventions Nos. 87 and 98, which referred to the key role that the trade unions play in giving a voice to those without a voice.

The action plan must take into account the priorities identified by trade union organizations. Long-term priorities need to be set for reinforcing labour inspection and extending social protection, as well as providing support to trade union organizations in combating forced labour. In order to achieve this, in each of our countries governments have to display the political will to take action on forced labour. Employers and trade unions must also become involved as part of this global alliance against forced labour.

Having said that, cases of forced labour can always occur, as long as all the member States of the ILO fail to respect all the fundamental rights set out in the ILO Declaration and the Constitution of the ILO. Let us give these millions of people throughout the world the right to work as workers and not as slaves.

Ms. KIRUI (*Government, Kenya*)

Kenya compliments the Office for the Global Report under the follow-up to the ILO Declaration on Fundamental Principles and Rights at Work 2005 whose focus during this session of the Conference is forced labour. The Report contributes greatly to the understanding of a complex problem which we thought had disappeared but appears to be resurfacing in different forms with consequences being felt all over the world.

The magnitude and trends, as well as the challenges, outlined in the Report, call for joint efforts at all levels to contain this problem. We therefore join the Director-General in his assertion that forced labour has no place in modern society. That Africa accounts for 660,000 of the documented 12.3 mil-

lion cases globally is extremely worrying and this trend needs to be addressed urgently.

The proposed action plan is an important milestone and the initiative by the ILO to effectively deal with the question of forced labour from a global standpoint has come at an appropriate time.

Kenya takes special note of the ILO's proposed action as indicated at paragraph 387 and, in particular, the "basic goals and targets". We take cognizance of the call to devise time-bound action programmes to eradicate forced labour by the end of the 2005-08 period and finally achieve the goal of eliminating all forms of forced labour globally by the year 2015.

Kenya has undertaken measures to deal with the challenges of forced labour by ratifying the Forced Labour Convention, 1930 (No. 29), and the Abolition of Forced Labour Convention, 1957 (No. 105). In addition, we completed a comprehensive review of our labour laws last year. The draft laws and especially the Employment Bill outlaws forced labour. Further, the Constitution of Kenya expressly outlaws all forms of forced labour.

Reports and complaints lodged with the Ministry of Labour in Kenya and our missions abroad, as well as media coverage, attest to the fact that the forced labour problem is widespread and ought to be treated as a matter of grave concern.

We are aware of the deception, false information and promises given to unsuspecting jobseekers who become victims of forced labour especially in the hotel, entertainment, sea transport and domestic subsectors. Quite often the type of work, accompanying salaries and other conditions of employment turn out to be totally inconsistent with their expectations.

Recruitment is usually done in secrecy and some employment contracts are signed in the absence of proper national legal requirements such as immigration documentation and work permits. The victims of forced labour usually fear exposure to authorities as this may lead to their deportation.

It is therefore against this background that Kenya endorses the proposal to work towards policy coherence and sound laws and policies at national, regional and international levels in order to effectively combat forced labour. Kenya will continue, together with the tripartite constituents and other key stakeholders, to develop effective strategies to fight forced labour and address the structural causes, such as poverty, unemployment, deprivation and discrimination.

Within the lifespan of this second Report and in conformity with paragraph 10 of the Report, Kenya will design a national action plan for specific economic sectors of industry.

Allow me at this point also to request from the ILO technical assistance to implement activities to fulfil the proposed Special Action Programme to combat Forced Labour (SAP-FL).

Mr. LOHIA (*Employer, India*)

This second Global Report on forced labour presented by the Office is statistically rich and provides deeper insight into the causes and consequences of the phenomenon, yet falls short of proposing concrete measures beyond those that are routinely put forward, to prevent this widely prevailed menace. The statistically estimated 12.3 million forced labourers out of which the Asia Pacific accounted for 9 million, is serious enough to wake up the con-

science. Poverty and underdevelopment are the twin factors responsible for child or forced labour and it has direct linkages with the development of a country. Asia Pacific and sub-Saharan Africa have the highest number of underdeveloped countries, and the incidence of forced labour is larger.

Forced labour is a complex problem and it has caste and gender dimensions because of the poverty and vulnerability of certain sectors of the society. It is subtle, hidden and as such, despite governments' best intentions, total elimination may not be possible in the near future. The causes range from poverty, lack of employment opportunities, migration pressure, and of late the competitive pressure, which forces unemployment. Yet, as stated, poverty remains the basic and root cause. In underdeveloped countries, economic exploitation is the common form of forced labour; in developed countries it is sexual exploitation.

The second Report records some progress as compared to the first Report, which is indicative of the increased focus, awareness and commitment of the Member countries. There are positive instances in most of the states in India, Nepal and Pakistan, where serious efforts are under way to eliminate this menace. Mongolia and Viet Nam have also demonstrated a national commitment. Yet the efforts get hamstrung due to lack of sustainability of the programmes due to resource constraints. Secondly, it has been the experience in India that, after some time, the identified and freed forced labourers go back to debt bondage. A sustained approach is, therefore, needed for more encouraging results.

India ratified the Forced Labour Convention, 1930 (No. 29), in 1954 and since then it has made gradual progress in strengthening legislative and administrative measures for releasing and rehabilitating the forced labourer.

Article 23(1) of the Indian Constitution prohibits forced labour in any form. The Bonded Labour System (Abolition) Act, 1976, makes it an offence and provides a penalty of three years' imprisonment with a fine of Rs.2000. Every district has to appoint a vigilance committee to identify bonded labourers and make provision for his or her release and rehabilitation. The environment is fully sensitized and all the players, whether they are employees, trade unions or members of civil society, support the Government in this endeavour.

The complexity of the problem often increases as a result of different definitions of forced labour. The Supreme Court of India has given the widest possible definition, that any person working for less than the minimum wage prescribed by the Government, will be deemed to be in forced labour.

Yet, in an excess-labour economy, where employment avenues are scarce, higher unemployment depresses wage levels. This cannot be termed as forced labour.

I think the ILO should take these factors into account and support the Government and employers in these countries to combat the problem of forced labour.

There has been a drastic improvement in prosecutions also, in India. Yet the problem remains with the size of the country and complexity of the issue. Migration of workers from one part to the other in search of jobs and in some cases, like the brick kiln industry, where the families work altogether and the industry is seasonal, it is difficult to keep track of

all the workers, and to ascertain whether they are forced labourers.

Illegal migration of workers to overseas countries and their exploitation accounts for forced labour in the developed countries. Such workers are exploited as commercial sex workers or put to work in hazardous conditions and for low wages. A cohesive migration policy is therefore a necessary part of globalization to curb such illegal practices. The developed countries should take a positive step in this direction.

The ILO, having adopted a declaration and shown a commitment on behalf of its members to grapple with the issue, should understand this issue in its entirety, and multiply its resources to eliminate this menace. The Asia Pacific Region should be the thrust of ILO's action programmes. Poverty and unemployment being core issues, poverty reduction programmes, vocational training, entrepreneurship development programme and youth employment should receive sharp focus. Of late, microfinancing of projects in rural areas has received tremendous success, which needs to be replicated. Only then would a debate on the subject be meaningful.

