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14th sitting, 5 June 2018, 10.10 a.m.

14^e séance, 5 juin 2018, 10 h 10

14.^a sesión, 5 de junio de 2018, 10.10 horas

Chairperson: Mr Rorix Núñez Morales

Président: M. Rorix Núñez Morales

Presidente: Sr. Rorix Núñez Morales

Discussion of individual cases (cont.)

Discussion sur les cas individuels (suite)

Discusión sobre los casos individuales (cont.)

***Libya* (ratification: 1971)**

Employment Policy Convention, 1964 (No. 122)

Convention (n° 122) sur la politique de l'emploi, 1964

Convenio sobre la política del empleo, 1964 (núm. 122)

A Government representative of Libya (Mr TAMTAM) expressed surprise that the Committee on the Application of Standards had included his country in the list of cases prepared by the social partners, as his Government had never disavowed its ILO constitutional commitments. Referring to the Committee of Experts' comments regarding the complicated situation in the country, the speaker hoped that his Government would soon be able to provide detailed and comprehensive information on its envisaged labour market strategy and means of achieving its employment goals. Indeed, the National Reconciliation

Government recognized by the international community encountered difficulties in being accepted in some parts of the country which made it challenging to undertake any surveys, studies or to acquire detailed and adequate information. Hence, more time than usual was called for. Moreover, the existence of a parallel government placed some labour offices in the municipalities (which were affiliated to the Ministry of Labour of the National Reconciliation Government but were geographically under the control of the parallel government) in a difficult situation with regard to administrative procedures.

Regarding the reference made by the Committee of Experts regarding the Government's establishment in 2012 of a committee to revise the Labour Market Strategy, the speaker stated that the National Planning Council had issued the Libyan National Strategy for Human Development and Empowerment for 2013–14 (the "Strategy"). The Strategy focused, among other things, on: (a) transformational training for graduates whose qualifications did not meet the labour market requirements; (b) encouraging self-employment through the creation of small and medium-sized enterprises; and (c) establishing a comprehensive database for human resources and job opportunities to determine the extent of the developmental and economic reality in the country in order to identify the human resource requirements. The Strategy also specified six main strategic goals in relation to training and the workforce which were to: (a) increase the rate of full and decent employment for all those able to work; (b) address the problems of seasonal and disguised unemployment and consider activating the social security law to avoid criminal behaviour that could result from an interruption of income; (c) emphasize the adoption of vocational guidance and orientation methods for new entrants to the labour market and enlarge the participation of the private sector in the fields of vocational and technical training; (d) increase the number of seminars and studies dealing with human resources and enabling participation in them at home and abroad as well as working to review the policies, activities and procedures of recruitment and development of legislation to respond to globalization and liberalization of world trade and the information age; (e) change the path

of women's work through empowerment and capacity building: (i) participate effectively in economic activity; (ii) affirm the trend towards equality of opportunity; (iii) change the stereotypical image of women's work; and (iv) reorganize the labour market to respond to the requirements and methods of economic activity in the era of globalization and informatics; and (f) consider the growing number of persons of working age as an opportunity rather than a problem and develop methods and mechanisms of training and vocational and technical rehabilitation, which respond to the introduction of advanced methods in the field of training, continued distance training, transformational training and other training modalities.

Concerning the latest statistics of the labour market, despite the difficulties on the ground, the Information and Documentation Centre in the Ministry of Labour and Rehabilitation (the "Centre") issued some statistics. These, however, did not cover the entire country and related only to the western region of the country. The Centre clarified that the number of jobseekers who had been registered up to 31 December 2017 reached 137,000, but that 12,000 were excluded, as they were found to be holding two jobs although civil servants were prohibited by law from doing so. Another 11,000 jobseekers were excluded from the total due to their double registration in areas where labour offices had been newly introduced. Therefore, the number of registered researchers in the western region alone totalled 88,000 jobseekers. Moreover, the Libyan Multi-Purpose Survey Project 2017–18 was being implemented and the survey results were expected to assist in the development of an employment policy with the participation of the social partners.

