



Ninth sitting

Friday, 10 June 2011, 3.10 p.m.

President: Mr Nkili

GLOBAL REPORT UNDER THE FOLLOW-UP TO THE ILO DECLARATION ON FUNDAMENTAL PRINCIPLES AND RIGHTS AT WORK

Original French: The PRESIDENT

The Global Report this year, *Equality at work: The continuing challenge*, covers the theme of equality at work. This is an objective which is still to be achieved. The Report presents a full picture of the situation regarding the elimination of discrimination in employment and occupation.

Our work this afternoon will be conducted in the following way. I will first of all give the floor to the Secretary-General of the Conference, Mr Juan Somavia, for some preliminary remarks. Next, Ms Michelle Bachelet, Deputy Secretary-General of the United Nations and Executive Director of UN Women, will address the Conference – and not only the women. The floor will then be given to members of our high-level panel, and finally, there will be an interactive discussion. Once the panel and the interactive discussion are over, the end of the session will be devoted to individual interventions and to the groups.

The SECRETARY-GENERAL OF THE CONFERENCE

There is no better point of departure for today's discussion than the fundamental principle of our Constitution, and let me quote it: "All human beings, irrespective of race, creed or sex, have the right to pursue both their material well-being and their spiritual development in conditions of freedom and dignity, of economic security and equal opportunity." As we all know very well, ours is the responsibility to defend that right.

Some of the painful consequences of the global crisis were highly visible, easily measured. Others, more difficult to measure, were just as dangerous. As general economic insecurity increases, the vulnerability to discrimination of people and minorities heightens. They run the risk of becoming scapegoats. And the workplace is not immune; and we have already seen all sorts of types of reaction in that sense.

According to the Global Report, workplace discrimination has become more varied, and discrimination on multiple grounds is becoming the rule rather than the exception. Anti-discrimination legislation has come a long way in the past decades.

But, as the Report says, discrimination is a complex monster. It evolves and changes. And it has many faces in different circumstances: religion,

race, sexual orientation, HIV status, disability, age. But always and everywhere – gender.

Take gender equality. Despite progress, women's pay still averages 70 to 90 per cent of that of men. Discrimination related to pregnancy and maternity is still very common. And many girls still receive no education, just because they are girls.

History has shown time and again how easily discrimination takes root – sometimes with the most tragic consequences. It becomes "normal", or an imposition that people are afraid to confront. And the damage is difficult to repair.

The tripartite ILO, guided by the values to which all member States subscribe, has a responsibility to take the lead in ensuring that discrimination does not take root in the workplace and to make a difference in society as a whole.

Universal ratification is just around the corner for two key ILO Conventions on discrimination: the Equal Remuneration Convention, 1951 (No. 100), and the Discrimination (Employment and Occupation) Convention, 1958 (No. 111). So there is a possibility that we can reach the target. But we know well that we need to move from ratification to implementation. So let us take full advantage of labour administration and labour inspection, which this Conference is also discussing. Let us also use the Conclusions concerning the promotion of sustainable enterprises to ensure best company practice at the workplace. So the tools are there. It is up to us to move and to use them.

Today, we are honoured to have, as a special guest, Ms Michelle Bachelet: the leader of UN Women, former President of Chile, and leader of our Social Protection Floor Advisory Group.

Michelle Bachelet has been an advocate and successful practitioner of social protection as a right and as a productive factor and you can all well understand that, being a Chilean, I am extremely proud of her, and proud that she is here with us today.

We shall soon be signing a Memorandum of Understanding to increase cooperation between our two agencies, including in the area of gender discrimination in the world of work.

Let me conclude then by saying that social protection is about protecting the most vulnerable – not least in these times when social spending is under severe pressure. How can we ensure that the vulnerable are not doubly penalized because of discrimination?

I am certain that our special guest and this panel of eminent members – whose countries and organi-

zations are key players in the fight against discrimination – will offer us great insights into the complexities of discrimination.

Original French: The PRESIDENT

Thank you very much, Secretary General, for having outlined the major aspects of the Global Report, which brings us up to date on the main situation and proposes interesting avenues for us to explore in the future. Like yourself, I hope that the ensuing debate will cover the major areas to which you have alluded, in particular the need to ensure that the measures adopted to mitigate the impact of the crisis do not set us back in our efforts to eliminate discrimination.

I shall now give the floor to our guest speaker, Ms Michelle Bachelet, the United Nations Under-Secretary General and Executive Director of UN Women.

Ms Bachelet was the President of Chile from 2006–10. A long-standing advocate of women's rights, she has pleaded for gender equality and women's autonomy throughout her career. One of her major achievements as President of Chile was her decision to economize billions of dollars in revenue in order to finance projects such as pension reform, social protection for women and children and research and development; and all this despite the financial crisis.

Ms Bachelet has also held ministerial portfolios in the Chilean Government as the Minister of Defence and the Minister of Health.

Ms BACHELET (Under-Secretary-General of the United Nations and Executive Director of the United Nations Entity for Gender Equality and the Empowerment of Women (UN Women))

I am so pleased to return to the International Labour Conference this year in my capacity as head of UN Women. It is always heartening to see real social dialogue at work, and the annual session of this Conference is a source of inspiration and guidance on how major actors – women and men, leaders from business, labour and government – can arrive at consensus on key current issues in the world of work in the twenty-first century. This Conference shows us just how much can be achieved in a spirit of tripartism and healthy debate.

It also shows us that we still have a long road towards gender equality. The Director-General told me that slightly less than 28 per cent of the 3,000 accredited delegates attending this Conference are women. This figure says a lot about gender imbalance, not only in the world of work but also in the world of political participation, leadership and representation.

I am grateful for the opportunity to be part of today's panel on equality at work, which cuts to the heart of labour market inequalities and dysfunctions. The Director-General's Report, *Equality at work: The continuing challenge*, represents the latest snapshot of successes and shortfalls, gains and gaps regarding inequality and discrimination in the workplace.

The report examines 12 areas of discrimination, plus the phenomenon of multiple discrimination: sex, race and ethnicity, nationality for migrant workers, religion, political opinion, social origin, HIV status, disability, age, sexual orientation, genetics and lifestyle. Most of these areas are covered by United Nations (UN) human rights instruments,

as well as under ILO labour standards such as the Discrimination (Employment and Occupation) Convention, 1958 (No. 111), and real challenges are still faced in most of these areas in countries across the world.

While multiple and overlapping areas of discrimination will no doubt be widely discussed this afternoon, it is the subject of sex discrimination that I wish to particularly highlight in this dialogue with you.

Eliminating inequalities between women and men goes to the heart of the UN Women strategic plan. Grounded in the vision of equality enshrined in the United Nations Charter, the Convention on the Elimination of All Forms of Discrimination against Women, the Beijing Platform for Action, and the Millennium Declaration, UN Women works to promote gender equality and the empowerment of women and girls, as equal partners and beneficiaries of development, human rights, and peace and security.

Our approach is that eliminating gender discrimination is not only a matter of fundamental rights, but is also smart economics. As a matter of fact, the World Bank is going to launch a new report saying that equality means smart economics. Because, tell me, how many talents have been lost because of discrimination? Unlocking women's productive capacity and creativity is a win-win game for enterprises, workers, governments and societies.

Following intensive consultations with a wide range of partners in more than 100 countries, we have identified the following five priority thematic areas to help accelerate progress on gender equality: first, women's economic empowerment; second, women's political participation and leadership; third, ending violence against women and girls; fourth, engaging women fully in peace and post-conflict processes; and fifth, strengthening national development planning and budgeting to promote gender equality. As you will note, these priorities clearly resonate with the messages of the Global Report.

From the perspective of UN Women's mandate, I would like to make four main comments on the status of discrimination as described in the Global Report.

First, gender discrimination in the labour market can be found in all countries, because one constant characteristic in labour force profiles is sex. And while multiple and overlapping areas of discrimination – such as sex and race, sex and disability, sex and age – must be eliminated, some of the greatest efforts must be made in overcoming sexism in employment and in the workplace. This is all the more apparent during periods of crisis, such as the economic and financial crisis that the world has experienced over the past two years. As the Global Report notes in paragraph 17: "Female employment has been seriously affected in several countries by the particular impact of the crisis on exports sectors. The African textile industry, for example, with a 90 per cent female low-skilled and low-educated workforce, has experienced cuts as a result of import contraction in foreign markets." UN Women looks forward to working with the ILO in addressing the gender inequalities that the current crisis risks exacerbating.

Second, new or previously neglected areas of discrimination, especially in terms of sexual orientation, demand attention. For example, sexual orienta-

tion discrimination causes workplace harassment and actual pay inequalities. The Global Report highlights the salary gap between gay and non-gay employees at 3 to 30 per cent, with additional gaps regarding access to social protection.

And while discrimination based on migrant status is also not new, the Global Report makes clear that its manifestations in the twenty-first century are becoming more invidious and harmful, especially in the labour market. In the European Union, for example, reported cases of exploitation of migrant workers have included harassment, long working hours under unhealthy conditions, denial of sick leave, and low wages. UN Women intends to scale up its work in the area of migration, in partnership with the ILO and the UN system, to end violations of the human rights of women and migrant workers.

Third, this 100th Session of the Conference is also the 60th anniversary of the adoption of the ILO's Equal Remuneration Convention, 1951 (No. 100), concerning equal pay for men and women for work of equal value. But we have still not seen a great change in the application of this principle, which is contained in the ILO Constitution itself, as well as in the text of Convention No. 100.

Unequal pay, based simply on the sex of the worker, persists as a major issue across all regions. "Pay Equity Now!" must become a reality. UN Women's attention to the economic empowerment of women encompasses this objective, and we intend to energize and galvanize the UN system – within each of our mandates – for a concerted push for full understanding of the concept of equal pay for work of equal value.

Fourth, I want to highlight the crucial importance of strengthened policy coherence for eliminating the continuing challenges to gender equality, so many of which are described in the Global Report before us today. UN Women's comparative advantage includes its new mandate to strengthen coordination within the entire UN system.

And within the UN system, we can make a greater impact by working as One UN. As the Global Report states: "Working together in the interests of delivering as one represents an opportunity to project the voice of tripartism in UN action on equality and non-discrimination. The ILO should strive for better cooperation with other UN agencies active in the field of equality and non-discrimination, including the Anti-Discrimination Unit in the Office of the UN High Commissioner for Human Rights, the UN Entity for Gender Equality and the Empowerment of Women and the relevant UN treaty supervisory bodies and special mechanisms; [and] continue to ensure that Decent Work Country Programmes (DWCPs) are reflected in United Nations Development Assistance Frameworks (UNDAFs) ..."

Member States can play a similar role at national level by encouraging various ministries to work together. Governments can help project that well-known workplace advantage out into the broader context. Adopting national employment policies and programmes that reflect gender equality commitments makes for a stronger overall national approach. At the level of actors, national women's machineries can foster greater policy coherence with ministries responsible for labour and with workers' and employers' organizations.

So much remains to be done, but we must never stop moving towards the goal of gender equality. The Global Report – as I said at the outset – demon-

strates gains and gaps. I am sure that today's discussion will give more examples of progress at the national level. UN Women notes that some 125 countries have outlawed domestic violence; 117 have equal pay laws; and at least 115 guarantee equal property rights. And, in countries in all parts of the world, as we have seen most recently throughout the Arab region, women who once stayed out of the public arena are now standing alongside men to demand freedom, dignity, social justice, and the right to participate equally in transforming their societies.

I believe that, for many of us gathered here today, the elimination of discrimination epitomizes a vision of a brighter future. This can and must be achieved.

The actions that governments, workers' organizations and employers' organizations take, as of today, to eliminate discrimination represent real strategies that can help to shape our world for the better in a coherent fashion. They can provide a permanent exit route from many of the economic and social crises that confront women and men in different ways.

Action is essential if we take seriously international commitments, such as those towards non-discrimination contained in the 1998 Declaration of Fundamental Principles and Rights at Work, and wish to build a future where social justice and sustainable economic prosperity prevail.

So let us strengthen our commitment to achieving workplace and employment equality for all women and men, including those most excluded, and be able to say that we – present at the 100th Session of the International Labour Conference – witnessed a re-energized approach to individual women's and men's rights, the collective rights of workers' and employers' organizations, for the betterment of families, enterprises, communities, nations, regions and, ultimately, the whole of humankind.

Original French: The PRESIDENT

Thank you for your intervention, which reflects the struggle that you are waging for equality between men and women and for women's empowerment and which will, I am sure, be a source of inspiration and reflection for all the delegates in this hall.

We will now open the panel discussion, based on the principles agreed to when the suspension of certain of the Conference Rules of Procedure was adopted during the second session. I will now give the floor to Ms Jacki Davis, the moderator, who will introduce the panel members and tell us how she wishes to guide the discussion.

The MODERATOR

Mr President, you said many things that I would like to pick up on in the panel debate. This high-level panel discussion is entitled, as has already been mentioned, "Equality at work: The continuing challenge", and that, of course, is also the title of the Global Report. Despite the progress of the last decade, the Global Report does warn that the economic crisis and governments' response to it could, and I quote: "threaten the achievements of several decades". So, how serious is the situation and what can be done to prevent this from happening?

With me to discuss this, I am delighted to welcome Hanne Bjurström, the Minister of Labour of Norway, a lawyer and former Vice-President and

Judge at the Labour Court of Norway; Iriny Lopes, Minister of State for Women's Policies of Brazil, who was elected to the House of Representatives in 2002 and 2006 and was a member of the Committee on Human Rights and Minorities and of the Ethics Council; Phil O'Reilly, CEO of Business NZ, New Zealand's largest business advocacy group, who is also a Board member of the Business and Industry Advisory Committee to the Organisation for Economic Co-operation and Development and has long been involved in diversity management issues; and Ms Rabiadou Diallo, who is General Secretary of the Confédération Nationale des Travailleurs de Guinée (CNTG), Vice-President of the Organization of African Trade Union Unity, a member of the Executive Board of the International Trade Union Confederation (ITUC) for Africa, a member of the Executive Board and Vice-President of the ITUC Women's Committee, and a member of the Workers' group in the Governing Body of the ILO.