Mr. DZVITI (*Government, Zimbabwe*)

On behalf of the Zimbabwe Government, I wish to join other countries in congratulating the Director-General and the staff of the ILO in coming up with their very comprehensive global report on the elimination of forced and compulsory labour.

Since 1999 your Global Reports have provided us with sound statistical information, knowledge and insights on how we, as member countries, may implement and promote the fundamental principles and rights at work enshrined in the core Conventions in question.

Suffice it to say that the reports have enabled us to assess and strengthen our resolve and capacities with regard to meeting our obligations as espoused in the Conventions that we have ratified.

It is my conviction that the instruments covering the issue of forced labour remain central in addressing the matter if they are adequately applied and given practical effect on the ground.

The statistics mentioned in the Report related to the number of people subjected to forced labour clearly raise questions concerning our resolve and capacity to apply those instruments provided for in our national statutes. I think that more needs to be done to empower our national inspectorate systems, which have been vindicated by the global changes to the world of work.

It is against this background that Zimbabwe has taken it upon itself to confront the challenges facing our inspectorate system as a matter of priority. I believe very little can be achieved in the fight against forced labour if our systems are not sufficiently proactive in identifying incidents of forced labour and accordingly applying the necessary penal sanctions.

Although there have been no known or reported cases of forced labour in Zimbabwe, I believe that efforts to strengthen and capacitate our inspectorate systems will go a long way in enabling us to identify and eliminate the hidden forms of forced labour. I believe the ILO has a critical role to play in helping member States achieve this goal through capacity-building programmes for inspectoral systems.

I applaud the emphasis placed by the Global Report on new global trends in forced labour, particularly those linked to human trafficking. These new forms, as the title of your report suggests, require a concerted global effort, for we cannot, as individual countries, rise to the challenges brought about by globalization.

Finally, I wish to inform you that the Government of Zimbabwe is determined to eliminate forced and compulsory labour. Thus, we look forward to the Plan of Action proposed in your Report.

Mr. AHMED (*Worker, Pakistan*)

May I take this opportunity to associate myself with our able spokesperson, Brother Trotman, and also my other distinguished colleagues who have offered deep appreciation for the Report presented by the Director-General and his good team on the vital subject of forced labour.

We also welcome the remarks made by my compatriot, Mr. Tabani.

We are in the twenty-first century and human beings are trying to reach Mars and, despite such advancement in technology and resources, we still find, as pointed out in the Report, the menace of forced labour where men and women are treated like chattels.

We believe that in several countries this is also a legacy of slavery. But this is the twenty-first century with new technological development and we still find that the menace of forced labour exists in many developing countries, particularly in the rural sector, the informal sector, and for women and migrant workers and domestic workers. There are many reasons for this – poverty, unemployment and ignorance prevail in those countries with incidences of forced labour.

Pakistan is the world's seventh largest country in terms of population and we have a legacy of feudalism which allowed the peasant to be exploited as forced labour in some areas. Although forced labour is prohibited by the Constitution, nevertheless it exists in the rural sector for economic, social and political reasons. That is why the labour movement in Pakistan has taken up the cause with the Supreme Court, to compel the Government to draft comprehensive legislation to abolish forced labour. But mere legislation, we believe, is not enough unless it is accompanied by political will and economic and social input. Therefore we rightly expect not only the Government of Pakistan but also the member States to allocate more social and economic input to those who are victims of forced labour, by providing them with decent work, improving their working conditions and making effective labour inspection machinery in order to bring those who are responsible for this crime against humanity to justice. They should introduce measures to ensure rehabilitation and skills development.

We also feel that there is a need to abolish feudalism in many countries, including in my own, where the feudal law subjects poor peasants to exploitation.

We have listened with great attention to the spokesperson of the Employers and, for our part, we disagree that poor conditions do not lead to exploitation of the worker. We know that lack of job security and the threat of dismissal mean a state of uncertainty for workers about their future. Temporary, daily labour workers, workers in the export processing zones, and women workers are particularly sub-

jected to even greater exploitation. There is a lack of respect for the fundamental rights of freedom of association and collective bargaining. I think that it is the responsibility of the State to take care to improve the quality of the work of these workers by effectively inspecting machinery and providing more input.

May I add that there is another dimension that concerns not only national political will, but also a second issue. Our Government representatives, while presenting their views on this Report, have not mentioned the Steering Committee at national level, that is, the Vigilance Committee which is tripartite and needs strengthening in order to monitor the Abolition of Bonded Labour Act.

Another issue is that of human trafficking. In our country, we know that many innocent people are subject to exploitation and trafficking and we are all aware, developed and developing countries, of the plight of migrant workers. We certainly urge member States to ratify the Migration for Employment Convention (Revised), 1949 (No. 97), and Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143), and also the United Nations Protocol adopted in 2000 to prevent and punish trafficking in persons, especially women and children, as well as the ratification of the International Convention on the protection of the rights of all migrant workers, and members of their families (resolution 1990).

Lastly we fully support the international action to be taken, along with the national political will and the intervention of relief to developing countries particularly in the areas of debt, fair trade and the digital divide, to provide them with the resources to face challenging economic and social issues.

In our part of the world, 50 or 60 years ago, prior to independence, it was said that slaves could fight their slavery. That is still valid today. We must act on our convictions and accord the slaves of trafficking and forced labour the freedom of decision which gives them a collective voice to defend and promote their rights. We fully support the international cooperation and technical assistance rendered by the ILO, and look forward to succeeding in the struggle against forced labour under the banner of the ILO, with the cooperation of member States and the workers and employers.

Original Arabic: Ms. SAAB (Government, Lebanon)

I should like to thank the Director-General for this Report, *A global alliance against forced labour*. It contains a number of recommendations and defines programmes and projects to combat forced labour.

I should like to mention some specific points. I would suggest that the ILO prepare a new global survey of forced labour based on the Forced Labour Convention, 1930 (No. 29), and the Abolition of Forced Labour Convention, 1957 (No. 105). This is important because there are other dimensions and other types of forced labour which we were not aware of at the time those two Conventions were drafted.

We suggest that the ILO meet the requests of member States by arranging meetings on these two Conventions with the participation of the social partners and the ministries concerned, for the purpose of encouraging implementation of these Conventions.

We also propose that guidelines be drafted by the Office on the principles and content of these two

Conventions, and that these be circulated especially to those States that have not yet ratified the two Conventions.

Forced labour is not included in the Labour Code of Lebanon of 1946. A bill has been drafted with the participation of a tripartite committee, and this bill states that no one can be forced to work.

As regards migrant workers in Lebanon, they work under very clearly defined contracts which stipulate their rights, especially with regard to domestic workers. Our laws emphasize the importance of humane treatment of these workers. Furthermore, migrant workers in Lebanon benefit from certain safeguards that define their working conditions and benefits.