As for small and medium-sized enterprises, the National Programme for Small and Medium Enterprises was established to develop a culture of innovation in the community and to create a supportive environment for small and medium-sized enterprises. In October 2017, the National Reconciliation Government launched a pilot programme to finance small and medium-sized enterprises with the aim of providing job opportunities to youth and limiting unemployment. The programme would provide financial loans to entrepreneurs

through commercial banks backed with guarantees from the Lending Guarantee Fund. In addition, business incubators were to be set up throughout the country to provide assistance for the rehabilitation of projects, and to train those responsible for the projects and prepare plans for them. Commercial banks would undertake to finance up to 60 per cent of the project's cost, provided that supporting project funds contributed 30 per cent of the total value of the project and the beneficiary of the project paid 10 per cent of the remaining cost.

Regarding the comments in the Committee of Experts' report observing that the number of persons with disabilities had increased in recent years due to the ongoing conflict, it was worth noting that a special programme had been created for people with disabilities. The General Authority of Families of Martyrs, Amputees and Missing Persons (the "Authority"), in collaboration with the National Programme for Small and Medium Enterprises, had established a special programme for entrepreneurs, known as "Support Me".

On the issue of migrant workers and their presence in the informal economy, the speaker noted that irregular migrants were reluctant to regularize their situation through registration due to their fear of repatriation and their desire to migrate to Europe through the country as one of the transit States south of the Mediterranean. In spite of this, the Government, in cooperation with neighbouring countries, countries of origin and relevant international organizations, had made significant and positive progress in reducing irregular migration, urging migrants to obtain legal status in the country so as to enjoy their rights guaranteed by law for voluntary employment or voluntary repatriation.

The Presidential Council of the National Reconciliation Government attached special importance to the right of women and persons with special needs at work without neglecting the rights to education, health, development and other rights that respect the religious and cultural identity of the Libyan people. In this regard, the Presidential Council of the National Accord Government issued Decree No. (210) of 2016 on the establishment of a support and empowerment unit for women employed in state institutions. The resolution aimed at implementing policies and programmes to empower women in their political, economic and

social rights and at removing obstacles that limit the exercise of their role in a positive and effective manner.

In conclusion, the speaker considered it important that the ILO and the international community continue to provide the necessary support to the Presidential Council of the National Reconciliation Government to: (a) build and develop institutions and strengthen its authorities throughout the State; (b) support its policy to implement an effective disarmament, reintegration and a decent work programme for young people, respect for human rights; and (c) the preservation of dignity and progress in development. More time would, therefore, be requested to respond to the observations of the Committee of Experts.

The Worker members indicated that the leader of the most representative union of the country was unable to attend the International Labour Conference due to the Government's failure to submit the name for accreditation and that the relevant complaint would be registered with the appropriate bodies.

The speaker acknowledged the conflict situation in the country. According to the reports of the United Nations Support Mission in Libya (UNSMIL), ongoing hostilities across the country continued to result in significant civilian casualties and constantly destabilized the UN-backed National Accord Government. In the month of April alone, there had been 31 civilian casualties. The Government had very limited effective control over security forces. The conflict had destroyed the economy and impaired the delivery of public service. There were reports of over 200,000 internally displaced people. Law enforcement and the judicial services were barely off the ground. The Government reported that companies had left, young people with disabilities resulting from the war were on the rise and the migration situation was out of control. Despite an improvement in the conditions of the country in 2011 and 2012 when the war and mayhem commenced, the current situation became dire. The Government, therefore, had a duty to continue to push for more progress towards stabilizing the country and ensuring economic growth and employment.