Welcome to you all and thank you for being with us. We want to have plenty of time, as the President said, for a very lively interactive discussion. I want to take comments and questions from all of you.

Ms BJURSTRØM (*Minister of Labour, Norway*)

First of all, let me congratulate the ILO on a very interesting and relevant Global Report. The Global Reports generally contain detailed and relevant information, with a focus on the core ILO standards. The Report contributes to a greater awareness of the core pillars on which, we believe, the international labour markets should be built.

This year's Global Report provides particularly useful information of high political value. Equality at work and the struggle to eliminate discrimination in the labour market are not only related to the issue of fundamental rights, but also development strategies. The Report's findings are, in some areas, disturbing. The fact that there has been steady progress in terms of anti-discrimination legislation at international level is, of course, of great value. The Global Report notes, however, that in spite of these advances, the global economic and social crisis has led to a high risk of discrimination against certain groups, such as migrant workers.

We have strongly supported the ILO in its efforts to promote decent work as the basis for global governance, as a tool to counter the economic crisis and the basis for economic recovery. We commend the ILO for its high profile and the results it has achieved in international forums. We firmly believe in strengthening international rights-based institutions and we applaud contributions to build a platform on minimum labour standards and decent work, as a foundation for international trade and investment.

At state level, it is vital to ratify and implement the ILO Conventions. We would encourage all member States to speed up the ratification process. However, ratifications alone are not sufficient. Fundamental rights also have to be respected. It is important to consider the two fundamental ILO Conventions in this area – the Equal Remuneration Convention, 1951 (No. 100), and the Discrimination (Employment and Occupation) Convention, 1958 (No. 111).

However, the discrimination documented in the Global Report suggests that the ratification of Conventions is not enough, nor are the endeavours of

international institutions. National policies and implementation strategies need to follow.

In many countries, the financial and economic crisis has been followed by a strong tendency towards a two-tier labour market. In Norway, our experience has been different. I have been asked to highlight some of our strategies, namely strategies to counter discrimination and a two-tier market, as well as the economic crisis.

Efforts to combat all forms of discrimination are a question of fundamental human rights. My Government also sees such an approach as the cornerstone of sustainable development and the basis for economic growth. Some say that it is impossible to maintain full employment and growth without being open to, or accepting, a two-tier labour market. There is an idea that this can be achieved only by allowing growing inequality with respect to wages and working conditions. However, in Norway we have managed to combine high levels of labour market participation with relatively small income differentials, and without a two-tier labour market.

Instead of asking whether it is possible to reconcile high employment and equality in terms of access to welfare provisions, we should ask how it can be accomplished. Three factors should be highlighted. Firstly, there is a strong gender dimension to the Norwegian model. We have high employment levels among women. A fairly large number of women work within welfare tasks in the public sector, in comparatively well-paid and well-organized jobs. Secondly, [coordinated wage discrimination] and low wage differentials have a positive impact on distribution, social capital, as well as the reconstruction of the industrial sector. Thirdly, a social contract between the main parties in the labour market has contributed to low wage differentials and a high level of reinvestment.

Time does not permit me to elaborate on this in detail. Suffice it to say that, so far, and contrary to doomsday prophecies regarding the Nordic model, that model has endured for decades. In fact, I will venture to say that the pressures of globalization have, in fact, reinforced our model. Rather than being undermined by the forces of globalization, a generous welfare state should be seen as a precondition for harvesting the benefits of globalization.

Although Norway has come relatively far with regard to the position of women and the battle for gender equality, a relatively high number of women are employed in part-time work. We also have a somewhat fragmented labour market, with a high number of women in the public sector who are unemployed and on welfare benefits. There is also a relatively low number of women in management positions in the private sector, and there are considerable differences in terms of pay. These are challenges on which we continue to focus. Traditionally, high labour market participation and close co-operation with our social partners have been the paths we have followed to achieve decent work and combat discrimination. This approach will remain our main tool in the future.

Our integration policy aims to ensure that immigrants are quickly able to contribute to, and participate in, society, with equal rights, obligations and opportunities. The majority of immigrants participate fully in society; most speak Norwegian, are employed and manage well. On average, however, immigrants have lower living standards than the rest of the population and, although Norway has lower

unemployment levels among immigrants than most other countries, there is a larger gap in employment levels between immigrants and the rest of the population. The unemployment rate for immigrants, as a group, is about three times higher than for the rest of the population.

The Government has implemented several measures to integrate newly-arrived immigrants. There is an induction programme for new arrivals, and they have the right, and the obligation, to attend Norwegian language classes. These are important tools. Furthermore, Norway has established a comprehensive programme for persons needing assistance to find work and to stay in employment. Since 2009, employers, public authorities and workers' organizations have had an obligation to promote equality, and to prevent discrimination on the grounds of ethnicity and disability. Both public and private enterprises are required to identify the measures they use to meet their obligations in their annual budget reports. The civil service is also required to call immigrants for interviews when hiring new staff.

Where do we go from here? We call for even stronger cooperation, within the multilateral system, on the issue of discrimination. We encourage the ILO's cooperation with the international treaty bodies and the Human Rights Council, to ensure that fundamental ILO Conventions are included in the Universal Periodic Review.

We would also like to emphasize the importance of the role of UN Women. The joint efforts of the ILO and the United Nations Entity for Gender Equality and the Empowerment of Women will have a broad impact that will spill over into other policy areas, and will strengthen both organizations. We are happy to see that strong cooperation is well established, and the leader of UN Women, Ms Bachelet, as President of the Social Protection Floor Advisory Group, has a key role to play with regard to the ILO.

The MODERATOR

We will come back to many of those points later, but you have raised many interesting issues. I would like to come back to your point where you talk about how Norway has succeeded in this area. Is this something that other countries can copy, or is it something that very much reflects the economic structure of Norway and the Scandinavian countries, i.e. can we have a one-size-fits-all approach, or does each country, and each region, have to take a different approach? Perhaps we can discuss this later, during the panel discussion.

Original Portuguese: Ms LOPES (Minister of State for Women's Policies, Brazil)

Starting this discussion, if I have understood correctly, the economic differences and the degree of development in each country will be fundamental in defining policies on labour promotion and the fight against discrimination and inequality. In my country, we believe that there are differences throughout the world. We have tried to take an approach that involves public policies which can deal with these inequalities on the basis of our economic situation and the fact that our economic growth must be shared with all the workers.

I would like, first of all, to thank Mr Robert Nkili, the President of this Conference. I should also like to greet Michelle Bachelet, Mr Juan Somavia and

all the representatives of the Governments, of the Workers and all the organizations represented here.

It is a great opportunity for Brazil to be present at this panel discussion, and I bring to you the greetings of our President, Dilma Rousseff. This panel discussion on the continuing challenge of equality at work is very timely. The ILO has carried out fundamental work on standards promoting equality at work and gender equality. The Equal Remuneration Convention, 1951 (No. 100), and the Discrimination (Employment and Occupation) Convention, 1958 (No. 111), are perhaps the greatest achievements at the international level in the field of promotion of women's policies. We believe that, in a globalized and unstable world, there is a very close relationship between the effects of economic and financial crises and policies promoting equality and non-discrimination. During the recession, vulnerabilities were exacerbated, and the ability of institutions to protect people subjected to discrimination was tested to the full. During this recent crisis, the main response of the ILO was the Global Jobs Pact, which was very important because it referred to the reduction of gender inequality as a basis for economic recovery. The Pact became a valuable instrument and an important parameter for establishing the foundations of fair economic growth, with equality between men and women.

On a multilateral level, Brazil had the honour of presenting, in 2009–10, a resolution to ECOSOC aimed at integrating all of the measures contained in the Pact in the agendas of all United Nations funds and programmes. By approving this text, ECOSOC undertook to coordinate and implement the Beijing Platform for Action.

This opened the way for agreement on a strategic plan, together with the body of ILO standards and all the efforts of the United Nations system in promoting gender equality.

We believe now is a good time to discuss these issues, along with the Report.

Today, in Brazil, we have our first female President, Dilma Rousseff. In her first speech following her election, she stated very clearly that Brazilian women would be one of her main priorities, along with the elimination of poverty.

The levels of poverty in Brazil have fallen significantly in recent years as a result of economic growth and a number of policies involving the increase in employment and employment formalization, the establishment of a real minimum wage, the broadening and consolidation of income transfer programmes such as the *Bolsa Familia* and the *Benefício de Prestação Continuada* pension programme.

In spite of all this, we have over 16 million people in my country living in poverty and suffering from various forms of discriminations, 59 per cent of poor people are to be found in the north-east, 50.9 per cent are aged under 19 years, 70.8 per cent are black or brown and 25.8 per cent are illiterate.

A new plan entitled "Brazil without Poverty" has been launched by President Dilma Rousseff. The plan is designed to eliminate discrimination.

This plan involves integrated action, which will ensure that there is access to all services; universal social rights, the integration of income transfer actions associated with opportunities; improvement in the standard of living from an economic and social point of view; reduced social and regional inequalities; respect for diversity (be it in the form of age,

gender, race, ethnic background, culture, or sexual orientation), through the implementation of policies designed to combat discrimination and other forms of unequal treatment.

I believe that this plan will be fundamental in ensuring that all Brazilians, especially women, enjoy economic, social and personal rights and independence.

Men and women have different opportunities in the labour market. In the past few decades, there has been a feminization of the labour market, but there is still inequality regarding wages and the level of employment.

In Brazil, the question of domestic work (which is one of the topics being discussed at this Conference) still requires particular attention.

In my country, domestic work is the field in which you find the most women. This sector suffers from a decent work deficit.

According to information provided by the Brazilian Institute for Geography and Statistics (IBGE), domestic workers accounted for 15.8 per cent of all women working in Brazil in the year 2008. Domestic work employs over 7.2 million. It is mostly informal work and only 26.8 per cent of the women have signed workbooks. As the Report says, access to work is a continuing challenge.

Over the last few years, Brazil has adopted a legal framework and new policies in order to deal with these various types of discrimination.

In closing this short presentation of mine, let me say, on behalf of the Brazilian Government, that we hope in the very near future to be able to address you on the progress made in implementing the new policies of the member States and the ILO and to discuss a report on Equality at work: A reality in the world.

Mr O'REILLY (*Employer, New Zealand*)

It is a real pleasure to be here and I welcome the opportunity to have this conversation about the Global Report. Employers, of course, were instrumental in the creation of the 1998 Declaration and we believe in the enduring relevance of the Declaration and its follow-up.

Why do we care? Why do employers care about discrimination in the workplace?

First, to make an obvious but critically important observation, business people have a stake as citizens in the peace, health and prosperity of the communities in which we, our families, our clients and our customers live. Doing our best to protect and strengthen the economic, political and social position of every member of society is obviously fundamental to economic and social progress.

Secondly, in most of the places where we do business workplace discrimination is against the law, and we comply with the law. Not only that, we recognize the need for national labour laws to recognize and accommodate the needs of groups that are particularly vulnerable to discrimination.

But what companies are coming to realize, what smart companies have known for some time, is that there is also a strong business and economic case: The larger, more diverse and more prosperous the universe of potential employees and customers, the better for business.

The more decision-makers in business understand and reflect in their own business the diversity of their customer base, the better for them. Companies are therefore increasingly taking action, or at least

thinking about taking action, which is voluntarily beyond compliance, so that anti-discrimination activities become an integrated part of the way in which they do business every day. That development has important implications for policy-makers and I will return to it in a minute.

I would like to give two examples of this change in approach in the private sector that I have just described, namely a move beyond compliance to concerted voluntary action at the company level.

Take women. It seems obvious that unleashing their talent, creativity and potential is a virtuous circle. It confers significant benefits not only on companies, but on women themselves and on their families – and that is to the benefit of our economies and societies as a whole.

According to a recent study by Deloitte, American women today wield purchasing power in excess of US\$5 trillion in the United States alone. They buy half of all computers and cars and 80 per cent of all consumer purchases. So why would business not want to invest in women as workers and executives and to benefit from the insight and diversity that they bring, not only to the workplace but also to the boardroom and to management ranks.

This is beginning to happen much more quickly, and a growing cohort of companies are directly influencing and directing significant resources to the issue of women's economic empowerment.

The same logic applies to the disabled. Here too, of course, much change has been inspired by legal requirements, but the business case for hiring people with disabilities is becoming increasingly well known. Some companies are engaging specifically in developing products for people with a disability and for their families and colleagues.

A number of companies around the world are joining in a public-private partnership at the ILO to address workplace diversity in this respect. I congratulate the ILO on this because it is developing a global network of employers' organizations, private sector businesses, large and small, multinational companies and selected non-governmental organizations, for the purposes of both meeting the needs of the network members and advising the ILO.

The ILO believes, and we agree, that by participating in such a network and in knowledge-sharing activities, companies will benefit from improved productivity, reduced turnover, safer and better workplaces and increased customer and community brand loyalty.

Now let me return to the issue I raised a few moments ago – the voluntary move beyond compliance and its implications for policy makers. I see at least five implications for policy makers of this shift amongst companies.

The first implication I see is that laws and regulations alone will not do the job. If success means just passing more laws, then all we will have achieved – probably at best – is compliance. And, as I have just explained, compliance will probably not be enough eventually. Compliance alone will not be sufficient for the needs of employers and employees to be creative and to think in new and engaging ways about overcoming the very workplace issues that cause discrimination and inequality in the workplace.

Let me answer a point before it is made, i.e. the idea that even compliance with anti-discrimination laws is a problem in some circumstances. That is very likely so. But the same might be said about

compliance with any other kind of law. If businesses do not understand or support the law in the first place they will sometimes only comply with the minimum – if at all. Laws, then, operate best in an environment of acceptance and support. So even if compliance is the first target, businesses will be more willing to comply if they understand the economic and social reasons for doing so in a way that they can see as helping them too.