The Ministry of Labour does not allow anyone to work under 18 years of age. Article 3 of the bill I was mentioning stipulates that employment of children in prostitution or drug trafficking is a crime punishable under the Criminal Code and labour legislation.

The Ministry of Labour also has a body that has the responsibility of listening to the complaints and grievances of workers, including migrant workers, and of investigating the cases submitted to it.

It is important to have bilateral agreements for migrant workers in order to define their rights and responsibilities. Member States must also prevent illegal immigration, and working conditions must be defined for the migrant workers before they leave their own countries.

The ILO must help member States to draw up national programmes for the creation of jobs in the light of their specific conditions in order to prevent illegal immigration. The workers themselves are sometimes partly responsible for their situation by failing to assert their rights, because of their irregular situation. Illegal migration must therefore be combated as far as possible.

We support the proposal of the ILO to hold a conference in 2006 concerning eradication of forced labour by the year 2015.

(Ms. Anderson takes the chair.)

Ms. AMADU (Government, Ghana)

I am representing a group from Ghana here. First of all I would like to thank you for this wonderful, thought-provoking Report and I think for me to some extent it pricks our conscience, as the people.

We are talking indeed about a problem that is so complex for all of us that it should not be entertained whatsoever in our time. I want to share with you what we do back home in Ghana to try to eradicate the problem of forced labour.

With the support of ILO, especially through the Special Action Programme, we were lucky enough to conduct a study in the northern part of my country to find out the magnitude of the problem and to find possible solutions to the problem in the area. The study was conducted by the Department of Social Welfare, which comprises the staff under the Ministry of Manpower, Youth and Employment who work in the field and in the communities – so whatever findings that were brought up from the report were very authentic because they know exactly what is happening at that level.

As a Government, we have tried to put certain measures in place. I would like to say at this moment that I cannot draw a line between migration and trafficking and forced labour, as they are so in-

terconnected. Why do I say this? Because of the poor children and women that migrate from the rural areas to the cities. I want to limit my presentation to what happens, in Ghana and not even touch on the problem outside our borders.

For one reason or another they run away from poverty and deprivation with the hope of finding some kind of job opportunities and therefore they end up in situations in which they lose control, because most people even lure them into some kind of jobs that they cannot refuse because they are poor and they feel they must earn a living by all means. So they find themselves in that kind of situation.

Apart from this, we have got what we call reception centres. When we are eventually able to rescue some of these women and children, we send them over there because it is quite a traumatic experience for them moving away from their own environment to strange places. They do not know people or anyone. When we rescue them we send them there for counselling and try to get them to overcome the trauma they have experienced.

Apart from that we introduced what we call vocational training, so that they require skills while they are over there. At least we equip them so they will be able to work on their own with some micro credit support, and will be able to work on their own and work independently.

We have at the moment our Human Trafficking Bill before Parliament. I am sure that once it receives the Presidential consent we will be very fortified to be able to prosecute people who recruit people like that, without their consent, because we feel they are violating their human rights, in the first place.

We want to thank the ILO and the United Kingdom Government for their support so far for helping us achieve this. Of course, naturally we need more resources to revamp more of the centres dotted all over the country, so that we will be able to train more of our women and young people, especially the youth that are so vulnerable, who fall prey to all these unscrupulous people who come around to recruit them for so-called lucrative jobs; they end up finding themselves in conditions that are so deplorable, conditions in which you cannot even imagine a human being working.

We have what we call our Children's Act also in place. This forbids children under the age of 15 from doing any kind of hazardous work. Children are supposed to be at school in the first place, not working. So we try to reinforce and make sure that all our stakeholders, including all the security agencies, especially the migration offices and all those people who keep watch over our entry points, either at the airport or along our borders with our neighbouring countries, that they remain vigilant to make sure that at least our children and women are not trafficked across the borders for cheap labour and for sexual exploitation.

I thank you again for giving us this opportunity and join the rest of the world in saying that forced labour is not to be entertained. We have to fight it and work at it together, as a people, to put an end to it.

Original Spanish: Ms. DE BUITRAGO ARANGO (Government, Colombia)

The Director-General has submitted to us the Global Report under the follow-up to the ILO Declaration on Fundamental Principles and Rights at

Work, entitled *A global alliance against forced labour*.

Recognizing the magnitude of forced labour in the world, the ILO has launched a campaign to raise awareness among the international community to combat this appalling scourge, including human trafficking. The work begun by the ILO, which includes technical cooperation with support from international institutions, should be reinforced with measures at the national level by States. Action plans such as those embarked on by States like Brazil and Pakistan should be emulated by other countries, and demonstrate their willingness to eliminate and penalize forced labour.

Once again today we are witnessing in this forum the importance of the follow-up to the ILO Declaration on Fundamental Principles and Rights at Work. Each year this Conference takes on a growing significance, as it becomes an invaluable tool to promote decent work in the world. The Government of Colombia welcomes this and reiterates its commitment to both the Declaration and its important follow-up.

This opportunity to visualize the global situation with regard to the instruments on forced labour enables readers of the Report to gain a clear picture of the magnitude of the problem and the consequences it can have in the medium and long term, especially in a society seeking to reduce labour costs.

The definition, statistics and forms of forced labour referred to in the Report, which in turn reflect the content of the Conventions on the subject, help States to make progress on policies to combat this scourge afflicting workers in a globalized world.

As regards my country, I would like to recall that the Report of the Committee of Experts on the Application of Conventions and Recommendations last year noted with satisfaction the progress made concerning forced labour, specifically in regard to Convention No. 29.

As regards prison work, as an important element of the penitentiary regime, it must always respect human dignity, constitutional guarantees and universally recognized human rights. Work in prisons is carried out for a purpose, which is essentially to readapt convicts to society, to enable them to return to society after serving their term.

There is no forced labour in Colombia. Section 79 of Act No. 65 of 1993 provides for compulsory labour in penitentiary establishments for persons sentenced by court decision, and here too the legislation is closely in line with the provisions of the Conventions, which clearly state that forced labour does not include work exacted as a result of a conviction in a court of law. In the case of our country, the work cannot inflict suffering or be applied as a disciplinary sanction; it must take into account the convicts' aptitudes and abilities, allowing them to choose between different options within the prison establishment.

Another fundamental aspect of our legislation is that the work must be regulated by the General Directorate of the National Penitentiary Institute, in accordance with the requirements laid down in the Conventions, which provide that such labour cannot be left to the discretion of directors of prison establishments.

Moreover, the Constitutional Court ruled in Judgment C-394 of 7 September 1995 that compulsory labour was legitimate, being in conformity with ILO Convention No. 29, and contributed to

human dignity, as it confirmed a person's mastery of himself, i.e. permitted self-realization, as long as it was commensurate with that person's abilities. The court ruled further work, under our Constitution, had a triple dimension: as a principle, as a right and as a duty. Hence Convention No. 29, in Article 2, paragraph 1, allowed forced labour in prisons as a rehabilitation measure. Viewed as a means of individual self-improvement, work referred to in that Article also includes intellectual work, which also has a rehabilitating and resocializing role.