The Committee of Experts had called on the Government, over a period of years, to inform the ILO of the general situation and trends in the Libyan labour market and the manner in which it achieved its employment objectives in accordance with the Convention which required each ratifying State to adopt and pursue a frontline policy designed to promote full, productive and freely chosen employment to address unemployment, underemployment and to raise levels of living within member States. The Convention also challenged the dogma that economic growth, guided only by the invisible hand of market forces, would naturally lead to higher levels of employment and improved living standards for all. It obliged member States to adopt an employment policy aimed at ensuring that: (i) there was work for all who were available for and seeking work; and that (ii) such work was as productive as possible; (iii) the existence of a free choice of employment with the fullest possible opportunity for each worker to qualify for, and to use his/her skills and endowments in, a job for which he/she was well suited. In this process, mutual relationships between employment objectives and other economic and social objectives were to be observed and the stage and level of economic development duly taken into account.

The Government had indicated that the 2004 Employment Policy had undergone several amendments to take current reality into account. The Government further indicated that it had commissioned a committee in 2012 to modify the labour market strategy focused on: (a) measures to address unemployment arising from the halting of development projects due to the war; (b) education and training programmes to address labour market needs; and (c) measures targeting the informal economy and the participation of migrants in labour-intensive activities to achieve full employment. Complying with the Convention would provide the Government with an opportunity to place employment at the heart of economic and social development policies. Based on the assumption that there was a unified Government able to achieve some reasonable stability to ensure some level of macro-stability, the economic prognosis for the country forecasted a growth of 15 per cent in 2018, and an average 7.6 per cent in 2019–20. It was expected that both the fiscal and current

account balances would significantly improve, with the budget and the current account running surpluses as from 2020 onwards. However, it was expected that high inflation and weak basic service delivery would likely increase poverty and exacerbate socio-economic exclusion. The speaker drew the Government's attention to the security crisis that could engender an economic hopelessness, and recommended that the Government be guided by the Employment and Decent Work for Peace and Resilience Recommendation, 2017 (No. 205), which sets out measures to be taken to generate employment and decent work for the prevention, recovery, peace and resilience in crisis situations arising from conflicts. Pursuant to Recommendation No. 205, the Government was urged to: (i) promote full, productive, freely chosen employment and decent work as vital elements to promoting peace, preventing crises, enabling recovery and building resilience; (ii) ensure good and stable governance and combat corruption and clientelism; and to (iii) respect, promote and realize fundamental principles and rights at work, other human rights and other relevant international labour standards as appropriate and applicable.

In this vein, the speaker expressed his concern that the law regulating labour relations limited the right of workers to form and join independent unions. The right to strike was also significantly restricted. The existing labour law required that all collective agreements conform to the "national economic interest", which threatened free collective bargaining allowed under the law regulating labour relations. The law also gave the Government the power to set and cut salaries without consulting workers. These actions and legal provisions violated the Convention which provided in its Article 3 that representatives of employers and workers, in particular, should be consulted concerning employment policies, with a view to taking fully into account their experience and views and securing their full cooperation in formulating and enlisting support for such policies.

The Committee of Experts had pointed out that the Job Creation in Small and Medium-Sized Enterprises Recommendation, 1998 (No. 189), as providing important guidance for the Government. It required member States, in consultation with the most representative

organizations of employers and workers, to promote full, productive and freely chosen employment, and to ensure greater access to income-earning opportunities and wealth creation leading to productive and sustainable employment and to increase economic participation of disadvantaged and marginalized groups in society in the economy. The Committee of Experts had also indicated that there was a need for the Government to establish a labour market information system in compliance with Article 2 of the Convention. Data from the labour market situation and trends were the basis for economic planning, useful comparisons over time, employment target setting and assessing the impact of policy measures. The Government also needed to pay attention to the increasing number of young persons with disabilities as a result of the conflict. The Convention required workforce needs to be met, which meant that labour market measures such as skills development, counselling and other forms of training should be provided for people with disabilities to ensure that they could thrive in the labour market. Regarding the migration crisis in the country, the Government should take account of the Employment Policy (Supplementary Provisions) Recommendation, 1984 (No. 169), which called for policies to be adopted to ensure that international migration took place under conditions designed to promote full, productive and freely chosen employment. In that light, the Government should be supported to fulfil its duty to adopt measures to respond to the needs of all categories of persons with difficulties in finding employment, including migrant workers.