So there is a clear need for complementary measures as well as laws and regulations. The second implication is that very often, when businesses think about this and when policy makers discuss it with them, the conversation is about compliance and requirements. Both of those are very important words in the debate, do not get me wrong!, but if you believed the point I have just made about moving beyond compliance then the existing government language needs to be combined with the language of celebration and achievement when a job is well done by business. Business, in other words, will respond best to both sticks and carrots.

The third implication is about governments themselves. If we are to move voluntarily beyond compliance, there is a clear role to be played by governments themselves. Governments as employers need to be exemplars of the new approach. They also need to learn by doing and by making all the mistakes that such an approach implies. This will have a couple of important outcomes if done well. First, government will be better at regulating and otherwise encouraging employers to do what they need them to do. This is because – as we say in New Zealand – they will have been to the school of hard knocks. And, second, they will have trained some people who are the targets of action – women and migrants, for example – who can act as advocates and hopefully go out to the private sector and be the kind of leaders we need there.

The fourth implication concerns business assistance. The fact is that there will be many businesses in all economies that will be happy and willing to do a better job at hiring and retaining employees who may, for example, be migrants, but they will occasionally be reticent to do so because they will not have the confidence they need to go through the proper hiring and induction processes. They might be frightened, for example, by perceived cultural divides or whatever else it might be. In such cases it seems to me that there is a role for business organizations, with the help of policy makers and governments, to provide tools, guidelines and advice of one sort or another to assist in the process. We all know that there are some very simple processes that businesses can go through to help. We need to help them do that.

The final implication concerns language. Policy makers, including those who drafted this Report, tend to use language such as “discrimination” and “exclusion”. They are accurate words no doubt, but they will often feel exclusionary to business people. The way in which they describe big issues that affect businesses will potentially make those very businesses feel excluded.

That is why the term most often used in the business community is a much more positive and engaging one, “diversity”. The concept of “diversity” is one in which business people can engage because they see it as positive and as a competitive advantage.

I would suggest therefore that policy makers also think about language, the language of business engaging with business to get them to move along better towards the kinds of outcome that we seek.

The MODERATOR

A very interesting point there about the language we use and what impact it has. I was also struck that you were echoing what Ms Bachelet said in her speech about “equality is smart economics”. Again, something to come back to.

Original French: Ms DIALLO (Worker, Guinea)

I think that we should be proud to be here at the ILO. This is a house of unity, of social justice, where we can exchange views among ourselves and gather ideas.

According to Article 1 of the Universal Declaration of Human Rights, “all human beings are born with equal and inalienable rights and fundamental freedoms”. Despite this commitment on the part of States, discrimination remains a scourge which strikes our societies in the midst of crisis: a crisis that is not only social and economic, but one that undermines the dignity of human beings.

Despite progress made over the past few years, the Global Report reminds us that equality among men and women has still not been achieved. According to the Report, women continue to suffer from discrimination as concerns access to employment, equal remuneration and benefits.

Among those who live below the extreme poverty line, 61 per cent are women. Women’s wages are on average 10 to 30 per cent lower than those of men. In some countries, including OECD countries, this wage gap can be as high as 40 per cent.

In a majority of countries, maternity is still a cause for unfair dismissal and discrimination against women because of their reproductive role; and that is why we have to promote the ratification and implementation of the Maternity Protection Convention, 2000 (No. 183).

In job creation, we have to ensure that we not only take into account gender, but also skills and competence. The village elders used to say in the past, when confronted with a familiar problem, “Go away and sleep on it”. But that is simply not true. Sleeping on it does not solve a problem; it is better to ask the most intelligent woman what to do, who thinks the problem through more thoroughly before finding a solution.

Despite the end of slavery and colonization, racism and ethnic discrimination persist. Generally the victims are of African or Asian origin, indigenous people, or ethnic minorities.

Migrant workers have become the scapegoats of an economic crisis which was caused by bankers. We can see an increase of racism towards them and a worrying rise in xenophobia, from which extreme right-wing political parties benefit. Today’s preoccupation with security means that people belonging to a certain religion might be branded terrorists and subjected to humiliation and discrimination. In other societies, belonging to one or another religion gives rise to violent recriminations.

And this is the same for those who are living with HIV/AIDS. They too are stigmatized and discriminated against. Millions of people suffer from discrimination merely because they belong to a certain caste; and in the case of HIV/AIDS, we women suf-

fer even greater discrimination because poverty and HIV/AIDS go hand in hand.

So, despite the affirmation by the international community of equality for all human beings, we are confronted today with a situation in which discrimination is systemic throughout the world. This is a very serious situation for many reasons, first of all because discrimination gives rise to poverty; it also threatens peace and breaks the bonds of solidarity and brotherhood which should exist among us all. We are willing to walk over our neighbours because we believe that they are somehow inferior. This situation of discrimination thus increases poverty.

This situation is serious but it is not hopeless. The trade union movement is continuing to fight against all aspects of this scourge, not only within companies but also within society as a whole.

I can give you the example of my own country, Guinea, which I have personally experienced with my trade union colleagues, who were aware of the situation from the very beginning and reached out to civil society. We created a social movement; but it was not enough because we also had to work alongside the political parties. Some of our comrades accepted to go from door to door in order to try and bring political parties into the equation; and we were able on 9 February 2009 to set up something we call the *Forces Vives*, coalition. We called upon every sector of society, from religious leaders to wise men. When the structural adjustment programme was initiated in my country, women lost more jobs than men in the informal sector. And we were able, because of the *Forces Vives*, to form a common front without any distinction on grounds of race and colour so that we could ensure that the rule of law would reign in Guinea and our constitutional rights respected.

Let us make Article 1 of the Universal Declaration of Human Rights a reality for all. Let it not simply remain a dream, a slogan. Let us make sure that it becomes reality.

The MODERATOR

Thank you very much. As we have heard from all our panellists very eloquently – and as Ms Bachelet said at the beginning – much remains to be done. You have all outlined the issue of equality at work very clearly, both because it is a fundamental right and because it makes sense in so many ways. So let us explore a little more how we can make even greater progress, and I want to start with the question of the economic crisis. You said it could lead to a two-tier labour market. The Report says at the moment the picture is mixed; the jury is still out. In some areas, for example in developing countries, where women work a lot in export industries, they have been disproportionately affected. In other countries they have not. Migrants are generally more affected than others. But it is a mixed picture. How much do you fear that the economic crisis could lead to a reverse, either deliberately or inadvertently – simply because this issue stops being a priority? Could we just pick up on that? I am going to come to all of you soon, but there are just a couple of points I want to take up with the panel first. Who would like to pick up on that?

Mr O'REILLY (*Employer, New Zealand*)

I think we need to be a little bit cautious about suggesting that economic difficulties in many countries somehow have an impact on female migrants

and people with disabilities. They may be a factor, but often the impact is more as a result of the types of jobs that they are in: the informal economy; tourism; lower-skilled jobs; and so on. We need to be careful about trying to make sure we do something about the cause of that. I think that this is what the ILO is trying to do anyway: more formalization of work; higher skill levels; better social protection floors; and so on. I think that if we achieve those things, we will not slip back; I think we will move forward.

The second point I would like to make, and I know this from the perspective of companies, particularly larger companies, is that they see these factors as an element of competitive advantage; they are carrying on with it and you are not seeing any slackening of this among the larger companies because they understand that this is not just about social justice. This is about competitive advantage and, on that basis, they are still investing heavily.

The MODERATOR

So what you are saying is that there are elements of what one might call structural discrimination, and this is where we have got to focus. The crisis is having disproportionate effects but it is not because of discrimination; however, it could be if you do not get the structural bits right.

Mr O'REILLY (*Employer, New Zealand*)

You need to keep on doing what you are doing now, but better. In other words, increase formality.

Ms BJURSTRØM (*Minister of Labour, Norway*)

I agree that you have to keep on doing what you are doing best, but the problem is that many countries are not keeping on doing what they were doing, and they are not doing it better. That has been the reaction to the crisis: many countries actually cut back on public spending and social protection schemes and liberalized the labour markets. And that is what I mean when I say we risk creating a two-speed labour market. The opposite happens if we invest in decent work, social dialogue and social protection: these have proven to be very strong instruments against discrimination and for equality. So that is my main point and I think that what you are saying is theoretically right but, what we see, I think, is disturbing.

The MODERATOR

But, Ms Lopes, you were talking about the things that Brazil is doing, so it sounds very much like you are keeping this issue alive. But there is a concern, is there not, for governments: they have a lot of short-term issues to deal with; it is not that they do not think the issue is important, but it slips down the agenda? It just gets forgotten about because there are many pressing issues to deal with. Do you feel that, globally, that is a danger and, if it is, how important is it to have robust institutions to make sure that does not happen?

Original Portuguese: Ms LOPES (*Minister of State for Women's Policies, Brazil*)

That would depend on the political situation in each country and how things are done. During the crisis, Brazil made a choice to increase investment in social areas and to work against unemployment. And so our response to the crisis was the opposite of what, historically, we have seen countries adopting, and what has been seen as the right way of do-

ing things. Now we see that, to overcome the crisis, we need to understand that the economic solution will only come into being if we work on overcoming social differences and inequalities, in particular focusing on women. If, for example, we want to face up to the food crisis on the planet, we should increase the presence of women in areas of production, in line with rural traditions in every country. Then we can get access to new markets to increase demand for labour in a country. Addressing different aspects of the environmental crisis can also offer new sources of work and income which can then benefit women and other people across the world that are discriminated against.

The MODERATOR

We are reinforcing that it is smart; it is the smart way to do it. Ms Diallo, can I just ask you to respond to what Mr O'Reilly was saying about discrimination not always existing; sometimes it is more about the type of job, and that the reason women are more affected in developing countries is down to the industries they work in. If that is the case, what can we do to make sure that they are not disproportionately affected?

Original French: Ms DIALLO (Worker, Guinea)

Well, you know, this really varies from one country to the next. I would like to remind you that the financial crisis came at a time when Africa was facing political, economic and food crises.

What brought all this on was frustration, the trade deficit, the total lack of dialogue. Lack of dialogue and, in some countries, bad governance and the misuse of public funds all have a negative impact on the lives of workers and their families.

Women have lost more jobs than men, and it is they who look for work in the informal sector. It is they who hold the economy together in most African countries. Women, we say, have a thousand arms, because they are at home, they are in the fields, they are in the office, they are everywhere. They are the ones who make things run, day in, day out.

So if you exclude women from social dialogue and decision-making, everything is going to fall apart and there will be no solution. That is why we have to make sure women's voices have to be heard at every stage of the decision-making process, from design to implementation.

That is how a country can make progress. Any country that hopes to move forward without women is going to fail from the outset.

The MODERATOR

As you just said: different countries, different problems, different situations, so I would like to come back to the point Ms Bjurström made earlier about what is being done in Norway. Are you saying that all we need is to do what the Norwegians have done and everything will be fine? Is that really true, or is the situation different in each country and there is therefore no "one-size-fits-all" solution to this issue? It is bound to be different in different circumstances?

Ms BJURSTRÖM (Minister of Labour, Norway)

Yes, of course there are special circumstances in every country, and of course Norway has been very lucky and has not been hit that hard by the economic crisis, which has made our position easier. But my point is that there are some main features of

the way the Nordic countries have reacted, especially when it comes to gender equality and inequality in general and also disabilities and sexual equality, that have proven to be very successful. I think there are, of course, features of this model that could be and should be implemented and serve as a model for other countries.

The MODERATOR

Ms Lopes, can people copy what you are doing, take it and do the same and it will work?

Original Portuguese: Ms LOPES (Minister of State for Women's Policies, Brazil)

Yes, I think that nearly all of us can learn things from other countries. Positive experiences can be analysed by other countries that might, at least superficially, learn something from them. Application of experiences and new policies is obviously going to depend not just on political decisions, which are the basis of the process, but also on development levels, the ability to invest in the existing infrastructure in the country, and the need to move on to new structures.

So I do think that this is just part of a process and much can be shared, but you cannot copy. Copying would not be possible, because the differences between countries and regions are such that you will be unable to overcome them.

The MODERATOR

The ILO is playing a role in all of this and should do in the future. But let us see if there are any comments from the floor.

Ms BYERS (Worker, Canada)

I am Executive Vice-President of the Canadian Labour Congress.

I have a point that I want to raise about the way women have been affected in a country like Canada, where women represented 30 per cent of the manufacturing sector. Though numerically women may not have lost as many jobs in the manufacturing sector as men, on a percentage basis they have lost more jobs.

I also have two questions. Ms Bachelet raised the question of gender representation, and two years ago the Report on *Gender equality at the heart of decent work* called on the ILO and its partners, governments, workers and employers, to do something about the situation. We are not doing well. And if you want to take a look at something even more depressing, look at the list of speakers. On a percentage basis, that too is not good. What does the panel feel the social partners need to do?

The second question I wish to raise concerns the rise of racism referred to in the document. What do the panellists think that the ILO should do? Should we be looking at something special at a Conference such as this? Should we be looking at a special discussion in the Governing Body? Should we be looking at something else that the ILO could do to really tackle this question of racism?

Mr JAVED (Employer, Pakistan)

The Global Report very clearly highlights the main issues faced by the world of work. The efforts made by our Employers' group are very well known, so please do not misunderstand me when I draw your attention to the fact that in more than 60 per cent of the world equality at work, though very

important, loses much of its importance because there is no equal opportunity to work.

The Global Report calls for a fair balance in imports from and exports to the weaker economies, so that reasonable opportunities can be created throughout the globe and thus equality at work can be achieved. Otherwise, exploitation will not only continue to exist but, I am afraid, will continue to grow as jobseekers, employees and the weaker and needier members of society continue to suffer from the huge gap between demand and availability of jobs and work. I think entrepreneurship, development, skilling and reskilling should be placed as a priority on the agenda of the United Nations and other international agencies in their interventions in crisis management and reconstruction.