I would like to reiterate here that Colombia has undertaken to implement this Convention and is willing to join the global alliance against forced labour.

Ms. MAPHANGA (*Employer, Swaziland*)

This year's Global Report entitled *A global alliance against forced labour* is not only timely, it also raises a number of critical issues for the attention of all partners, including employers' organizations. The Report enables us to get a global view on emerging trends and issues. However, it calls into question the extent to which it is grounded in national realities and contexts.

Using the example of Swaziland, I will demonstrate briefly that there is a need for further research and understanding of this question, which will enable us to make progress on this issue. The point of departure is the section in the Report on forced labour in the context of poverty and tradition, contained in paragraphs 213-216. Swaziland has ratified Convention No. 29 concerning forced labour. It has thus the duty to ensure compliance and to report relevant developments through the established monitoring mechanism, which we understand to be separate from this important discussion today. However, in the 2005 follow-up Report, reference is made to allegations of the use of forced labour by traditional political authorities, such as chiefs, in Swaziland. Yet, the source of that concern is not specified in the report. The Federation of Swaziland Employers and Chamber of Commerce, which I represent, together with other stakeholders, including union federations, the Department of Labour and other relevant traditional structures, have not yet had the opportunity to gain in meaningful social dialogue in order to achieve a better understanding of the extent of the problem.

The questions arise as to what extent the current provisions of the Employment Act of 1980, as amended, have been violated; how many people have been affected; and, at a more basic level, whether all customary or traditional practices translate into forced labour. Raising these questions does not imply that the problem does not exist or that we seek to deny it. However, the point is that this problem, by its very nature, is at times invisible in our societies, which is why eradication requires targeted attention. In recent times, as part of the constitutional debate, the central question of Swazi law and custom and its nexus with human rights, gender, children's, and, last but not least, workers' rights has been open to public debate. The challenge is that there has been no recent dialogue amongst the social partners within the existing tripartite institutions. It is possible that the current structures, such as the Labour Advisory Board, have interpreted labour policy matters in a narrow sense, whereas some issues arising outside the formal employment sector require the participation and ownership of the

social partners. The issue of forced labour, provides a useful example to illustrate the deficiency of our current tripartite structures, which exclude the involvement of other key actors and policy-makers in these important debates. In this regard, we need to look at models established by other countries, employers in the Southern African Development Community Region and beyond, rather than reinvent the wheel. Indeed, these models and approaches need to be customized to work in our national context.

Employers in Swaziland advocate the need to engage with the relevant actors in social dialogue on the issue of forced labour. We call upon the ILO to play a supportive role in providing technical assistance to enable all parties, to gain awareness of the nature and extent of the problem we face and to reach a mutual understanding of the extent to which forced labour exists in Swaziland. The ILO must also facilitate the development of concrete action plans to ensure that the problems are addressed in a meaningful way.

We need to strengthen our capacity to conduct quantitative and qualitative research at a national level in order to form a basis for policy dialogue. We support the view maintained in the Report that meaningful action needs to be taken at the national level.

We currently have a child labour programme, as part of a regional IPEC programme, which we believe will help explore the various dimensions of the challenges faced by this vulnerable group. We are aware that our ability to engage the informal sector is crucial to reaching meaningful results.

We reaffirm our commitment, as an employer organization, to tackle this and other issues with the support of the trade unions and the Government, and in cooperation with other key actors in the country. We also call upon our Government to take the lead in these initiatives, and to reconfirm its commitment to working in partnership with organized business and labour in our country in the spirit of tripartism.

We request the ILO to remain a strong and committed partner as we move forward to ensure that social dialogue in Swaziland yields concrete results. Existing tripartite plus structures engage in a number of critical issues, including employment creation, which are already on our national agenda. In May 2005, we hosted sensitization workshops for policy-makers, and we look forward to progress in institutionalizing social dialogue in Swaziland.

In conclusion, we believe that in subsequent discussions on forced labour and tradition we should delve deeper into this dimension, so that we can be better informed on the meaning of forced labour in different national contexts around the world. We, as employers, believe that this improved understanding will ultimately result in improved implementation and commitment of all partners in the fight against forced labour across the globe.

Mr. CHIKUNI (*Government, Malawi*)

The Malawi delegation welcomes the Global Report, *A global alliance against forced labour*, and the suggested questions for discussion as contained in the *Daily Bulletin* of Monday, 6 June 2005.

As the Report has rightly noted in paragraph 5, the issue of forced labour is quite emotional, especially to those of us from Africa. From the days of the slave trade, forced labour, slavery, debt bondage

and trafficking continue to thrive despite the many efforts undertaken to stop them. Although laws and policies have been put in place in many African countries, still, forced labour and slavery continue to exist, as reflected in paragraphs 195-216 of the Report.

In Africa we blame forced labour and slavery on colonialism, which created discrimination in the colonized societies by making some tribal and ethnic groups superior to others. The colonialists have left but, ironically, the culture of discrimination continues. Can we therefore continue to blame it on the colonialists? Your answer is as good as mine.

As we are talking now, many African countries are under the threat of penalties if they do not obey the orders of the Bretton Woods institutions, or the people who use them to continue to undermine the economic independence of African countries. Many African governments today cannot speak their mind on their economic priorities to liberate their people from economic slavery, lest they be punished in unspecified ways. How can people in Africa be free from slavery when their governments have no control over the affairs of their own countries?

Indeed, the Report calls for national action plans against forced labour. These action plans could be attained through the participatory processes with the other organs of government and the social partners. However, we are unsure whether these plans are achievable when the countries are denied resources in the name of structural adjustment programmes, and when security of employment of the very government officers who are to implement such national actions is under serious threat too. We thank governments which continue to financially support the ILO in fighting the evil of forced labour, although we would request them to do more, since the problem is enormous and continuing.

The Report observes that data on the subject of forced labour is sparse, and there is no clear concurrence on the categories of forced labour. The Report also notes that even those kinds of forced labour statistics available are not enough to be used for measuring the problem. My delegation believes that this is not just a problem related to forced labour, but that it is a problem connected to the measurement of decent work as a whole. It is, therefore, time for the ILO to work with the national institutions of research and statistics collection in developing the tools for measuring, not only forced labour, but also decent work as a whole. We are aware that the ILO is working hand in hand with reputable universities to develop the necessary research and statistical tools for measuring decent work. However, my delegation would wish to recommend that such collaboration should trickle down to the country level, especially in cases where the ILO is already assisting the member States to fight forced labour, or in cases where the ILO is implementing the decent work country programmes.

Forced labour and human trafficking are, indeed, two sides of the same coin. The two phenomena certainly go hand in hand, especially in situations of both internal and international migration, abductions, smuggling and trafficking itself.

In Malawi, we have formed a national task force to combat trafficking in human beings, through the drafting of an appropriate law prohibiting the practice in the country, and providing for appropriate penalties against those caught in the evil practice. Already, the task force has produced educational

messages for parents and children through the media, and held workshops and meetings of traditional leaders in the affected districts. The task force comprises government ministries, civil society organizations, donors and United Nations agencies in the country. More activities are still being planned to mainstream the fight against human trafficking in Malawi. It is expected that once human trafficking is controlled, forced labour will be effectively reduced, and eventually eliminated, since it is the trafficked persons, especially women and children, who end up becoming the victims of forced labour, whether within their countries or across their borders.