To conclude, the speaker recalled the short-term measures taken by the European Union to support the Government to enforce border controls to curb the use of the country's territory as a transit route for migration to Europe. The long-term and more sustainable strategy should be in line with Recommendation No. 169 to adopt measures, including the implementation of economically and socially viable public investment and special public works programmes, particularly with a view to creating and maintaining employment, raising incomes, reducing poverty and better meeting basic needs.

Los miembros empleadores recordaron que desde la ratificación del Convenio núm. 122 por Libia en 1971, la Comisión de Expertos había publicado seis observaciones y 12 solicitudes directas respecto al cumplimiento de dicho Convenio tanto en la legislación como en la práctica por Libia. Se trata de la primera vez que el caso de Libia en relación con el presente Convenio de gobernanza es examinado ante la Comisión de Aplicación de Normas.

Asimismo, el orador se refirió a lo establecido por los artículos 1 y 3 del Convenio referido, entre otros aspectos, a la obligación de formular y llevar a cabo, en consulta con los interlocutores sociales, una política activa de empleo concebida para fomentar el pleno empleo, productivo y libremente elegido que tenga debidamente en cuenta el nivel y la etapa de desarrollo económico, así como las relaciones mutuas existentes entre los objetivos del empleo y otros objetivos económicos y sociales.

En relación con los señalados artículos del Convenio, la Comisión de Expertos en su informe tomó nota de la información proporcionada por el Gobierno en su memoria sobre: i) la introducción de varias enmiendas a la política activa de empleo con miras a armonizarla con la realidad en el terreno y lograr los objetivos de empleo planteados, centrando la misma en varios pilares que incluyen medidas para combatir el desempleo derivado de la paralización de proyectos de desarrollo debido a la guerra, medidas educativas y de formación y otras centradas en la economía informal y en la participación de migrantes en actividades de mano de obra intensiva; ii) la mayor incorporación de mano de obra femenina al mercado de trabajo, que ha crecido en más de un 250 por ciento entre 2007 y 2012, y iii) el incremento del número de jóvenes con discapacidad como consecuencia del conflicto, así como el crecimiento de la inmigración irregular.

En lo que respecta al Convenio sobre las peores formas de trabajo infantil, 1999 (núm. 182), la Comisión de Aplicación de Normas examinó en 2017 el caso de Libia en relación con el incumplimiento de dicho Convenio por parte del Gobierno. Durante el examen del caso, se puso de manifiesto que el país se encuentra sumido en un estado de

guerra interna, afrontando la peor crisis política y una escalada de violencia que incluye bombardeos a hospitales y escuelas. Al respecto, los miembros empleadores lamentaron que estos luctuosos episodios se configuraran cuando no existe un estado pleno de derecho, no hay interlocutores válidos y existe un estado de guerra en el que coexisten dentro del mismo territorio varios gobiernos y guerrillas internas. Es necesario un apoyo internacional urgente y sostenido para poner fin al ciclo de caos y abusos generalizados que afecta a Libia. El Estado de derecho, aspecto fundamental que nunca debe perderse, y un gobierno único y efectivo es el comienzo de cualquier solución que pretenda alcanzarse frente al caos en el que se encuentra Libia. Es difícil que el Gobierno pueda intervenir eficazmente en el mercado de trabajo sin que previamente cese el estado de guerra interna y retome el dominio de su territorio.