Mr WEIR (*Representative, International Trade Union Confederation*)

The point that I wanted to raise is that the panel has been combining these concepts of combating discrimination and reducing inequality, whereas I would suggest that they can be slightly different. For example, if a woman is able to become president of a bank, that is a victory over discrimination; but it really does not do anything to address the inequality of the fact that the bank's president is being paid 500 times what the average worker makes. So I put it to the Panel that combating inequality involves a lot more than reducing discrimination. You also need collective bargaining. You also need to redistribute wealth through the tax and transfer system. It is a much broader agenda.

Original Portuguese: Ms GOULART (Worker, Brazil)

Regarding the subject of working women's equality, when the Governing Body of the ILO adopted its plan of action on non-discrimination in 2007, there were already two priorities adopted. Countries had to improve their legislation and they had to fight gender inequality. Yet these inequalities continue to exist. One of the biggest problems facing women at work is wage inequality. So I would like to ask our colleague from Brazil what measures can we take at a national level so that equality of working women, in terms of wages, can progress?

My second question has to do with the adoption of the new Convention for domestic workers. More and more people are working as domestic workers in every country. They tend to be black and to be very badly paid, and the great majority work on a precarious basis. This is fundamental, and it is very important that countries leave here with a commitment to improve the situation of these women by means of this Convention.

Original Spanish: Ms MUÑOZ (Employer, Bolivarian Republic of Venezuela)

Equality at work is a very complex and difficult issue. Looking back over the history of the ILO, we have not stood still but neither have we made significant progress. On the positive side, the ILO has done much in terms of standard-setting and helping countries to draft legislation. However, in practice, compliance is quite another matter.

Few countries have complied with their own legislation on equality at work. Looking beyond national plans, each and every one of us here today at the ILO, representatives of the Governments, Workers and Employers, must take this issue on board and find a way of highlighting it back at home if anything is to be achieved.

Mr CHOUBEY (*Employer, India*)

I represent the state-owned enterprises of India, which employ about 1.5 million people. My question is related to labour discrimination based on nationality. In the post-recession period we have observed that developed nations have adopted a policy of protectionism. The opposite trend is evident on the demand side. This has resulted in a serious problem for developing nations with regard to the management of the migration of the labour forces. I want to know the view of the panellists: Would it be possible for the ILO to call on the developed nations to review their protectionist policies so that developing nations could develop more, which is one of the Millennium Development Goals.

The MODERATOR

Thank you, very much indeed. Lots of very interesting questions. Panellists, I will not ask you all to respond to everything otherwise you will not have a chance to take more questions. So, perhaps if you could pick what you feel are the most important issues? One that came up in a number of questions there was the pay gap. But I would like to broaden that to include nationality, migrants and non-migrants. This is a broad issue. Is there anything, particularly perhaps if you could pick up on that, but would you like to go first, Ms Diallo?

Original French: Ms DIALLO (Worker, Guinea)

When the financial crisis began, we found a solution for the bankers, but when it comes to unemployment and jobs, we have failed to find a solution. The social partners do have a role to play. Just to go back for a moment to the trade unions, we are doing a lot for the trade union movement, and I am talking only about my experience in Africa. We have created a Department for Women so that women know that they have access to decision-making powers.

We have also created a Department for Youth, and we have created an IT system to ensure that workers are well-informed because we know that access to information today is a basic need for workers. The ILO has a role to play. It has already done a great deal but much remains to be done. The ILO must continue its work of strengthening capacity for all social partners, because as a previous speaker said, if somebody is going to wash your back, you have to wash your front and your face.

At the national level, we have a role to play to bring about this change and to do so we must strengthen the capacity of the social partners, through training and social dialogue, in order to bring about this change. If we do not take care of young people, they will take care of us in a way we do not like.

The MODERATOR

We have been talking about access to information as very much one of the ILO's priorities. Another one is developing and sharing knowledge, very much emphasizing the fact that we need more information, we need more specifics. Is that part of the answer here, in terms of making progress?

Mr O'REILLY (*Employer, New Zealand*)

You can always have a better debate when it is an informed debate, so the issue of statistics around what is driving income – issues around income inequality, for example – will lead to a much more in-

formative debate about what is driving it. I have worked in companies over many years now, trying to work it through, and even when companies have great commitments to dealing with the issue, it is always hard to do. This is because there are so many structural issues inside companies. There are skills issues. There are issues about education. There are issues about the type of work that women do that is different from the type of work that men do. So even if you have a real commitment to tidy up income inequalities, it is actually a relatively complex thing to do. So I think statistics have a definite role to play.

One thing that we should not be doing, though, is getting our governments to determine who should get paid what. We need to leave that to labour markets and we need to work with labour markets because otherwise we will have a very messy outcome. We need to have great statistics and great debate – informed debate – about what to do. I think this is an area where we can learn from each other. I think we can actually learn, for example, from some of the things that Norway and Norwegian companies have done.

Ms BJURSTRØM (Minister of Labour, Norway)

I would just want to get to the main point: what can the ILO do? I think what the ILO has to do is to focus on core labour standards, including collective bargaining, as was mentioned by one gentleman, because I fully agree that you do not achieve equality just by having female bank owners, or bank managers – we know that from Norway as well. Even if we have many women in prominent positions, there is still a wage gap between men and women in our country.

I think it is also important, as I think the representative of the Bolivarian Republic of Venezuela mentioned, to realize that there is an implementation problem: we need the ILO to provide a lot of assistance to countries to implement all these standards, and I think it is hard work in a sense.

But I also think, to get back to my previous statement, that we need some sort of a shift, a shift in mind-set, in the sense that, if you are going to combat the effect of the crisis and the increase that I think you will now see when it comes to equality, even if it is a mixed picture, I think it is important for governments to realize that it is very important to actually involve the social partners, to believe in the social partners as being a very important instrument and tool in this issue. What we might actually see is the reverse, because you see this liberalization of the labour market, and that has an adverse effect because it also undermines the density of the unions.

Original Portuguese: Ms LOPES (Minister of State for Women's Policies, Brazil)

I would like to begin by saying that we can only overcome inequalities once we have recognized that they exist. In the absence of such recognition, it is impossible to create the conditions which allow for the implementation of policies designed to tackle these issues. In this regard, we all have both shared and differentiated responsibilities.

First of all, governments have a responsibility to put forward policy proposals concerning investments and training. At another level, national legislative bodies must approve legislation which creates the necessary conditions for the implementation of

policies promoting equality in the world of work. However, companies and governments also have a role to play here. Parliaments, enterprises and other actors must accept the basic fact that there is inequality based on gender and race and that they share responsibility in this regard.

If we are to make any progress in eliminating inequality, we must keep in mind the vision of a world where men and women enjoy equal opportunities. Women, like other groups in society, have been marginalized with regard to the process of development, access to the labour market and career advancement. Therefore it is very difficult to implement effective measures to tackle these issues unless we have some kind of basic agreement at the start.

The MODERATOR

Thank you. Just one other, before I come out to you, we have talked here – and you have very much outlined the situation, men and women, clearly a very important issue – but, in one way, I think a lot of people would say that in some parts of the world, at least, very significant progress has been made, although I think the Report says somewhere that it will still take another 75 years to close the gap if we keep going on at the rate we are.

But nevertheless, there is also, we think, a big increase as the Report makes clear, in religious discrimination, discrimination on religious grounds; in terms of racial minorities in America. In particular, I think we have that unemployment among the black population is twice as high as among the white population. These various forms – and migrants, which I mentioned earlier. Is there a danger again that this issue – and I think the women's movement has done really well to keep the issue at the top of the agenda – will slip down? Are we in danger of going backwards? Or do you really feel that this is the key issue and everything else feeds from it?

Mr O'REILLY (Employer, New Zealand)

Yes, those are issues, but the very last thing you would want to do is take your foot off the accelerator on women. You cannot say that because there is a race issue, or because there is an ethnic minority issue, or whatever there might be, that the gender equality issue is finished. It is never finished.

The other thing I think is that we can take many of the lessons that we have learned from the successes and failures in the debate on equality between the sexes over the last 20 or 30 years and they will be a very useful lesson, and will continue to be as we move into other areas. They speak to the complexity of the issue. Employers might not discriminate against women, but they might discriminate against a person of a particular religion. This shows the complexity and the fact that we need to keep at this, learning everything we can on the way.

The MODERATOR

Another issue, which was mentioned earlier by Ms Bachelet and by the Director-General, and it is also in the Report, is multiple discrimination. For example, if you are a woman with disabilities, you are at the bottom of the pile. What do we do? Do you think that enough attention is paid to those who face multiple levels of discrimination?

Ms BJURSTRØM (*Minister of Labour, Norway*)

I think that in my country there is, but this is a very important problem and I cannot say that I really have the answer. In our country, we have laws against all types of discrimination and they are actually enforced quite strongly. However, even in Norway, a very well-regulated society, we see that it is very difficult for people with disabilities, for example, to enter the labour market. So that shows that this issue is a huge challenge around the world.

Original French: Ms DIALLO (Worker, Guinea)

I could say that there are laws in each country and in my country the laws are favourable to women. But in most cases the issue is one of enforcement. That is why I agree with those who have taken the floor before me and have said that everyone should get involved. That is the change that we want. We want this to be part of changes in behaviour and working methods. We also need to raise awareness of rights and responsibilities. Why are some people discriminated against? Because they do not know their rights and responsibilities.

So of course education comes into it. There is a need for reform in the education sector. We have got to educate people and inform people, and this could help to reduce discrimination.

The MODERATOR

They need to be aware of their rights and then have access to the way of enforcing them.

Let us take another round of comments from all of you.

Mr CHRISTIE (*Employer, Canada*)

It seems to me that the face of progress on this issue is when employers adopt a positive culture of inclusion and accommodation. We do not want them to behave by looking at a list of prohibited discriminations and avoiding them. We would prefer them to have a positive approach with a positive culture, and that kind of culture is being adopted spasmodically across the globe, among the employers that I deal with. If that is true, I think we have a problem with measuring the wrong thing. We are measuring the list of adoptions of standards against prohibited behaviour, whether they are international Conventions or national statutes. We are measuring the number of prosecutions made, or claims made, and I worry that we are aiming too low with that.

Original Arabic: An Egyptian delegate

I have a question. In the recent past, there has been a rise of xenophobia in many countries where there have been large waves of immigrants. So, despite the latest developments in non-discrimination and combating discrimination, there are xenophobic political parties in many countries which are recipients of immigrants and these parties are now in power or on the verge of coming to power. What can be done to counter such a trend and solve this problem?

Original Portuguese: Ms CARVALHO FRANCISCO (Worker, Angola)

I have heard some of the participants in this discussion referring to the progress made within this House in the area of legislation, and I can agree: many instruments have been produced. The ILO has adopted a number of Conventions in favour of equality. But if we look at the podium, we can see that we do not practise what we preach. The major-

ity of people at the top table are men. Our moderator is conducting a panel discussion on equality, but the majority of her panellists are women. If we are going to talk about equality, we must take action for equality as well. It's a problem of mentality. I think that we ought to be investing more in education and changing consciousness, so that we can achieve true equality.

The MODERATOR

From all the things we have talked about, all the different issues that we have raised over the last hour, can we draw some conclusions? If you had to identify a real priority to make sure this issue stays at the top of the agenda, and that the gains of the last decade are not reversed, what would your priority be?

Original Portuguese: Ms LOPES (Minister of State for Women's Policies, Brazil)

First of all, I would like to say that we should not allow our agenda to be overturned. We should use this crisis as an opportunity to reduce inequality, not increase it. We can do this. We can do it by choosing new paths, by using new models of development, and by making a decision not to transfer the repercussions of the crisis onto the workers. Second, I would say that we need to put ILO Conventions and domestic legislation to good use, broadening dialogue and making the debate ever more international.

Ms BJURSTRØM (*Minister of Labour, Norway*)

Firstly, I would like to pick up on what my colleague from Brazil has just said, because I think she made a very important point. As the Report shows, if we continue at the current speed, many years will be needed for gaining full equality. So, the crisis aside, even if we have made progress, we have not been making it fast enough. Maybe we should re-think the whole process and use the crisis as a way of remodelling the way we think. I think that she made a very good point there.

Secondly, as I mentioned earlier, I think we have to focus on the implementation of the main ILO standards. The ILO has to really reinforce these standards and help countries to implement them. This is a very general answer but I think it is actually the core answer.

The MODERATOR

In the Global Report, a top priority is ratification and application of the two fundamental ILO Conventions.

Let us take a few more comments to which our panellists can reply and indicate some of the priorities before wrapping up.

Mr PADMANABHAN (*Worker, India*)

I represent the Centre of Indian Trade Unions. My question is a continuation of what the panellists have been telling us. Our society has been branded as an unjust society, even by our Director-General in his Report. Is there any hope for the present generation or the next generation to settle things and see a brighter future? As far as the present day problems are concerned, it will take 75 or 100 years at the current rate to settle some of the issues. Is a just society possible within the time frame that is being suggested now?

Original Arabic: Mr LOUH (Minister of Labour, Employment and Social Security, Algeria)

First of all, I would like to point out that gender equality cannot be described as a ready-made recipe that applies in all countries, as each country has its own specificities. The problem is one of application. Secondly, I believe that in order to achieve this goal and move forward, we need to focus on promoting women to positions of authority so that they have a role in running the affairs of state. This includes the judiciary, legislative and executive branches. In Algeria, for example, women account for 35 per cent of positions in the judiciary and thus have a share in decision-making authority.

Mr NOLAN (Employer, Australia)

Two issues, if I may raise them. Phil O'Reilly made a good point that the laws and regulations alone will not resolve the concerns around equality at work. There is a significant body of evidence out of Australia that many companies are striving to be the employer of choice and are introducing initiatives that go way beyond compliance. There is also the incentive to deal with an ageing workforce population in Australia, to meet employees' requirements for flexibility in work, and skills and labour shortages. The second point I would like to make is that during the economic crisis, the employee retention rates in Australia were much higher than in any previous business downturn, and that was because arrangements were put in place, often involving agreements between social partners to make sure that other arrangements were put in place, such as reduced working hours, employees taking leave, to make sure that the jobs and the skills were retained in business. I am just wondering if these initiatives have been attempted by other social partners.