*Original Spanish: Mr. SERVAT PEREIRA DE SOUSA
(Government, Peru)*

I should like to take this opportunity to express our thanks for, and congratulate the ILO on, its Report on a global alliance against forced labour. I was happy to be present when it was launched in Lima.

Peru has ratified the two basic Conventions dealing with the prohibition and elimination of forced labour. Our domestic legislation, both at a constitutional and legal level, prohibits the provision of services which are not provided by individuals having freely chosen to carry out such work. There is still, however, some forced labour in Peru, especially in the so-called informal economy which accounts for around 50 per cent of the total Peruvian economy, as well as in the case of domestic work and the mining industry.

The Peruvian Ministry of Labour and the Promotion of Employment has undertaken to continue to improve our labour inspectorate and our investigation activities, so as to prevent occurrences of forced labour in Peru.

The Report refers to forced labour in the Amazon basin and here we agree entirely with the conclusions reached in the document. The Report states that this forced labour situation, like many other similar situations, is not something for which the government alone is responsible. Some of the responsibility has to be borne by other social stakeholders, because the problem goes beyond the framework of mere labour policy. The international community is also responsible to a certain extent.

As we stated on the day when the Report was launched in our country, the Peruvian Government has set up a high-level committee to approve a nationwide programme for the elimination of forced labour. We already benefit from ILO technical cooperation in this regard.

The aforementioned committee will have members from the most representative workers' and employers' organizations and we hope that they, together with the Government and civil society, will participate actively in seeking a solution to this problem.

We are aware that the isolated nature of some communities affected by this scourge, combined with the fact that the workers in these regions do not know very much about our labour legislation, make it difficult for labour inspectors to intervene on the ground. This is an issue we have to look at in our national plan for the eradication of forced labour which awaits approval. We cannot accept that currently people are in a situation where they are having to provide services which they have not freely agreed to provide. Firstly, one must recognize that there is a serious problem concerning respect of the

human rights of those working in conditions of forced labour.

Secondly, we have to accept that the solution must involve far more than simple standards.

Thirdly, there is a need to agree that everyone, including the international community, must undertake to combat forced labour.

Mr. TIBU (*Government, Papua New Guinea*)

On behalf of the Government of Papua New Guinea, I wish to join hands with my other colleagues from Governments, Employers and Workers in commending the Director-General's Report, *A global alliance against forced labour*.

My Government fully supports the issues raised in the report and the solutions identified in addressing the issue. As highlighted earlier in the discussions by the Workers, indeed, no one can deny that forced labour exists, irrespective of magnitude. The global call to ban totally forced labour in all its forms gets my Government's full endorsement and, as long as we remain an integral part of the ILO, we will give it high priority in our national policies. My Government submits to the issues raised in the Global Report as they have awakened us to the realities that are imminent and also allow us to think ahead in addressing this global issue.

Indeed, our ratification of the three fundamental Conventions regarding forced labour, namely the Forced Labour Convention, 1930 (No. 29), the Abolition of Forced Labour Convention, 1957 (No. 105), and the Worst Forms of Child Labour Convention, 1999 (No. 182), in conforming to the call from the ILO to translate these into our national policies, has pointed us in the right direction to work on this global issue.

Our decent work country programme, which has provided worthwhile contributions towards the development of our decent work and poverty alleviation policy paper, as well as a national action plan on decent work, and the continued collaboration between my Government with development partners such as UNICEF in forging a study on the extent and the types of forced labour in the country, indicates our willingness and commitment to join in the global fight to eradicate forced labour in all its forms and the suffering caused to societies the world over.

Original Arabic: Mr. Mattar Alkaabi (*Employer, United Arab Emirates*)

I also would like to extend my congratulations to the Director-General for the quality of the Report entitled, *A global alliance against forced labour*. The report deals extensively with all the facets and forms of forced labour all over the world. The Report takes stock of the various forms of forced labour which are disturbing and humiliating to human dignity, like slavery, servitude and trafficking in human beings. These are all very disturbing practices that are in contravention of all the principles of this Organization. We believe that the Declaration and its follow-up cover very important issues, especially the four strategic principles relating to work, including the elimination of forced labour.

The Constitution of the United Arab Emirates clearly stipulates that no man shall be exploited by another man. Any form of work must be based on contractual agreements that workers are free to enter into and dissolve. All workers enjoy their rights, in full respect of all international Conventions.

Workers also enjoy full health insurance coverage. The Constitution of the United Arab Emirates guarantees all human beings, including women and children, full respect for their rights.

Therefore, human trafficking, abduction, incarceration, deprivation of liberty and slavery are entirely prohibited. In the United Arab Emirates, every individual is entitled to know their rights and their responsibilities, in accordance with international law.

In conclusion, we stand behind any efforts, global or national, to combat forced labour, and we are deeply convinced of the importance of the role of the ILO in providing technical assistance and support to governments, employers and workers alike.

Mr. SANKAR SAHA (*Worker, India*)

I thank you very much for giving me the opportunity to express Indian workers' approach to the problem, and excuse me if I become a little unconventional in approach.

Modern and contemporary forced labour is essentially and predominantly a post-feudal phenomenon or feature in production relations. Precisely this phenomenon has appeared in the period of accentuated crisis in the capitalist system. The Global Report, *A global alliance against forced labour*, suggests that forced labour is on the increase in the phase of globalization. In fact, the genesis of present day or modern forced labour lies in the particular state of development of world capitalism under globalization, which is but a latest blueprint to extend the lease of life of the exploitative capitalist system.

The Report further clarifies that forced labour represents a severe violation of human rights and restriction of human freedoms, as defined in ILO Conventions on the subject. The study conducted by the ILO identifies incidences of forced labour as virtual offshoots of poverty and discrimination, and also of migration and trafficking of vulnerable workers across the world. The ILO document further depicts a grim picture of non-payment of wages, inhuman treatment of workers, imprisonment for months at a time, abductions, sexual abuse, trafficking of domestic workers under the cover of servile marriage, physical and mental torture, etc.

It is clear that forced labour encompasses a wide and increasing range of production of goods and services. Forced labourers are those who are denied basic human rights, gainful employment, and better service conditions. They are victims of various discrimination and are subjected to different penalties, including dismissal from service for organizing trade union activities and participating in trade union movements, including strikes. Viewed from this point, primary estimates of forced labour the world over would be many times higher than has been shown in the Report.

In this connection, attention may be drawn to a striking revelation in the Report which shows that a great percentage of forced labour is engaged by States. It clearly indicates that the member States of the ILO are actively pursuing a policy of engaging forced labour, probably despite ratification of ILO Conventions by many of them. This is only natural. The offshoots of globalization are, inter alia, liberalization, privatization, corporatization, contractualization and casualization of jobs. In every country, the contracts system and fixed-term employment system with poor wages has also been introduced

into government services. The picture is indeed sordid and alarming.