En este contexto, los miembros empleadores se refirieron al Preámbulo de la Recomendación núm. 205 en cuanto dicho instrumento destaca la importancia de: i) el empleo y el trabajo decente, como elementos centrales para promover la paz, prevenir situaciones de crisis provocadas por los conflictos, posibilitar la recuperación y potenciar la resiliencia; ii) la formulación de respuestas, por medio del diálogo social, a las situaciones de crisis provocadas por los conflictos, en consulta con las organizaciones de empleadores y de trabajadores más representativas y, según proceda, con las organizaciones pertinentes de la sociedad civil; iii) la creación o restablecimiento de un entorno propicio para las empresas sostenibles, teniendo en cuenta la resolución y conclusiones relativas a la promoción de empresas sostenibles, adoptadas por la Conferencia Internacional del Trabajo en su 96.^a reunión (2007); iv) la existencia de servicios públicos accesibles y de calidad en la recuperación económica, el desarrollo, las iniciativas de reconstrucción, la prevención y la resiliencia, y v) la cooperación internacional y las alianzas entre las organizaciones regionales e internacionales para asegurar que se emprendan iniciativas conjuntas y coordinadas.

Reconociendo la complejidad de la situación existente en el país, indicaron que esperaban que el Gobierno se encontrara pronto en condiciones de comunicar a la Comisión de Expertos información relativa a la estrategia de mercado de trabajo, la manera en que se estimaba que se lograrían los objetivos de empleo, el progreso realizado en la compilación y análisis de los datos del mercado laboral, las medidas adoptadas para promover el establecimiento y desarrollo de las pequeñas y medianas empresas y aquellas adoptadas para incrementar la participación en el mercado de trabajo de las personas en situación de vulnerabilidad, así como información estadística actualizada. Al respecto, invitaron al Gobierno a que recurriera a la asistencia técnica de la Oficina.

Finalmente, los miembros empleadores hicieron un llamamiento urgente a la comunidad internacional y a las organizaciones de empleadores y de trabajadores para colaborar de manera coordinada con miras a poner fin al conflicto armado tan pronto como sea posible. Asimismo, hicieron un llamamiento a la OIT para que a través de la asistencia técnica apoyase activamente al Gobierno con el objetivo de reestablecer la institucionalidad laboral en Libia a fin de que pueda alcanzarse el objetivo del pleno empleo productivo y libremente elegido en Libia, en cumplimiento con lo establecido en el Convenio sobre la consulta tripartita (normas internacionales del trabajo), 1976 (núm. 144).

The Worker member of Italy (Ms CAPPuccio) recalled that, in its comments, the Committee of Experts took note of the information provided by the Government in relation to the establishment in 2012 of a commission to modify the labour market policy, which included measures such as the promotion of the participation of migrants in labour-intensive activities. However, such commitment did not materialize.

According to the 2018 Amnesty International report, at least 7,000 migrants and refugees were languishing in Libyan detention centres where abuses were rife with food and water in short supply. According to the UNHCR, only in April 2018, the Coast Guard intercepted 1,485 women, men and children at sea and brought them back to the country. Once intercepted, refugees and migrants were transferred to detention centres run by the

Department for Combating Illegal Migration (DCIM). Furthermore, in its 2017 observation on the application of the Forced Labour Convention, 1930 (No. 29), by Libya, the Committee of Experts observed that migrants had been subjected to financial exploitation and forced labour.

While acknowledging the complexity of the situation unfolding in the country, the speaker stressed that any labour market strategy or employment policy developed by the Libyan authorities should not compromise human and workers' rights or promote exploitation. Instead, it should ensure basic respect for human rights and access to basic public services for the most vulnerable groups. The speaker added that the Government could not be considered a safe country to be assigned the responsibility of managing migratory movements along the central Mediterranean route to Europe. In light of bilateral relations with the European Union, it was unacceptable to tolerate pushbacks or collective expulsions. New safe and regular channels to Europe for migrants and refugees should be established, including through humanitarian resettlements and visas.