Original Spanish: Mr DON MALAVO (Government, Equatorial Guinea)

I would like to describe one type of discrimination which we see in our country. Equatorial Guinea is a country whose income depends around 80 per cent on oil and gas. There is an endogenous kind of discrimination that exists in our country, but there is another, exogenous form, which is imported from the multinational enterprises that exploit our natural resources, and which provide better salaries and better services to the expatriate workers than to national workers with the same training. This is a phenomenon that is giving rise to a great deal of tension in our countries, the countries producing natural resources, because multinationals pay and treat expatriate employees better, to the detriment of the local workforce.

Original Spanish: Ms QUENTA JUCUMARI (Worker, the Plurinational State of Bolivia)

I represent Bolivian workers. My questions concern what the ILO can do to ensure greater participation of women in unions. At the grass-roots level, most workers are women, but we do not see very many of them active in the unions. Most union members are men. What can the ILO do to ensure greater participation of women in the national executives of our unions?

Original French: Mr ZAMBO AMOUGOU (Worker, Cameroon)

I represent workers in Cameroon. With the way the economy is organized in our country, and the gap between work and pay, it seems that this gap

really comes from the fact that in our countries we are working more hours but earning less, but this has nothing to do with issues of gender or gender inequalities. Perhaps it is just a reflection of the dysfunctional nature of the world economy.

Original French: The MODERATOR

And the question is about the involvement of women in unions: Why is there so little, as we see? And the second question, your priority for action. We have talked about a lot of things that the ILO can do.

(The speaker resumes in English.)

The real priority for action is to make sure that we build on the progress that has been made and we do not go into reverse.

Original French: Ms DIALLO (Worker, Guinea)

Progress has been made within the union movement on the integration of women. We have set up a department for women, for example. In the ILO, there is already a department that deals with gender and offers training and holds workshops for ITUC–Africa, for example. We need to strengthen this training capacity because it is not just a case of the ILO or the unions, employers or governments playing their part. As women, we have to stop underestimating ourselves and recognize that we are capable and can participate in decision-making. That it is only possible with dialogue and training.

As far as priorities are concerned, I think the absolute highest priority at the moment is making sure that national legislation at every level is respected and that ILO Conventions are respected, ratified and applied. There is no point just ratifying them for the sake of ratifying them and then just shelving them: they have to be applied. To do so, I think that every one of us has a part to play at the national level to make sure that ratified Conventions do not end up just gathering dust.

In addition, in line with what has been said, we need to work for social justice, we need to make sure there is less discrimination, less injustice at a national level. We should not be talking about ethnicity, race or religion: all of that it debilitating and leads to discrimination at every level. We need to fight against that. We need to create decent work for everyone and to pay attention to the needs of young people. It is important to ensure that there are jobs for young people, because at the moment young people are deprived of employment. That leads them to turning to drugs and getting involved in the arms trade and the drugs trade; that is all because there is not any decent work for them. We need to create decent work for everyone so that everyone can support their families in dignity.

Mr O'REILLY (Employer, New Zealand)

I did want to refer to what the lady said about xenophobia, because it raises a very important, and more general, point. One of the ways to overcome xenophobia is through very good civil society organizations – namely a free press, good courts, a police service free of corruption and social partners who are powerful enough to actually speak out. In fact, the same also applies, by and large, to other types of aspects. If you have a properly functioning civil society, discrimination becomes much harder, on the whole, because if it is discovered, your corporate or personal reputation will be damaged. So

there is something in that – there is a focus on us; there is something in the points that you made that has a wider relevance to the debate.

My final point is not entirely dissimilar to the one made by my Worker colleague when she talked about getting everybody a job. Employers use the term “dynamic labour markets”. We know that discrimination is best tackled in an environment where you have a formal labour market, not high levels of informality, and where lots of people have a job, because that is the way in which you will get companies thinking about voluntarily moving beyond mere compliance. As a result, a lot of the things that we view as boring and normal at the ILO actually matter in this debate. Do not think that this is somehow different. For me, the big issue is that we should not walk away from this room thinking that just because we have passed a law, no further action is necessary. If you think that compliance with legislation is the solution, I can assure you that it is not, and that it will take 75 or 100 years to achieve success if we take that approach. We need to get everybody to voluntarily move beyond compliance. We need to start measuring what that approach looks like, we need to start using the kind of language that encourages the major players to take those steps, and we need to celebrate our success when we finally achieve our goals. That is what we need to do.

The MODERATOR

This has been a very stimulating debate. I would like to apologize to the people I did not get to in the audience. I did try my best to squeeze in as many people as possible. Thank you all for your understanding the constraints involved in trying to fit in so many comments. I would now like to hand over again to our President of the Conference.

Original French: The PRESIDENT

The interactive discussion is now over. I would like to thank all the panellists for their participation: those who have already had to leave, Ms Hanne Bjurström, the Minister of Labour from Norway, Ms Iriny Lopes, Minister of State for Women's Policies in Brazil; and those who are still here, Mr Phil O'Reilly, Chief Executive of Business NZ, New Zealand, and Ms Rabiadou Diallo, General Secretary of the National Workers' Confederation in Guinea. I would also like to extend those thanks to Ms Jacki Davis for the professional way in which she has conducted this debate.

We are now going to continue with individual and group interventions.

Ms BYERS (Worker, Canada, speaking on behalf of the Workers' group)

I will be making some opening comments and then coming back at the end with more recommendations in my wrap-up comments.

First of all, we want to congratulate the Office for its overview of discrimination in the world of work. This is an important discussion we have been having. It is important that this has been well attended because it shows what it means for people in terms of how we are looking at discrimination in the world of work.

We know that the question of all forms of discrimination is a central pillar of the ILO's Constitution. Through the 1998 Declaration, the ILO member States have committed themselves to making equal opportunity and equal treatment fundamental

rights of all persons. I could go through the list that we normally talk about – race and sex and so on – but the reality is, we are talking about equal opportunity and equal treatment for all persons, and we want to make sure that happens.

The Report tells us that, over the past four years, there has been some progress in ensuring equal opportunity and treatment. We have seen more ratifications of Conventions Nos 100 and 111 and we are fast approaching our goal of universal ratification. We call on all member States to ratify these Conventions. Laws on equality at work are covering a broader set of grounds of discrimination. This is important for everyone, because we all have to enjoy the right to freedom from discrimination. They are strengthened by mechanisms such as labour inspectorates, ombudsman's offices, specialist courts and so on, and in some regions legal frameworks are also accompanied by comprehensive policies in areas such as parental leave, maternity protection and breastfeeding.

But it should be said that, despite the signs of hope, the Report really paints a pretty disheartening picture. Discrimination is still with us; it is still there in the world of work. It is there in our access to work, it is there during people's working lives, it is there after one's career. The age-old forms of discrimination – racism and sexism – continue, and increasingly there are newer forms of discrimination on grounds such as HIV status, age or homophobia. All of these are rearing their ugly heads.

The Workers' group strongly condemns all forms of discrimination, irrespective of the grounds. There are some that we want to comment on more specifically, but we want to be very clear that we are opposed to any kind of discrimination.

We want to point out that gender equality remains a central concern of the labour movement. Despite the progress that some people have talked about this afternoon, women's wages still represent only 70 to 90 per cent of men's, yet we do not find that, when women go to grocery stores or get housing, people tell them they do not have to pay as much, or that they do not have to pay as much in taxes. People do not say, “You only make 70 per cent, so therefore you only have to pay 70 per cent for this loaf of bread.” We also know, by the way, that the 90 per cent comes in because that refers to the unionized workforce: if you have a union job, you have a better chance of having a smaller wage gap.

We know that, out of the 1.3 billion people living in poverty worldwide, 61 per cent are women. Women feel discrimination every day: when they get a pay cheque, when they go to the grocery store, when they are trying to arrange housing. We also know that there is widespread discrimination on the grounds of maternity or pregnancy. The Report informs us that women's access to certain jobs is restricted because of their reproductive role. I do not know where people think they are going to get the future workers of the world from if we are going to continue to discriminate against women on the question of maternity. Furthermore, the lack of affordable childcare is a key issue, as it leaves parts of the labour market unable to participate. We find that, when there is more childcare, miraculously women's participation in the labour force goes up. We should look at this issue again.

On the question of gender equality, obviously we need to talk about sexual harassment; it happens every day in workplaces around the world, and it

has to stop. It has to stop for the women who are there now and for the women who will be entering the workforce in the future.

As I said in my questions to the interactive panel, the question of racial and ethnic discrimination remains another very large challenge facing the world of work. We know that, even when access to jobs is gained, it often encourages occupational segregation, and brings victims up against a glass ceiling of career advancement. I really do think that we need to talk about how we might take that issue on at the ILO. What are the avenues that we need to pursue in order to do that?

Connected to that is another question raised during the interactive discussion, about migrant workers. In many countries, migrant workers make up 8 to 20 per cent of the labour force, and they are severely affected by their situation every day, but obviously more by the current economic crisis, which reduced the employment opportunities open to migrants.

We welcome the attention given in the Report to discrimination on the grounds of political opinion. An act of anti-union discrimination is discrimination on the grounds of political opinion. When trade unionists are harassed, victimized or even killed, just because they are trade unionists and doing their trade union duties, they are being discriminated against for their political choices.

We want to raise the question of multiple discrimination, as the Report does. I may know, as a woman, what it is like to be discriminated against as a woman, but I do not know what it is like to be discriminated against as an aboriginal woman in my country, or as a woman with a disability. We need to make sure that the question of multiple discrimination is taken very, very seriously.

We have some suggestions for what we want to see happen. While saying at the close of these remarks that we endorse the four strategic priorities of the proposed action plan, I would like to be able to come back at the end in our concluding remarks and go into a little more depth on that issue.

Mr RAHMAN (*Employer, Bangladesh, speaking on behalf of the Employers' group*)

Allow me to take this opportunity to thank the organizers of this event for promoting and reviewing the Global Report on the theme of equality at work within an interactive and insightful panel discussion.

Let me proceed by offering some general remarks on the 1998 Declaration. This will serve as a pre-ambles to specific comments on the 2011 Global Report.

The Employers are committed to promoting the relevance of the 1998 Declaration and its follow-up mechanisms. For us, the Declaration is not merely a Convention or an embodiment of various Conventions. It is the promotion of core principles to realize social justice through the world of work. This message is important in order to preserve its relevance and future impact.

We believe that the Declaration offers sufficient flexibility to all constituents to respect, promote and work towards the realization of the four fundamental principles pertaining to freedom of association, forced labour, gender and child labour.

The Declaration serves as a framework within which the Employers can show they are active and diligent in the promotion of these principles.

Let me now offer some specific comments on the Global Report.

Any Global Report should strive to strike the right balance between common trends and regional diversity. This means acknowledging progress and challenges that remain.

Discrimination in the world of work, as the Global Report 2011 rightly emphasizes, is multifaceted and complex. There has been progress in some areas, but not in others.

For example, as the Director-General's Report *A New Era of Social Justice* has noted, there has been some improvement in the gender pay gap between 1995 and 2009 in 39 out of 48 countries for which relevant data are available. Hence, it would be useful to know to what extent this progress, albeit rather modest, is due to legal or regulatory activism, and to what extent it is due to additional factors.

Many member States have used Convention No. 111 to elaborate a legal framework around unlawful direct and indirect discrimination. Some go further and add additional grounds to expand the range of issues falling within this definition. Some do this by ratification, others do not.

This is the strength of the Declaration as it mobilizes action regardless of ratification.

Indeed, we can go even further and suggest that the ILO, as part of its commitment to knowledge building on the effectiveness of ILO-supported interventions, should systematically undertake an impact evaluation of ratifications.

In other words, it would be useful to know if countries that have ratified ILO Conventions over a given period of time, say five years, achieve better results than countries that have not.

We need to have a nuanced notion of what constitutes unlawful discrimination.

Not all discrimination is, or should be regarded as, unlawful. The clarity of the ILO's message and the effectiveness of its response will be undermined if we try and treat all problems of society, or differences in living standards between people, as problems of unlawful discrimination.

Hence, it is important to emphasize the role that the economic and social context plays in influencing the evolution of equality in the world of work. Legal activism, and even universal ratification alone, will not take us very far if jobs are scarce, growth is slow and there is widespread poverty and deprivation.

Conversely, the efficacy of legal and regulatory activism will be substantially enhanced in a socio-economic environment in which jobs are plentiful, growth is sustained and prosperity is shared.

Therefore, a prerequisite for a genuine reduction in discrimination at work is to focus on the milieu of policies that will foster sustained growth and shared prosperity. For this to happen, we need to ensure that the policy environment is conducive to the development of sustainable enterprises.

Ultimately, knowledge and capacity to deal with entrenched discrimination at work, lies with our social partners. It is therefore appropriate that the Report emphasizes the need to enhance the capacity of social partners in realizing equality at work.

We welcome the examples of objective and transparent information provided by the Office in the Report showing the evolution across countries and the status and development of initiatives pertaining to the realization of equality at work.

We think that such objective and transparent information from the ILO would contribute to the work which we, the social partners, can do in our national and regional frameworks.

Furthermore, the tripartite commitment under the Declaration and its follow-up means that, together with the ILO, we can show results.

In conclusion, Mr President, let me thank you for giving me and the Employers the opportunity to engage in this very important discussion.

Certainly, we have a long way to go before we can finally eliminate, or at least substantially reduce, the scourge of structural and unlawful discrimination in society. Nevertheless, we can justifiably feel proud that we are on the right track.

The work done under the Declaration and its follow-up is indeed relevant and will continue to inspire and guide us in our collective quest to realize equality at work.

Original Arabic: Mr GHOBASH (Minister for Labour, United Arab Emirates, speaking on behalf of the Ministers of Labour of the Gulf Cooperation Council)

It gives me great pleasure to speak to you on behalf of the Ministers of Labour of the Gulf Cooperation Council (GCC) and would like to express our thanks to the Director-General in preparing the Global Report, which is focused on the fourth principle of the ILO Declaration on Fundamental Principles and Rights at Work, *Equality at work: The continuing challenge*.