As a result of all this, the worst hit areas are employment, job opportunities and hard-won labour rights. Consequently, the unemployment problem is assuming alarming dimensions and state-sponsored operations of snatching away labour rights continue in full swing. Unfortunately, in many countries an anti-labour bias is increasingly pronounced in the judicial system. The cumulative effect of all this is a continuous increase in the incidence of forced labour.

The global alliance of all the working people and well-meaning persons of the world to combat and eliminate forced labour is the call of the hour. But, given the limitation of the ILO, arising out of its composition and objective of improving working conditions through consensus among three parties, the pertinent question which haunts the working class community is, how far it is possible for the ILO to eliminate forced labour in the present socio-economic system?

We are also more than sure that no amount of humanitarian appeals and social dialogue can put an end to this most uncivilized instrument of pursuing the maximization of profit, unless the process of informalizing formal production relations is stalled by consciously putting in place an all-embracing legal and prohibitive framework and stringently implementing it. After all, the fashions of so-called deregulation and labour market flexibility being touted in the name of employment generation cannot go together with the noble idea of putting an end to forced labour and the circumstances giving rise to this inhuman system.

Through this august forum I, on behalf of the Indian working class, appeal to the international community in general, and all well-meaning persons and trade unions in particular, to ponder over this issue.

Ms. ARSHAD (Worker, Islamic Republic of Iran)

The forced labour that has emerged from globalization and privatization is a growing concern today, affecting substantial numbers of people, in both the developed and developing countries in all regions of the world. Countries that have sought to create economic development believe that more work and longer working hours means more economic growth, but this in contradiction to the fundamental ILO instrument, the Abolition of Forced Labour Convention, 1957 (No. 105), which specifies that forced labour can never be used for the purposes of economic development.

In recent decades there have been strong pressures to end public monopolies on job placement, thus opening the way for private employment agencies. Victims of forced labour initially contracted on a temporary basis are forced to work for more than eight hours per day; they are faced with the difficult choice of accepting highly exploitative conditions of work or running the risk of losing their jobs. This situation is analogous to the slavery seen in the Stone Age, with the difference that victims of forced labour are subject to mental torture as well.

The ILO should develop operational strategies whose purpose is to protect the dignity of workers, so that all member countries on the brink of changing from a state economy to a free economy do not exploit workers and force them to work for longer

periods of time or engage them in activities beyond their capacity.

Terrorist organizations, such as the Mujahideen group, traffic workers from their home countries on the pretext of offering them better jobs in other countries.

We wish to appeal to the international community to take targeted measures against such trafficking in human beings. We also request the ILO to establish a forum for stepping up action against this social evil that has no place in our modern, technological world. We therefore find it absolutely essential to eradicate forced labour, in order to achieve fair globalization and decent work.

Original Russian: Mr. GRYSHCENKO (Employer, Ukraine)

Allow me to begin by commending this Report which has been excellently prepared. The topic it deals with is one that has been the subject of lively discussion here today.

Ukraine is not one of those countries where the sad phenomenon of slavery still exists and where there is a tendency to use forced labour, and here we must pay tribute to everything our Government has done in seeking to eradicate all forms of forced labour in our country.

However, Ukraine is one of those countries that, as a result of the economic crisis that erupted following the collapse of the totalitarian system of the USSR, found itself in a position where there were many people who had only precarious employment. This meant, of course, that we had a very large number of people who were in fact of working age and who were obliged to migrate in search of work. That being the case, in accordance with experts' analysis, it is now estimated that we actually have around 5 million such people in Ukraine.

The newly elected President of Ukraine has recently just proclaimed a new employment programme for the country and a new employment policy. The Government is working with employers and trade unions in order to create appropriate conditions which will encourage entrepreneurship in the country, and this will result in an increase in jobs.

However, the question of migration is one that cannot be resolved overnight. For that reason, we see that the role played by the ILO is of crucial importance; the ILO is the major player that coordinates the efforts made to eradicate forced labour at a global level.

Here we must recognize that migration is something that does exist, and destination countries must recognize that it exists on their territory. Destination countries must accordingly ratify ILO Conventions Nos. 97 and 143, and bring their legislation fully into line with international standards. The ILO's unique standard-setting role is therefore of exceptional importance to us all.

The Confederation of Employers of Ukraine is willing to work bilaterally on this issue with our partners from the destination countries to develop joint measures that can combat this scourge; we cannot go on accepting something as monstrous as forced labour in our world.

That being so, we note in particular what has been done by the Government and employers of the United Kingdom; as we have heard, not only are they taking strict measures within their own country, but United Kingdom employers' federations have entered into bilateral contracts on their own

initiative, and that is something we very much commend, and is an example we are pleased to follow and to learn from.

I would like to assure you of the fact that the employers of Ukraine are fully committed to eradicating all forms of forced labour.

Original French: Mr. PAGE (representative, World Federation of Trade Unions)

It is with great interest that we took note of the Global Report, which is on forced labour, its assessment and its action plan. I would like to stick to the essential points.

First of all, forced labour can hardly be mentioned without stressing the fact that it is the result of a shameless quest for maximum profit at the expense of workers who are defenceless.

Thus, it is indispensable before reporting the consequences that you agree upon this basic cause and, consequently, upon those who should be considered responsible here before advocating the solutions, the means and the alliances to achieve this.

As far as we are concerned, the dogmas of the market, in other words the rampant liberalization, privatization, deregulation and flexibilization, the dismantling of labour codes and systems of social protection, at the same time as the questioning of the use of trade union rights encourage a logic concluding in the use of this form of barbarianism that is forced labour and which puts people in a position of being exploited without mercy.

The capitalist system has kept this logic which is predatory and which is found in the practices of transnational companies that use and abuse forced labour. Consequently, we can hardly reform, regulate or humanize forced labour when we need to eliminate it.

I will look at two examples, rapidly. First of all, the *maquiladoras*. These are subject to the control of capital in industrialized countries. Certain enterprises could be considered sweatshops. Young women work ten hours a day, six days a week, for 50 cents an hour. Fines, repression, harassment, prostitution and rape are commonplace. If we stick to the definition of forced labour as it appears under 1.1 of the Report, we would be saying that living and working conditions in the *maquiladoras* are close to forced labour.

Are we to attack the causes or quite simply seek to improve the consequences as is done in certain places where one hour of work is paid US\$1-2 and where sometimes there is air conditioning? In other words, can there be forced labour with a human face?

This is why one can hardly have a moralizing interpretation of human rights which would exclude the responsibilities of those States that are headquarters of transnational companies.

Through the actions of international financial and commercial institutions they control or free trade agreements, through coercive and unilateral measures, and even wars, such as in Iraq, these companies impose conditions which encourage the most abject forms of colonization and slavery to emerge and perpetuate.

In the second example, this logic is not alien to the place occupied in the economy by the prison industry that which certain analysts describe as the prison industrial complex. About 2 million prisoners are behind bars in the United States, and this represents per capita the highest rate of incarceration

in the history of the world. At the end of the decade, prison work in this country should amount to US\$9 billion in sales.

The average wage is 22 cents an hour even though most of the enterprises may pay up to US\$2. The prisoner will only receive 20 per cent of his whole pay; the rest is pocketed by the federal Government in which the prison is located.

Which enterprises are involved in this prison industrial complex? Haliburton, but also IBM, Texas Instruments, Dell Computer, McDonalds, Honda, AT&T, Chevron, Macy's, Bank of America, Microsoft, Boeing, etc. In Ventura Prison in the United States, the prisoners take TWA reservations over the phone.

Should it be added that this new industrial complex has no strikes, nor trade unions, nor does it enter into any sort of social protection, nor does it ensure leave, retirement, unemployment benefits or paid overtime? Lastly, there is no language barrier. In such circumstances, not only is the prisoner condemned once, his sentence is doubled.

In conclusion, turning to the action plan, first of all, there is a talk of a global alliance against forced labour. But against whom? States, but which States? Is the action to be taken to be indiscriminate when the report presented to us essentially gives examples taken from the Third World? What is the objective? To attack the causes, or to regulate, and therefore legislate for the consequences. Are we to establish a classification system or a hierarchy of forms of slavery and forced labour? Are we to promote codes of good conduct amongst transnational companies on the basis of self-regulation amongst members? Clearly those involved in the fight against forced labour need to accept that, in order to eradicate this phenomenon, a war must also be waged on its real causes: the poverty and social injustice that characterize capitalist globalization.

The causes are to be sought in the liberalization of markets, in blind competition and in an economic conflict which knows no borders. These are the factors which push society, both in developing and developed countries, to seek out ever increasingly alienating and oppressive forms of exploitation. No quarter can therefore be given in this struggle and no compromise regarding forced labour or slavery is possible. In this long-running conflict, the workers have nothing to lose but their chains.

Mr. TROTMAN (Worker, Barbados; speaking on behalf of the Workers' group)

We have been very pleased with some of the ideas, most of the ideas, that emerged during the course of the morning and the afternoon, and we should just like to have a few thoughts for consideration.

The first thought is the question as to whether there has been interactivity. We have come down to this room, and it is a beautiful room, because we want to be closer to one another, because we want to get away from the formality of the large plenary session room, and because we want to have a debate. But, if we were to answer the question honestly, I think we would be forced to say that there was no interactivity.

We are very conscious of the fact that governments have their positions which they leave their headquarters with, and that they wish always to be careful to put on record the exact position of that government, but surely there must be the opportu-

nity for us to start at a particular position when we start to address a subject; develop that subject to another stage and eventually to reach a conclusion. Indeed, the only level of interactivity there was, was when I asked the representative of the Government of the United Kingdom for clarification. He took time to think about it during the intervening period when the representative of the Workers of the United Kingdom spoke and then he had the opportunity to advance the discussion by expressing himself on some other ideas. Of course, he also took the occasion to say what a beautiful speaker I am. I thank him very much and I will be asking his Prime Minister to recognize that very shortly when I visit.

There has been no interactivity and we must find a way in which to improve the possibility for discussion. If it means that we have to discuss the matter without having records and only decide in the last hour to put positions on the record, maybe that would be some way of doing it. If we have to break into smaller groups and see if in smaller groups we can deal with a particular question and then come back and cede to this plenary body, that might be another suggestion. Nonetheless, we have to discuss some means of allowing this Conference not to peter out into the submission of a number of statements by representatives of governments, and there were several of them in the morning session. We are sorry that we did not get the benefit of their input, or even their attendance, after they made their speeches. Frankly, it is not fair to the rest of us to sit through the debate and to have ministers or Government representatives come here, make a speech and leave in five minutes. The Workers will not be taking part in this exercise if this is the way it is going in the future. We serve notice here and now that that does not please us, and I hope that I speak for the Employers as well.

But beyond that, let us get to the subject itself.

Did we get an agreement on anything? My short answer is, and my colleagues agree with me, yes, we have some agreement. We have agreed that forced labour is a scourge. I do not need to develop that because everybody agrees. We agree that the document which we used to discuss this matter is a good document. We agree that everyone is desirous of eradicating the scourge – everyone without exception.

We have also agreed that forced labour is worldwide. It is not small country/big country. It is not continental country, not island States: it is everybody.

And we have agreed that the forced labour discussion underscores the excellent value which there is in the Declaration that the Employers recommended and we agreed to in 1998. The Declaration has been serving the ILO and has been serving the constituents of the ILO very well. We have to make sure that we build on that good work. Also, we have agreed that forced labour transforms persons – this agreement was made in the last 15 minutes – and even shapes their identity, and that we have to be, therefore, very careful of what we are creating when we allow forced labour to remain as an item on the global agenda.

Of course, this list is not exhaustive but it does reflect some of the things which we believe have occurred.

And have we agreed that there are impediments to the eradication of the scourge? I think we have agreed that poverty is one of the larger impedi-

ments. Again, there is no need to develop this because we are trying to save time. We have agreed, although I do not know that every person has agreed, but to a very great degree we have accepted that the lack of political will is one of the reasons why there has been insufficient work towards the eradication of the evil.

We have also agreed that sometimes beyond the good will of employers, beyond the good will of governments and beyond the watchfulness of NGOs and the trade unions, we failed to spot forced labour because of the resourcefulness and deviousness of the greedy. Sometimes people are packed away in the bottom of aeroplanes or at the bottom of containers, sometimes they are put among oranges or perhaps grapefruit or perhaps mangoes: who knows? But there are very many, very, and very interesting and intriguing manners in which persons are lured – I like that word that was used earlier by one of the delegates – to go to other places; they are then enslaved and the forced labour that results defies governments or trade unions or employers or NGOs to find it until something occurs like the tragedy in Great Britain which took place last year. Because of this, it is sometimes difficult to get the documentation that is required. It is sometimes difficult to get the monitoring that is required. It is sometimes difficult to get the regulation that is required.

There were some very interesting ideas which came forward from many of the speakers. One is that legislation should be firm, even to the extent of the confiscation of the gains from those criminals who are found guilty of forcing persons into labour. This idea came forward, not from the Workers: it came from the governments, and the Workers support it. We think that this is a very interesting thing. The same thing should happen for persons who are pushing drugs and for persons who take advantage of our children. Confiscate, because it is only when people believe that there are real deterrents to their criminal activity that we can hope to break the cycle.

Then again, from the developing world there was a suggestion that the Global Development Fund should be enhanced by having those who have committed 0.7 per cent of GNP per capita make that contribution, then once the contributions are made, the authorities will be able to use the Fund to help to correct the situation.

Then the suggestion was made, by one of the union spokespersons, that enhanced social dialogue would be helpful at the national level, and I am sure that when we have that dialogue as well, at the Governing Body level of the ILO, it will also help at the global level.

So, what follows? What can we do and where can we go? We believe that a paper should be prepared by the Office, which should go to the Governing Body for November. We think that ACTRAV and ACT/EMP should be central in the preparation of this paper so that we make sure that the ILO's image and tripartite nature is a fundamental part of the paper that goes forward. We consider that a plan of action by the ILO should be presented in November, taking into account the submissions which were made during this debate by Governments, and there were some very good submissions, by Employers and by Workers as well, and we suggest that any additional thoughts which individuals might have between now and 30 September should be accepted

by the Office and added into the general pot pourri of what they will present in November; they should be accepted because they are individuals who might now have been inspired to think more fully about the programme and who may have ideas which they did not put forward today but which may still be relevant to the issue for the November meeting.

Beyond that, we suggest that the Migration for Employment Convention (Revised), 1949 (No. 97), and the Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143), should be promoted, with a view to having more popular ratification of the Conventions, thereby giving governments the legal entitlement, enablement and empowerment to conform to what they have been saying today and to confirm the sincerity of their wish to remove the scourge of forced labour.

We believe that we should ensure that national cultures cannot be used as excuses for the crimes against humanity in forced labour because the suggestion might often be that this is part of a culture or people's history. We also think that forced labour should be accepted around the world as a violation of the fundamental human rights which the United Nations has so properly established. There should be no "ifs" and "buts" about it, nor should there be any suggestion that you can avoid seeing it as a fundamental human right, simply by not ratifying the Conventions.

Some governments have kindly undertaken to assist in the funding of the eradication campaign. I will not call those governments by name, just in case I was wrong in which governments they were, but I got the distinct impression that some governments held up their hands and said "yes we have put money into it and we are prepared to continue doing it", and we would like some more hands to go up. Perhaps I should do like the evangelists and say "now let every head be bowed and let every eye be closed and those who are willing to contribute no money while every head is bowed and every eye is closed, please put your hand up and take it down. Thank you, I see that hand, and thank you I see that hand – we are expecting a few million from you and few million from you, Madam Chair. That would be very useful and so on".

But governments have committed, we think that we should accept their offers. We believe that the ILO has the will to assist those governments and to assist the rest of the world. We believe that the ILO should be permitted to present an action programme to cooperate with those donors who have made the commitment, and with any other donors who might join in the campaigns.

And finally, we should not wait for four years to come back here to review what is happening in forced labour. This Committee should endeavour to have the Conference empower the Governing Body to pursue this matter with every fibre of its being, using whatever resources are possible towards success in a manner that is practical. Where there are traditional forms then we should have time-bound programmes which should be spelled out and which the Governing Body should look into. There should be help centres, as referred to by one of the delegates, there should be rehabilitation programmes, there should be awareness building, there should be organizing and training in the informal sector, and we should employ whatever other means are at our disposal to make sure that people understand the dangers and are given the protection that is required

to remove the scourge, and the ILO should be the vehicle.

I have been privileged to take part in this, my colleagues are happy that we were able to take part in the exercise. We thank the Office again for its part in this. We thank the Employers and, most of all, we thank the Governments as well

Mr. TABANI (*Employer, Pakistan; speaking on behalf of the Employers' group*)

I am really unable to compete with the oratory of Mr. Trotman, but nevertheless I will try to say something, a few words, very briefly about the discussions that have taken place this morning and this afternoon.

Frankly, I think the discussions were very interesting, focused and very positive. The best proof of the fact that they were interesting is that nobody here in this room can accuse me of having dozed off, either in the morning or in the afternoon, because the speeches were very good.

I am not going to repeat what I said this morning, because I very clearly expressed some of the concerns that we had. Perhaps I failed to find the right words and may have been misunderstood. One point I would like to reiterate, is that the Employers believe that all member States have to abide by the Declaration and the principles that are laid down in the Declaration.

If a member State signs a Convention, then it has to ratify it and implement it fully. Even those who have not ratified the forced labour Conventions are bound to follow the principles of the Declaration. Clearly, no one can assert that forced labour is all right and that no further action is required. This morning and this afternoon, there was not a single voice which did not denounce this scourge.

The second point that I would like to make is that one of the concerns we expressed this morning were that the forced labour issue should not be diluted. We have what we call "decent work". We have decent work country programmes; we have decent work based on the four strategic objectives of the ILO. Let us not confuse the issue of decent work with that of forced labour. Let us keep forced labour separate so that we can attack it, we can go ahead and finish it off once and for all. Now, as the Report has said, there has been recognition of the fact that forced labour exists, many countries are acknowledging this fact. Even the industrial countries have told us today that they are enacting laws and regulations to stop trafficking to stop the exploitation of workers.

The enactment of laws and regulations is all well and good, but the question is whether they are enforced and whether punishment is meted out. We in Pakistan – I am sorry to mention my country – have had to face up to this issue in the Committee on the Application of Standards, where it has been stated that there is forced labour in Pakistan. The laws exist but nobody is implementing them. Now that is a dilemma that we and many other countries are facing. This is where governments have to put their foot down and see that prosecutions take place, punishments are meted out, and these punishments are properly publicized, so that those who would like to resort to such practices are deterred from doing so.

We have heard governments describe what they have done in the last four years. It has been very positive and very interesting and I give credit to the ILO and the Office for the programmes that they

have implemented, and for their plan of action. This morning I saw that the special action programme pamphlet has been published. It was not issued at the same time as the Global Report on a global alliance against forced labour.

So we are very happy that the Office is seized with the importance of this, but at the same time those people and governments who talk of poverty being the cause of forced labour should also understand that we should not all depend upon foreign assistance. We should try to do something ourselves. Let each government, where forced labour exists, allocate a certain portion of its budget to eradicating it. Most developing countries have special poverty-reduction programmes. Let them allocate some funds from their special poverty-reduction programmes for the elimination of forced labour, just as they would do for the elimination of child labour, and I think if we all put our efforts together we can move forward.

We have a couple of suggestions which have been made by Mr. Trotman. The first is that the Employers' group would be open to discuss ways and means to make this debate more interesting. If I recall correctly, a couple of years ago we did have some afternoon sessions for interaction. I do not know what happened to them. I am told they did not work out too well, or something like that.

To start with, then, maybe we can think of an alternative approach. We would be quite amenable to sitting down and discussing this matter.

As for the second point, about presenting a paper condensing the discussions in consultation with ACT/EMP and ACTRAV, I think that is a good idea.

But when you say that 30 September should be the deadline for getting more suggestions, I think that you are opening a Pandora's box, because we do not want that paper to become controversial. Let us stick to composing the paper on the basis of the discussions that we have had here and then we will probably recall all that we have said and all that we have heard. There will be nothing controversial in there, because I do not think that, to date, there has been anything controversial. We may have had a difference of opinion on certain aspects of the Declaration or the definitions, but otherwise you are all joined in the struggle and make up a truly global alliance for the regularization of all forced labour.

Let me take this opportunity to thank all the governments for their contribution, and Mr. Trotman and his colleagues for the positive suggestions that have been made, and I hope that we will see the fruits of this discussion in the Technical Cooperation Committee in November discussion.

(The Conference adjourned at 6.35 p.m.)

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