The speaker also raised a concern regarding the application of Article 3 of the Convention by Libya, which requires member States to take fully into account the views of social partners when designing and implementing an active employment policy. Finally, the speaker concluded that it was regrettable that the General Federation of Libyan Trade Unions could not express its views in this respect, as they were not allowed to be members of the Libyan delegation.

The Government member of Egypt (Mr NAZMY) appreciated the information provided by the Government which outlined its efforts in providing employment opportunities and welfare to vulnerable groups. Of particular importance was the strategy issued by the Government to: (a) develop human resources with an interest in vocational training; (b) encourage small and medium-sized enterprises to address unemployment; (c) empower women and ensure their effective participation in the labour market; and (d) establishment of the special financial programme for persons with disabilities to enable

them to set up their own projects. All of these efforts were undertaken by the Government in spite of the difficult circumstances that the country was facing. This demonstrated the Government's full awareness of the importance of providing decent and productive work for every jobseeker and these factors should be taken into consideration when examining the country's case. The Government was encouraged to continue its efforts to attain the projected goals of its labour market strategy. In this regard, the Office was urged to provide the Government with the necessary technical assistance.

An observer representing the International Transport Workers Federation (ITF) (Mr SUBASINGHE), also speaking on behalf of the Dockers' and Seafarers' Union of Libya, considered that all the participants were united in recognizing the complexity of the situation in the country. The economy had been decimated by years of conflict. The participants also recognized the Government's efforts to generate employment and decent work to resolve its predicament.

With regard to the participation of women in the labour market in Libya, the speaker highlighted that while the proportion of economically active individuals in the country was only 46 per cent of the total working-age population, the figure for women was less than 27 per cent which made the total number of women in the workforce barely a third of that of men. Moreover, according to a recent report of the Friedrich Ebert Foundation, female labour market participation in the country was limited to only four sectors: public administration, education, health care and social security. In this respect, the speaker indicated that there were certain administrative practices that encouraged women's employment only in certain sectors. The unsavoury phenomenon of violence and harassment against women workers constituted another deterrent to female labour market participation. In order to promote productive employment for women, it was important to put in place programmes providing education and vocational training, as well as to re-establish the rule of law to guarantee women's security.

In relation to the maritime sector in the country, the speaker highlighted that Libya was one of the North African countries with a coastline on the Mediterranean Sea basin, whose waters were commonly associated with the perilous journeys that desperate migrants experiencing conflict and hardship had to make. At the time, out of the country's 16 ports, 14 were in operation. However, underinvestment and a lack of resources made some port operators struggle to pay their workers not to mention poor infrastructure in some ports which led to significant occupational safety and health deficits, as well as security concerns. Marine insurers and unions alike continued to advise shipowners to warn crews of the volatility of the situation, including oil smuggling activities off the western coast of the country. The maritime sector was seen to have great potential. It was, therefore, hoped that a holistic approach would be adopted to develop a policy that would fully revive the ports and shipping industries, in order to create long-term, stable and productive employment.

While fully cognizing the difficulties on the ground, it was necessary that the Government put in place an employment policy, in consultation with the social partners, with a view to stimulating economic growth and development and overcoming unemployment and underemployment in accordance with the Convention. In doing so, the Government should be directed by Recommendation No. 205, which had provided guidance to the ILO member States on the measures to be taken to generate employment and decent work for the prevention, recovery, peace and resilience in crisis situations arising from conflicts. Trade unions and international workers' organizations were ready to provide assistance in order to ensure decent work for all workers.

The Government member of Iraq (Mr ALSAADI) welcomed the information provided by the Government. Given the difficult situation in the country due to the war and the consequent lack of security, sufficient time should be provided to the Government to reply to the comments of the Committee of Experts. Technical assistance of the ILO was highly appreciated in order to enable the country to implement the Convention.