We agree with the Report that institutional capacity should be sufficiently strong to effectively implement non-discrimination and equality at work, in order to face the challenges posed by economic and social crises.

The Gulf Cooperation Council States would like to pay tribute to the efforts made by the ILO to promote decent work, combat discrimination and strengthen equality at the workplace, and would like to stress the following:

The GCC States are inspired by the social, moral and legislative principles of Islam, and by their cultural and human heritage, and have sought to establish a constitutional and legislative body in accordance with international charters and agreements that guarantee the dignity of human beings and protect them from all forms of discrimination.

In addition to the legislative framework and institutions pertaining to non-discrimination in their countries, the GCC States have been able to make good their commitments in accordance with the Equal Remuneration Convention, 1951 (No. 100), and the Discrimination (Employment and Occupation) Convention, 1958 (No. 111). They have incorporated in their legislation and programmes a number of measures to end discrimination, achieve equality and justice and guarantee equality of opportunity for all – a basic human right. Most of the GCC States have ratified Convention No. 111 and some of them have ratified Convention No. 100, whereas others are working toward this goal.

The GCC States have stepped up programmes to promote the role of women, thereby strengthening their position at political, social and economic levels so as to make them more independent and allow them to participate in the workforce without being subjected to discrimination as regards pay.

The Report pointed out that the GCC States have granted short-term benefits to temporary and con-

tract labour, such as health and social protection programmes.

We confirm that contract and temporary workers in the GCC States enjoy the same rights and obligations as nationals, according to the legislation in place, and partake in cultural, social and educational activities without any discrimination based on race, colour or religion. Despite the fact they are temporary workers, they can enjoy end-of-service compensation in the same way as national workers who have accumulated 120 months of contributions at the end of their service.

I would like to say that we are determined that these workers should be well-treated in the GCC States, in accordance with our legislation, agreements and labour contracts, thus ensuring that they are protected from exploitation – especially by the recruitment agencies.

Our countries would like to strengthen dialogue between the sending and receiving countries, thereby abiding by international standards.

The financial crisis that has struck economies throughout the world has less affected the GCC States, on account of their global economic strategies and the structural reforms they have undertaken – and also on account of their economic boom. We have not witnessed any massive layoffs of nationals or foreign workers, and no measures have been taken to reduce the benefits they enjoy. And their wages have been paid.

Our countries are adopting national strategies to provide more opportunities for new labour force entrants, and to help them integrate by providing training. The GCC States are establishing policies to provide more work for these national workers because this is a commitment and obligation. They are also attempting to facilitate the movement of national workers between the various GCC States themselves, in accordance with the International Convention on the Elimination of All Forms of Racial Discrimination, which stipulates in Article I(2): “This Convention shall not apply to distinctions, exclusions, restrictions or preferences made by a State Party to this Convention between citizens and non-citizens”.

The GCC States consider with great interest the Global Report’s reference to building a future on the basis of an action plan to eliminate labour discrimination, on the lines of the ILO Declaration on Social Justice for a Fair Globalization. We believe that this plan should be in conformity with the strategic objectives of decent work. We hope that our countries will benefit from ILO programmes to promote work at the national level, as well as from technical assistance to help them establish legislative frameworks and to improve their institutional capacity to effectively regulate the labour market.

Ms PELEI (Government, Hungary, speaking on behalf of the European Union)

First of all, I would like to start by thanking the Office for its comprehensive Report, *Equality at work: The continuing challenge*, which provides a global picture of both the progress and shortcomings of the elimination of discrimination in respect of employment and occupation.

The Report highlights that discrimination remains widespread and, furthermore, that discrimination on multiple grounds is becoming more and more common worldwide. Therefore, we should strengthen our efforts to promote progress and sustainability on

mitigating and eliminating all forms of discrimination, aiming at full participation in society and the economy for all.

To combat discrimination and to provide equal opportunities for all, we all, governments and social partners, need to step up and take responsibility for this priority issue. We think that the four priority areas proposed by the ILO will strengthen the ILO and its constituents in their efficient and extensive fight against discrimination.

The European Union is of the view that efforts aimed at raising awareness of inequality at work and developing shared knowledge on elimination of discrimination have a special importance. The Report shows that, worldwide, more legislation, more institutional initiatives and more awareness of the need to overcome discrimination have been developed. We believe that this is good progress. However, sufficient capacity to implement, monitor and enforce these policies has to be improved at the same time.

In the European Union, equality is a fundamental right and an indispensable and key objective for achieving economic and social cohesion, including high levels of employment and social protection, as well as sustainable growth.

The European Union believes that we cannot afford to ignore the human capital, capacity and talent offered by all. I would like to highlight some of those issues to which, from the point of view of the European Union, special efforts should be devoted when designing the future action plan of the ILO.

As was stressed by Ms Bachelet and some of the previous speakers, we think it is necessary to continue improving gender equality in the field of employment by improving women's access to and participation in the labour market, increasing the quality of their jobs, and combating sectoral and occupational segregation and the gender pay gap.

Equal sharing of responsibilities and reconciliation of work and family life also need to be promoted by considering solutions for more flexible working times and flexible working patterns.

The employment situation of migrant workers needs to be improved by comprehensive and overt programmes that ensure equality of treatment and access to employment opportunities.

HIV and AIDS pose significant obstacles to the attainment of decent work and sustainable development. We believe that the HIV and AIDS Recommendation, 2010, adopted by the International Labour Conference last year, promotes the protection of persons with HIV and AIDS against discrimination in recruitment and terms and conditions of employment.

We think that freedom from discrimination and equal treatment for persons with disabilities is indispensable but not yet adequate. Extra efforts are necessary to offer them the opportunity to fully participate in society, including access to education, training and job opportunities.

Ageing is still a challenge in Europe. In this regard, I would like to highlight the crucial importance of sustainable employment for older workers. Measures will need to focus on changing the current image of older workers because prejudice and negative images, among other things, lead to reduced opportunities for them.

From among the ethnic minorities, the Roma are one of the most marginalized and vulnerable groups in the European Union. Recognizing this, in the

European Union we recently adopted a strategy on the Roma, which will provide a framework for the European Union countries' national Roma integration policies, covering four key areas: access to education, employment, health care and housing.

Finally, I would like to highlight that our two-day discussion closes the third cycle of Global Reports since the Declaration on Fundamental Principles and Rights at Work and its Follow-up, 1998, was adopted.

We have had a successful 12-year period promoting the fundamental rights and principles that are determined by the Declaration. ILO member States have reached 90 per cent ratification rates of the fundamental Conventions.

We look forward to the new Declaration follow-up, which we start with next year's recurrent discussion on fundamental principles and rights at work.

The European Union calls on the ILO member States that have not yet done so to ratify all the eight fundamental Conventions so that worldwide ratification can soon be reached.

Original Arabic: Mr LOUH (Minister of Labour, Employment and Social Security, Algeria)

During the discussion I raised the point that we all agree that equality is one of the objectives of the international community as a whole. We cannot, however, hand out ready-made formulas and apply them to all countries. The problem is one of implementation. Each country has its own specificities which have to be taken into account so that the goal of equality can be attained by the international community as a whole.

I believe that our first task is to apply the legislation in every country, and to improve it.

The key authorities in which women should be well represented include the judicial and legislative branches, as these are the bodies that ensure the application of the laws that are passed.

Secondly, no one would deny that the economic and financial crisis that has shaken the world has had repercussions on discrimination in some countries both with regard to women and between different population groups. Even in the industrialized countries, there has been an increase in discrimination between jobseekers on account of religion or colour, and between citizens of the same country based on origin. It is the unemployment caused by the crisis that has aggravated discrimination, which in turn has increased unemployment.

As regards the situation in my own country, the Act on the labour relations is based on the Constitution; article 17 prohibits any form of discrimination between workers based on sex, race, age, social status or political or trade union affiliation. This principle is fully applied in the public service and the public sector of the economy, but difficulties remain in applying it in the private sector, and the informal sector, in particular.

As regards the act on citizenship, it has been amended to enable women to pass on their citizenship to their children, so that men and women are now on an equal footing; previously, only men could pass on their citizenship to their children.

We are also planning to introduce a reform in the legislation to promote women's employment and to establish a quota for women in our legislative assemblies.

In the economic sphere and within the framework of tripartism and social dialogue, women's organizations are involved in discussing the country's most important portfolios.

Furthermore, there is a 35 per cent participation of women in the judicial system – guaranteeing respect of our laws; 50 per cent in the health sector; and 60 per cent in higher education and research.

Our country has also promulgated an act on disabled persons, with a view to promoting jobs and creating an obligation for the employer to hire a certain proportion of disabled workers. Algeria has also ratified the United Nations Convention on the Rights of Persons with Disabilities.

As regards foreign workers legally working in Algeria, we guarantee them the same rights that Algerian workers enjoy, with even additional rights linked to their religious beliefs, allowing them time off during their religious festivals; and this is not the case in many countries.

Mr CHATURVERDI (*Government, India*)

As we all know, millions of people suffer from discrimination in the world of work which not only violates their basic human rights, but has wider social and economic consequences. Discrimination stifles opportunities, wasting the human talent needed for economic progress, and accentuates social tensions and inequalities. Combating discrimination is an essential part of promoting decent work, and success on this front is felt well beyond the workplace.

Whatever the social impact of the financial crisis, the post-crisis recovery strategies and measures must not ignore the principles of non-discrimination and equality.

The elimination of discrimination at work has been a cornerstone of the ILO's mandate since its inception in 1919. Its paramount importance is recorded in the 1944 Declaration of Philadelphia, the 1919 ILO Declaration on Fundamental Principles and Rights at Work, the 2008 Declaration on Social Justice for a Fair Globalization and the 2009 Global Jobs Pact.

The Government of India has ratified the Conventions on equal remuneration and discrimination, namely the Equal Remuneration Convention, 1951 (No. 100), and the Discrimination (Employment and Occupation) Convention, 1958 (No. 111). The Government enacted the Equal Remuneration Act 1976 to ensure the enforcement of the Equal Remuneration Convention, 1951 (No. 100), aimed at ensuring equal remuneration to men and women for work of equal value.

The Constitution of India guarantees civil liberties, which include individual rights common to most liberal democracies. Article 15 of the Constitution prohibits discrimination on the grounds of religion, race, caste, sex or place of birth, and article 16 states that there shall be equality of opportunities for all citizens in matters relating to employment, or appointment to any state office.

The right to protection from exploitation is also a fundamental right in our Constitution, aimed at preventing the exploitation of the weaker sections of society. The Bonded Labour System (Abolition) Act 1976 was enacted by Parliament to bring an end to this practice. The prevention of sexual harassment of women in the workplace is enshrined in article 141 of the Constitution.

In India, the practice of untouchability has been declared an offence punishable by law, and the Parliament of India has enacted the Protection of Civil Rights Act 1955.

The Government of India attaches the utmost importance to the welfare and development of the weakest sections of society, especially minorities, women and children, and is taking the necessary measures to promote equality and decent work opportunities.

We are implementing a scheme for coaching and providing guidance to candidates from the more vulnerable sections of society in 23 centres located all over the country. The objective of this scheme is to channel the available educated manpower in vulnerable groups into appropriate vocations and increase their employability.

The Government of India is implementing various policies to provide female workers with a level playing field, by launching schemes for their advancement, development and employment.

We are following a policy of positive discrimination by reserving a part of benefits under various welfare programmes, like the Mahatma Gandhi National Rural Employment Guarantee Scheme, local self-governments, municipalities and vocational training institutes exclusively for women.

The emphasis is on eliminating disparities and discrimination, and promoting gender equality. We have introduced legislation to guarantee a minimum wage, maternity benefits and equal remuneration for women. The Government is currently considering legislation to reserve one-third of seats in Parliament for women candidates.

A lack of work opportunities in their home countries has led workers to move across borders. The positive economic impact of migration on the country of destination, including contribution to the GNP, the labour market, local consumption and human capital, can be substantial. At the same time, a number of negative impacts have been observed, namely trafficking, discrimination, abuse and the exploitation of migrant workers in destination countries, as well as the growth of irregular and informal migration. It is important for labour-exporting countries to coordinate and harmonize their policies with importing countries.

I would like to conclude by stating that all countries have a major responsibility to promote and contribute to international action to eliminate discrimination and inequality in the workplace.

We appreciate that the ILO has shown itself to be the leading body in combating discrimination and promoting equality, right from its inception. We, the member States of the ILO, should reiterate our commitment to decent work and equal opportunities in the world of work, which alone can provide the foundations for equitable and balanced growth.

Original Arabic: Mr BOUHARROU (*Government, Morocco*)

It is an honour for me to take the floor on behalf of the Moroccan Government to participate in the discussion on the Global Report, entitled *Equality at work: The continuing challenge*. This has been the subject of a Global Report in the past, and equality is indeed a continuing challenge, for there is still a long way to go before it is achieved. There are old and new forms of discrimination which prevent the principle of equality from becoming a reality. This is what distinguishes the Report from those of previous years.

The principle of equality is thus fundamental, as it is one of the fundamental principles, on the one hand, and as equality is one of the key prerequisites for the exercise of the other rights and a means of guaranteeing human dignity, on the other. Hence the importance of the Report, which is of an excellent quality, as well as being relevant.

Part I of the Report gives a diagnosis of discrimination and trends, while part II is on the concept of discrimination and its old and new forms. The new forms include discrimination based on HIV and AIDS status, sexual orientation, genetics and lifestyle. The concept of discrimination has thus been extended, and therefore the field of equality has become more comprehensive and protective.

Parts III and IV of the Report deal with the ILO response and steps towards an action plan. These two parts are interlinked and overlapping and could therefore have been combined in a single part, so that the Report would have been divided into three parts: part I on the description of the current situation; part II on principles and practice; and part III on the comprehensive action plan to eliminate discrimination.

I would like to underline the wealth and depth of the Report, which analyses the situation, defines the concept of discrimination and proposes an action plan.

Equality cannot be achieved solely through international labour standards. Equality needs to be translated into reality and hard facts. It requires appropriate penalties for violations and mechanisms for enforcement, as well as training, awareness raising and monitoring mechanisms.

The principle of equality is enshrined in the constitutions of several States, as well as in human rights instruments and international labour Conventions, including fundamental Conventions Nos 100 and 111, which are widely ratified. These two standards contribute to the promotion of social justice, which we all aim for.

Having focused on the Report, I would now like to turn to the subject of equality in Morocco.

Morocco has drawn largely on international law in drafting its new national legislation in 2004, having ratified many international labour Conventions, including Conventions Nos 100 and 111 mentioned above. Accordingly, it prohibits all forms of discrimination in employment and occupation and provides for equality between the sexes in employment and remuneration. The Criminal Code prohibits discrimination in general. In order to guarantee equality both generally and in the employment relationship, both the Labour Code and the Criminal Code provide for strict penalties for discrimination based on political opinion, ethnic origin, religion, sex, family status, etc.

Morocco did not confine itself to the legislative aspect, but has also laid down national programmes to promote equality as one of the conditions for achieving social peace. These include the national strategy drawn up with the participation of civil society, which is aimed at achieving equality at five levels: civil rights, representation and decision-making, economic and social rights, individual and collective attitudes and mainstreaming equality values in public policies. In the application of the principles of the strategy, the Ministry of Labour has implemented them in vocational training and social protection institutions, in collaboration with the

Equality Fund and international cooperation agencies.

As regards women in decision-making positions, considerable progress has been made: there are five women Ministers in the Government and 20 female judges, and women account for 39 per cent of pharmacists and 20 per cent of lawyers. In addition, the Family Code lays down equality for women in relation to family status.

To conclude, I would like to affirm our commitment to promoting equality at work through labour inspection to eliminate all forms of discrimination. There can be no social progress or social justice without full equality in practice.

Original Russian: Mr ALIMUKHAMEDOV (Government, Uzbekistan)

The Director-General's Report particularly notes that the global financial and economic crisis has led to major job losses, and particularly had a negative impact on youth, women, disabled people and other vulnerable categories of the population. According to the ILO, in order to restore employment to its former level, we need at least 22 million new jobs. Unemployed women and young people may drift away from the labour market if we do not set in motion effective models of economic growth and investment, and we need at least ten years to achieve pre-crisis levels.

Thus in order to achieve equity in employment, and to adopt appropriate measures to overcome the remaining challenges in all regions, an active employment policy, based on measures to stimulate investment, promote small enterprises and encourage home working and private enterprise, is of vital importance. Such a strategy in Uzbekistan, given its specific demographic features, has been defined as the top priority for sustainable social and economic development now and in the immediate future.

In accordance with the Programme for 2011, approved by our Parliament, it is envisaged that 950,000 new jobs will be created, more than 60 per cent of them in small businesses and private enterprise.

We will be legislating for new organizational and legal forms of business including family enterprises, in accordance with national traditions and the objective realities of our economy. This will enable us to create the conditions to enable the family business model to spread in various spheres of the economy and create new jobs.

A very important area of employment is the development of home working above all, in collaboration with enterprises under contracts of employment and family enterprises, and this will enable us to create employment for over 200,000 people, especially for women with large families and disabled people. Homeworkers working under contracts to provide goods and services will have guarantees with regard to pay, social insurance and pensions, just like other workers, in line with the ILO's objectives of decent conditions for homeworkers.

This year, more than 70,000 workplaces will be created as a result of the development of transport and communications infrastructure.

In accordance with the basic guidelines set out in the Global Jobs Pact, great attention is being given to investment policy. In 2011, we have concluded agreements with international financial institutions and foreign companies for investment of over 3 billion dollars in the real sector of the economy. In

2011–15, in the machinery, automobile, chemicals, food, textiles and high technology sectors, we are planning over 500 major investment projects that involve the creation of sustainable employment.

By creating new, high-quality jobs, we will be able to provide employment for more than 450,000 students who will complete their training in vocational colleges in 2011. We have a special programme to ensure links between enterprise and college in order to ensure that each student finds employment.

As the Report shows, the ILO needs to continue supporting its tripartite partners in the member States in implementing such measures, so that we can guarantee equal employment opportunities.

Original Spanish: Ms TRIANA (Worker, Colombia)

Looking at the Global Report under the follow-up to the ILO Declaration on Fundamental Rights and Principles at Work, it is important to note the urgent need to implement tripartite activities which will reduce the inequality and discrimination which are present throughout the world, although, of course, in some countries more than others. If we analyse the scourge of unemployment and labour outsourcing, graver instances of inequality are brought to light. As the document points out, all of this contributes to the growth of poverty.

The Report also sheds light on reasons for poverty. For example, in Colombia, associated labour cooperatives take on men and women without ensuring that their rights are protected, in the same way as the State. Others are contracted under personal service contract mechanisms, without any social security benefits. Modern-day contracts allow for such discrimination, as well as for inequality in terms of wages, access to social security, etc. This type of recruitment and outsourcing makes it possible to flout the existing national legislation and international standards.

Ladies and gentlemen, we cannot ignore the way in which the things that we have fought for, for many years, are being taken away from the workers, with the excuse of creating equal living conditions. Decent work is the way to provide employment and decent social conditions. Decent work is a way of combating inequality and achieving social justice. Well-paid work with social security reduces social inequalities. As a woman and as a Colombian, I have to believe in a country with social justice. It is something that we have to work for. We have to strive for collective bargaining agreements, which will do away with discrimination. We must encourage compliance with standards and insist on and persist with productive social dialogue. The actors in the tripartite system must address issues relating to the workers, avoiding hasty and individualistic responses. Given that, I would also like to turn to the international trade union movement and to the ILO. I ask them to monitor and support the agreements concluded in Colombia, as this will help to reduce discrimination. Only concrete action will end inequality and make peace possible in a country like mine.

The crisis has led to an increase in discrimination and I would invite you to get involved in activities, mobilization, as well as appeals and acts that will reduce inequality. We are pleased to see that there have been some success stories, but we really need to work to do away with this scourge.

Finally, the actors of tripartism must display greater political will to achieve more equitable participation of men and women in decision-making bodies and to promote and implement real policies in order to reduce discrimination.

Mr SPRIGGS (*Government, United States*)

I would like to commend the Director-General of the ILO for the most recent Global Report under the follow-up to the ILO Declaration on Fundamental Principles and Rights at Work, *Equality at work: The continuing challenge*. This Report illustrates the key role of the ILO in keeping our attention on some of the most pressing issues of our times, galvanizing the attention of policy-makers, the media and the public, and bringing us together to discuss them.

The ILO Global Report on equality at work, published first in 2003, then in 2007 and now in 2011, has been important in contributing to our knowledge of the changing world of discrimination. This year's Report adds to our knowledge of discrimination in the world of work in many significant ways. It looks at the issue of discrimination through the lens of the global economic and financial crisis and finds that some stimulus measures, distributed unequally among sectors, led to the indirect exclusion of vulnerable groups such as young people, ethnic minorities and women, who are under-represented in the targeted sectors.

It discusses persistent discrimination on the basis of race and gender, and highlights emerging forms, such as lifestyle-based discrimination against smokers and obese people. It also highlights the issue of structural discrimination, such as the lack of affordable child care and adequate paid leave, which continues to render sectors of the labour market inaccessible or unattractive for workers with family responsibilities.

The Report suggests that strong momentum has been created globally and that significant progress has been made in many areas, but it reminds us that capacity does not keep up with political will.

The United States Government has been making, and continues to make, efforts to promote equality in the world of work. President Obama signed the Lilly Ledbetter Fair Pay Act on basic protections against pay discrimination for women and other workers. The President pushed for the repeal of the "don't ask, don't tell" policy in order to permit lesbian, gay, bisexual and transgender service members to serve openly in the military, and followed through to sign the Act into law in 2010. The President also continues to support the Employment Non-Discrimination Act, which addressed sexual orientation and gender identity, and believes that our anti-discrimination employment laws should be expanded.

Secretary Solis, of the Department of Labor, expressed her personal commitment to ensure that the United States Department of Labor is a model workplace, free from unlawful discrimination, by extending the external employment policy to explicitly prohibit work discrimination on the basis of gender identity and pregnancy.

The Women's Bureau, which is an agency in the Department of Labor, recently released a career guide, *Why green is your color: A woman's guide to a sustainable career*, to provide female workers and workplace professionals with information on emerging jobs in the green industries. The Women's

Bureau also developed a science, technology, engineering and mathematics career awareness programme to encourage and prepare women to enter high-waged, high-demand fields.

The United States Department of Labor actively promotes workplace flexibility to combat structural discrimination against workers with family responsibilities. The Women's Bureau has hosted several national dialogues on workplace flexibility and the Wage and Hour Division is enforcing the new break-time law that ensures that women who choose to breastfeed their infants have the ability and privacy to do so after they return to work. The Wage and Hour Division also clarified the definition of what it means to be a son or daughter under the Family and Medical Leave Act. This will allow grandparents, same-sex couples and other primary caregivers to give critical attention to children who need them.

President Obama's 2012 budget supports helping states launch paid leave programmes to reconcile work and family responsibilities.

This year marks the centennial anniversary of International Women's Day, bringing special attention to the issue of women's equality in the world of work. The idea grew out of the women's labour movement in the United States, commemorating the March 1908 protest of the International Ladies' Garment Workers' Union and the March 1911 Triangle Shirtwaist fire that cut short the lives of more than 140 young female immigrant workers.

We commend the struggle and sacrifice of these women and we mark the anniversary to draw attention to the progress that we are making to try to make gender equality a reality.

The Global Report makes the important point that, in crisis situations such as global economic downturns, it is the world's vulnerable populations that suffer the most. In this time of economic upheaval, we must work even harder to ensure that we use the tools that have been developed and the knowledge that has been gained to address what we know will be a growing need.

Original French: Ms LEHTO-KOMULAINEN (Worker, Finland)

Four areas have been suggested for future priority action in the ILO's excellent Global Report, which deals with four priority areas for action. I would like to mention two of them.

The first is the promotion of the ratification and universal application of the fundamental Conventions on equality, namely Conventions Nos 100 and 111. The second is the development and sharing of knowledge and know-how as a means of eliminating discrimination in employment and in occupations. We should all remember what the Director-General has said at the second sitting, when he observed that discrimination is not just wrong in itself, but it is also ineffective and bad policy.

Ms Bachelet made the same comment. Even in my country, Finland, the wage gap between men and women continues to exist. A few years back, we in Finland developed a tripartite programme to try and bridge the wage gap between men and women. It was a very ambitious programme, and we took the decision jointly – Government, employers and workers. Together we took stock of the programme and together we shall decide if additional measures are necessary.

We hope that at the end of this Conference a strong Convention on decent work for domestic

workers coupled with a Recommendation will be approved with broad support. It will be very useful for the people concerned, who are usually young women and immigrants. It will ensure that each domestic worker has a proper, individual contract. Domestic work must be looked upon as a genuine and visible form of work.

We all have a responsibility to make the difference and the Director-General has noted the importance of what we do. But our efforts will not have much value if it is only here in Geneva that we work together.

We must cooperate fully in our respective countries, too. The ILO, as a tripartite international organization, is unique. Social dialogue in the ILO, but also at the national level, is something which must be respected.

Without cooperation between the social partners and governments, there will be no sustainable solutions for achieving equality at the workplace.

Original French: Ms CHOUBA (Government, Tunisia)

I should like to congratulate the office on the quality of the Global Report on equality at work and the fight against discrimination, which has highlighted the progress made, but also the challenges that remain in the fight against every form of discrimination.

Women are very frequently victims of discrimination and they see their rights unjustly trampled underfoot. The women in my country played a major role in the 14 January revolution, and continue to fight so as not to be deprived of their right by obscurantist and retrograde forces desperate to prevent the achievements women fought for in terms of employment, education and equality in general. It is these same forces which are attempting, by every means, to blame women for the evils currently facing our society, such as unemployment and underemployment.

Tunisian women are fighters. They have to be in order to protect future generations. They will not give up. They are getting themselves organized into unions and women's organizations so as to make their voice heard and so as to be present on the political and social scene.

One of the post-revolutionary achievements of women in Tunisia is the new electoral code that was promulgated embodying the principle of absolute equality. Voting – and I believe this is something quite new – will be established by 23 October on the basis of political party lists that will not be accepted if they do not observe the principle of equality.

The fight against discrimination is continuing in my country. The revolution of 14 January has given us the necessary freedom to continue our combat more easily in order to achieve genuine and full equality.

Ms HANGA (Government, Zimbabwe)

From the onset I wish to acknowledge and congratulate the Director-General and his team for the comprehensive and well-articulated Global Report which this year is focusing on equality and non-discrimination at work.

As we all know, the principle of quality of treatment and opportunity is at the heart of the ILO's mandate of promoting social justice in the world of work. Accordingly, the ILO has reaffirmed its commitment to ensuring equality through the adop-

tion of several declarations, resolutions and instruments to promote equality for both men and women in all aspects of their working lives.

The Global Report that is before us at this 100th Session of the International Labour Conference comes in the aftermath of the global and economic financial crisis which has left its mark in terms of job losses that the world is still grappling with. Indeed, discrimination continues to be persistent and multifaceted as it affects access to jobs. The recent crisis has resulted in instability within labour markets across the world as workers in precarious employment find themselves more affected and vulnerable to discrimination as compared to those in more stable employment.

In this regard, the Government of Zimbabwe fully concurs with the observations of the Report that the fundamental right of non-discrimination should be at the centre of policies for recovery and action to reduce poverty in order to achieve more sustainable growth in fairer societies. It is therefore imperative that measures to address issues of inequality and discrimination at work should focus on enacting and implementing sound legislation, raising awareness and working towards change in attitudes, and most importantly, on collaborative efforts by governments and the social partners.