Le membre travailleur du Burkina Faso (M. BAZIE) a indiqué que l'importance de la prise de parole sur la mise en œuvre de la convention est triviale. Il convient, au nom de la morale, de la dignité et l'intégrité humaine, de s'incliner devant la mémoire de tous les Libyens massacrés au cours de l'agression impérialiste du peuple libyen, de même que de ceux et celles qui continuent de perdre leur vie en raison des dégâts collatéraux liés à cette déstabilisation. L'immobilisme des institutions internationales et surtout africaines face à cette désarticulation politique, économique, sociale et militaire dont les conséquences humaines sont inestimables dans le pays et dans la bande sahélo-saharienne est regrettable. Dans ce contexte, la question de l'emploi se pose de façon cruelle. L'adoption d'une politique d'emploi, prenant en compte les aspirations profondes du peuple libyen, pour le développement de leur pays, dans le respect des valeurs humaines de solidarité, est une exigence d'extrême urgence. Cela doit aussi se faire dans le respect de la convention et de la recommandation y relative.

Face aux cas d'esclavage ayant cours dans le pays, il y a lieu d'encourager et d'exprimer sa solidarité avec le peuple libyen dans sa lutte pour la reconstruction du pays sur la base des valeurs humaines d'égalité, d'intégrité et de solidarité. L'orateur a invité instamment les syndicalistes et autres organisations de la société civile libyenne à rester solidaires et à résister aux ravages de l'impérialisme, et a demandé au BIT d'apporter son assistance technique.

Le membre gouvernemental de l'Algérie (M. MEKHAZNI) s'est félicité du rapport du gouvernement et des efforts déployés malgré la situation transitoire que connaît le pays pour mettre en place une politique d'emploi et de développement du personnel qui vise la promotion du développement de la formation, ainsi que la lutte contre le chômage. Soutenir les petites et moyennes entreprises, promouvoir l'entrepreneuriat des femmes, créer une base de données des ressources humaines pour favoriser l'autonomisation et le développement pour la période 2013-2040 contribuera à faire émerger une nouvelle vision de politique

publique à court et à moyen terme faisant de l'emploi un levier de cohérence politique économique.

Les mesures prises par le gouvernement pour développer les informations sur le marché du travail et assurer un suivi et une évaluation de la politique de l'emploi au travers de la collecte de données précises au moment de l'application de celle-ci sont notées avec satisfaction. En outre, la réalisation des études, la fourniture de données sur l'orientation des politiques de l'emploi et l'enregistrement des offres de travail en collaboration avec les partenaires sociaux et avec le centre d'information et de documentation du ministère du Travail sont hautement appréciés. Dans ce contexte, le programme pilote, lancé en 2017 pour financer les petites et moyennes entreprises afin d'améliorer l'employabilité, l'esprit d'entreprise et l'initiative dans le domaine du travail autonome des femmes, des hommes et des jeunes, est très louable.

Les mesures prises par le gouvernement pour gérer le dossier des travailleurs migrants clandestins, en collaboration avec les pays voisins, les pays d'origine et les organisations internationales, sont vivement saluées. Il s'agit également de promouvoir la relation entre la migration et le développement et de renforcer la base de données concernant ces travailleurs.

L'orateur a conclu qu'il n'y a pas de stabilité économique et sociale sans création d'emplois et que le travail décent est la pierre angulaire de la cohésion sociale. Pour atteindre ces engagements, il est nécessaire de soutenir les efforts du gouvernement pour la stabilisation politique, sociale et économique du pays. L'assistance technique du BIT est hautement appréciée pour mettre en œuvre ces engagements.

The Government representative thanked all the participants in the discussion and stressed that the National Reconciliation Government was committed to pursue its cooperation with the ILO. The 2018 National Report on Human Development was expected to be issued in a short space of time. It aimed at establishing frameworks to improve the labour market and the economic competitiveness at national level. Moreover, a report on the

application of the Convention would be submitted to the Committee of Experts at its next session. The speaker underscored the commitment of the Government to implement a national employment policy in line with the Convention. Although the country's economy depended on oil, and such resource had been facing instability in the international market, the Government would, nevertheless, continue to take the necessary measures in order to reduce the unemployment rate. The Government would also be committed to pursue consultations with the social partners to achieve social peace and social protection. The data extracted from the 2017–18 survey would develop indicators on the labour force in different regions of the country. He reaffirmed the Government's commitment to ensure equal levels of development, with special attention to remote areas.

Los miembros empleadores señalaron que la información proporcionada por los participantes en sus intervenciones ponía de relieve la situación por la que atraviesa Libia. Todos los participantes están de acuerdo respecto al estado en el que se encuentra Libia y los esfuerzos que el Gobierno está llevando a cabo con miras a generar empleo. El Gobierno solicita tiempo para cumplir con los objetivos establecidos en el Convenio y asimismo solicita la asistencia técnica de la OIT para alcanzar los mismos. Esto último, parece mostrar la buena voluntad del Gobierno para solucionar los problemas vinculados al cumplimiento del Convenio por los que atraviesa. En este escenario, los miembros empleadores reiteraron lo ya expuesto en su primera intervención en relación con el reconocimiento de la complejidad de la situación que prevalece en el país. Esperaban que el Gobierno se encontrara pronto en condiciones de comunicar las informaciones solicitadas por la Comisión de Expertos en su informe, con ayuda de la asistencia técnica de la OIT que ellos mismo habían solicitado y de las organizaciones de trabajadores y de empleadores. En particular, esperaban que el Gobierno pudiera brindar información sobre la estrategia del mercado de trabajo, la manera en que se estima que se lograrán los objetivos de empleo establecidos en el Convenio, el avance en la compilación de la información sobre la situación del mercado de trabajo, las medidas adoptadas para impulsar el desarrollo de las pequeñas y

medianas empresas (pymes) y aquellas adoptadas para promover la participación en el mercado de trabajo de las personas en situación de vulnerabilidad, así como datos estadísticos actualizados sobre la situación del mercado de trabajo.

The Worker members emphasized that in the midst of conflict international labour standards were actually more relevant. The Government had indicated that it had taken steps to modify the labour market strategy and to amend the employment policy, taking into account the current reality, including unemployment, underemployment and workforce skills development. The Convention prohibited discrimination in employment against women, young people, workers with disabilities, older workers and migrants. The Government thus should provide information on the strategies to increase labour market participation of persons vulnerable to decent work deficits, including statistical data segregated by age and sex. It confirmed that the process of modifying the labour market strategy and amending the employment policy was inclusive and carried out in consultation with workers' and employers' organizations, as required by Article 3 of the Convention.

Article 1 of the Convention requires governments to ensure full, productive and freely chosen employment. In this regard, the Government was called upon to: (a) avail itself of the guidance of relevant ILO Recommendations, such as Nos 169, 189 and 205; (b) pay special attention to the over 200,000 internally displaced and the overall migration crisis; (c) ensure that young people and migrant workers had access to employment opportunities; (d) provide an updated and detailed information on the labour market strategy and the employment policy and the manner in which employment objectives were being realized; and (e) provide the Committee of Experts with up-to-date statistics on the employment situation, taking account of the level and trends of employment, unemployment and underemployment, as well as available skills of the working population, especially young persons. For this purpose, the Government should establish a systemized means of collecting data to enable analysis and assessment of the employment situation in the country, as well as empirical measurement of its compliance with the Convention. The Committee of Experts

had highlighted the peculiar role of small and medium-sized enterprises and, therefore, the relevance of the guidance provided by Recommendation No. 189. The Government should thus provide information on the steps and programmes it developed to encourage the setting up of small and medium-sized enterprises.

The Government was urged to seek ILO assistance and support to help address the issues raised relating to compliance with the Convention.

(...)