Since Zimbabwe's ratification of Conventions Nos 100 and 111, several measures to ensure equality and elimination of discrimination in respect of employment and occupation, have been put in place by my Government. Currently, the tripartite constituents in Zimbabwe are working on redefining the concept of work of equal value in line with the provisions of ILO Convention No. 100, as a follow-up to the comments and observations of the Committee of Experts. Furthermore, the labour law reform exercise that also includes the introduction of non-discrimination provisions in the legislation covering the public service is in line with Convention No. 111.

The Report points to progressive measures taken by most countries in respect of equality of treatment of persons living with HIV/AIDS. On the subject, we have recently adopted a monitoring and evaluation tool that will be used to ensure the implementation of the Code of Practice on HIV/AIDS and the world of work, whose emphasis is on equal treatment for men and women with HIV/AIDS.

The Global Report also highlights the precarious situation in which migrant workers find themselves in the countries they work. The Report alludes to the fact that many migrant workers face, and I quote, "widespread pervasive discrimination", both in accessing employment and when employed. Accordingly, migrant workers have seriously been affected by the recent economic crisis in terms of reduced wages, deterioration in working conditions and xenophobia. Other challenges faced by migrant workers – and which have consequently militated against their enjoyment of equal treatment – relate to failure to access social protection, in particular limited social security benefits and lack of lifelong pensions.

The Global Report outlines the inequalities and discrimination faced by migrant workers in a vivid and precise way, with which Zimbabwe can relate.

The Government and the social partners are currently working towards the development of a national labour migration policy within the context of a broader national migration management and dias-

pora policy. In so doing, Zimbabwe is optimistic that it can contribute towards the equality of treatment and elimination of discrimination of her citizens abroad.

As we deliberate on the global trends in respect of the quality and discrimination, it is encouraging to note that laws on equality and land discrimination have been enacted in many countries across the world. It is Zimbabwe's hope, therefore, that all ILO member States will enforce their respective laws and ensure the protection of all workers without distinction of their gender, race, religion, political opinion or social origin.

That said, I wish to conclude by calling upon the ILO to intensify its technical assistance initiative to member States and social partners in order to promote social dialogue and enhance institutional capacity for effectively implementing the principles of equality and non-discrimination at work.

It is also of paramount importance that international partnerships be strengthened with other international actors on equality, in particular those within the United Nations system. In addition to such partnerships, the ILO should remain resolute in its determination to ensure equality and non-discrimination in the workplace, particularly during these times of market uncertainty, high unemployment levels and endemic poverty. The ILO can therefore not afford to be taken for granted as we seek to positively contribute to the livelihoods of all men and women across the world.

Finally, I wish to once again commend the Office for the enlightening Global Report and wish to end by reaffirming the support of my country to all ILO initiatives, to promote equality and eliminate discrimination in the world of work.

Mr PADMANABHAN (*Worker, India*)

Although the Equal Remuneration Convention, 1951 (No. 100), and the Discrimination (Employment and Occupation) Convention, 1958 (No. 111), have been ratified by more than 90 per cent of the 183 ILO member States, and we are moving towards universal ratification, discrimination at work not only continues, but is becoming worse under the neo-liberal dispensation and engulfing the developed world, emerging economies, developing and least developed countries alike.

This issue has been discussed twice in this forum, but the current economic crisis is incapacitating capitalism, unable to revert to the pre-crisis world economic situation. The onslaught of discrimination has attained unprecedented dimensions. Although discrimination has various aspects, I will only touch upon a few of them due to time constraints.

Under capitalist globalization, migrant workers – at national and international level – have been the worst victims of multidimensional discrimination and, as was rightly noted in the Report, the financial meltdown and the consequences of the economic crisis have aggravated the situation. Migrant workers are being severely discriminated against in workplaces, in residential areas, and also in their social life. Discrimination pushes them into cruel economic and social exploitation. My own country's experience is no exception.

Women, in general, and working women in particular, are among the worst sufferers of discrimination. As far as workplace discrimination is concerned, the majority of working women are employed in the informal sector, and are deprived of

the right to collective bargaining. Discrimination with regard to wages and other service conditions is intense and deep-rooted. Women are easy prey to motivated retrenchment. Sexual harassment, and the denial of women's specific rights and facilities in the workplace, is rampant, especially in developing and underdeveloped countries. Social backwardness is a breeding ground for discrimination against women, even before they are born. Preliminary details of the 2011 census in India revealed that the gender ratio in the 0–6 age group is worse now than in any decade since India gained independence in 1947. The issue of missing daughters is now being discussed seriously. Selective abortions have been the reason for this distressing situation.

With the rise of contractual and casual labour, and so-called outsourcing, the majority of workers, including in the manufacturing sector, are discriminated against with regard to wages, job security, social security, etc. This kind of inherent and structural workplace discrimination, relating to employment and working conditions, is part of the political economic order, promoted by the employers as an instrument of profit and patronized by ruling policies. This is the biggest challenge of our time, particularly for the trade union movement. The ILO must take a strong and comprehensive view on this problem.

Again, on the issue of caste, creed, religion and other types of social discrimination, these are thought to be meticulously utilized by right-wing political forces to derive political advantage. The victims of discrimination are utilized by various reactionary forces to disrupt the unity of working people. Priority must be given to deliberations in international and national forums, and proper follow-up action by all concerned, at all levels, to end discrimination. The task of trade unions is greater than that of any other constituents, and all our efforts are necessary to mobilize the working class to carry out class struggles to achieve justice and eliminate this social disease.

Finally, appreciating the role of the ILO in facilitating the current exercise, I must submit to all the honourable participants in this august forum that the ILO should not only preach, but also honestly practice what it preaches. Explaining discrimination against trade unions based on political opinion, the Report has noted “trade unions are typically accused of engaging in unacceptable political activities”. However, political conciliation has unfortunately been the root cause of discrimination against many nation States and trade union organizations in the matter of representation at various forums, including the Governing Body of the ILO. To be candid, the continued refusal to grant representation to the World Federation of Trade Unions (WFTU) on the ILO Governing Body and other committees is a conspicuous case of discrimination due to political considerations. Number-based unwarranted domination through so-called democratic processes is nothing but an aberration from scientific democracy based on proportionate representation. Let the ILO embrace the principle of “charity begins at home”.

Original Russian: Mr ISAEV (Worker, Uzbekistan)

The Global Report contains a clear message about the fact that a system of legislation and institutional mechanisms is spreading, and this could not happen were it not for the constant efforts to give life to the fundamental principles and rights at work.

The trade unions of Uzbekistan have a unique and comprehensive mechanism for resolving issues of equality in the workplace. I am talking about the mechanism of collective negotiations and agreements. The legislation of Uzbekistan allows such a system to be used for resolving all labour issues.

Issues of equality in the workplace and preventing discrimination at work on grounds of gender, race, nationality, religious faith, age or any other grounds not connected with the objective qualities of the worker, are a very vital component of our collective agreements.

Thanks to the expertise of the unions, practically every collective agreement in Uzbekistan contains provisions for the following: firstly, paid breaks for women workers for feeding children under three years old; secondly, social protection for individuals who cannot compete in the labour market or who are employed according to quotas established by the employment service; thirdly, measures to identify individuals who have preferential rights to be retained in cases of mass layoffs, according to established quotas; fourthly, allowances for disabled persons, workers with family obligations and young workers, male and female, who are combining work and study.

The general agreement concluded at the national level between the Government, unions and employers' organizations for 2011–13 commits the parties, firstly, to work together to improve competitiveness of the national economy, pursuing in-depth reforms to liberalize the economy and the social sphere; secondly, to reduce unemployment, improve the system of vocational training and retraining for the unemployed, provide assistance in finding jobs for those who are completing education or training, for persons completing military service, and for disabled people and other vulnerable groups; thirdly, to ensure participation of the tripartite social partners in formulating and implementing the Government's social programmes and legislation to ensure social protection; and fourthly, measures to improve the system of salaries and wages, and raise the minimum wage, pensions, grants and other allowances, which should ensure an increase in real incomes.

In order to monitor the implementation of the general agreement, we have created a national tripartite committee. In the regulation of wages and timely payment of wages, collective agreements play a key role.

Our aim is to give priority to active labour market measures, ensure the labour market's effective functioning and increase employment. We are paying particular attention to the creation of secure jobs with stable wages and safe working conditions, particularly in the rural areas.

It is acknowledged that it is vital to involve unions and employers' organizations in the public monitoring of job creation and implementing legislation to protect workers. Particular attention is given to respecting the legal rights of the unions, not allowing any barriers to their creation and functioning in the workplace.

Uzbekistan thus has all the potential to allow us to ensure decent work. We now need ongoing efforts by the Government, workers' and employers' organizations to achieve equality in the workplace.

Ms BYERS (Worker, Canada)

As I indicated in my earlier remarks, we did want to come back with some specific issues again. I

want to, though, say that one of the things that has been bothering me is the discussion on discrimination and actions against it. It is certainly true that we cannot take a one-size-fits-all approach, but I would not want us to say that we were prepared to allow some kinds of discrimination because it was needed in our organizations or our countries, etc.

I want to say that the Workers' group endorsed the four strategic priorities for the Action Plan, namely, the promotion of the universal ratification and application of the Equal Remuneration Convention, 1951 (No. 100), and the Discrimination (Employment and Occupation) Convention, 1958 (111), development and knowledge-sharing on the elimination of discrimination, the capacity-building of ILO constituents, and the strengthening of international partnerships. But we think it is also important to have some thematic priorities in addition to the strategic priorities.

Earlier, I raised the issue of gender equality. We have heard from people today about some advances that have been made but we also know, when we get right down to it, that we are not going anywhere fast; in fact, in lots of instances we are going backwards, and there are some things we could still do.

As I was reading this Report, I thought it was quite curious that it makes reference to the Recommendations of the 2009 International Labour Conference Committee on Gender Equality concerning gender equality at the heart of decent work, but it never actually names the report. Maybe I am being overly sensitive because I was the Workers' spokesperson for it, but it would have been nice for people to say that this is actually there. There are Recommendations in that report for workers' organizations, employers, governments and the ILO, and I would ask how many people in this room, or how many people on the Governing Body, have actually done anything with that, and what have been the advances in their country.

In light of the Report that is before us, I have mentioned before that the question of pay equity has to remain high on the agenda and again we are not only not advancing, we have gone backwards. Thirty years ago, as a much younger activist, I was told that if women wanted equality, we should just get more education, have fewer children and take less time off from work. Well, we have made some small advances but we are actually, in terms of the gender pay gap, exactly where we were 30 years ago, so I obviously have more work in front of me.

In addition, the question of maternity as a source of discrimination requires further work and we believe that the increase in this kind of discrimination really does call on the ILO to be actively engaged in legal and practical levels.

I mentioned before, as well, the issues of child-care and sexual harassment, in particular. The ILO could be very instrumental in highlighting the need for legal protection against sexual harassment. I was pleased to see the collaboration between UN Women and the ILO today but we think that that must be strengthened when dealing with gender equality and women's empowerment and we count on office-wide collaboration, coordinated by the Bureau for Gender Equality, to ensure effective action.

The question of racism and ethnicity continues to require the urgent attention of the Office. The challenge, we admit, is huge. There is a rise in racism and xenophobia, including at the workplace, and

that should be one of the reasons for the ILO to make it a top priority. People here have raised all sorts of examples of issues relating to migrants, asylum seekers and ethnic minorities, who are used as scapegoats all the time, but especially in an economic crisis.

I also raise again that we should seriously consider where this discussion takes us. Where do we go next? How can either the Conference or the Governing Body or a member of the ILO really take this discussion forward?

In addition, we raised the issue of multiple discrimination, and that merits further attention by the Office. The Report begins that work, but we may have to have a more systemic way of taking it on, and we need that to continue.

In terms of a regional focus, we would like to encourage the Office to seize the opportunity offered by the democratization in Arab States to improve anti-discrimination legislation and enforcement in that region.

This has been a very important 100th Session of the International Labour Conference, but I would say that this has also been a very important discussion. We can all say no to discrimination. We can all say yes to equality in the world of work and we can all say that we know that discrimination will affect everyone negatively throughout their lives.

We also know that we say that equality will affect all of us positively throughout our lives, so we need to take up this struggle, we need to do something about it and we need to redouble our efforts to make sure that the good work that has already been done is, in fact, strengthened and is given the resources it needs to do its work.

Mr RAHMAN (*Employer, Bangladesh*)

I made my statement when you gave me the floor earlier. However, I would just like to emphasize the role that the economic and social context plays in influencing the evolution of equality in the world of work.

Legal activism, and even universal ratification, alone will not take us very far if jobs are scarce, growth is slow and there is widespread poverty and deprivation.

Conversely, the efficacy of legal and regulatory activism will be substantially enhanced in a socio-economic environment in which jobs are plentiful and there is sustained growth and shared prosperity.

Therefore, a prerequisite for a genuine reduction in discrimination at work is to focus on the policy environment that will foster sustained growth and shared prosperity.

For this to happen, we need to ensure that the policy environment is conducive to the development of sustainable enterprises.

Original French: The PRESIDENT

The discussion on the Global Report under the Follow-up to the ILO Declaration on Fundamental Principles and Rights at Work is now coming to its conclusion.

The debate was indeed very rich. I would like to thank all those who contributed and I hope that the exchanges that we have had this afternoon will allow us to make more headway towards equality at the workplace so that in the near future we will be

able to say that the objective of reducing discrimination in work and in professional lives has been achieved.

(The Conference adjourned at 6.55 p.m.)

CONTENTS

Page

Ninth sitting

Global Report under the follow-up to the ILO Declaration on Fundamental Principles and Rights at Work.....	1
---	---

.....
: This document is printed in limited numbers to minimize the environmental impact of the ILO's activities and contribute
: to climate neutrality. Delegates and observers are kindly requested to bring their copies to meetings and to avoid ask-
: ing for additional ones. All ILC documents are available on the Internet at www.ilo.org.
: