



Ukraine and the ILO

(in two volumes)



International
Labour
Organization

Volume I

Historical background and recent developments



Grigorij Prensilevich
Igor Chernyshev

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Igor Chernyshev**

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*The book cover designed by Ms **Milena Chernysheva**.*

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Since August 1991, Ukraine exists as an Independent State. At the same time, the history of its membership in the International Labour Organization (ILO) counts more than 60 years and began in 1954. How the country, called at that time the Ukrainian Soviet Socialist Republic (Ukrainian SSR), became a member of the ILO while being a part of the Soviet Union? The book answers this and many other questions, and looks into many unknown, varied, dramatic but at the same time exiting historical facts of relationship between the country and the ILO, including a hidden and extended pre-membership period. Volume I describes the relationship between Ukraine and the ILO with a focus on the two distinctive periods: the Soviet period (1954-1991) and the period covering the years of Ukraine's independence, as of 1991 and beyond. Special emphasis is made on the recent developments in the collaboration between Ukraine and the ILO in such topical areas as: Decent Work Country Programmes, ratification and application of the ILO Conventions, labour migration, social dialogue, restructuring of labour statistics and labour market information system, prevention and elimination of the worst forms of child labour, occupational safety and health. A separate chapter is dedicated to the professional histories of the ILO officials recruited from Ukraine and covers their responsibilities and contributions to the ILO Work Programmes. Volume II comprises copies of the authentic official documents that describe the history of the Ukrainian SSR's accession to the ILO; programmes of cooperation between Ukraine and the ILO after 1991; it also contains a complete collection of all official speeches of the Ukrainian delegates delivered at numerous sessions of the International Labour Conference (ILC) and the ILO Governing Body; including texts of the Resolutions submitted by the members of Ukrainian delegations and adopted by the ILC; as well and the lists of all members of the Ukrainian delegations to the ILC and a number of other important ILO conferences and meetings.

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Introduction

The relationship between Ukraine and the International Labour Organization (ILO) has a rich and somewhat unique history. Over a period of 64 years, the membership of Ukraine in the ILO can be divided into two distinct periods: Ukraine, as an integral part of the Soviet Union (the Ukrainian SSR), and Ukraine, as an Independent State.

On 12 May 1954, the Ukrainian SSR, as one of the 15 constituent soviet republics, which formed the Soviet Union, was admitted to the ILO as a founding member of the United Nations.¹ The Soviet period of the Ukrainian membership in the ILO ended on 23 August 1991.

24 August 1991 marked the beginning of a new chapter of relationship between Ukraine and the ILO, when Ukraine became a sovereign and Independent State.

The present publication does not intend to offer a comprehensive and in-depth analysis of the Ukrainian participation in all ILO activities. It has been written and compiled with the objective to provide facts and documents which shed light on the evolution of the relations between the country and the ILO, and the role of the ILO in promoting social justice, tripartism and social dialogue, employment creation and active labour market policy in Ukraine.

During the period of 1954–1991, Ukraine, as an integral part of the USSR, followed and supported the international policy of the Soviet Union towards the International Labour Organization and other UN specialized agencies. One of the main features of that policy was the predominance of political matters over social and labour issues and priorities. The speeches of the Ukrainian Government delegates at the International Labour Conferences (ILCs) reveal that from the very beginning of its membership, Ukraine considered the ILO as an important international platform to promote and secure the Soviet ideology of peace among the peoples of the world through reducing tensions in international affairs. It was strongly believed that only such kind of participation in the work of ILO statutory bodies and technical programmes in general, would lead to the reduction of arms race and the development of production for peace.²

Like delegates from other socialist countries, members of the Ukrainian delegations frequently used the ILC's podium as an opportunity for propaganda of economic and social achievements in Ukraine and centrally planned economies.

Another issue which marked the membership of Ukraine in the ILO between 1954 and 1991 was a recurrent debate over the status of Employers' representatives from the socialist states. The Western employers refused to recognise the directors of socialist enterprises as legitimate employers. They argued that Employers' delegates from the Ukrainian SSR and other socialist economies represented government interests since in socialist countries there was no free entrepreneurship. In other words, in ILO's view they were government employees entrusted by the State with managerial responsibilities in their respective enterprises. Consequently, they were in no way "employers" within the context of the ILO Constitution. Documents included in the present publication demonstrate that debates and confrontations over this issue continued until the very dissolution of the Soviet Union and transformation of Ukraine into a market economy.

¹ See chapter "*Membership in the United Nations*" of this volume.

² ILO. International Labour Conference, Record of proceedings, [37th Session](#), Geneva, 1954, p. 142.

During the above-mentioned period, the Ministry of Foreign Affairs (MFA) of the Ukrainian SSR was responsible for the country's participation in the ILO activities. Therefore, high-ranking officials from the MFA were appointed as Heads of the Government delegations to the ILCs and the Governing Body. In spite of political confrontations and occasional sharp debates with their ideological opponents, some of these officials by virtue of their individual personalities enjoyed respect and authority within the ILO. Among such officials were: Mr Sergey Slipchenko, Deputy Minister of Foreign Affairs, who was a Government delegate to the ILC (1957–1964); elected Vice-Chairperson of the Government Group at the 41st Session (maritime) and the 42nd Session of the ILC (1958); Vice-President of the 47th Session of the Conference (1963); and the Government Deputy Member of the Governing Body (June 1963–November 1964). Mr Gennadi Oudovenko, Deputy Minister of Foreign Affairs, who was the Government Delegate to the ILC (1980–1984); elected Vice-President of the 67th Session of the Conference (1981); a Government Deputy Member of the Governing Body (June 1981–May 1984); and a Government Member of the Governing Body (June–November 1984). Mr Victor Batiuk, Permanent Representative of the Ukrainian SSR to the United Nations Office and other international organizations in Geneva (1978–1984), who was as elected the Chairperson of the International Organizations Committee of the Governing Body (November 1981–November 1984).

As noted above, significant changes in the relationship between Ukraine and the ILO took place after 1991. Since that time, the ILO has been playing an important role in establishing new social and labour institutions and promoting the principles of tripartism and social dialogue in the country. Technical assistance in the above areas became a priority in the bilateral relations between Ukraine and the ILO. In 1993, this cooperation was given a special boost when, at the request of the Ukrainian Government, the ILO launched a comprehensive technical assistance programme with the objective to strengthen and enhance professional capacity of national specialists working in relevant Ukrainian Governmental institutions as well as Workers' and Employers' organizations.

The ILO technical assistance to Ukraine in such areas as ratification and application of fundamental ILO Conventions, revision of the exiting and development of new labour market institutions, restructuring of labour statistics and labour market information system, revision of labour law, promotion of tripartism, social dialogue, and decent work have made it possible to carry out important reforms which transformed the country and facilitated its transition to a market economy. All these elements are still indispensable for building a country where people are free and social justice prevails in their everyday life.

The present publication consists of two volumes.

Volume I describes the history of collaboration between Ukraine and the ILO, mainly, during the period of 1954–2017. It covers more than 60 years of the relationship divided into two distinctive periods: 1954–1991 (Ukrainian SSR) and 1991–2017 (Independent Ukraine). Notably, the first two chapters of this volume not only present information about the ILO membership of the Ukrainian SSR but also unveils much less known events preceding it that took place from 1920 to 1954.

Chapter 1 contains references to the application of Ukraine for admission to the League of Nations in 1920, and involvement of the ILO and its Director in the international community's famine relief efforts in Ukraine and Russia and in the work related to the Russian (and Ukrainian) refugees in the 1920s. It also looks into how the ILO analysed in its publications economic and social developments, and labour conditions in Ukraine and its regions in the 1920s and 1930s.

This chapter ends by summarising the history of the Ukrainian SSR's admission to the United Nations as a founding member in 1945.

Chapter 2 details the Soviet period of the Ukrainian membership in the ILO, 1954-1991. It comprises four sections. The first section analyses the participation of Ukrainian delegates in the sessions of the International Labour Conference, the Governing Body and other ILO meetings. The other three sections deal with the ratification and application of the ILO Conventions, the financial contribution of Ukraine to the ILO and the official visit of Mr David Morse, ILO Director-General, to Kiev in April 1958.

Chapters 1 and 2 were written by Mr **Grigorij Prensilevich**.

Chapter 3 contains information on the post-Soviet relations and collaboration between Ukraine and the ILO; it is composed of four Sections.

Section 1 contains information on the technical cooperation and promotion of decent and describes cooperation between Ukraine and the ILO in the following areas: promotion of tripartism and social dialogue; reforming of labour law; preparation and implementation of the Decent Work Country Programmes; promotion of employment opportunities and improvement of labour market conditions for men and women; improvement of labour migration governance; prevention and elimination of the worst forms of child labour, including trafficking in children; improvement of occupational safety and health; restructuring labour statistics, development and enhancement of the labour market information system. This Section was written by Mr **Grigorij Prensilevich**; Sub-Section on labour statistics was written by Mr **Igor Chernyshev**.

Section 2 describing participation of the Ukrainian delegates in the International Labour Conference, the Governing Body and other ILO meetings was written by Mr **Grigorij Prensilevich**.

Section 3 on the ratification and application of the ILO Conventions was written by Mr **Igor Chernyshev** and Mr **Grigorij Prensilevich**.

Chapter 4, entitled *Ukrainians in the ILO*, documents biographical information of the Ukrainians who worked in the ILO since 1954. Notably, their biodata refer to the period prior to joining the ILO. This Chapter was compiled by Mr **Grigorij Prensilevich** and Mr **Igor Chernyshev** with a contribution by Ms **Sophia Lytvyn**.

Volume II comprises copies of the authentic official documents describing the history of the Ukrainian SSR's accession to the ILO; the programmes of cooperation between Ukraine and the ILO after 1991; it also includes a collection of all speeches of the Ukrainian delegates made at the sessions of the International Labour Conference (ILC); texts of the Resolutions submitted by the members of Ukrainian delegations and adopted by the ILC; and lists of all members of the Ukrainian delegations to the ILC and numbers of other important ILO conferences and meetings. Materials for this volume were searched, retrieved and copied from the ILO Library, the archives of the ILO, the archives of the League of Nations and the archives of the Ministry of Foreign Affairs of Ukraine by Mr **Grigorij Prensilevich**.

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Chapter 1

Ukraine and the ILO: pre-membership period (1920–1953)

The official relationship between Ukraine and the International Labour Organization (ILO) began in April 1954 when the Ukrainian Soviet Socialist Republic became a member of the ILO. However, the history of unofficial relations between Ukraine and the ILO can be traced since the creation of the ILO and the League of Nations. Thus, in 1920, while struggling for its independence, Ukraine made an application for membership in both Organizations. Notably, at the beginning of 1920s, the ILO and its Director took an active part in international effort to alleviate the famine and to assist in addressing refugee problems in Russia and Ukraine. Ukraine was also in sight of the ILO in the 1930s. Some ILO publications examined the economic and social development of Ukraine in that period.

This chapter consists of the following three sections.

The first section, *Fighting for independence and applying for membership in the League of Nations* describes the political situation in Ukraine following the February Revolution of 1917 in Russia, the Ukrainian struggle for independence between 1917 and 1920 and the efforts made by the Ukrainian government for international recognition of Ukraine as an independent state. The section also traces a failed attempt of Ukraine to become a member of the League of Nations and the ILO in November 1920.

The second section, *In sight of the ILO* looks at the involvement of the ILO and its Director in the famine relief work in Russia and Ukraine and in the relief of Russian (and Ukrainian) refugees in the 1920s. It also briefly discusses some issues concerning the USSR in general and Ukraine, in particularly, raised in the ILO publications in the 1920s and 1930s.

The last section, *Membership in the United Nations and the attitude towards the ILO* deals with the history of the admission of both the Ukrainian SSR and the Byelorussian SSR to the United Nations and the USSR's attitude towards the ILO between 1944 and 1953.

Fighting for independence and applying for membership in the League of Nations

Fighting for independence, 1917–1920

Ukraine was a part of the Russian Empire since the 17th century. A new period in the history of Ukraine began in March 1917 when the Russian revolution had triggered profound political changes in the Russian Empire. During the following four years (1917–1920), Ukraine was fighting for its independence.

On 17 March 1917, the Ukrainian Parliament was formed, named the Central Rada (Tsentralna Rada). On 29 April 1917, Mykhailo Hrushevskyi, a highly respected historian, was elected as the Head of the Rada. After declaring Ukrainian autonomy within a Russian

Federation by its First Universal¹ on 23 June 1917, the Rada choose the General Secretariat of the Central Rada – the autonomous government of Ukraine. The General Secretariat, chaired by Volodymyr Vynnychenko, took over the responsibility for the administration of Ukraine.

Soon after these events, the Russian Provisional Government in Petrograd was forced to recognize the General Secretariat as the administration in charge of five Ukrainian regions (Kiev, Poltava, Podilia, Volhynia, and Chernihiv). Having won recognition by the Russian Provisional Government (proclaimed in the Second Universal, 16 July 1917), the Central Rada increased its membership by 100 representatives elected at the first of the All-Ukrainian Workers' congresses (24–27 July 1917) and by representatives of the national minorities. By the end of July 1917, the Rada consisted of 822 deputies.

The Russian attitude to the Ukraine had changed in November 1917 when the Bolsheviks seized power. On 7 November 1917, in the face of aggression from the new Russian government, the Central Rada adopted its Third Universal which proclaimed the establishment of the Ukrainian National Republic (UNR).

The UNR was considered as a part of the Russian Federation of free and equal peoples. In December 1917, the Bolshevik fraction of the All-Ukrainian Congress of the Soviets, which was held in Kiev, moved to Kharkov and proclaimed the creation of the Soviet Ukrainian Republic. The revolt against the Central Rada began in many large Ukrainian cities, including Kiev. At the same time, the Bolshevik troops began the invasion of Ukraine. On 11 January 1918, the Central Rada adopted its Fourth and the last Universal which proclaimed Ukraine as a free and independent State. In the meanwhile, the assault of Bolshevik troops continued and after intensive fighting in February 1918, the Bolsheviks drove the Central Rada out from Kiev. However, after three weeks, the German Army forced the Bolsheviks out of Kiev and later out of Ukraine completely.

From April to November 1918, Ukraine was under control of the German Army. On 29 April 1918, the Central Rada was disbanded and replaced by a new government called *the Hetmanate* (The head of the Government carried the title of *Hetman*). With support of the German occupational troops, Pavlo Skoropadsky, lieutenant general of the former tsarist army, was proclaimed Hetman at the congress convened in Kiev by the League of Landowners. The Government of Hetman Skoropadsky exercised its power for about seven months (until 14 November 1918). During this period, the government attempted to restore law and order and the country remained relatively peaceful. The Hetman had wide powers: he issued all laws, appointed the Cabinet, controlled foreign affairs and military, and acted as the highest judge in the country. The reaction of Ukrainian political parties to the Hetmanate was negative. The political conditions in Ukraine deteriorated more and more. In order to save the situation and obtained military aid from anti-Bolsheviks White Russian forces, Hetman Skoropadsky proclaimed a federative union of Ukraine with a future non-Bolshevik Russia.

Under such circumstances, a coalition of all Ukrainian opposition parties was formed at the end of 1918 and instituted the Directory as a Provisional government.

On 14 December 1918, Skoropadsky abdicated and left for exile. The Directory, led by Volodymyr Vynnychenko and Symon Petliura, restored in Kiev the Ukrainian National

¹ In 1917–18 the Central Rada adopted and promulgated four edicts possessing the significance of fundamental laws and reflecting the evolution of the Ukrainian state from autonomy within Russia to independence. Like the edicts of the 17th- and 18th-century Hetman state, they were called universals.
<http://www.encyclopediaofukraine.com/display.asp?linkpath=pages%5Cu%5Cn%5Cuniversalsofthecentralrada.htm>

Republic. On 26 December 1918, the Directory issued its Declaration, which set out new principles of economic and social policy and of state building in Ukraine. It appointed a Cabinet of Ministers headed by Volodymyr Chekhivsky. In January 1919, the National Congress of representatives of the peasants and Workers of Ukraine confirmed the Directory in its powers. The Directory issued a law on land redistribution. However, further implementation of the government programme was hindered by many internal and external problems.

The division between and within political parties about the future development of Ukraine provoked a political crisis. On 9 February 1919, Volodymyr Vynnychenko resigned and Chekhivsky's Cabinet of Ministers was replaced by a Cabinet headed by Serhii Ostapenko. Symon Petliura became the leader of the Directory and the Head of the Republic's armed forces. In the meantime, the second Bolsheviks invasion of Ukraine began. In January–February 1919, the Bolshevik troops occupied major Ukrainian cities, including Kiev.

Under the protection of the Red Army, the Ukrainian Socialist Soviet Republic was restored and the new Ukrainian Soviet (Bolshevik) government was formed. The Directory, and the Cabinet of Ministers had to move to the western part of Ukraine, firstly to Vinnytsia and later on to Proskuriv, then Rivne, and thereafter to Kamianets-Podilsky. In the meanwhile, Ukraine was slipping into anarchy and chaos. Six different armies, the Ukrainians, the Bolsheviks, the White Russians, the Entente, the Poles and the anarchists, operated on its territory. Cities and regions were cut off from each other and communication with the outside world was disrupted. In July 1919, the Ukrainian National Republic and the West Ukrainian National Republic, which was proclaimed in November 1918, united their armed forces and began fighting against the Bolshevik troops. On 31 August 1919, Kiev and western provinces were liberated from the Bolshevik forces.

At the same time, the anti-Bolshevik White Russian troops headed by General Anton Denikin entered Kiev and the Directory's armed force had to retreat from the city. Fighting between the Denikin's Volunteer Army and the Red Army, on the one hand, and between the Denikin's Volunteer Army, the Red Army and the Directory's army, on the other hand, ended in December 1919. The Red Army took over most of Ukraine (except Western Ukraine) and restored the Ukrainian Socialist Soviet Republic. The Directory's remaining forces fled to the north-west part of Volyhnia. In April 1920, in order to continue the struggle for independence, Petliura concluded a pact with Poland and launched an offensive against the Bolsheviks in Ukraine. On 6 May 1920, the allied forces took Kiev.

But this victory was short-lived. In May–June 1920, the Red Army began a counter-offensive against the united armed forces of Poland and the Ukrainian National Republic. In October 1920, Poland and the Soviet Russia concluded an armistice and on 18 March 1921, the Peace of Riga (the Treaty of Riga) was signed between Poland and the Soviet Russia. In November 1920, the Red Army defeated the armed forces of the Directory. It was also a defeat of the Ukrainian struggle for independence. Petliura and the Directory fled to Poland.²

On 30 December 1922, the Ukrainian Soviet Social Republic (Ukrainian SSR) became one of the constituent republics of the Union of Soviet Socialist Republics (USSR). Ukraine as a part of the USSR had its own organs of State authority, its own budget, Constitution and its own capital, first Kharkiv (1919–1934) and later Kyiv (as of 1934).

² See more about this period of Ukrainian history in: Magosci, P. R., *History of Ukraine: Lands and its people*. Second revised ed. University of Toronto Press, 2012, pp. 489–541; Subtelny, O., *Ukraine. A history*, University of Toronto Press, 1988, pp. 345–375.

Ukraine's application for admission to the League of Nations and the ILO³

After proclaiming Ukraine's sovereignty by the Third and the Fourth Universals on 7 November 1917 and 11 January 1918, respectively, all successive Ukrainian Governments in power (the Central Rada, the Hetmanate and the Directory) made efforts to obtain international recognition of Ukraine. As a result, Ukraine was recognised *de facto* by Poland, Latvia, and Finland. Germany, Hungary, Turkey and Bulgaria recognised Ukraine within the limits set by the Treaty of Brest Litovsk⁴. On 4 December 1917, the Russian Soviet Republic recognised the independence and sovereignty of Ukraine. In January 1919, the Directory approved a delegation for the Peace Conference in Paris. On 15 August 1919, Mr G. Sydorenko, Head of the Ukrainian delegation at the Peace Conference, sent a Note to the Secretary-General of the League of Nations with the enclosed copy of the Memorandum of Independence of Ukraine, which had been presented to the Peace Conference⁵. Based on the facts contained in the Memorandum, the Ukrainian delegation asked the Peace Conference to recognise the sovereignty and independence of Ukraine and admit Ukraine to the League of Nations. The Ukrainian Diplomatic Mission in the United Kingdom also undertook many efforts in that direction.

On 10 February 1920, the Mission headed by Mr Arnold Margolin, a former President of the Jewish Territorial Organization in Ukraine, jurist and defender of Beilis in the famous Beilis trial, sent a letter to the President of the Peace Conference in Paris with an appeal to the Western European and American countries for help.

In this letter the Ukrainian Diplomatic Mission asked for threefold assistance: (1) moral support of Ukraine by means of its immediate recognition; (2) technical support of Ukrainian army in its efforts to crush anarchy by sending instructors, ammunition, shoes, clothes, medical requirements, etc. (3) economic aid for the reconstruction of Ukraine.⁶ Later, on 25 February 1920, the Ukrainian Diplomatic Mission sent the Memorandum to the League of Nations asking for diplomatic recognition of Ukraine and its admission to the League of Nations. In this Memorandum Mr A. Margolin stated that "order and peace will

³ The membership of League of Nations compulsorily involved membership of International Labour Organization (ILO). According to Article 387 of the Treaty of Versailles which was, at the same time, Article I of the ILO Constitution "the original Members of the League of Nations shall be the original Members of this Organization, and hereafter the membership of the League of Nations shall carry with it membership of the said Organization." Referring to the relation between membership of the League of Nations and membership of the International Labour Organization, Mr C. W. Jenks, the former ILO Director-General (1970–1973) emphasized that "the rules governing membership of the International Labour Organization were based on the vocation of the Organization to universality. Members of the League were automatically Members of the ILO, but the International Labour Conference could and did also admit to membership States not Members of the League and States withdrawing from the League could and did remain Members of the ILO". He continued further that "the automatic membership in the ILO of Members of the League was based on a clear provision of the Constitution of the ILO; this provision, though not contained in the Covenant [of the League of Nations], was regarded as one of the "obligations under the burden of which the League was born", which became binding on all Members of the League by their admission to the League, by the reason of the fact that the Covenant and the Constitution of the ILO formed parts of the same treaties" (Jenks Wilfred C. Universality and ideology in the ILO: an address at the Graduate Institute of International Studies, Geneva, 27 October 1969, p. 3. See also the same author "The relationship between membership of the League of Nations and membership of the International Labour Organization" in "British year book of international law", vol. 16, 1935, pp. 79–83. Ukraine, therefore, by submitting an application to the League, in fact, requested for the admission to both organizations: the League of Nations and the ILO.

⁴ The Treaty of Brest-Litovsk was a peace treaty signed on 3 March 1918 between the new Bolshevik government of Soviet Russia and the Central Powers (Germany, Austria-Hungary, Bulgaria, and the Ottoman Empire), that ended Russia's participation in World War I.

⁵ Mémoire sur l'indépendance de l'Ukraine présente à la Conférence de la Paix par délégation de la République Ukrainienne. Paris, 1919, p. 125. The League of Nations Archives, 1919, Sec. No. 28, Dossier No. 1046, Doc. No. 1046.

⁶ The League of Nations Archives, 1920, Sec. No. 28, Dossier No. 1046, Doc. No. 3198.

never be established in Eastern Europe, until the claims of the Ukrainian people for their right of self-determination are fully recognised".⁷

On behalf of the Ukrainian Government, the Memorandum also asked what steps should be taken in order to be admitted to the League of Nations, provided Ukraine had been accorded recognition as an independent State. The Memorandum was forwarded for information to the members of the Council of the League of Nations as an official document of the Council.⁸ The Ukrainian Diplomatic Mission through the Ukrainian Press Bureau in London published two pamphlets in English about Ukraine written by Oleksander Shulhyn (his name in French is known as Alexandre Choulguine and in English it is sometimes written as Alexander Shoulguin), a former Ukrainian Minister of Foreign Affairs⁹ and by Isidor Shafarenko, Ukrainian economist¹⁰. Another step undertaken by the Ukrainian Diplomatic Mission in the United Kingdom was the organization of a private meeting of two members of the Mission (Dr. Olesnitsky and Dr. Vishtnitzer) with Mr E. Drummond, the Secretary-General of the League of Nations which took place on 5 April 1920. During the meeting, the Ukrainian representatives expressed the wish that Ukraine should be recognised and taken under the protection of the League of Nations. Mr Drummond explained that it was hardly the business of the Council of the League to decide whether a country should be recognised as an independent State. At the same time, he suggested that Ukraine's application for admission in accordance with the terms of Article 1 of the Covenant could draw the attention of the League's member states to the Ukrainian claim.¹¹

As regards the protection of the League of Nations, it was pointed out that, if Ukraine were admitted to membership of the League, its territorial integrity and existing political independence would be respected and preserved under Article 10 of the Covenant. The Ukrainian representatives also enquired whether the League of Nations would appoint, if necessary, a Commissioner to supervise elections in Ukraine. The question to be decided by the elections was whether the country should be independent or federated to Russia and whether the present system of government should be continued or a Soviet form should take its place.

On 14 April 1920, soon after this meeting and according to the mandate of the government of the Ukrainian Republic under the presidency of Symon Petliura, the Ukrainian Diplomatic Mission submitted the official application for admission of Ukraine to the League of Nations.¹²

Mr O. Shulhyn was nominated as a Ukrainian representative accredited to the League of Nations.

It should be mentioned that in a letter addressed to the Secretary-General of the League, Mr Pavlo Skoropadsky, a former Hetman of Ukraine, expressed his strong support for the application of Ukraine for admission to the League of Nations.¹³

⁷ The League of Nations Archives, 1920, Sec. No. 28, Dossier No. 1046, Doc. No. 3198.

⁸ Note received from the Ukrainian Diplomatic Mission in the United Kingdom. (Document Du Conseil J 11/3043/3043) The League of Nations Archives, Sec. No. 28, Dossier No. 1046, Doc. No. 3198.

⁹ Shoulguin, A., *The Problems of the Ukraine. The ethnic question. The National culture. The economic life. The will of the people.* (Translated from the French). London, Ukrainian Press Bureau, 1919, 32 p. (Ukrainian problems. 1).

¹⁰ Shafarenko, I., *The natural resources, industry, exports and imports of the Ukraine.* London, Ukrainian Press Bureau, 1919, 23 p. (Ukrainian problems. 2).

¹¹ Account of a meeting of Mr Drummond with two Ukrainian representatives: The League of Nations Archives, 1920, Sec. No. 28, Dossier No. 1046, Doc. No. 3739.

¹² *League of Nations. Official Journal*, No. 5, July-August, 1920, p. 266–268.

¹³ The League of Nations Archives, 1920, Sec. No. 28, Dossier No. 1046, Doc. No. 8831.

In the Memorandum Mr Skoropadsky provided some facts about the diplomatic relations of Ukraine with different European countries, including France, the United Kingdom and Switzerland. He mentioned that the Ukrainian missions were created and functioning in the capitals of 16 countries.

According to the procedure adopted by the League of Nations, the requests for admission of States to the League of Nations were to be considered by the Fifth Committee, which submitted its recommendations to the Assembly of the League of Nations for final decisions.

The request of Ukraine and the requests of other 13 countries (Albania, Armenia, Austria, Azerbaidjan, Bulgaria, Costa Rica, Estonia, Finland, Georgia, Latvia, Liechtenstein, Lithuania and Luxembourg) were considered at the meetings of the Fifth Committee held between 20 November and 10 December 1920. To deal with all 14 requests the Committee appointed three Sub-Committees. The Sub-Committees investigated each applicant according to the following criteria: Was its application for admission in order? Was the Government applying for admission recognised *de jure* or *de facto* and by which States? Was the applicant a nation with a stable government and settled frontiers? What were its size and its population? Was it fully self-governing? What was its conduct, including both acts and assurances, with regard to (i) its international obligations; (ii) the prescriptions of the League as to armaments?¹⁴ The Ukrainian request (as well as the requests of Georgia, Armenia, Azerbaidjan and Costa Rica) was considered in the Sub-Committee No. 3 headed by Dr. F. Nansen, representative of Norway. Dr. Nansen in his report to the Fifth Committee at the meeting held on 1 December 1920 stated that the independence and the frontiers of Ukraine did not appear neither stable nor clearly defined and that Petliura's Government was at present in power in Volhynia and another government was in existence in the territory claimed by Ukraine and that Ukraine had only been recognised *de facto* by Poland, Finland and Latvia. He concluded by declaring that the Petliura's government could not be considered as stable and capable of furnishing the guarantees demanded by the Covenant of the League of Nations and that he could not, therefore recommend the admission of Ukraine to the League. Other members of the Sub-Committee supported this conclusion and the Fifth Committee adopted unanimously an unfavourable motion in terms identical with those adopted in the case of Azerbaidjan.

On 6 December 1920, the report of the Fifth Committee on the application of Ukraine for admission to the League of Nations was presented to the Assembly of the League. In its report the Committee expressed itself unfavourably to this admission, as Ukraine does not appear to have a stable Government, whose authority extended over the whole of its territory.¹⁵ The Ukrainian delegation to the League of Nations was not satisfied with this decision. On 11 December 1920, one week before voting the resolution of the Committee at the Assembly, the Ukrainian representative to the League, Mr O. Shulhyn sent a note to the President of the Assembly commenting on the report of the Committee.

He pointed out that ideas as to stability of a government were very different in times of peace and in times of war.¹⁶ The stability of a government in time of war depended upon its determination to resist the enemy and upon the extent to which it had popular support. The note stated that the government of Symon Petliura and his Army received the moral and material support of the whole Ukrainian population in its struggle against the invaders of

¹⁴ League of Nations. The Records of the first Assembly. Meetings of the Committees. Minutes of the Fifth Committee (Admission of new members into the League) Geneva, 1920, p. 159.

¹⁵ League of Nations. The records of the first Assembly. Plenary meetings. Geneva, 1920, p. 665.

¹⁶ The League of Nations Archives, 1920, Sec. No. 28, Dossier No. 1046, Doc. No. 9486.

Ukraine. It argued that the Ukrainian Government of Symon Petliura was carrying out this bloody struggle for the same ideas as those inspired by the League of Nations and in applying to the League of Nations for admission, it expected to get moral support in its struggle on behalf of the nation's right to self-determination. The arguments presented in the note however did not convince the President of the Assembly and the member States of the League. On 17 December 1920, after discussion of the report of the Fifth Committee at the Assembly plenary meeting, the request of Ukraine for admission was rejected by 24 votes. The following 18 states abstained or were absent: Argentina, China, Colombia, Guatemala, Haiti, Honduras, Liberia, Nicaragua, Paraguay, Persia, Peru, Poland, Portugal, Roumania, Salvador, Siam, Uruguay, Venezuela.¹⁷

In sight of the ILO

Despite the defeat in the struggle for independence and the unsuccessful attempt to enter the League of Nations/ILO, Ukraine as a Soviet republic within the USSR was directly or indirectly in sight of the ILO during the period discussed further down.

Famine and the Russian refugee crisis of the 1920s

The ILO and its First Director¹⁸, the French socialist Albert Thomas, were involved in the activity of the International Committee for Russian Relief set up on 15 August 1921 in Geneva at the Conference organized by the International Committee of the Red Cross and the League of Red Cross Societies. Dr. Fridtjof Nansen as the High Commissioner headed the Committee. The Committee dealt with the famine relief work in Russia and Ukraine. The ILO Director had accepted a seat on the Committee. On 15 August 1921, an agreement between Dr. Nansen and the Soviet authorities was concluded on conditions under which relief was to be carried to the famine districts.

On 31 December 1921, when the dimension of the famine and epidemics in Ukraine became known, an agreement between the International Committee for the Relief of Russia and Ukraine was signed in Moscow by Mr Gorvin, Dr. Nansen's representative, and Mr Ch. Rakowski, President of the Council of the People's Commissars of the Ukrainian Soviet Socialist Republic¹⁹. Mr Albert Thomas and the ILO as a whole were aware of the disaster in Russia and Ukraine. At the invitation of Albert Thomas, Dr. Nansen delivered a speech on the famine in Russia at the third Session of the International Labour Conference in November 1921²⁰. The High Commissariat of Dr. Nansen sent all official documents and reports about the famine in Russia and Ukraine to the ILO and Mr Albert Thomas, as a member of the Committee.

Among those documents was a report written by Captain Vidkun Quisling, Dr. Nansen's representative for Ukraine, sent on 9 May 1922 to all members of the International

¹⁷ League of Nations. The records of the first Assembly. Plenary meetings. Geneva, 1920, pp. 651–652.

¹⁸ The title "Director of the International Labour Office" or ILO Director, was used until October 1946. The title "Director-General of the International Labour Office" or ILO Director-General, was introduced by the Constitution of the International Labour Organisation Instrument of Amendment, 1946 and the Resolution concerning provisional arrangements to be applied until the coming into force of the Constitution of the International Labour Organisation Instrument of Amendment, 1946, adopted by the 29th Session of the ILC on 9 October 1946; see: *ILO. International Labour Conference, Record of proceedings, 29th Session, 1946*, p. 518, p. 542.

¹⁹ Ukrainian Soviet Republic was officially a sovereign state until the creation of the USSR in December 1922.

²⁰ ILO. International Labour Conference, Record of proceedings, [3rd Session](#), 1921. Geneva, ILO, 1921, p. 822–830.

Committee for the Relief of Russia. In his report, Captain Quisling provided a detailed account of the famine in the five provinces of southern Ukraine.²¹ In a circular to the members of the Committee, the High Commissariat of Dr. Nansen asked to attract as much as possible public attention to the report. Some documents about the famine in Ukraine were addressed directly to the ILO and its Director by the witnesses of the tragedy and official organizations. For instance, in March–April 1922, the ILO received two reports on the famine and epidemic in Ukraine written by Dr. Kholodny, General Delegate of the Ukrainian Red Cross for Western Europe.²²

Both reports described the catastrophic situation in Ukraine and asked the ILO to make it known to the general public.

In order to assist the work of the International Committee for the Relief of Russia and Ukraine, the ILO started to collect and distribute information on the situation in both countries.²³

An article on the famine and the organization of relief appeared in the *Daily Intelligence*.²⁴ At the request of the High Commissariat for Famine Relief and the Red Cross organizations, the International Labour Office decided to publish fortnightly a special Russian Supplement to the ILO journal *Industrial and Labour Information*.²⁵ The Russian Supplement included translations or summaries of Russian publications and documents received by the International Labour Office dealing with general industrial and labour conditions, food supply, the famine in Russia and the measures taken to combat it by the Soviet Government, foreign governments and relief organizations. The information was based on the official Soviet press and the wireless messages which the Soviet Government sent daily from Moscow; the Russian press abroad; official reports from Russian Government departments; the press in general from all countries.²⁶ The famine, relief measures, the public health and economic situation in Ukraine was discussed in each of 32 issues of the Russian Supplement, which was published during the period between January 1922 and March 1923.

While participating in the international famine relief efforts in Russia and Ukraine, the ILO simultaneously collaborated with many international, governmental and non-governmental organizations involved in the Relief of Russian refugees.

According to figures collected by the League of Nations from the Governments, Russian refugee organizations and delegates of the High Commissariat representatives in various countries, there were over one million Russian refugees by the end of 1923.²⁷

The Russian refugees, people who fled or were expelled after the 1917 Revolution and the civil war from the territory of the former Russian Empire, constituted a very diverse ethnic group. They included, besides proper Russians, Ukrainians, Poles, Balts, Jews and many others. An estimated 60 000 Ukrainians, many of whom had to emigrate after the

²¹ ILO Archives, 1922, R301/20/2/1. Rapport du Capitaine Quisling sur la situation en Ukraine. Circulaire aux membres du C.I.S.R.

²² The ILO Archives, 1922, R319/1. Famine et sanitaire en Ukraine.

²³ See: *Daily Intelligence*, 1921, vol. 1–4; *Industrial and Labour Information. Russian Supplement*, 1922–1923, vol. 1–5; *Revue quotidienne de Presse* – daily summary of the press and other publications, 1920–1921. No. 1–39.

²⁴ *Daily Intelligence*, 1921, vol. 3, No. 16, p. 480–481.

²⁵ Despite the title “Russian Supplement” the publication covered also the situation in Ukraine.

²⁶ *Industrial and Labour Information. Russian Supplement*, 1922, vol. 1, No. 1.

²⁷ ILO. Governing Body, Minutes, [24th Session](#), Geneva, October, 1924, pp. 113–114.

defeat of the Ukrainian National Republic in 1920, were among this group.²⁸ With the exception of the Czechoslovak Republic, Poland and Romania, the Ukrainian refugees were recorded in the statistics as emigrants from Russia. Since the Russian nationality was indicated in the official refugee identity certificates (known as “Nansen passports”), many Ukrainian refugees refused the Nansen passports and requested a separate status.²⁹

In 1928, Mr O. Shulhyn raised the problem of treatment of the Ukrainian refugees as a separate group before the Council of the League of Nations. As a representative of the Ukrainian organizations abroad and as a member of the Advisory Council to the High Commissariat for Refugees, he addressed two letters to the President of the Council of the League on 30 and 31 August 1928. The letters contained a request to recognize the Ukrainian refugees as a distinct ethnic group and the explanation why it was a moral and legal issue.³⁰ The Council did not take any action.

The ILO’s involvement in the work related to Russian refugees began in early 1921. On 29 December 1920, the International Committee of the Red Cross referred to the deplorable situation of Russian refugees in the Near East and requested assistance from the ILO in this regard. The Committee asked whether the Office: (a) could assist the creation of an emigration office for the refugees; (b) was in a position to create a labour exchange in Eastern Europe which might assist the refugees in securing employment, and (c) could provide the names of organizations which might participate in this work.

At its 6th Session (January 1921), the Governing Body considered these requests and decided to provide information on such question as unemployment. The Director of the Office was also authorised to delegate to the Red Cross one or several persons to give them technical assistance in creating and organising the Emigration Office.³¹

In January 1921, the Governing Body took another move regarding Russian refugees. On request of the French Government to explore the possibilities of the transfer of Russian refugees to various countries, Albert Thomas asked the members of the International Commission to regulate the Migration of Workers³² to put at his disposal any information they might possess on this issue and to approach their respective Governments on the matter. Similar steps were also taken regarding international institutions dealing with employment and emigration.³³

In August 1921, the ILO began close collaboration with the League of Nations on the question of Russian refugees. In order to find a practical solution to the problem of the Russian refugees, the Council of the League convened an International Conference on 22 August 1921. The Governments of ten countries as well as the representatives of the International Labour Office, the International Committee of the Red Cross, the League of Red Cross Societies and the International Save the Children Union attended the Conference.

The Conference established a High Commissariat under the direction of Dr. Nansen, who, as already mentioned, also held the post of the High Commissioner for Russian famine relief. The Conference adopted a number of resolutions, one of which noted that the High Commissioner should avail himself of the assistance of the International Labour Office in

²⁸ Dyczok, M., *The Grand Alliance and Ukrainian refugees*. London: Macmillan Press LTD, 2000, p. 15

²⁹ Ibid., p. 15.

³⁰ The ILO Archives, August- September 1928, CAT, 5-74.

³¹ ILO. Governing Body, Minutes, [6th Session](#), Geneva, January, 1921, pp. 20–21.

³² The Commission was created in virtue of the resolution adopted by the 1st Session of the ILO Conference (Washington, D.C., October–November 1919); see: ILO. International Labour Conference, Record of proceedings, [1st Session](#), Wshington, D.C., 1919, p. 276.

³³ ILO. *Official Bulletin*, 1921, [vol. III, No. 19](#), p. 547.

order to obtain information on the capacity for employment of and possibilities of finding employment for refugees.

At the request of the High Commissioner, the ILO conducted a rapid census of the refugees by forwarding a circular letter to various Governments in October 1921 requesting them to provide appropriate information.³⁴ The census results were summarised in the form of tables with data on the distribution of refugees by country and by occupation. The Office continued to supply the High Commissioner with information on the labour market situation in different countries and furnish him with all necessary information regarding the institution of employment agencies, which he proposed to set up in certain countries in Central Europe. In addition, the Office put at the disposal of the High Commissioner its relations with the United States, the Argentine Republic and certain other South American States to assist him in finding employment for refugees.³⁵

In November 1921, the High Commissioner submitted the information on Russian refugees to the delegates of the Third Session of the International Labour Conference. There were 1.5 million Russian refugees scattered throughout Europe, of whom at least 200,000 were incapable of manual labour, including disabled people, children, etc. The situation was most dramatic in Istanbul (Constantinople) with at least 50,000 refugees stranded there, of whom the majority were agricultural labourers without any visible means of support and who already began to starve.

The High Commissioner made an appeal to the Third Session of the International Labour Conference to give some financial assistance to these unfortunate people pending their evacuation or by appealing to the members of the Conference representing agricultural interests to consider whether these agricultural labourers could not be put to work in their respective countries.³⁶

In April 1922, at the request of the High Commission for Russian refugees, the ILO Director communicated to all the members of the Governing Body a memorandum issued by the Ministry of Foreign Affairs of the Czechoslovak Republic on relief work carried out by the Czechoslovak Government on behalf of Russian and Ukrainian emigrants and the starving population in Russia. A note written by Dr. Nansen was annexed to the memorandum.³⁷

The Memorandum described how the relief work was organised after nearly 20,000 Russian and Ukrainian refugees had arrived on the territory of the Czechoslovak Republic at the beginning of 1921. The Ministry of Foreign Affairs undertook the organization of the official relief and co-ordinated the work of various committees.

Refugees themselves took active part in the relief work. For this purpose, the Russian and Ukrainian Committees as well as mixed Czecho-Russian and Czecho-Ukrainian Committees were established.

Given that the majority of both Russian and Ukrainian refugees arrived in Czechoslovakia without any kind of documents and did not want to apply to various non-official diplomatic representatives for political reasons, a Registration Office was set up at the Political Department of the Ministry for Foreign Affairs, which issued residence permits to persons who duly registered.

³⁴ ILO. *Official Bulletin*, 1921, [vol. IV, No. 16](#), pp. 341–342.

³⁵ ILO. Governing Body, Minutes, [13th Session](#), Interlaken, July, 1922, pp. 63–64.

³⁶ ILO. International Labour Conference, Record of proceedings, [3rd Session](#), Geneva, 1921, pp. 830–831.

³⁷ ILO. Governing Body, Minutes, [12th Session](#), Rome, April, 1922, pp. 73–81.

The Memorandum also revealed the measures taken by the Czechoslovak government regarding a special group of refugees: the Russian and Ukrainian students.

The Russian and Ukrainian students whose total number was 5,000 were admitted to all the secondary and higher schools of the Czechoslovak Republic. A Committee was set up with the help of the Ministry for Foreign Affairs, the public authorities and the Russian teachers to facilitate their studies.

Notably, with a view of organising the relief of Ukrainian students, a Committee for the relief of indigent Ukrainian students was set up with the assistance and under the supervision of the Ministry for Foreign Affairs. This Committee was providing facilities for higher education to nearly 900 Ukrainian students. With the assistance of the Ministry of Foreign Affairs, a transfer of the Ukrainian University from Vienna to Prague was carried out.

All these Russian and Ukrainian Committees composed of Russian, Ukrainian and Czechoslovak professors and students were entirely independent with regard to their work for the intellectual development of Russian and Ukrainian students.

The High Commissioner for Russian refugees expressed his hope that the effort made by the Czechoslovak government and the results already achieved in other countries would be favourable received by the Governments.

Since January 1925, the ILO became directly involved in solving the problem of employment, settlement and emigration of the Russian and Armenian refugees.³⁸ By a resolution passed on 25 September 1924, the Fifth Assembly of the League of Nations approved a proposal to transfer to the ILO from 1 January 1925 the technical work still to be accomplished on behalf of Russian and Armenian refugees, which had been carried on by the High Commissioner for refugees. The transfer was subject to the approval of the ILO Governing Body. At its 24th Session (October 1924), the Governing Body approved the proposal and adopted a resolution in which the conditions of the transfer were defined.³⁹ It was decided that Dr. Nansen would continue to deal with any political questions which might arise. As to the ILO, it was entrusted with two main tasks: ascertaining the numbers of unemployed refugees in the various countries, according to their occupations, and exploring to the full the possibilities of placing them in employment. The credit voted by the Assembly for the Office's continuation of the technical work in connection with the providing of employment for refugees was 203,000 francs. It was part of the conditions of acceptance of the refugees work by the Governing Body that this sum should be employed only for administrative purposes. It was used to maintain the small Central Refugee Service which was transferred from the Secretariat of the League of Nations, and to cover the expenses of the refugee agents at Belgrade (including sub-agents at Constantinople, Salonica and Sofia), Berlin, Vienna, Budapest, Warsaw, Pekin and in the Baltic States. In addition, the Assembly voted the sum of 50,000 francs for an enquiry, to be carried out by the International Labour Office, in collaboration with Dr. Nansen, into the possibility of settling Armenian refugees in the Caucasus or elsewhere.

For the period of two and a half years following its transfer to the Office, the Refugees Service in conjunction with the High Commission placed some 35,000 unemployed refugees in 30 countries.⁴⁰

³⁸ The Council of the League in September 1923 requested the High Commissioner to undertake the solution of the problem of some 300,000 Armenian refugees in the Near East, who were in a similar position to that of the Russian refugees.

³⁹ ILO. Governing Body, Minutes, [24th Session](#), Geneva, October, 1924, p. 41.

⁴⁰ ILO. Governing Body, Minutes, [36th Session](#), Geneva, May-June, 1927, p. 50.

The ILO was actively engaged in the convocation of an inter-governmental Conference on improving the system of identity certificates for refugees. Following the adoption of the resolution on this issue by the sixth Session of the Assembly of the League of Nations (1925), the Council of the League, decided to refer the matter formally to the Governing Body taking into account that all administrative actions concerning refugees were transferred to the ILO. On 17 October 1925, the Governing Body took note of these proposals and approved them in so far as they concerned the technical work involved.⁴¹

In accordance with these decisions, Dr. Nansen, as High Commissioner for Refugees, convened a Conference on 10 May 1926 in Geneva. At his request, the ILO provided certain secretarial support to the Conference and Director Albert Thomas attended its various meetings providing information regarding the technical aspects of the refugee work.

The Conference, attended by delegates of 25 governments, adopted a new arrangement concerning the issue of identity certificates to Russian and Armenian refugees, supplementing and amending the previous arrangements dated 5 July 1922 and 31 May 1924.

After the transfer of the Refugees Service back to the High Commission on 1 January 1930, the ILO did not entirely cease to concern itself with the refugees. In 1929, on the recommendation of the Council of the League of Nations a newly created Advisory Committee on Refugees made a unanimous decision at its first session to ask the Governing Body to appoint one representative of the Employers' group and one representative of the Workers' group to attend, as technical advisers or assessors, the meetings of the Advisory Committee when questions of special interest to those groups were discussed. At its 45th Session (May-June 1929), the Governing Body decided that the Employers' and Workers' groups of the Governing Body should make the above nominations in order to ensure collaboration with the Advisory Committee.⁴²

Economic reconstruction, industrialization and social development (the mid 1920s and the 1930s)

Soon after the 1917 Russian revolution, the civil war and the creation of the Union of Soviet Socialist Republics (1922) and despite the fact that the USSR was not a member of the ILO, the Office considered very closely the economic and social development of the new country and of Ukraine in particular. In 1928, the ILO published a general survey of the problem of hours of work in the Soviet Union with an analysis of overtime and practical application of the eight-hour working day in industry in Ukraine in 1924–1927.⁴³ During the period of the 1920s and 1930s, rich regional data on industrial development, employment situation, conditions of labour, wages and other social issues in Ukraine were collected and published by the ILO. The important industrial centres of Ukraine like the Donbas coal-mining area, Kharkiv and Zaporozhie⁴⁴ were among the regions information of which was

⁴¹ ILO. Governing Body, Minutes, [29th Session](#), Geneva, October, 1925, p. 118.

⁴² ILO. Governing Body, Minutes, [45th Session](#), Geneva, May-June, 1929, p. 51.

⁴³ The problem of hours of work in the Soviet Union (*International Labour Review*, vol. 17, No. 3 (1928), pp. 377–389; and vol. 17 No. 4 (1928), pp. 515–528.

⁴⁴ *Daily Intelligence*, vol. 4, No. 2 (1921), p. 16–18, vol. 4, No. 19 (1921); Workers' Family Budget Enquiries in Soviet Russia (*International Labour Review*, vol. 20, No. 4 (1929), p. 569–576; The Present phase of economic and social development in the U.S.S.R. (*International Labour Review*, vol. 33, No. 1 (1936), pp. 5–40; Socialist towns: a new development of housing policy in the U.S.S.R. (*International Labour Review*, vol. 25, No. 5 (1932), pp. 621–649.

frequently cited in the ILO publications. In 1924, the ILO agreed to an exchange of publications with the Statistical Department of Ukraine⁴⁵. Except for the official sources of information on Ukraine, the ILO received, from time to time, information on working conditions from different associations and organizations of Ukrainians living abroad. In 1932, one of such organizations, the Ukrainian League of Nations Society, which was formed by Ukrainian political emigrants, presented to the International Federation of League of Nations Societies⁴⁶ a memorandum on working conditions in the USSR⁴⁷. Based on the written evidence of nine Ukrainian peasants who were deported to the forced labour camps for their resistance to the soviet authorities and who later, by miracle, escaped the sentence, the memorandum reported on the arduous working and living conditions in the camps. With regard to the facts described in the memorandum, the XVII Plenary Congress of the International Federation of League of Nations Societies, held on 6 June 1933 in Montreux (Switzerland), adopted a resolution concerning forced labour in the USSR. The resolution drew “special attention of the League of Nations (and the ILO) to the extremely grave statements set out in the memorandum on working conditions in the U.S.S.R. submitted by the Ukrainian L.N. Society”⁴⁸. During the work of the 17th Session of the International Labour Conference (Geneva, 1933) this resolution as well as some other resolutions concerning the International Labour Organization were submitted to the President of the Conference and published in its Record of proceedings.⁴⁹

The question of forced labour involving Ukrainian political prisoners emerged again in 1956, when the Ukrainian SSR was already an ILO Member State. At that time, three organizations of ethnic Ukrainians from the United States, the United Kingdom and Argentina addressed this issue to the Secretary-General of the United Nations and the ILO. The Supreme Ukrainian Liberation Council (New York), the Ukrainian Committee in Great Britain and the Central Ukrainian Representation in the Argentina Republic referred in their communications to an open letter dated 30 September 1955 from prisoners kept in Mordovia Special Camps, alleged to have been smuggled out and distributed abroad. The open letter dealt with the extremely harsh conditions and atrocities in the camps.⁵⁰

After examining this case, the ILO Committee on Forced Labour at its Session held in March–April 1957 stated that based on the submitted materials the Committee was not able to reach any conclusions.⁵¹

Membership in the United Nations and the attitude towards the ILO

At the end of the World War II, the political leaders of the United States, Great Britain, the Soviet Union and the Republic of China began discussions on the creation of an International Organization for the maintenance of peace and security, which could replace the League of Nations. In the Declaration of the Four Nations signed on 30 October 1943 in Moscow by the United States, the United Kingdom, the Soviet Union and the Republic of

⁴⁵ ILO. International Labour Conference, Record of proceedings, [7th Session](#), Geneva, 1925; vol. 1, the first and second parts, p. 889.

⁴⁶ The International Federation of League of Nations Societies was founded in 1919 and comprised societies in countries member of the League of Nations, societies in nonmember States and associations of emigrants from several countries like Ukraine, Georgia, and Russia.

⁴⁷ Les conditions du travail en U.R.S.S: mémoire de l'Association Ukrainienne pour la Société des Nations. Paris, Imprimerie de Navarre, 1932, p. 8.

⁴⁸ ILO. International Labour Conference, Record of proceedings, [17th Session](#), 1933, p. 681.

⁴⁹ Ibid..

⁵⁰ The ILO archives, file No. RL 60-5-1, 1956.

⁵¹ ILO. Governing Body, Minutes, [135th Session](#), Geneva, 31 May and 1 June 1957, pp. 75–76.

China, the Governments of the four countries declared that they “recognize the necessity of establishing at the earliest practicable date a general international organization, based on the principle of the sovereign equality of all peace-loving states, and open to membership by all such states, large and small, for maintenance of international peace and security”⁵².

Later, at the Tehran Conference (28 November–1 December 1943) Roosevelt and Stalin privately discussed the composition of the United Nations. Roosevelt also outlined for Stalin his vision of the proposed organization.⁵³

Soon after these two meetings, the Soviet leaders, in anticipation of establishing the new world organization, decided to amend the Constitution of the USSR in order to granting all 16 constituent Republics the missing legal essentials of statehood and sovereignty: the constitutional authority to engage in diplomatic relations, conclude international agreements and create national military formations.⁵⁴ The Soviet parliament (the Verkhovnyi Soviet) adopted the amendments on 1 February 1944.⁵⁵

The appropriate constitutional amendments were adopted by all Soviet Republics.

The Ukrainian Parliament (the Verkhovna Rada) adopted the amendments on 4 March 1944 and established the People’s Commissariat of Foreign Affairs of the Ukrainian SSR.⁵⁶

One of the reasons of this constitutional reform was, as future events would show, to request for membership for all Soviet republics in the proposed United Nations and, therefore, to grant additional votes to the Soviet Union in the organization.

When in August-October 1944 representatives of the United States, the United Kingdom, the Soviet Union, and the Republic of China met at a conference in Dumbarton Oaks (Washington D.C.) to prepare recommendations for the structure of the new world organization, the Soviet representative proposed that all republics of the Soviet Union should have individual membership and voting rights. The United States and the Great Britain strongly opposed this proposal.⁵⁷

Later on, as a compromise, at the Crimea Conference (Yalta, 4–11 February 1945) the U.S. President Franklin D. Roosevelt and British Prime Minister Winston Churchill decided that “when the conference on world organization is held, the delegates of the United Kingdom and the United States of America will support a proposal to admit to original membership two Soviet Socialist Republics, i.e., the Ukraine and White Russia (Byelorussia)”.⁵⁸ This decision was announced by Mr V. Molotov, the Soviet foreign minister and the

⁵² [The Moscow Conference](#); October 1943. Yale Law School. Lillian Goldman Law Library. The Avalon Project: Documents in Law, History and Diplomacy.

⁵³ [The Tehran Conference, 1943. Milestones: 1937-1945](#). US Department of State. Office of the Historian.

⁵⁴ Asaturian, Vernon V., *The Union Republics in Soviet Diplomacy: a study of Soviet federalism in the service of Soviet foreign policy*. Genève, Librairie E. Droz, 1960. (Publication de l’Institut Universitaire de Haute Etudes Internationales: No. 36), pp. 15–17.

⁵⁵ Сборник законов СССР и указов Президиума Верховного Совета СССР. 1938-1975. т. 1 (Сборник законов СССР в четырех томах), сс. 51-53.

⁵⁶ Головченко В. Україна — держава-співзасновник ООН. – Вісник Українського національного університету. Міжнародні відносини. 2012, 38/39, с.12-19.

⁵⁷ Correspondence between the Chairperson of the Council of Ministers of the USSR and the Presidents of the USA and the Prime Ministers of Great Britain during the Great Patriotic War of 1941–1945, [Vol. 2: Correspondence with Franklin D. Roosevelt and Harry S. Truman \(August 1941–December 1945\)](#), p. 149–150. See also: Sawczuk K. The Ukraine in the United Nations Organization. Study in Soviet foreign policy, 1944–1950. NY, London, 1975 (Eastern European Monographs, No. IX), pp. 3–11.

⁵⁸ Documents of the United Nations Conference on International Organization, San Francisco, 1945. 1–22 volumes. New York, United Nations information organizations, 1945. Vol. 5, p. 90.

Head of the USSR delegation at the United Nations Conference on International Organization held in San Francisco (April 25–June 26, 1945). Mr Molotov, speaking at the meeting of the Executive Committee of the Conference, proposed that the delegates should support the decision of the Crimea Conference. Both the U.S. and U.K. delegates supported this proposal. Mr Stettinius, the U.S. Secretary of States, said that in conformity with the agreement reached at the Crimea Conference, the United States Delegation endorsed the Soviet proposal for the admission of the Ukrainian and Byelorussian Republics as original members of the International Organization. He also pointed out that in reaching this agreement President Roosevelt had felt, and the United States still felt, that the importance of the Ukrainian and Byelorussian Republics in the Soviet Union and the sufferings which they had undergone in the war, as well, as their contribution to the war, fully justified their admission to the Organization. Despite some Western countries' objections that the Soviet republics were not independent countries, the Committee recommended that both the Ukrainian and Byelorussian Soviet Socialist Republics be invited to be initial members of the proposed International Organization and be permitted to take their seats at the Conference.

The recommendation of the Executive Committee was approved unanimously at the fifth plenary Session of the Conference on 30 April 1945.⁵⁹

The Ukrainian delegation participated actively in the work of the Conference. Mr Dmytro Manuilsky, People's Commissar for Foreign Affairs and Head of the Ukrainian delegation was elected chairperson of Committee I/1 which dealt with the questions of preamble, purposes, and principles of the Charter of the future International Organization.

In the course of the Conference, the Ukrainian delegation submitted an amendment to Chapter 9 (Article 55) of the United Nations Charter concerning the promotion of the "right to work".⁶⁰ Despite the fact that the proposal was not adopted, this move was an attempt to put in economic terms some of the fundamental rights and freedoms to which the Charter had referenced.⁶¹

On 26 June, the representatives of fifty countries, including Ukraine, signed the United Nations Charter. Two month later, on 26 August 1945, the Ukrainian SSR ratified the Charter.⁶²

Soon after the World War II, the Ukrainian SSR had the right to enter the ILO as founding member of the United Nations. However, at that time the Soviet Union criticised the activity of the ILO and opposed any relationship with the Organization, considering it as a part of the defunct League of Nations.

The above attitude was disclosed in the process of preparatory work to reform the ILO in 1944. For this purpose, it was decided to convene an ILO General Conference in April 1944 in Philadelphia (USA). The USA government invited the USSR to participate in the work of the Conference. The Soviet Union declined this invitation and explained its position in a letter to the US Ambassador in the USSR in the following terms: "The International Labour Organization, being an institution of the League of Nations, comes under the latter's political and administrative control. Since for some time past the Soviet Union has not been in relationship with the League of Nations, the Soviet Government does not find it

⁵⁹ Ibid., vol. 1, pp. 168, 344.

⁶⁰ Ibid., vol. 3, p. 633; vol. 10. p. 27.

⁶¹ Finer, H., *The United Nations Economic and Social Council*. Washington, D.C., World peace foundation, 1946, p. 89.

⁶² More on the admission of the Ukrainian SSR to the UN in: Sawczuk, K., *The Ukraine in the United Nations Organization. Study in the Soviet foreign policy 1944–1950*. New York, London, 1975, pp. 33–48.

possible for Soviet representatives to attend the conference to be convened by the International Labour Organization. Moreover, the Soviet Government holds that the said International Organization lacks the authority needed to fulfil the tasks arising from international cooperation in the sphere of labour, a matter which in present circumstances calls for more democratic forms of organization of international cooperation in that sphere."⁶³

Despite the personal effort of the President F. Roosevelt to convince the Soviet leader Joseph Stalin to send a Soviet delegation to the ILO Conference in Philadelphia, the Soviet side maintained its view by affirming that the Soviet Union cannot send representatives to the Conference for the reasons set forth in the letter to the US Ambassador in the USSR and, by adding, "because the Soviet trade unions are opposed to participation in it, and the Soviet Government cannot but take account of the opinion of the trade unions".⁶⁴

The ILO also attempted to invite the Soviet Union to the work of the Conference in Philadelphia. After the 91st Session of the Governing Body (London, 16–20 December 1943), which decided that the next 26th regular Session of the International Labour Conference should take place in 1944 in Philadelphia, the Chairperson of the Governing Body, accompanied by the Assistant Director of the Office, verbally informed the Ambassador of the USSR in London of the message of the Governing Body and transmitted to him an *aide-mémoire*, dated 21 December 1943, in the following terms: "The Governing Body of the International Labour Office has asked the Chairperson, Mr Goodrich, and the Acting Director of the ILO, Mr Edward Phelan, to make the following communication to the representatives of the Union of Soviet Socialist Republics:

"The Governing Body unanimously expresses the hope that the Union of Soviet Socialist Republics will participate in the 26th Session of the International Labour Conference as a Member of the International Labour Organization with the same rights and obligations as the other Members of the Organization, and unanimously decides that in the event of the USSR resuming participation in the International Labour Organization, the place at present vacant among the 8 States of chief industrial importance will be allotted to the USSR."⁶⁵

The Soviet Union did not reply to this invitation.

Publicly the official attitude of the USSR to the ILO and its Conference in Philadelphia was made known in the Soviet newspaper *Izvestia*.⁶⁶

The Soviet Union also showed its opposition to the ILO during the San Francisco Conference when it objected to an amendment proposed by the United Kingdom to mention the ILO specifically in the United Nations Charter and reserved its position regarding a decision to include in the rapporteur's report a statement of recognizing that the ILO would be one of the specialized agencies brought into relationship with the UN.⁶⁷

The position of the Soviet Union and, accordingly, that of the Ukrainian SSR with regard to the ILO did not change even when the ILO became the first United Nations specialized agency after signing the "Agreement between the United Nations and International Labour Organization" in May 1946.

⁶³ Correspondence between the Chairperson of the Council of Ministers of the USSR and the Presidents of the USA and the Prime Ministers of Great Britain during the Great Patriotic War of 1941–1945, Vol. 2: *Correspondence with Franklin D. Roosevelt and Harry S. Truman (August 1941–December 1945)*, p. 282.

⁶⁴ *Ibid.* pp. 126–127.

⁶⁵ ILO. Governing Body, Minutes, Private Sitzings, 92nd Session, Philadelphia, 22 April–4 May 1944, p. 4.

⁶⁶ К конференции Международной Организации Труда: "Известия", 25 апреля 1944 г.

⁶⁷ Documents of the United Nations Conference on International Organization, San Francisco, 1945, 1–16 volumes. New York, United Nations information organizations, 1945. Vol. 10, pp. 40, 171.

Moreover, the hostility and negative attitude to the ILO was growing. For example, a memorandum on the establishment and activity of the system of international organization prepared by the Ministry of foreign affairs of the Ukrainian SSR in 1949, described the ILO as “a demagogic and reactionary organization which currently performed only technical functions in the field of national and international labour policy” and under cover of which “secret service agents from the USA and Great Britain render “assistance” to different governments”.⁶⁸

Attacks on the ILO were also continuing at the international level.

In the course of discussion of the Report of the International Labour Organization, submitted to the United Nations at the 7th Session of the UN Economic and Social Council (19 July–28 August 1948), the Soviet representative stated that although the Organization had been in existence for nearly 30 years it had achieved little or nothing where Workers were concerned. According to him, the Organization was ineffective and did not promote the purposes of democracy or of international cooperation. At this meeting the Soviet delegation presented a draft resolution concerning the ILO. The resolution called for restructuring the Organization and recommended that the Members of the United Nations who were also members of the International Labour Organization should take steps to extend the representation of Workers up to half in the composition of the Conference and the Governing Body.⁶⁹ The resolution was rejected by 11 votes to three, with three abstentions.⁷⁰

Soon after political changes in the USSR following the death of Joseph Stalin in March 1953, the tough Soviet position regarding the ILO softened. In November 1953, the USSR made an attempt to become a member of the ILO, but on its own conditions. On 4 November 1953, the Legation of the USSR in Switzerland informed the ILO Director-General David Morse that the USSR accepted the obligations of the ILO Constitution with some reservations.

In its communication, the Legation stated that the Soviet Union “will not consider itself bound by the provisions” of paragraphs 1 and 2 of Article 37 of the ILO Constitution and that “as regards the jurisdiction of the International Court, the Soviet Union will maintain the position that it has adopted hitherto, namely that for reference of any dispute to the International Court or any tribunal for decision the consent of all parties to the dispute is essential in each individual case”.⁷¹

The Legation stated further that “the Government of the Union of Soviet Socialist Republics reserves its position in relation to all decisions taken by the International Labour Organization prior to the Soviet Union’s acceptance, in accordance with the present letter, of the obligations of the Constitution of the International Labour Organization”.⁷²

The USSR Government also expressed the hope that the ILO would soon modify its structure to increase the representation of Workers in the organization.

⁶⁸ Центральний державний архів Жовтневої революції і соціалістичного будівництва УРСР. МЗС Української РСР (політичний відділ), 1949, номер справи 215, с. 7.

⁶⁹ UN Economic and Social Council. Official records; Annex: Third year, Seventh Session, 1948, p. 275.

⁷⁰ UN Economic and Social Council. Official records; Third year, Seventh Session, 19 July–28 August 1948, p. 503.

⁷¹ ILO. *Official Bulletin*, 1954, vol. 37, No. 7, p. 229.

⁷² Ibid., p. 229

In its reply to the Legation of the USSR in Switzerland, the ILO Director-General noted that the ILO Constitution “makes no provisions for membership on the basis of incomplete acceptance of its obligations”.⁷³

Thus, the USSR, the Ukrainian and Byelorussian SSR did not have any other options to become members of the ILO than to accept obligations of the ILO Constitution.

⁷³ Ibid., p. 230.

Chapter 2

Entry of the Ukrainian SSR into the ILO and the relationship between Ukraine and the ILO in the Soviet period, 1954–1991

Following the official requests for admission to the International Labour Organization made by the USSR on 24 April 1954 and a resumed membership of the ILO on 26 April 1954¹, and by the Byelorussian SSR on 28 April 1954², the appropriate application for admission to the ILO was made by the Ukrainian SSR. In his letter to the ILO Director-General dated 30 April 1954, Mr A.M. Baranovski, Minister of Foreign Affairs of the Ukrainian SSR, informed that the Government of the Ukrainian SSR made decision to accept the obligations of the ILO Constitution and requested the Director-General to consider his letter as the formal acceptance by the Ukrainian SSR of the obligations of the ILO Constitution. In his reply dated 12 May 1954, the ILO Director-General, Mr David A. Morse, acknowledged receipt of the letter and on 12 May 1954, the Ukrainian SSR became a member of the International Labour Organization in virtue of Article 1, paragraph 3, of the ILO Constitution, which reads: “Any original member of the United Nations and any State admitted to membership of the United Nations by a decision of the General Assembly in accordance with the provisions of the Charter may become a Member of the International Labour Organization by communicating to the Director-General of the International Labour Office its formal acceptance of the obligations of the Constitution of the International Labour Organization”.

Participation of the Ukrainian tripartite delegation in the work of the 37th Session of the International Labour Conference (June 1954) marked the beginning of the official relationship between Ukraine and the International Labour Organization.

In the Soviet period, this relationship evolved and strengthened mainly by means of participation of the Ukrainian delegations in the work of the ILO Conference, the Governing Body (GB), Industrial Committees and other ILO meetings as well as through the ratification and application of the ILO Conventions. Although Ukraine was not involved in the ILO technical programmes in this period, the ILO recruited a few Ukrainian nationals as experts to work on the ILO projects implementation in developing countries.³

It should be noted that the delegations of Ukraine worked in the ILO in close cooperation with the delegations of the Soviet Union and Byelorussia and also in the collaboration with the delegations of socialist countries of Eastern Europe: Albania, Bulgaria, Czechoslovakia, Hungary, Poland and, later, Romania.⁴ These nine countries formed a bloc of socialist states in the Organization.

The present chapter comprises the following four sections.

The first section, *Participation of Ukrainian delegations in the Sessions of the International Labour Conference, the Governing Body and other ILO meetings*, describes the issues raised by the Ukrainian delegates at the Sessions of the ILO Conference with the focus on employers' questions, proposals to reform the ILO structure, political and ideological issues and resolutions submitted by the Ukrainian delegates etc.

¹ The USSR originally became a Member of the International Labour Organization in 1934 in virtue of its admission to the League of Nations and remained a Member until it ceased to be a Member of the League in 1939.

² The country became an ILO member on 12 May 1954.

³ See the chapter “Ukrainians in the ILO” of this volume.

⁴ Romania rejoined the ILO in 1956.

The second section, *Ratification and application of the ILO Conventions, 1954-1991*, discusses the ratification and application of the ILO Conventions by Ukraine.

The third section, *Financial contribution to the ILO, 1954-1990*, analyses the evolution of the assessed contributions of Ukraine to the ILO budget and summarises the payments of financial contributions by Ukraine during the Soviet period.

The fourth section, *Visit of the ILO Director-General Mr David Morse to Kiev (6–8 April 1958)*, describes the events that took place during that historical visit, including the meetings with the representatives of the Government, trade unions and directors of enterprises.

Participation of Ukrainian delegations in the Sessions of the International Labour Conference, the Governing Body and other ILO meetings

International Labour Conference

Beginning from the 37th Session (2–24 June 1954) of the International Labour Conference, the first ILC after the Ukrainian SSR's entry to the ILO, its delegations were present at all Sessions of the ILC. Ukrainian delegates took part in the discussions of all items of the Conference's agenda. Often these discussions developed into confrontations with delegations from Western countries and the Employers' and the Workers' groups of the Conference. The Soviet official newspaper *Izvestia*, describing the atmosphere at the 37th Session of the Conference, wrote "the appearance in the ILO of delegations from the Soviet Union, and from the Ukrainian and Byelorussian Republics has caused uneasiness among the bosses of this Organization. Mr Waline, spokesman for French capitalist monopolies, used the forum to for shouts about the "invasion by seven Communist countries" of the ILO. The Englishman Snedden, who thinks the "Communists want to size" the ILO, echoed him". The newspaper continued "this hysteria among representatives of big capitalist monopolies is explained by the fact that the Soviet Union's participation has introduced a current of fresh air into the stuffy atmosphere of the ILO, where, for decades, bosses of big monopolies and their supporters, the right-wing leaders of reformist trade unions, have reigned".⁵

Employers' issue

The main controversial issue which came up already at the first Sessions of the Conference, in which the Ukrainian delegates took part, was a question of employers' representation in delegations of the socialist countries.

In accordance with the ILO Constitution, the Member States' delegations to the Sessions of the International Labour Conference have a tripartite structure. They are composed of two government delegates, one Employers' delegate and one Workers' delegate, accompanied as necessary by technical advisers. Employers' and Workers' delegates are appointed in agreement with the Workers' and Employers' organizations respectively. Every delegate has the same rights.

The governments', Employers' and Workers' delegates and their advisers constitute respectively the Government, Employers and Workers' groups of the Conference. According to the Standing Orders of the International Labour Conference, each group at its official meeting elects a Chairperson, at least one Vice-Chairperson, a Secretary and makes the

⁵ *Известия*, 1954 г., 12 июня, с. 3.

nominations for a Vice-President of the Conference, members of the Selection Committee and members of other committees of the Conference.

At the 37th Session of the Conference an objection to the nomination of the Ukrainian Employers' delegate and adviser as well as to the Employers' delegations of other socialist countries (USSR, Bulgaria, Byelorussia, Czechoslovakia, Hungary, and Poland) were lodged by Mr Waline, Employers' delegate from France on behalf of the Employers' delegate of 31 countries. In a letter presented to the Credentials Committee, Mr Waline justified his objections claiming that the Employers' delegates from the socialist countries did not represent employers in the sense of the ILO's tripartite structure.⁶ The Credentials Committee considered this objection receivable under Article 26, paragraph 4 (c) of the Standing Orders

All members of the Credentials Committee agreed that the delegates and advisers of the seven socialist countries were the directors or otherwise connected with individual enterprises in their respective countries and, as such, they performed the executive and managerial functions and responsibilities, which correspond to those normally exercised by employers in other economic systems. The main issue before the Committee was whether under the Constitution of the ILO, a Government with a fully nationalised economy was entitled to nominate persons in management positions as delegates and advisers representing the employers of their country, and, accordingly, whether such nominations, when duly made, were valid under the Constitution of the ILO. The Credentials Committee did not reach a unanimous decision on this issue. It was decided to submit to the Conference two reports: a minority report dealing with the arguments used by the Employers' delegates who lodged objections against the credentials of Employers' delegates from socialist countries and a majority report introducing the argument and conclusions made by the majority of the Committee, composed of the Chairperson and the Workers' member arguing that the nominations of the Employers' delegates in question were valid under the Constitution.

The **majority report** briefly recollected the history of the question.

The problem of Employers' representation came up soon after the entry of the USSR into the ILO in 1934. The first time this issue was raised in 1936 at the 21st (Maritime) Session of International Labour Conference (October 1936). Mr F. Odfjell, Norwegian Employers' delegate and Chairperson of the Employers' (Shipowners') Group, sent a letter to the President of the 21st Session of the Conference, in which, on behalf of his Group, he drew the attention of the President to the appointment of Mr Kaouline as Employers' delegate of the USSR and who, as it was described in the official credentials, occupied the post of the "Chief of the Central Shipping Department of People's Water Transport Commissariat of the USSR". Mr F. Odfjell asked whether this post complied with the criterion commonly applied to the concept "employer", both in the spirit and the letter of the constitution of the ILO and whether Mr Kaouline's functions were not identical with posts held by other delegates or advisers to the Conference from other countries who were included in the Government delegations of these other countries. Mr F. Odfjell also stated in his letter that, so far as the shipowners' representatives were aware, the Soviet Employers' delegate had been nominated by the unilateral act of the Government and no employers or Employers' organizations had been consulted. Mr F. Odfjell and the Employers' group of the Conference did not lodge a formal objection to Mr Kaouline's credentials but suggested that the "Conference should refer this matter to the Governing Body for study by any means available to the

⁶ ILO. International Labour Conference, Record of proceedings, [37th Session](#), Geneva, 1954, p. 433.

Governing Body or the Organization, and that a Report should be submitted to the next ordinary Session of the Conference”.⁷

The Governing Body, in turn, instructed the Office to prepare a report on the constitutional aspects of the problem. The note entitled *Examination of the qualifications of the Employers’ representatives at the Conference (Interpretation of the paragraph 1 of the Article 3 of the Constitution of the Organization)* was submitted by the Office to the Governing Body at its 78th Session (February 1937).⁸

The main conclusion of the note was the following: “The qualifications which govern the choice of an Employers’ delegate may vary at different times and in different places. They are inevitably dependent upon the form of the social regime which exists in any given country. The Worker who benefits by the activities of the International Labour Organization has almost always an employer. No provision requires that this employer should be a private individual. The State may undertake that duty, and there seems to be no question that in such a case it is the State which should appoint the employer for whose collaboration the Constitution of the International Labour Organization has formally provided.

In the light of these considerations it seems obvious that the appointment of an employer of the Union of Soviet Socialist Republics in the person of Mr Kaouline was a proper application both of general principles and of the text of the Constitution. It must be added that in the opinion of the Office that appointment was far from being an infraction of the Constitution of the International Labour Organization. On the contrary, it appears to the Office to have been a proof of the desire of the Union of Soviet Socialist Republics to give its collaboration a character which was completely and absolutely in conformity with the rules laid down in the Constitution”.⁹

After the consideration of the note at its 79th Session (May 1937) the Governing Body decided that the note, together with the minutes of the discussion which had taken place, would be kept among the records and could be made use of again if the question were brought up on a future occasion.¹⁰

The issue emerged again at the 23rd Session of the ILC (June 1937). On behalf of the Employers’ Group at the Conference, its Chairperson Mr Oersted lodged an objection against credentials of Mr Nicolas Andreev, Employers’ delegate (delegate of the economic organizations), who, according to the Employers group, had been nominated in violation of the Article 3 of the ILO Constitution.

In a letter to the Credentials Committee Mr Oersted stated “The person nominated by the Government of the Union of Soviet Socialist Republics under the title "Delegate of the Economic Organizations (Employers’ Delegate)" is really a representative of the Government of the Union of Soviet Socialist Republics, to which he is responsible and from which he receives formal instructions. Thus, from the point of view of votes, an unwarranted preponderance would be given to the Government of the Union of Soviet Socialist Republics”.¹¹ The letter asserted that this nomination violated fundamentally the ILO Constitution

⁷ ILO. Governing Body, Minutes, [77th Session](#), Geneva, 12–14 November 1936, pp. 204–205.

⁸ ILO. Governing Body, Minutes, [78th Session](#), Geneva, 4–6 February 1937, pp. 160–163.

⁹ Ibid., p. 163.

¹⁰ ILO. Governing Body, Minutes, [79th Session](#), Geneva, 6–8 May 1937, p. 40.

¹¹ ILO. International Labour Conference, Record of proceedings, [23rd Session](#), Geneva, 1937, p. 550.

and affected the tripartite basis of the ILO. The Employers' group suggested that the Conference should request the Governing Body to bring the question before the Permanent Court of International Justice at The Hague.

A memorandum in support of the objection raised by the Employers' Group was also sent to the Credentials Committee. In his reply to this objection, the government delegate of the USSR Mr B. Markus declared the protest of the Employers' group unjustified and explained that the economic foundation of the USSR (as stated by Article 4 of the Soviet Constitution) was the socialist system of economy and the socialist ownership of the implements and means of production established as a result of the liquidation of the capitalist system of economy, the abolition of private ownership of the implements and means of production. Accordingly, in the Soviet Union, in virtue of the Constitution, the management of industrial undertakings was vested in economic organizations represented at the 23rd Session of the International Labour Conference by Mr N. Andreev, Director of the Textile Factory "Trekhgornaia Manufaktura" in Moscow. The functions of these organizations include in particular the negotiation and application of collective agreements, the determination of wage conditions, and the recruitment and dismissal of employees. Further, these organizations were responsible for the observance of the laws relating to the protection of labour. Consequently, the nomination of a representative of these organizations constitutes the only way in which the USSR can send a complete Delegation to the International Labour Conference, like all other States, as the Union has unquestionably the right to do.

On the recommendation of the Credentials Committee, the Conference decided that the letter from the Employers' Group and the reply of the Government Delegate of the USSR should be referred to the Governing Body for a thorough examination of the problems raised, and the adoption of any measures which the Governing Body may consider appropriate or necessary.¹²

The Governing Body at its 81st Session (October 1937) referred this issue to its Standing Orders Committee, which rejected the proposal of the Employers' group that the question of the validity of the nomination of the Soviet Employers' delegate be submitted to the Permanent Court of International Justice. The Committee also decided to propose to the Governing Body that the Office should be requested to prepare for the next Session of the Governing Body a short report for transmission to the Conference. The Governing Body at its 82nd Session (February 1938) adopted this proposal.¹³ The draft report prepared by the Office was adopted at the 83rd Session of the Governing Body (April 1938) and was then submitted to the 24th Session of the Conference (June 1938) which took note of it.¹⁴

The majority report also disclosed certain proposals, which were submitted at the 27th Session of the ILC which took place in Paris (October–November 1945) and at the Conference Delegation on Constitutional Questions (January–February 1946) to amend the Constitution of the ILO by modifying the composition of the delegations to the Conference. The majority of the Committee maintained that "a decision to refuse to admit to the Conference persons duly nominated by their Governments as representative of employers solely on the ground that the Member States concerned have a socialised economy would, in effect, constitute an unwarranted interpretation of the Constitution of the ILO as presently written. In practical application, where a socialised economy exists, the person nominated as representative of the employers should be chosen from amongst persons whose functions most

¹² Ibid., p. 468.

¹³ ILO. Governing Body, Minutes, [82nd Session](#), Geneva, 3–5 February 1938, p. 72.

¹⁴ ILO. International Labour Conference, Record of proceedings, [24th Session](#), Geneva, 1938, p. 322.

closely correspond to those of an employer in countries in which the means of production are privately owned”¹⁵.

The majority report concluded that the objections lodged against the nomination of the Employers’ delegates of the Ukrainian SSR and other socialist countries were not well founded.

The arguments used by the Employers’ delegates in *the minority report* were as follows: the Employers’ delegates from socialist countries do not represent interests in any way different from those of the Government; they were really no more than state officials entrusted by the State with the management of a factory and, accordingly, they were in no way employers within the meaning of the ILO Constitution.

As a result of voting, the minority report was rejected (75 for, 105 against and 26 abstentions) and the Employers’ delegates and advisers from seven socialist countries, including Ukraine, were admitted to the Conference.¹⁶

At the same time the Selection Committee recommended that Employers' delegates or advisers from seven countries Bulgaria, Byelorussia, Czechoslovakia, Hungary, Poland, the Soviet Union and the Ukraine should "be given seats as deputy members" on various committees. The Selection Committee had made this recommendation on a request of the Employers' delegates of these countries, who had relied on article 9(d) of the Standing Orders of the Conference, which provides that "if a delegate has not been nominated by his group to sit on any committee, he may bring the matter to the notice of the Selection Committee, which shall have power to place him on one or more committees, enlarging the number of members of such committee or committees accordingly". The proposal of the Selection Committee was adopted by 109 votes to 68, with 21 abstentions.¹⁷

The Employers’ group at the 38th Session of the Conference (1955) decided not to lodge a formal challenge to the credentials of Employers’ delegates of Ukraine as well as Albania, Czechoslovakia, Byelorussia, Bulgaria, Hungary, Poland and U.S.S.R, but they confirmed that their view with regard to the credentials of the Employers' delegates of these countries remained the same, namely, that these appointments were contrary to the tripartite principle on which the ILO was based.

In a letter addressed to the President of the Conference by Mr Waline, Employers' delegate, France, it was stated that that “the free employers cannot, and will not, accept the so-called Employers' representatives from the above countries as being any more than additions to, or as being distinguishable from, the Government delegations of these countries. The free Employers, therefore, completely dissociate themselves from them, and shall in practice do all in their power to prevent their recognition as Employers' representatives at this Conference”.¹⁸

As a proof of this statement, Employers’ delegates from Western countries refused to nominate the Ukrainian Employers’ delegate and Employer representatives of other socialist countries as regular members of the Conference Committees on the ground that they were not free employers. After examining these cases the Selection Committee recommended the Conference to give deputy membership to Employers' representatives of Alba-

¹⁵ ILO. International Labour Conference, Record of proceedings, [37th Session](#), Geneva, 1954, pp. 436–437.

¹⁶ Ibid., pp. 341–342.

¹⁷ Ibid., p. 82.

¹⁸ ILO. International Labour Conference, Record of proceedings, [38th Session](#), Geneva, 1955, p. 689.

nia, Byelorussia, Bulgaria, Czechoslovakia, Hungary, Poland, Ukraine, USSR on those committees in which they wished to take part in the capacity of regular members. The Selection Committee's proposal was adopted by 92 votes to 49, with 66 abstentions.¹⁹ As a result of this decision, the United States Employers' member withdrew from the Committee on Penal Sanction in view of the nomination of Mr Volik, the Employers' delegate of the Ukraine as an Employers' deputy member.

In view of the fact that the majority of the Employers' group continued to consider the Employers' delegates of the Ukrainian SSR, USSR, Byelorussian SSR as well as the Employers' delegates of other Eastern European countries as Government agents and not as Employers' representatives nominated according to the ILO Constitution, the Workers' group of the Governing Body at its 127th Session (November 1954) submitted the proposal "that the Governing Body establish a tripartite committee, whose terms of reference shall be to examine article 3, paragraph of the Constitution, which provides for the appointment of Workers' and Employers' representatives, and to make proposals for such amendments as would ensure that Workers' and Employers' representatives could only be appointed after nomination by organizations of Workers and Employers which are free and independent of their governments".²⁰

After discussing the proposal of the Workers' group (it was supported by the Employers and opposed by the Government delegates) the Governing Body decided at its 128th Session (March 1955) to prepare a report regarding the extent of the freedom of Employers' and Workers' organizations from government domination or control in the ILO Member States.²¹

For this purpose, a committee was set up, consisted of three independent experts headed by Lord McNair, former President of the International Court of Justice, and former member of the Committee of Experts on the Application of Conventions and Recommendations. In preparation of the report, the Committee decided that it should include a series of monographs containing information made available to the Committee in respect of each of the Member countries. Each government had been given an opportunity of commenting on the monograph relating to it. A very short draft of the monograph relating to the Ukrainian SSR, which incorporated certain preliminary information provided by the Ukrainian Government in reply to the Committee's questionnaire was also published. The monograph stated that "there do not appear to be any Employers' organizations in the traditional sense of the term on Soviet territory, including that of the Ukraine. All economic activities are nationalised and are under the direct control of the public authorities"²². As regards the trade union system in the Ukrainian SSR, including the system of industrial relations in general, the monograph asserted that this system did not appear to differ to any considerable extent from that applied in the other Republics making up the Soviet Union and that the essential features of this system was set out in the monograph on the USSR.

No observations concerning the monograph on the Ukrainian SSR had been received from the Ukrainian Government. Instead, Ukraine expressed its agreement with the comments of the Government of the USSR concerning the monograph relating to the USSR, which was incorporated in that monograph.

¹⁹ Ibid., p. 46.

²⁰ ILO. Governing Body, Minutes, [127th Session](#), Rome, 16–19 November 1954, p. 125.

²¹ ILO. Governing Body, Minutes, [128th Session](#), Geneva, 1–4 March 1955, pp. 58–59.

²² ILO. Governing Body, 131st Session, Geneva, 6–10 March 1956. Seventh item of the agenda. Report of the Committee on Freedom of Employers' and Workers' Organizations. Appendix II: Monographs relating to States Members of the Organization. Supplement, p. 293.

The McNair Committee report, based on the information supplied by the Member States (observations on the draft monographs, responses to the Committee's questionnaire, information concerning the relevant laws and regulations of each country), was submitted to the 131st Session of the Governing Body (March 1956). Before considering the content of the report, the Governing Body decided to present it to the 39th Session of the Conference (June 1956) for an exchange of views on the subject. The discussion of the Report at the Conference and then at the 133rd Session of the Governing Body (November 1956) revealed that the majority of delegates were against the amendments to the Constitution based on the conclusions of the Report. Only the Employers' group insisted on the revision of the Constitution and presented at the 133rd Session of the Governing Body the following proposal: "The Governing Body decides to place on the agenda of the 1957 Session of the International Labour Conference the amendment of article 3, paragraph 5, of the Constitution so as to ensure that Worker and Employer representatives can only be appointed after nomination by organizations of Workers and Employers which are free and independent of their governments". The proposal was rejected by 29 votes to 11.²³

The Ukrainian representatives had not taken part in the discussion of the McNair Report.

Although the McNair Report did provide the basis for a constitutional amendment, its conclusions contributed to the development of the concept of tripartism.²⁴

Among the outcomes of the discussions of the McNair Report were two specific proposals which were approved by the Governing Body: the proposal concerning the ILO machinery dealing with freedom of association questions and the proposal relating to the improvement of the practical methods of working of the International Labour Conference.

With regard to the issue of freedom of association, the Governing Body at its 138th Session (March 1958) adopted a proposal of the Workers' group to set up new machinery designed to increase the effectiveness, with which the ILO could deal with the problem of promoting respect for freedom of association. The proposal envisaged conducting a continuing general objective international survey of the facts relating to freedom of association and for an appreciation of the factual situation and problems in the different countries taking into account of the political, economic, social and human rights factors bearing upon freedom of association. During the 42nd Session of the International Labour Conference (June 1958) the Governments of two countries, the USA and the USSR, invited the Office to send a study mission to their countries to carry out such factual on-the-spot surveys. For conducting factual surveys, a new unit in the Office, a Freedom of Association Survey Division was set up on 1 January 1959. After conducting a survey in the USA (March–June 1959), a mission for the same purpose was sent to the USSR in August–October 1959 (an additional visit within the framework of this mission was paid to the Soviet Union in August 1960). The mission was composed of members of the Freedom of Association Survey Division and it was headed by Mr John Price, Chief of the Division and Special Assistant to the Director-General.

The programme of the mission included a visit to the Ukrainian SSR at the invitation of its Government. During the visit to Ukraine, the Mission discussed the legal situation, the

²³ ILO. Governing Body, Minutes, [133rd Session](#), Geneva, 20–24 November 1956, p. 33.

²⁴ Ghebali, V–Y. *The International Labour Organization: a case study on the evolution of U.N. specialized agencies*. Dordrecht, Martinus Nijhoff, 1988. (International organization and the evolution of world society, No. 3), pp. 128–129.

constitution, structure and functions of the trade unions with the chairperson and other representatives of the trade union council for the whole republic, as well as with representatives of management and the trade unions in individual plants.

The members of the Mission visited Kiev and the Kiev region, Odessa and the Crimea (Yalta). In addition to factories and other industrial undertakings, the Mission saw a state farm at Terezino in the Kiev region and a collective farm near Simferopol in the Crimea. The results of the survey, on freedom of association in the USSR, including Ukraine, were published in a report.²⁵

As it was mentioned earlier, another consequence of the McNair Report was the proposal to improve the ILC's practical methods of working. For the elaboration of this proposal a committee under the chairpersonship of Mr Ago (representative of the Government of Italy on the Governing Body) was set up by the Governing Body at its 138th Session (March 1958). The Committee considered, among other issues, the role, and composition of the Conference committees and the problem of participation of employers from socialist countries in the work of the committees on equal basis with employers from other countries.

The necessity of settling this problem was dictated by the continuing practice of the Employers' group of the Conference to refuse socialist employers a regular membership in the committees. For instance, the 39th Session of the Conference (6–28 June 1956), following the line of the previous Session, adopted the Selection Committee's recommendation that the Employers' delegates of eight Eastern European countries, including the Ukrainian SSR, who had not been proposed by their group for membership of any committee, should sit as deputy members on the committees of their choosing, i.e. normally without the right to vote. The same decision was adopted at the next 40th Session (6–28 June 1957). The situation had become worse when the 42nd Session of the ILC (4–26 June 1958) adopted a recommendation of the Selection Committee not to give any seats (as full or as deputy members) on four Conference committees to Employers' delegates and one Employers' adviser from socialist countries of Eastern Europe.²⁶

In order to overcome difficulties associated with the nomination of members of Conference committees, including Employers' members from socialist countries, the Committee under the chairpersonship of Mr Ago worked out certain proposals on this issue which were adopted by the Governing Body and submitted to the 43rd Session of the ILC (3–25 June 1959).

These proposals were the part of a series of suggestions presented in the report of the Committee on the improvement of the practical methods of working of the International Labour Conference.²⁷

The proposals reaffirmed the principle of equality of all members of the Conference and offered a new approach to the membership of committees: all members of a group who ask to take part in the work of a Conference committee would automatically be given a seat on that committee, but the group as a whole would then decide which members of the committee would have the right to vote, the committee thus being divided into a voting and a non-voting section. The proposals also included the right to appeal against decision of the

²⁵ [Trade union situation in the U.S.S.R.](#), report of a mission from the International Labour Office. Geneva, ILO, 1960.

After discussing the experience of the Surveys (they were carried out, besides the USA and the USSR, in the UK, Sweden, Asia and Malaya), the Governing Body at its 154th Session (March 1963) decided to discontinue the factual survey of freedom of association in different countries.

²⁶ ILO. International Labour Conference, Record of proceedings, [42nd Session](#), Geneva, 1958, p. 158.

²⁷ ILO. Governing Body, Minutes, [141st Session](#), Geneva, 10–13 March 1959, pp. 40–53; 64–70.

group by establishing an Appeals Board of three persons to whom the Conference would delegate part of its sovereign rights. These persons would be nominated prior to each Session of the Conference by the Governing Body from a panel of five independent persons appointed by the Conference for a period of five years; decisions taken by the board would be final, and in no case, would more than two delegates be added to the voting section of any one committee. In the course of discussions, the employers from the Western countries (the “free employers”) considered the proposals as inexpedient or unacceptable. At the same time, Mr S.G. Volik, Ukrainian Employers’ delegate and Employers’ and government delegates from USSR, Poland and Bulgaria spoke in the favour of the proposals, which they felt would at long last help to eliminate discrimination against the managers of socialist undertakings. The Ukrainian Government delegate considered that such proposals were not a complete solution of the problem but accepted them as a compromise.

The Ukrainian delegation voted in favour of the proposals.²⁸ The proposals were adopted by the Conference on 8 June 1959 by 137 votes to 113, with 12 abstentions. Based on this decision the Governing Body designated the Appeals Board on 10 June 1959 from the panel of independent persons appointed by the Conference on 10 June 1959. The Chairperson of the Appeals Board was Mr E. F. Sandstrom, former justice of the Supreme Court of Sweden. Members were Sir Hector Hetherington, Vice-Chancellor and Principal of the University of Glasgow, and Mr K. Vellodi, Indian Ambassador to Switzerland.

During this Session of the Conference, the Appeals Board for the first time considered the requests concerning the composition of Conference committees submitted to the President of the Conference by the Employers’ delegates of Ukraine as well as Employers’ delegates from Albania, Byelorussia, Bulgaria, Hungary, Poland, Rumania, the USSR and Yugoslavia.

The Appeals Board took the decision to place all of the appellants on the voting sections of Conference technical committees.

According to this decision, Mr Volik, Ukrainian Employers’ delegate, was added to the voting section of the Committee on Fishermen.²⁹ Despite the protests of the Employers’ group, at the next eight Sessions of the Conference (1960–1967), the Appeal Board took similar decisions and Employers’ delegates of Ukraine and the Employers’ delegates of other socialist countries took part in the work of Conference committees as voting members.

In 1968, at the 52nd Session of the Conference the Chairperson of the Employers’ Group, Mr Waline, announced that the Group decided, on an experimental basis, to change its procedure concerning the composition of the technical committees of the Conference. The Group determined that the names of those who wish to be voting members of these committees should simply be transmitted by the Group to the Selection Committee and, accordingly, there would be no need for a vote in the Employers’ group any more to elect the voting members of committees. The Group believed that this new attitude would allow to better take into account different national situations in the work of the Conference and it would contribute to improving the atmosphere of the Conference, excluding political controversy.³⁰ This decision of the Employers’ group was adopted by the Conference and consequently on June 1968, the Appeals Board noted with satisfaction that for the first time since its establishment in 1959, no appeal had been submitted to it that year.³¹

²⁸ ILO. International Labour Conference, Record of proceedings, [43rd Session](#), Geneva, 1959, p. 113.

²⁹ Ibid., p. 774.

³⁰ ILO. International Labour Conference, Record of proceedings, [52nd Session](#), Geneva, 1968, p. 13.

³¹ Ibid., p. 685.

According to this decision of the Employers' group, beginning from 1968 Ukrainian Employers' delegates, who were directors of public industrial enterprises, had the right to choose the Conference committees and become their regular members.

This move of the Employers' group contributed to improving the atmosphere of the Conference, but, of course, not entirely solved the problem of representation of employers from the Ukrainian SSR and other socialist countries in the ILO structure, including the Governing Body.³²

The "employers' question" disappeared from the ILO's agenda towards the end of the 1990s after transition of the socialist countries of Eastern Europe and the Republics of the former Soviet Union to the market. These global events confirmed once more the fact that "independent Employers and trade unions can only exist in market economies based on pluralist, and consequently, private ownership".³³

The first Ukrainian Employers' organization called the Ukrainian Union of Industrialists and Entrepreneurs of Ukraine was founded on 15 February 1992 soon after the Parliament declared Ukraine's independence on 24 August 1991. Currently there are two major Employers' organizations in the country: the Federation of Employers of Ukraine (founded in 2002), which represents the interests of the Ukrainian Employers in the ILO and is a member of the International Organisation of Employers (IOE) and the Confederation of Employers of Ukraine (founded in 2006).

Constitutional questions and the ILO structure

The structure of the Organization, the role, power and functions of its major organs were raised by the Ukrainian Government delegation for the first time at the 46th Session of the Conference (1962). During the discussion of the Director-General's Report, Mr Buvailik, Government member delegate, stated that the ILO, if it wished to be responsive to the economic and social changes in the world, should adapt its organizational structure and its working methods. Considering the role and functions of the General Conference and the Governing Body, he argued that the General Conference as the supreme organ had only partial influence on the activities of the Organization and, in fact, the policy and activity of the Organization were determined by the Governing Body which, did not even report to the Conference on its activities.³⁴ The Ukrainian Government representative found such a practice abnormal. Recalling that in the present Constitution there was a description of the functions of the Office and the functions of the Director-General, but there was no a definition of the functions of the executive organ, the Governing Body, the Ukrainian Government delegate proposed that the rights and obligations of the Governing Body should be clearly stated and consolidated in the Constitution. Taking this into account, the Government delegates of Ukraine and of the Polish People's Republic were prompted to submit to the Conference a resolution concerning the placing on the agenda of the next ILC's Session an item

³² In 1982 an attempt was made to reach an agreement on the issue (the "Briki formula"); see more: Osieke, E. *Constitutional law and practice in the International Labour Organization*. Dordrecht: Martinus Nijhoff Publishers, 1985, pp. 132–135.

³³ Myrdal, H-G. "The ILO in the cross-fire: would it survive the social clause?" in *International labour standards and economic interdependence*. Edit by Werner Sengenberger and Duncan Cambell. Geneva: International Institute of Labour Studies, 1994, p. 341.

³⁴ ILO. International Labour Conference, Record of proceedings, [46th Session](#), Geneva, 1962, pp.73-75.

The question on regular reporting of the Governing Body to the Conference, was discussed by the Committee on Structure at the 60th (1975) and 61st (1976) Sessions of the Conference and on its recommendations the amendments to the Standing Orders of the Governing Body and the International Labour Conference was adopted by the 63rd Session (1977). Beginning from its 64th Session (1978) the Conference discusses every year the report of the Governing Body on its work and the Report of the Director-General of the International Labour Office on the activities of the Organization.

tending to modify and complete the part of the Constitution of the ILO which deals with the definition of the functions of the Governing Body and its relationship to the General Conference.³⁵

At this Session of the Conference, the Ukrainian Government delegation took another initiative relating to the composition of the Governing Body and, more specific, to the fair representation in the Governing Body of all geographical regions and all social and economic systems. The Session considered and accepted a proposal to increase the number of members of the Governing Body from 40 to 48 members by adopting an amendment to the Article 7 of the ILO Constitution. The Ukrainian Government delegate, discussing the Report of the Committee on the amendment of Article 7 of the Constitution, expressed his satisfaction with the proposed changes and argued that the question of the number of members of the Governing Body and the question of the methods for filling these places were closely connected. He asserted that changing the number of members of the Governing Body was only half of the job, only half a step forward and urged the Conference to take a full step, establishing proper representation in the Governing Body.³⁶ In this connection, the Government delegation of Ukraine submitted to the Committee on the amendment of Article 7 a resolution concerning more complete participation in the Governing Body by the Member States of the International Labour Organization situated in the different areas of the world and representing different socio-economic systems. This move of the Ukrainian Government delegation was supported by the delegations of socialist countries but was rejected by the Committee.³⁷

Meanwhile the question of the adaptation of the ILO programme and structure to the changes, which took place in the world, was becoming more and more pressing within the Organization. Starting with the 47th Session (1963), this issue was on the agenda of the Conference and the Governing Body. In 1963 and 1964, the Director-General submitted to the Conference a report on this subject. At the 47th Session (1963), the Ukrainian Government delegation presented its concrete and detailed proposals to improve the activities of the ILO as a whole and to enhance the authority and the role of the General Conference as the main and most representative body of the International Labour Organization. Ukraine proposed to include in the ILO Constitution a new Article determining the competence of the General Conference and the functions of the Governing Body. The proposed Article reads:

1. The Conference shall be competent:

- (1) to admit new Members;
- (2) to elect the Director-General;
- (3) to approve the agenda of regular Sessions of the Conference;
- (4) to approve the programme of activities of the Organization;
- (5) to amend the Constitution;
- (6) to determine the ten Member States of chief industrial importance for the Governing Body;
- (7) to elect the Governing Body;
- (8) to approve the budget of the Organization;
- (9) to adopt and revise Conventions and Recommendations;

³⁵ See a chapter *Resolutions submitted by the Ukrainian delegations* in this volume.

³⁶ ILO. International Labour Conference, Record of proceedings, [46th Session](#), Geneva, 1962, pp. 206-208.

³⁷ See a chapter *Resolutions submitted by the Ukrainian delegations* in this volume

- (10) to examine annual and special reports of the Governing Body and to frame instructions to the Governing Body for its future activities;
- (11) to decide on the location of the International Labour Office;
- (12) to approve recruitment regulations for the staff of the Office;
- (13) to approve regulations governing the powers, functions and procedure of regional institutions and Conferences;
- (14) to discuss any questions which it considers necessary.

2. The Governing Body shall have the following functions:

- (1) to act as the executive body of the ILO;
- (2) between Sessions of the General Conference, to conduct the activities of the ILO in accordance with instructions issued by the Conference;
- (3) in general, to conduct the work of the Office and of the various committees and commissions;
- (4) to prepare the working programme of the Organization and to submit it at specified intervals for approval by the Conference;
- (5) to be answerable to the Conference for implementation of the programme adopted by the Conference;
- (6) to prepare for approval by the Conference the agenda for its regular Sessions;
- (7) to prepare for approval by the Conference proposals concerning the budget of the Organization;
- (8) to supervise expenditure of the funds of the Organization;
- (9) to decide where the General Conference shall be convened;
- (10) to prepare for approval by the Conference regulations fixing the powers, functions and procedure of regional institutions and Conferences;
- (11) to decide the periodicity and form of reports by Member States on ratified and unratified Conventions;
- (12) to determine the ten Member States of chief industrial importance with a view to their selection for the Governing Body by the General Conference;
- (13) to report on its activities to the General Conference.

The Ukrainian Government delegation also suggested that the ILO must have a clearly delineated programme of activities for five or more years.³⁸

During the discussion of the Director-General's report on the same subject at the 48th Session of the Conference (1964), the Ukrainian Government representative renewed his delegation's proposal to introduce into ILO practice a long-term planning of the activities of the Organization. He stated that in his Government's view the Governing Body should be able to plan the activities of the Organization for five or perhaps ten years ahead, which would permit rational financial planning and budgeting ahead over a similar period.³⁹ Regarding the structure of the ILO, the government delegation of Ukraine together with the government delegation of Poland submitted again the resolution on equitable geographical distribution of basic elective posts of the General Conference and the Governing Body.⁴⁰

³⁸ ILO. International Labour Conference, Record of proceedings, [47th Session](#), Geneva, 1963, pp. 295–297.

³⁹ ILO. International Labour Conference, Record of proceedings, [48th Session](#), Geneva, 1964, pp. 277–278, 631.

⁴⁰ See a chapter Resolutions submitted by the Ukrainian delegations in this volume.

Some suggestions on the ILO structure and amendments to the ILO Constitution were expressed by the Workers' and Employers' delegates of Ukraine.⁴¹

After discussing this report, the Conference at its 48th Session (1964) adopted a resolution concerning the programme and structure of the ILO. The Resolution invited the Governing Body to request the Director-General to prepare a report analysing all the proposals submitted, to transmit this report to all Member States and Employers' and Workers' organizations and to request them to express their views on the proposals made. The Governing Body was also requested to consider the implementation of such proposals as may be within its competence, and to consider submission of proposals that lay within the competence of the Conference to one or more of its future Sessions.

In order to give effect to this resolution, the Governing Body established a Working Party on the Programme and Structure of the ILO, which first met in February 1965. During the period between 1965 and 1968, the Working Party prepared and transmitted its reports to the Conference at its Sessions in 1965, 1966, 1967 and 1968. Some recommendations made by the Governing Body to the Conference based on the Working Party's reports were introduced in the ILO activities.⁴²

In 1969, the Conference considered the reports of the Working Party on the Programme and Structure of the ILO submitted to the Conference by the Governing Body and adopted a number of conclusions proposed by its Committee on Programme and Structure concerning the programme of the ILO.

With regard to the ILO structure, the Committee on the Programme and Structure was not ready to make any recommendations on the subject. Instead, the Committee identified three major and important issues concerning the structure ((a) the composition of the Governing Body including the relationship between elective and non-elective seats and the relationship between the Employers' group and socialised management not represented as such therein; (b) whether the Conference should play some part in confirming the appointment of the Director-General; and (c) the composition of meetings of experts and advisory panels established by the Governing Body), which were regarded as of major and urgent importance and sent them to the Governing Body for consideration. These issues were examined by the Working Party set up by the Governing Body and its Report was submitted to the 54th Session of the Conference (1970).

The Committee on Structure, appointed by the Conference, noted that of three issues mentioned above, the Governing Body had reached agreement on the third one only, i.e. that the composition of meetings of experts and advisory panels established by the Governing Body. This proposal was endorsed by the Committee.

In the general discussion of the question of structure, the Ukrainian Government delegate, member of the Committee on Structure⁴³, expressed disappointment about the Working Party's failure to make any worthwhile recommendation on the other two issues. He drew attention to a resolution, which his Government and that of Poland had submitted to the Conference some years ago. That text recommended that the principle of geographical rotation should be applied in elections to the presidency of the Conference and the chairpersonship of the Governing Body and that the principle of fair geographical distribution should be applied to the membership of the Employers' and Workers' groups on the basis of a fixed

⁴¹ ILO. International Labour Conference, Record of proceedings, [48th Session](#), Geneva, 1964, pp. 73, 105.

⁴² Structure of the ILO. International Labour Conference, 59th Session, 1974, [Report IX](#), pp. 1–2.

⁴³ Ukrainian Government representatives participated in the work of the Committee on Structure during the all period of its existence between 1970 and 1986.

number of seats for each region. He believed that the Conference would give careful attention to the principles underlying those proposals. He also stated that in the opinion of the Government of the Ukraine, the question of the equal rights of the representatives of managers of undertakings in Socialist countries, who were only able to represent Socialist economies, should be solved on the basis of the proposed principle of regional representation at the elections to the Governing Body, in particular with respect to the Workers' and Employers' groups.⁴⁴

At the next the 56th Session of the Conference (1971), Ukraine, together with the Soviet Union, all socialist countries and a number of other ILO Member States called for a revision of the programme and structure of the ILO in order to adapt it to changing world conditions and to provide for these changes to be taken into account in the activities of the ILO. The Ukrainian Government representative asserted that Ukraine, as one of the founder Members of the United Nations, consistently defended the principle of universality, which in the view of the Ukrainian delegation should be recognised in the ILO as well. He said that the Ukrainian delegation strived to achieve a comprehensive settlement of the long-outstanding structural problems of the Organization and he believed that the foundation for this should consist in the criterion of an equitable geographical distribution for all of the groups represented in the ILO.

The Ukrainian Government delegate repeated again his country's proposal made a year before in the Committee on Structure: to take, as the foundation for settling the question of equality of rights for directors of socialist enterprises, the principle of representation by regions of the world in connection with elections to the Governing Body for the Workers' and Employers' groups.⁴⁵

In 1973, in the accordance with the decision of the Conference, Ukraine together with other ILO Member States communicated to the ILO Director-General for consideration the opinions and proposals related to the question of the structure and order of priority in the accordance with the decision of the Conference. The proposals were recorded in the report *Structure of the ILO* submitted to the 59th Session of the Conference.⁴⁶ The Government of Ukraine called for "immediate and radical solution " of questions of the structure and asserted that "if the ILO genuinely desires to be equal to its constitutional aims and the tasks facing it in the contemporary world, it must resolutely and finally abandon such forms of action as discrimination against the representatives of directors of socialist enterprises and the heads of state enterprises, and violation of the principles of equitable geographical distribution".⁴⁷ The Ukrainian Government also called for the rotation of elective posts in the ILO bodies and changes in the resolutions procedure of the Conference, referring to the "anti-democratic procedure for consideration of resolutions relating to matters not included in an item on the agenda".⁴⁸

Concerning the order of priority for consideration of the questions of structure, the Ukrainian Government suggested that they should be based on a note submitted to the Committee on Structure at the 58th Session by the Government member of the USSR. The topics listed therein were as follows:

1. Representation of Member States in all bodies of the ILO:

⁴⁴ ILO. International Labour Conference, Record of proceedings, [54th Session](#), Geneva, 1970, p. 565.

⁴⁵ ILO. International Labour Conference, Record of proceedings, [56th Session](#), Geneva, 1971, p. 518.

⁴⁶ Structure of the ILO. International Labour Conference, 59th Session, 1974, [Report IX](#).

⁴⁷ Ibid.,, p. 44.

⁴⁸ Ibid.,, p. 72.

- (a) representation of socialised management in the Conference;
- (b) representation of socialised management in the Governing Body;
- (c) composition of the Workers' group of the Governing Body;
- (d) composition of the Governing Body: geographical distribution and elective and non-elective seats;
- (e) selection of staff for the Office;
- (f) composition of Industrial Committees;
- (g) composition of meetings;
- (h) rotation of elective posts.

2. Role of the Conference and the Governing Body:

- (a) appointment of the Director-General;
- (b) fixing the Conference agenda;
- (c) primacy;
- (d) resolutions procedure;
- (e) rules of procedure.

3. Role of the Director-General and the Office.⁴⁹

At this Session, the Ukrainian Government representative in the Committee on Structure, discussing the procedure of fixing the Conference agenda spoke in favour of enabling the Conference to fix its own agenda. He pointed out that under the existing procedure the Conference agenda was fixed in November two years in advance, and it was not possible for the Organization to keep abreast of developments of interest to the ILO in the world, or to deal with urgent problems.⁵⁰

Ukraine also coordinated its efforts in fostering the ILO structural reform with other countries. Thus, the Ukrainian delegation together with the delegations of eight socialist countries submitted to this Session of the Conference a Memorandum containing their proposals on the democratisation of the structure of the ILO. The socialist countries emphasised the need for a comprehensive approach to reform the ILO's structure, as opposed to a piecemeal approach. The main features of that Memorandum were presented to the Conference by the Government delegate from Hungary.⁵¹

In spite of all attempts to reach an agreement on the questions of structure at this Session, the opinions on these issues were sharply divided, and on the recommendation of the Committee on Structure, the Conference decided to set up a tripartite working party, composing of members appointed by the Conference and members appointed by the Governing Body, to pursue these questions as urgently as possible with a view to reaching conclusions.

The discussion of the ILO structure at the Sessions of the Conference and the Governing Body was continuing until 1986. In this year, the Conference at its 72nd Session adopted an Instrument for the Amendment of the Constitution of the International Labour Organization, which proposed changes that affected 11 of the 40 Articles within the Constitution of the International Labour Organization in four main areas: the composition and governance of the Governing Body of the Office; the procedure for appointment of the Director-

⁴⁹ ILO. International Labour Conference, Record of proceedings, [59th Session](#), Geneva, 1974, pp. 24-25.

⁵⁰ Ibid., p. 592.

⁵¹ Ibid., pp. 91-94.

General; voting at the International Labour Conference; and, rules governing how the Constitution may be amended.⁵² The 1986 Amendment has not entered into force until now, because it has not yet been ratified or accepted by two-thirds of ILO Member States, including at least five of the 10 Members of chief industrial importance.⁵³

Political and ideological issues

Participation of Ukrainian delegations in the ILC Sessions until 1991 was very frequently accompanied by political and ideological debates.

One of the issues raised by Ukrainian delegates in the course of the Conference debates was the improvement of international relations and strengthening of peace in the world. During the discussion of the Director-General's Report at the 38th Session of the ILC (1955), the Ukrainian Government delegate noted that in his opinion the Report did not give sufficient attention to the struggle for peace. Therefore, he suggested that the ILO could and should make its contribution to that struggle and create favourable conditions for a peaceful life of all people. In this connection, the Ukrainian delegations actively supported the resolutions on disarmament submitted by the Soviet Government delegations. Beginning in 1955, the disarmament resolutions had been discussed at the four consecutive Sessions of the ILC. Because of these discussions, three resolutions were adopted by the ILC in 1955, 1956 and 1957. The fourth resolution was rejected by the Conference Resolutions Committee in 1958. Many ILC participants including Workers' and Employers' delegations were against discussion of such issues in the Organization, considering them as political propaganda and arguing that the questions of disarmament were outside the mandate of the ILO and these matters should be considered by the UN.⁵⁴

Following the admission of the Soviet Union, Ukraine and Byelorussia to the ILO, their representatives and representatives of other socialist countries introduced in the discussions at the Conference the term "class struggle" thereby breathing new life into the Marxist doctrine of class warfare.⁵⁵

Contrary to a spirit of tripartism and cooperation between Workers and employers promoted by the ILO, the Workers' delegates from the socialist countries claimed that in the capitalist countries class struggle between the Workers and capitalists intensified.

This group of countries considered all issues of labour relations, which discussed in the ILO from that perspective. Thus, in the course of discussion at the 44th Session of the ILC (1960) of the proposed Recommendation concerning Consultation and Cooperation between Public Authorities and Employers' and Workers' Organizations at the Industrial and National Levels, delegations of the socialist countries, including Ukraine, voted against Paragraph 4, which envisaged that "such consultation and cooperation should have the general objective of promoting mutual understanding and good relations between public authorities and Employers' and Workers' organizations, as well as between these organizations, with a view to developing the economy as a whole or individual branches thereof, improving conditions of work and raising standards of living". The socialist countries also abstained on

⁵² ILO. International Labour Conference, Record of proceedings, [72nd Session](#), Geneva, 1986, pp. L-LV.

⁵³ See more information on this at the [ILO website](#).

⁵⁴ Since 1959 the debate on the matters of this kind were limited as a result of the amendments to the Standing Orders of the Conference adopted by the 43rd Session of the ILC which changed the procedure of considering whether a resolution, relating to matters not included in an item on the agenda, was within the competence of the Organization or whether its adoption was expedient.

⁵⁵ Fessard, G. « Lutte de classes à L'Organisation Internationale du Travail », in *Etudes*, 93e année, tome 304. Paris, 1960, pp. 41-59.

Subparagraph (1) of Paragraph 1 and later, when the whole Recommendation was put to the vote.

Explaining the reasons of such position, the Worker's representative from the USSR stated that the socialist countries supported the specific steps that were included in the Recommendation for the participation of Workers' organizations in solving questions, which affect their vital interests and that the holding of bilateral or trilateral consultations could be used advantageously under certain conditions by Workers' organizations in order to obtain concessions from the employers or improvement of legislation in labour matters. He also pointed out that the success of such consultations was regarded by the representatives of socialist countries not as an element of class cooperation but as a positive result of the successes achieved by the Workers in their struggle for their economic and social rights.⁵⁶

Critical remarks concerning the cooperation between Workers and employers in the Western countries and an emphasis on the growing class struggle were common in speeches of the Workers' representatives from the socialist countries.

During the discussion of the Director-General Report at the 49th Session of ILC, an Ukrainian delegate argued that it would be wrong and absurd for the ILO to profess and seek to impose a sort of an idyllic policy of "cooperation" between the Workers and the capitalists, when the cost of living, consumer prices and rents were rising in many countries, the monopolies were attacking the rights of the working class, and when tens of millions of Workers were on strikes.⁵⁷

Compared to this, representatives of the socialist countries asserted that the situation in this respect in their countries was quite different. Speaking in the debate on the Director-General's Report entitled *Prosperity for welfare* at the 58th Session (1973), the Ukrainian Workers' delegate said that such problems as the most abject poverty, famine, unemployment, the education crisis that so much was said about in the Report, and which really existed in the capitalist world, were not relevant to the Ukrainian SSR because all these problems had long been resolved in his country.⁵⁸

This approach to describe the social and economic achievements in their countries and to make unfavourable comparisons with the situation in the capitalist countries was frequently used by the Ukrainian delegates and delegates of other socialist countries in the discussions at the Conference.⁵⁹

Political and ideological confrontations between the delegations of the Western European and socialist countries were often sharp and intransigent, especially at the first Sessions of the Conference following the entry of the Soviet Union, Ukraine and Byelorussia in the ILO. Representatives of the capitalist countries, and first of all, Employers' delegates blamed the delegations from the socialist bloc for propaganda and attempts to destroy the Organization. In order to emphasize the absence of freedom of association in the Eastern

⁵⁶ ILO. International Labour Conference, Record of proceedings, [44th Session](#), Geneva, 1960, p. 362.

⁵⁷ ILO. International Labour Conference, Record of proceedings, [49th Session](#), Geneva, 1965, p. 103.

⁵⁸ ILO. International Labour Conference, Record of proceedings, [58th Session](#), Geneva, 1973, p. 370.

⁵⁹ Fernbach, Alfred P. Soviet coexistence strategy: a case study of experience in the International Labour Organization. Washington, D.C., Public Affairs Press, 1960.

European countries and their negative attitude to the communist ideology, Employers' delegates from capitalist countries in their speeches frequently called the Soviet Union and its allies as totalitarian countries or Iron Curtain countries.⁶⁰

The strongest critics the Soviet Union, Ukraine, Byelorussia and other socialist countries during their first membership years were Employers' delegates Mr McGrath⁶¹ (USA), Mr Waline⁶² (France) and Sir Richard Snedden⁶³ (the UK).

Speaking at the 37th Session of the Conference (1954), Mr McGrath stated that the purpose of the re-entry of the USSR into the ILO was to disrupt the Organization and to use it as a springboard for communist propaganda. He added "Unless steps are taken immediately to preserve the status of the tripartite structure of this Organization, as originally conceived and practiced for so many years, it is my intention to recommend to my Government, to my nominees, and to the employers of the United States, that they refrain in future from sending Employers' delegations to Sessions of the Conference".⁶⁴

The position of Mr McGrath was supported in his country. A resolution adopted by the Chamber of Commerce of the United States in January 1956 stated that "the ILO was being used as a propaganda forum for statism and socialism" and that "the entry of the Soviet Union and its satellites into the International Labour Organization had made a mockery of free and independent employer and Worker representation".⁶⁵ Similar resolution was adopted in February 1956 by the US National Association of Manufacturers. Both organizations questioned the further participation of the United States in the work of the ILO.

However, despite the attacks against the ILO as a response to the political and ideological confrontation with the USSR and other socialist countries within the Organization, the United States decided to continue its participation in the work of the ILO.⁶⁶

Resolutions submitted by the Ukrainian delegations

The Ukrainian delegates at the Conference Sessions took part in discussions of resolutions presented by delegates from different countries and submitted their own resolutions on various subjects. The resolutions were submitted either by the Ukrainian delegates individually, on behalf of the Ukrainian Government delegation as a whole or in co-authorship with delegates from other countries. During the period from 1954 to 2014, the Ukrainian

⁶⁰ The phrase "Iron Curtain" was first employed by the former British Prime Minister Winston Churchill in 1946 in his speech at Westminster College in Fulton, Missouri, USA, to describe the division between Western countries and countries of Eastern Europe leading by the USSR.

⁶¹ Mr William L. McGrath (1894–1975), President of the Williamson Heater Company, Cincinnati, Ohio, United States; Employer's delegate on the Governing Body from June 1954 to June 1957.

⁶² Mr Pierre Waline (1894–1980), Employers' delegate of France in the ILO from 1922 to 1974, Member of the Governing Board, National Council of French Employers (C.N.P.F.); Employer Vice-Chairperson of the Governing Body (1953–1969); President of the 56th Session of the International Labour Conference (1971).

⁶³ Sir Richard Snedden (1900–1970), British employers' delegate and Member of the Governing Body of the International Labour Office (1953–1959), Chairperson of the International Standing Committee and Member of the General Purposes Committee and Council of the British Employers' Confederation.

⁶⁴ ILO. International Labour Conference, Record of proceedings, [37th Session](#), Geneva, 1954, p. 72.

⁶⁵ The International Labour Organization: an objective summary of the history, organization and operations of the International Labour Organization, together with the arguments, pro and con, regarding continued United States participation in this agency. NY, Chamber of Commerce, 1956, pp. 18–19.

⁶⁶ Alcock A., History of the International Labour Organization, London, the Macmillan Press Ltd, 1971, pp. 300–308.

delegates submitted 21 resolutions, of which ten were adopted by the Conference after discussions and amendments.⁶⁷

The first resolution entitled **Resolution concerning the abolition of discrimination based on sex in the field of remuneration** was submitted by the Government delegates of Ukraine at the 39th Session of the Conference (1956) for consideration by the Resolutions Committee. While many members of the Committee indicated that overall, they were in favour of the principle of equal remuneration for men and women Workers for work of equal value, they stressed that the Resolution emphasised too exclusively the application of this principle by legislation without mentioning that the principle of equal remuneration could be achieved by collective bargaining. An appropriate paragraph was added to the text of the Resolution and it was adopted by the Conference on 26 June 1956 by 139 votes to 23, with 23 abstentions.⁶⁸

At the 43rd Session of the Conference (1959) Mr Slipchenko, Ukrainian Government delegate, together with Mr Chajn, Polish government delegate, submitted the **Resolution concerning participation by the ILO in the International Health and Medical Research Year**.

Presenting the resolution Mr Slipchenko, speaking on behalf of the authors, referred to the resolution adopted by the General Assembly of the United Nations at its 13th Session inviting the World Health Organization to consider the possibility of organising an International Health and Medical Research Year, preferably in 1961. He pointed out the important role which the ILO could play in this project especially by contributing to collecting and disseminating, in collaboration with the other international organizations and particularly with the World Health Organization, scientific information and experience in the fight against occupational diseases. In the course of the discussion, some amendments submitted by the Workers group were approved. The revised and amended resolution, under a title the **Resolution concerning the activities of the International Labour Organization in the field of occupational health and safety, and participation by the Organization in the proposed International Health and Medical Research Year**, was adopted unanimously by the Conference on 24 June 1959.⁶⁹

The next year, in 1960 at the 44th Session of the Conference, Mr Slipchenko, Ukrainian Government delegate, submitted the **Resolution concerning the publication work of the International Labour Office**. The Resolutions Committee considered the text expressed general agreement with the aims set out in the resolution, according to which the objective study and clarification of labour problems contributed largely to increasing mutual understanding among ILO Member States. It considered that the spreading of information concerning the regulation of living and working conditions in different countries facilitated the solution of social problems. The text was unanimously approved by the Resolutions Committee after certain amendments, and then adopted by the Conference on 20 June 1960 by 175 votes, with no abstentions.⁷⁰

At the 46th Session of the Conference (1962), the Ukrainian Government delegation submitted three different resolutions. The **Resolution concerning the steps to be taken with a view to improving the supervision of the decisions of the General Conference**

⁶⁷ Volume II of this publication includes the texts of Resolutions submitted by the Ukrainian delegates and adopted by appropriate Sessions of the International Labour Conference; It also contains the texts of Resolutions concerning Ukraine adopted by the Conference.

⁶⁸ ILO. International Labour Conference, Record of proceedings, [39th Session](#), Geneva, 1956, pp. 462–463, 757.

⁶⁹ ILO. International Labour Conference, Record of proceedings, [43rd Session](#), Geneva, 1959, pp. 584, 646–647.

⁷⁰ ILO. International Labour Conference, Record of proceedings, [44th Session](#), Geneva, 1960, p. 416.

and the other organs of the International Labour Organization was submitted by Mr Slipchenko, Ukrainian Government delegate, in co-authorship with Mr Erban, Government delegate from Czechoslovakia. Introducing the resolution on behalf of the authors, the Ukrainian Government delegate stated that their resolution was based on Article 12 of the Standing Orders of the Conference which provided that the Conference should discuss the Report submitted by the Director-General on the steps taken to give effect to the decisions of previous sessions and the results achieved. The Conference, as the supreme body of the ILO, had the right to be informed on the implementation of its decisions, but whereas procedures were laid down with regard to the supervision of the application of Conventions and Recommendations adopted by the Conference there was no regular procedure for the examination of the implementation of resolutions.

The authors of this resolution felt that to have the Director-General report regularly to the Conference on the effect given to the resolutions adopted would be the best way for it to assess the vigour and efficiency of the leadership of the Organization.

The resolution was amended and unanimously approved by the Resolutions Committee under a revised title **Resolution concerning the Implementation of the Resolutions of the General Conference** and then unanimously adopted by the Conference on 28 June 1962.⁷¹

At this Session of the Conference the Ukrainian Government delegation also presented two resolutions on a similar subject to two different Committees: the **Resolution concerning more complete participation in the Governing Body by the Member States of the International Labour Organization situated in the different areas of the world and representing different socio-economic systems** was submitted to the Committee on the Amendment of Article 7 of the Constitution, which was set up by the Conference at its fourth sitting on 7 June 1962; and the **Resolution concerning proportional geographical distribution of seats and posts in the composition of the directorate, the organs and the secretariat of the International Labour Organization** in the co-authorship with Mr Chajn, Polish government delegate, was submitted to the Resolutions Committee.

Explaining the reasons which prompted the Government delegation of Ukraine to submit the resolution to the Committee which was studying the question of increasing the membership of the Governing Body, the Ukrainian Government delegate stated that, together with increasing the membership, it was necessary to take the corresponding steps to guarantee constitutional safeguards in filling these places in order to guarantee a proportional representation of the different geographical regions and the socio-economic systems. These measures were necessary in order that States and organizations representing the various regions and socio-economic systems should be enabled to take part in the work of the Governing Body on an equal footing.⁷²

The proposed resolution called for a wider and more proportional representation in the Governing Body of governments and of organizations of Workers and employers of the countries situated in the different areas of the world and representing different social and economic systems. The resolution offered some measures to achieve this goal. After a discussion on procedure, and despite of the fact that the resolution was related to the subject on the agenda of the Committee, the Chairperson ruled that this resolution was not receivable because it went beyond the terms of reference of the Committee. He pointed out that a draft

⁷¹ ILO. International Labour Conference, Record of proceedings, [46th Session](#), Geneva, 1962, pp. 654-655.

⁷² Ibid., p.207.

resolution, couched in very similar terms, was to be discussed in the Resolutions Committee.⁷³

The **Resolution concerning proportional geographical distribution of seats and posts in the composition of the directorate, the organs and the secretariat of the International Labour Organization** submitted by Mr Slipchenko, Ukrainian Government delegate, jointly with Mr Chajn, Polish Government delegate, was discussed at the Resolutions Committee. In fact, this resolution was submitted for the second time. The resolution, with a slightly different title (**Resolution concerning equitable geographical distribution of seats and posts in the organs of the International Labour Organization**), was discussed at the previous, the 45th, Session of the Conference (1961) and, after substantial changes, was adopted by the Resolutions Committee under a new title **Resolution concerning full participation of the Member States in the work of the ILO**. At that time, the resolution was not adopted by the Conference because there was no quorum on the voting.⁷⁴

The discussion of the resolution at the Committee and then at the plenary Session of the Conference, like in the previous year, was very long and animated. The Polish government member introducing the resolution stressed that the membership of the ILO had greatly increased and its composition changed since 1919 when the ILO was established, but the organs of the ILO still reflected the situation which existed at that time. The socialist countries which had arisen after the Second World War were not adequately represented, and neither were the African countries which had recently become independent and had been admitted to membership in the ILO. According to him, it was not sufficient merely to increase the number of African Member States; what was needed was to give them an increasingly important role to play in the activities and the policy-making decisions of the Organization in order that the ILO might truly reflect the situation in the world today. He stated that it was essential to secure to all Member States full representation in the Governing Body and the Secretariat, while observing the principle of proportional distribution of seats and posts, and maintaining high standards of competence and integrity. The resolution proposed a number of measures to implement this principle.

In the course of discussion a lot of amendments were submitted and adopted. The text and the title of the resolution were changed in the same way as at the previous, 45th, Session of the Conference. Mr Slipchenko, the co-author of the resolution, said at the end of discussion that he would have to vote against the resolution as it had been revised by the Committee, because the text which he had originally proposed was so radically changed. It contained, after amendments, no new proposals and all hopes and requests expressed in the original draft had been left unresolved. The revised and amended text of the resolution entitled **Resolution concerning full participation of the Member States in the work of the ILO** was adopted by the 46th Session on 28 June 1962 by 178 votes to 45, with 15 abstentions.⁷⁵

It is worth mentioning that two more attempts were made by the Government delegates of Ukraine and Poland at the 48th and the 49th Sessions of the Conference (1964 and 1965 respectively) to consider the original text of this resolution under slightly different titles (**Resolution concerning the question of equitable geographical distribution of basic elective Offices of the General Conference and the Governing Body and equitable geographical representation in the Governing Body of the International Labour Office**

⁷³ Ibid., p.801.

⁷⁴ ILO. International Labour Conference, Record of proceedings, [45th Session](#), Geneva, 1961, p. 628.

⁷⁵ ILO. International Labour Conference, Record of proceedings, [49th Session](#), Geneva, 1965, p. 549.

and **Resolution concerning equitable geographical representation of all States Members of the International Labour Organization in its Governing Body as well as equitable geographical distribution of elective offices at sessions of the International Labour Conference and the Governing Body**). At the 48th Session (1964), this resolution was defined as not a priority one and, therefore, it was not considered by the Resolutions Committee.⁷⁶ At the 49th Session (1965), in view that the Resolutions Committee suggested that the resolution should be referred to the Governing Body Working Party on the Programme and Structure of the ILO, its authors announced withdrawal of that resolution.⁷⁷

The Government delegations of Poland and of Ukraine presented to the 46th Session of the Conference (1962) the **Resolution on the placing on the agenda of the 47th Session of an item tending to modify and complete the part of the Constitution of the ILO, which deals with the definition of the functions of the Governing Body**.

Mr Slipchenko, Ukrainian Government delegate, while introducing the resolution at the Resolutions Committee explained that its essential purpose was to define clearly in the ILO Constitution what the functions of the Governing Body were. He said that by that time some of these functions were referred to incidentally in various places in the Constitution, but nowhere were they defined as a whole, such as was the case of the Constitutions of the other major international organizations. As a result, different interpretations of the functions of the Governing Body had appeared in official documents which caused confusion. The resolution also proposed to review the relationships between the Governing Body, the Conference and the Office.⁷⁸

Mr Chajn, Polish Government delegate, who was one of the co-sponsors of the resolution, stressed that its purpose was to systematise and include in the Constitution all various rules and standards which were sanctioned by precedents and practice.

After discussion of and comments on the text of the resolution and in view of the fact that the majority members of the Committee opposed to the idea of detailed definition of functions of the Governing Body in the ILO Constitution, Mr Slipchenko declared that the authors had decided to withdraw the resolution.⁷⁹

When the relevant part of the Report of the Resolutions Committee dealing with this resolution was discussed at the plenary sitting of the Conference, Mr Slipchenko clarified again, on behalf of the authors, the reasons behind submitting the resolution. He said that the proposals included in the resolution did not in any way intrude upon the authority of the Governing Body as the executive agency of the ILO. The resolution was merely designed to have the functions of the Governing Body consolidated and laid down therein, which unfortunately was not yet clearly formulated in the Constitution.

Among issues frequently raised by the Ukrainian and Soviet Union delegations and delegations from the East European socialist countries at the sessions of the Conference, was the question of disarmament and its social and economic consequences. Thus, Mr Polyanichko, Ukrainian Government delegate, submitted to the 49th Session of the Conference (1965) the resolution entitled **Resolution concerning the carrying out by the International Labour Organization of studies of the social and economic consequences of disarmament**.

⁷⁶ ILO. International Labour Conference, Record of proceedings, [48th Session](#), Geneva, 1964, pp. 602, 617.

⁷⁷ ILO. International Labour Conference, Record of proceedings, [49th Session](#), Geneva, 1965, pp. 524–525.

⁷⁸ ILO. International Labour Conference, Record of proceedings, [46th Session](#), Geneva, 1962, pp. 656–657.

⁷⁹ Ibid., 1962, p. 658.

In presenting the resolution Mr Makhinya, another member of the Ukrainian Government delegation, recalled the various steps that had been taken to ensure that the economic and social consequences of disarmament would be the subject of studies to be carried out by specialized UN agencies and other organizations. He stressed that the ILO had a special and an important role to play in this respect. In the course of discussion the resolution received warm support from the members of the Resolutions Committee. At the proposal of the Government delegates of several countries, a reference to the work already undertaken by the ILO in studying the economic and social consequences of disarmament was included in the original text.

The Workers' members announced their full support for the resolution and pointed out that the trade union movement had long insisted that consideration should be given immediately to the social and economic changes which would follow the disarmament.

The Employers' members also supported the resolution. The resolution was adopted on 23 June 1965 by the 49th Session of the Conference.⁸⁰

At the 52nd Session of the Conference (1968) Mr Zaichuk, Ukrainian Government delegate, jointly with Mr Nagy, Hungarian Government delegate, submitted **Resolution concerning the outflow of trained specialists from developing countries**. Presenting the resolution at the Resolutions Committee, the Ukrainian Government delegate observed that, while scientific and technological progress was greatly influencing the economic and social development of many countries, trained specialists were needed, especially in the developing countries, if full advantage were to be taken from such progress.

Given that, these countries were making great efforts in training their own technical and professional staff. They were provided with assistance by industrialised countries under bilateral and multilateral assistance schemes and by international organizations, including the ILO, where special attention was made to the training of specialized staff. Yet, because of the outflow of trained personnel who accepted jobs abroad and failed to return to their own countries, the increase in the number of specialists in the developing countries had not come up to the level of the number of persons obtaining specialized training.

This outflow had two disadvantages: firstly, the developing countries were deprived of trained specialists vital to their economic and social development and, secondly, all efforts and money spent by developing countries had been for naught. Therefore, the problem of outflow called for attention of the industrialised countries and international organizations alike.

The Government member of Hungary stressed that the developing countries were incurring great expenditure of effort and money to train specialists without securing a commensurate return, as some specialists were forsaking their countries for the industrialised countries. They had to be replaced by foreign experts under United Nations and other technical cooperation schemes. The ILO was one of the organizations best qualified to deal with this problem. He also pointed out that at the national level, action should be taken by the industrialised and developing countries, but care should be taken not to infringe the rights of the individual.

The issue of the individual's freedom of movement and free choice of employment, and the interests of the community at large, was also raised by the Employers' and Workers' members of the Committee. They emphasized that the resolution should not be interpreted as infringing in any way the right of the individual to freedom of movement.

⁸⁰ ILO. International Labour Conference, Record of proceedings, [49th Session](#), Geneva, 1965, p. 440.

The Committee set up a Working Party to consider the amendments in the light of the discussion that had taken place. After examining the substance of all the amendments the Working Party prepared a revised text of the resolution under the title **Resolution concerning the outflow of trained and highly qualified personnel from developing countries** which was unanimously approved by the Committee and adopted by the 52nd Session of the Conference on 24 June 1968.⁸¹

At the 70th Session of the Conference (1984) Mr Oudovenko, Ukrainian Government delegate, jointly with the government delegates from Bulgaria, USSR, Cuba, Hungary, the German Democratic Republic and Mongolia, submitted the **Resolution concerning the establishment of a working party of the General Conference on matters related to the standard-setting activities of the International Labour Organization**. This resolution was one of the 16 resolutions submitted to the Resolutions Committee and it was not examined by the Committee because of lack of time.

For the same reason the Committee did not examine the resolution concerning the working rules of the Committee of Experts on the Application of Conventions and Recommendations, submitted by Mr Lipatov, Ukrainian Government delegate, in the co-authorship with the government delegates from several socialist countries to the 73rd Session of the Conference (1987).

As of 75th Session of the Conference (1988), several resolutions were submitted by the Ukrainian Workers' delegates. On the occasion of the 40th anniversary of the Universal Declaration of Human Rights and of the ILO Freedom of Association and Protection of the Right to Organise Convention, a **Resolution concerning the contribution of the ILO to the strengthening of respect for human and trade union rights** was presented at that Session by Mr Kovalevski, Ukrainian Workers' delegate, together with Workers' delegates from Kuwait, Bulgaria, the German Democratic Republic, Byelorussian SSR, Cuba, Czechoslovakia, Hungary and USSR.

This resolution was merged with two other resolutions on related subjects and was submitted by the Workers' group to the Resolutions Committee under a new title **Resolution concerning the role of the ILO in the strengthening of respect for human and trade union rights**.

The discussion at the Resolutions Committee was constructive but there was insufficient time to consider the amendments submitted in relation to the text, and the Committee was unable to conclude its business and reach a consensus.

For the same reason at the next 76th Session (1989), the Resolutions Committee was not able to recommend for adoption any of 15 resolutions submitted by the delegates. Among these resolutions were three resolutions submitted by the Ukrainian delegates.

Resolution concerning the 70th anniversary of the founding of the ILO and its future tasks in social and economic development was submitted by Mr Kovalevski, Workers' delegate, together with the Workers' delegates from ten other countries. (Later it was combined with another resolution on related subjects and submitted to the Resolutions Committee under the title **Resolution concerning the 70th anniversary of the ILO and strengthening of its future activities**.) Two other resolutions presented by Ukrainian delegates to this Session were: **Resolution concerning development, employment and environmental protection** submitted by Mr Kovalevski, Workers' delegate, jointly with the Workers' delegates from nine other countries, and **Resolution concerning the role of the**

⁸¹ ILO. International Labour Conference, Record of proceedings, [52nd Session](#), Geneva, 1968, p. 426.

ILO in environmental protection and employment submitted by Mr Lipatov, Ukrainian Government delegate, together with the government delegates from six socialist countries. These two resolutions were combined with another three resolutions on related subjects and submitted to the Resolutions Committee under the title **Resolution concerning environment, development and employment**.

Environmental protection was a very important issue for Ukraine in view of the seriousness of the ecological situation in the country resulting from the Chernobyl nuclear power plant accident (April 1986). Despite the failure to adopt a resolution on the environment and employment at the 76th Session of the Conference (1989) the Ukrainian Workers' and government delegates, in co-authorship with delegates from other countries, again submitted two separate resolutions on the subject to the next 77th Session (1990). These resolutions were combined with three resolutions on the related subjects, and the revised resolution under the title: **Resolution concerning environment, development, employment and the role of the ILO** was adopted by the Conference on 26 June 1990.⁸²

At this Session of the Conference the **Resolution concerning development, foreign debt, structural adjustment and the social objectives of the ILO** was submitted by a group of Workers' delegates from different countries, including Ukraine. The resolution was not adopted because the Resolutions Committee did not have time to consider it.

At the 78th Session (1991), among 12 resolutions submitted by delegates to the Resolutions Committee were three resolutions co-authored by Ukrainian delegates. The Ukrainian Workers' delegate was a co-sponsor of two resolutions: a **Resolution concerning the role of the International Labour Organization in promoting the rights and protection of migrant workers and their families** and a **Resolution concerning the role of the ILO in the development of economic and social policies during periods of structural adjustment**. The Ukrainian Government delegation, in co-authorship with government delegations from the Byelorussian SSR, Czechoslovakia, Poland and the USSR, presented a **Resolution concerning the ILO's contribution to the process of transition from centrally-planned to market-oriented economies in the countries of Central and Eastern Europe and in the strengthening of tripartite participation in the achievement of sustained economic and social progress**. The authors of this resolution, with the exception of the government delegate of Poland and authors of other three resolutions on structural adjustment and the related subjects, agreed to combine these four resolutions and submit to the Resolutions Committee a resolution under the title **Resolution concerning structural adjustment, industrial relations and economic and social development**.

After examining 36 amendments, the resolution was approved by the Committee and adopted by the Conference on 25 June 1991.⁸³

The resolution on migrant workers was combined with two resolutions on the related subject and submitted to the Resolutions Committee under a new title: **Resolution concerning the role of the ILO in the protection and promotion of the rights of migrant Workers and their families**. This resolution was not considered by the Committee due to lack of time.

⁸² ILO. International Labour Conference, Record of proceedings, [77th Session](#), Geneva, 1990, pp. 29/1, 29/29.

⁸³ ILO. International Labour Conference, Record of proceedings, [78th Session](#), Geneva, 1991, pp. 25/1–25/15; 27/26.

At the 80th Session of the Conference the Ukrainian Government delegation, jointly with the government delegations from the Russian Federation, France and Germany, submitted **Resolution concerning the social dimension of structural adjustment and the transition to a market economy**.

Introducing the resolution on behalf of all the co-authors, the government delegate of the Russian Federation observed that many countries which had launched programmes of structural adjustment and transition to a market economy were facing a number of severe problems such as hyperinflation, reduction in industrial output, unemployment and bankruptcies, which had resulted in a decrease of living standards. He stressed that the success of such reform programmes would depend largely on reconciling economic reform with social protection. It was important that the governments with active participation of social partners should adopt measures aimed at attenuating the negative consequences of these programmes, especially for the more vulnerable sections of society. The ILO could help in creating appropriate systems of social protection in the countries concerned and should reinforce its cooperation with the international financial institutions (e.g. IMF, World Bank, EBRD) so that their programmes take into account the need for social protection. In addition, the ILO should take a leading role in the preparation, discussion and follow-up of the World Summit for Social Development which should take place in March 1995 in Copenhagen.

Three more resolutions on the related subjects were submitted by the Workers' delegates from different countries (**Resolution concerning the contribution of the ILO to social protection during periods of transition and structural adjustment, Resolution concerning social security, and Resolution concerning the struggle against poverty, exclusion and marginalization**).

The texts of the above resolutions were combined by their authors. The merged text was entitled **Resolution concerning social protection and the alleviation of unemployment and poverty, and the social dimension of structural adjustment and transition to a market economy**.

During the general discussion at the Resolutions Committee, some 70 amendments were submitted. Both the Workers' and the Employers' members of the Committee supported the resolution and its text was adopted unanimously, and without voting, by the Committee. The Resolution was adopted by the Conference on 21 June 1993.⁸⁴

Resolution concerning Ukraine

During the period from 1954 to 1991 the ILO Conference adopted one resolution that, *inter alia*, concerned Ukraine: **Resolution concerning the financial contributions of the Union of Soviet Socialist Republics, the Ukrainian Soviet Socialist Republic and the Byelorussian Soviet Socialist Republic to the Expenses of the International Labour Organization for the Financial Years 1954 and 1955**. The resolution was adopted by the 37th Session of the Conference (1954), and assessed the rate of financial contributions of Ukraine, Byelorussia and the USSR to the ILO budget for two years.⁸⁵

Ukrainian delegates as officers of the Conference

Since the admission to the ILO, the following five Ukrainian Government delegates nominated by the Government group were elected as Vice-Presidents of the International Labour Conference:

⁸⁴ ILO. International Labour Conference, Record of proceedings, [80th Session](#), Geneva, 1993, p. 28/26.

⁸⁵ ILO. International Labour Conference, Record of proceedings, [37th Session](#), Geneva, 1954, p. 403.

Mr Sergei Slipchenko, Deputy Minister of Foreign Affairs, Government delegate was elected the Vice-President of the 47th Session (1963); and was also elected Vice-Chairperson of the Government group at the 41st (maritime) and the 42nd Sessions of the Conference (1958);

Mr Vladimir Martynenko, Deputy Minister of Foreign Affairs, Government delegate was elected Vice-President of the 57th Session (1972);

Mr Vladimir Khalapsin, Vice-Chairperson of the State Committee for Planning, Government member was elected Vice-President of the 62nd (maritime) Session of the Conference (1976);

Mr Gennadi Oudovenko, Deputy Minister of Foreign Affairs, Government delegate was elected Vice-President of the 67th Session (1981);

Mr Valentine Lipatov, Deputy Minister of Foreign Affairs, Government delegate was elected Vice-President of the 73rd Session (1987);

Mr Sergei Slipchenko, Deputy Minister of Foreign Affairs of Ukraine and the Government delegate to the ILO since 1957, was elected as Vice-President of the 47th Session of the International Labour Conference (1963) by nomination of the Government group.

The other two Vice-Presidents, Mr T. H. Robinson, Employers' delegate from Canada, and Mr Rudolph Faupl, Workers' delegate from the United States, were elected from the Employers' and Workers' groups of the Conference accordingly.

Mr Joseph Johnson, Federal Minister of Labour of Nigeria and Government delegate, was elected President of that Conference. On 18 June, following the resignation of Mr Johnson, the Conference elected Mr E. Dreyer (Government delegate, Denmark) as President of the Conference for the remainder of the Session.

The Session was held in Geneva from 5 to 26 June 1963. When the Session opened on 5 June, the membership of the Organization had increased to the record figure of 108 countries as a result of recent entry of Algeria, Burundi, Jamaica, Rwanda, Trinidad and Tobago, and Uganda. In total, these 102 Member States were represented at the Conference by 1,087 delegates and their advisers. Ukraine was represented by the delegation consisting of eight members: two Government delegates and three Government advisers, one Employers' delegate, one Workers' delegate and one Workers' adviser.

The Conference started its work from the discussion of the ILO Director-General' Report which was devoted to the subject of the programme and structure of the Organization.

However, very soon the discussion of the Report and the normal work of the Session were disrupted by the issue of the participation of the delegation of the Republic of South Africa in the Conference.⁸⁶ The presence at the Session of the delegation of the Republic of South Africa was contested by delegates from Africa and other countries who referred to the resolution adopted by the 45th Session of the Conference in 1961. This resolution called for the withdrawal of the Republic of South Africa from membership of the International Labour Organization, on the grounds of the apartheid policy practised by the Government of the Republic. The Government of South Africa had not complied with this resolution, considering the request to withdraw from the membership unconstitutional. The delegation of the Republic took part in the 46th Session (1962) and was not going to withdraw from the current 47th Session.

⁸⁶ Because the discussion of the Report was interrupted by the debate over the question of South Africa, the Director-General decided to present the same report before the Conference at its 48th Session (1964).

Mr Johnson, President of this Session and the author of the 1961 resolution, left the sittings when the South Africa question was discussed. The three Vice-Presidents replaced him and presided in rotation at the plenary sittings.

The tension at the Session began during the discussion of the Director-General's Report at the tenth plenary sitting on 12 June 1963. Mr Slipchenko presided over this sitting. After the first speaker at the sitting (Mr Letts, Government delegate from Peru), the next on a list of speakers was Mr Hamilton, Employers' delegate from South Africa. Before calling on him, the President gave the floor to Mr Abou-Alam, Government adviser from United Arab Republic, on a point of order. Mr Abou-Alam moved a motion in accordance with article 15, paragraph 2(2)(f) of the Standing Orders, which gives the right for "a motion to ask for the opinion of the President, the Secretary-General or the Legal Adviser of the Conference ". His motion was to ask the Legal Adviser whether or not the 1961 resolution was constitutional and whether or not the presence of the delegation of the Republic of South Africa at this Conference was legal.

The Legal Adviser explained that delegates of the Republic of South Africa took part in the Conference in the previous year. In 1962, the Credentials Committee received an objection referring to the resolution of 1961 but could only take note of the presence of the delegation and examine the substance of the protest. It was not in a position to accept the objection, although it stated that it was fully aware of the situation in the country in question. He stressed that a delegation from the Republic of South Africa was taking part in the present Session of the Conference under the same conditions as last year. The Legal Adviser also explained that, since no objection had been made against the credentials of the South African Employers' delegate to the present Session of the Conference, he had, as in 1961, the right to take part in the discussion as any other delegate accredited to the Conference.

The mover of the motion, the delegates from African and many other countries, were not satisfied with the reply of the Legal Adviser.

The President reminded that any elected officer of this Conference was vested with powers on the part of the Conference itself, and the Conference was the highest body in any international organization, including the ILO. That is why any action on the part of any elected officer of any conference must be guided and prompted by the conference whose servant the elected officer was. Mr Slipchenko said that, in this difficult situation, he placed himself entirely at the disposal of the Conference.

In the circumstances, when many delegations were challenging the credentials of another delegation, the President ruled that the Conference continue the debate on this issue in order to come to a single decision. However, after one-and-a-half-hours of animated debate, in which representatives from 14 countries took part, the delegates did not reach any agreement concerning the participation of the delegation of the Republic of South Africa in the Conference, and the sitting was adjourned. Thus, the Employers' delegate from this country was not granted the floor at this sitting.

The next, the 11th sitting (14 June), resumed the discussion of the Director-General's Report. At the beginning of this sitting Mr Johnson, President of the Conference, made a statement in which he asked the permission to leave the sitting. Mr Faupl, the Workers' Vice-President took the Chair. In his statement, Mr Faupl declared that he supported the 1961 resolution and was committed to the elimination of racial discrimination in every form and wherever it may exist, but as presiding Officer he had only one duty, a duty to the whole Conference to ensure that the legal and democratic procedure of this Conference was maintained and respected in its proceedings. He said that under these circumstances, and in fulfilment of his duty as presiding Officer of the Conference, he had no choice but to rule that

Mr Hamilton, as an unchallenged delegate duly accredited to this Conference, had a right to be heard by those who wish to hear him. Despite the strong opposition of the African delegates, the acting President gave the floor the Employers' delegate of the Republic of South Africa.⁸⁷ At this moment a number of delegates from African and other countries left the sitting. In a declaration of the African delegations to the Conference, which was given to the press, Mr Faupl was blamed for his personal and anti-constitutional action. The African delegations decided as a protest to abstain from participating in the meeting.

The 12th sitting (14 June), presided by Mr Robinson, the Employers' Vice-President, took place in the absence of the delegations from Africa and other countries. Since then plenary sittings of the Conference had been suspended until 18 June.

The 13th plenary sitting was opened 18 June. Mr Slipchenko presided over the meeting. He gave the floor to Mr Johnson who officially announced his resignation as President of the Conference.⁸⁸ Mr Johnson also declared on behalf of the African delegations that the African delegations representing the Governments, the Employers and the Workers participating in the 47th Session of the ILO Conference decided "as a sign of protest to abstain from participating further in the deliberations of the 47th Session of the International Labour Conference and to address an urgent appeal to all delegates of countries pledged to freedom, justice and peace to show their active support."⁸⁹ This decision was supported by the delegations of the Arab States.

The next speaker was Mr Morse, the Secretary-General of the Conference. In his emotional and passionate speech, Mr Morse gave an account and assessment of the situation and proposed some measures in resolving, according to him, the very grave crises in the ILO recent history. He distinguished between the problem of apartheid on the one hand, and the problem of maintaining the rule of law and the right of the individual on the other. Calling racial discrimination as the enemy of the civilised world community and a challenge to the world peace, Mr Morse urged the delegates to fight this enemy with the legitimate methods. He stressed that without law there could be no respect for dignity, no civilised recognition of equal rights and equal opportunities. In view that the issue of apartheid was one by which the United Nations and the other specialized agencies, as well as the ILO, were now challenged, Mr Morse believed that the Conference should take a decisive step in responding to the challenge, and that the United Nations and the ILO, with the other organizations, work out a common policy and a common action, combining their force and their effectiveness.

In his speech, Mr Morse mentioned a resolution which had been submitted to him under the urgency provision of the Standing Orders. The resolution was sent to the Officers of the Conference for consideration. Mr Morse explained that this draft resolution would reiterate the condemnation of apartheid of the 1961 resolution and refer the situation created by South Africa's non-compliance with that resolution as a matter of urgency to the United Nations. He said that this draft resolution, which had been presented by the Government delegate of Panama on behalf of the Latin America Government group, took up one of the suggestions he made to the African delegations.

⁸⁷ As explained later in his speech before the Conference Mr Morse, the Secretary-General of the Conference and the ILO Director-General, the decision taken by Mr Faupl was in agreement with all Officers of the Conference. See: ILO. International Labour Conference, Record of proceedings, [47th Session](#), Geneva, 1963, pp. 170–171.

⁸⁸ In the end of the 13th sitting, Mr Dreyer (Government delegate, Denmark) was elected President for the remainder of the Session.

⁸⁹ ILO. International Labour Conference, Record of proceedings, [47th Session](#), Geneva, 1963, p. 168.

Later, at the same sitting, this resolution was communicated to the Conference by Mr Calamari, Government delegate from Panama. The resolution condemned the apartheid policy practised by the government of the Republic of South Africa and, in view that the United Nations Charter contains provision for the expulsion of Member States, whereas the Constitution of the International Labour Organization makes no such provision, proposed to request the General Assembly and Security Council of the United Nations to give urgent consideration to an examination of the situation that has been created by the Government of the Republic of South Africa by its failure to abandon its apartheid policy and comply with the resolutions adopted by the United Nations and by the International Labour Conference, to examine this situation in relation to the status of the Republic of South Africa as a State Member of the United Nations and to inform the International Labour Organization of the action that the United Nations decides to take in this matter.

One more resolution under the urgency procedure was submitted by Mr Bouladoux, Workers' delegate from France and called for the placing on the agenda of the 48th International Labour Conference (1964) of a proposal to give the ILO the authority to exclude completely, or temporarily, any State violating fundamental human rights. This resolution was not communicated to the delegates.

Both resolutions, before transmitting to the Selection Committee, were to be examined by all the Officers of the Conference to determine whether the resolutions be moved as a matter of urgency. Unanimity was required for a decision. The result of the meetings of the Officers concerning the resolutions was communicated by Mr, Dreyer, President of the Conference, in his statement at the 18th sitting on 21 June. He said that four meetings of the Officers were held to consider the question. The Ukrainian Government Vice-President was absent from the first of these meetings, and the second and third were adjourned at his request. At a meeting held on 20 June, the President and the Employers' and Workers' Vice-Presidents approved the moving of these resolutions. As the Ukrainian Government Vice-President judged them not as a matter of urgency, the resolutions were declared not receivable.

In the course of discussion of that statement, several Workers' and Employers' delegates and movers of resolutions expressed their disagreement with the position of the Ukrainian Government Vice-President, accusing Mr Slipchenko of an obstruction and irresponsibility.

In explaining the reasons of his voting against the resolutions, Mr Slipchenko said that the resolutions, although they were submitted under the urgency procedure, did not insist on measures which should be taken urgently, and that they did not provide a solution to the problems of eradication of apartheid.

He stressed that the 1961 resolution had been already in existence for two years, but nothing had been done to implement it. Submitting new resolutions, anaemic ones, was an attempt to avoid, under various pretexts, giving effect to the 1961 resolution. Mr Slipchenko also added that the African delegations were against the new resolutions. Mr Slipchenko, while referring to this question once more in his closing speech at the Conference, asked who were to be blamed, and said that a serious discussion on measures to improve the programme and structure of the ILO was disrupted, and many delegates were forced to leave the Conference without having been afforded an opportunity to share their views with other delegates. He said that the guilty ones were those who ignored the 1961 resolution, those who went against the unanimous demands of the African peoples, and who attempted to

save their reputations in the eyes of public opinion by substituting weak resolutions for energetic measures.⁹⁰

On 25 June, in the end of the Session, two more resolutions were considered by the Officers of the Conference under the same procedure, like two previous resolutions. One of them was a resolution submitted by the Employers' delegates on behalf of ten countries (Malaya, Ceylon, Pakistan, Cyprus, Indonesia, India, Belgium, the Netherlands, Peru and Chile). It invited the Governing Body to place on the Agenda of the 48th Session of the Conference an item related to the revision of the Constitution and of the Standing Orders that should enable the Conference either to suspend from attendance for a specified period or, through its credentials procedure, to refuse to admit a delegation nominated by any member State whose national policies were incompatible with the fundamental principles on which the International Labour Organization was based. Another resolution, submitted by the Workers' delegates from the UK, Canada and Switzerland, emphasising the abhorrence of the Conference of the apartheid policy and its conviction that no country which was responsible for such a policy should continue to participate in the ILO and its bodies, requested the Governing Body to take every possible action to carry out the mandate of the 1961 resolution. The President and the Employers' and Workers' Vice-Presidents approved the moving of these resolutions, but the Government Vice-President exercised his right to veto. Therefore, the resolutions were declared irreceivable and could not be discussed at the Conference.⁹¹

In his closing speech, Mr Slipchenko, apart from the question of the Republic of South Africa, mentioned the need of structural reform of the ILO. He said that the Ukrainian delegation, and many other delegations, was very concerned about the present situation regarding the General Conference and the Governing Body and their place in the general system of the ILO. The delegation of Ukraine was concerned by the fact that the role of the Conference had been restricted to the minimum, whereas the role and the authority of the Governing Body were being expanded all the time. He expressed his hope that a very serious discussion initiated at this Session, concerning the programme and radical reconstruction of the methods of work of the ILO, would go on and lead to a logical conclusion.

After the decision of the delegations of African countries not to take any further part in the work of the Conference, the Soviet Government delegate suggested that in the new conditions, even if any decisions taken by the Conference were legally correct, they would not be valid either from the moral point of view or in accordance with the needs and demands of the present world. He made a proposal to suspend the work of the 47th Session of the Conference until November or December 1963 and, during that period, the ILO would be in a position to meet the claims and the demands of the African countries. This motion was rejected and the Conference continued its work.⁹²

The Conference adopted the Convention concerning the Guarding of Machinery (No. 119) and Recommendation (No. 118), and the Termination of Employment Recommendation 1963 (No. 119).

The Conference also adopted the budget for the year 1964, ten resolutions and the Amendments to Articles 4, 17, 25, 55, 62 and 64 of the Standing Orders of the Conference.

⁹⁰ ILO. International Labour Conference, Record of proceedings, [47th Session](#), Geneva, 1963, p. 445.

⁹¹ Ibid., p. 412.

⁹² See more about this Session of the Conference in: Alcock A, History of the International Labour Organization. London and Basingstoke, the Macmillan Press LTD, 1971, pp. 321–332.

At this Session, Ukraine was elected to the Governing Body for the period 1963–1966 as a government deputy member.

As regards the question of the Republic of South Africa, it was in the focus of the Governing Body's activity between June 1963 and February 1964. At the next, 48th, Session of the Conference, the Governing Body submitted drafts of the Declaration on Apartheid and the ILO Programme for the Elimination of Apartheid in Labour Matters in the Republic of South Africa. The Conference adopted unanimously, and by acclamation, the proposed Declaration concerning the Policy of Apartheid of the Republic of South Africa, took note of the ILO Programme for the Elimination of Apartheid in Labour Matters in the Republic of South Africa and approved the practical recommendations contained therein.

Faced with the growing pressure of condemnation by the ILO members, the South African Government informed the Director-General on 11 March 1964 of its decision to withdraw from the ILO membership. In accordance with Article 1, par. 5 of the Constitution, the notice of withdrawal came into effect on 11 March 1966.⁹³

Mr Vladimir Nikiforovitch Martynenko, Deputy Minister of Foreign Affairs of Ukraine, Government delegate, was elected as Vice-President of the 57th Session of the Conference (1972). The other two Vice-Presidents, Mr Massud Ghayour, Employers' delegate from Iran and Mr Rudolph Faupl, Workers' delegate from the United States were elected accordingly, from the Employers' and Workers' groups of the Conference. Mr G. M. J. Veldkamp, Government delegate from Netherlands was elected the President of this Session.

The Session was held in Geneva from 7 to 27 June 1972. More than 1,300 delegates and their advisers, representing 117 Member States, participated in the work of the Conference.

The Ukrainian delegation consisted of seven members: two Government delegates and two Government substitute delegates and advisers, one Employers' delegate and one Workers' delegate and one Workers' adviser. Mr Martynenko was an acting President at ten sittings.

Apart from the Director-General's Report, which was devoted to an analysis of the social effect of the application of new technology, the Conference discussed the issues of the minimum age for admission to employment and the social repercussions of new methods of cargo handling in docks, with a view to the adoption of international standards on these questions at the next 58th Session of the Conference (1973). The Conference also adopted policy guidelines on the labour and social implications of automation and other technological developments.

During the Conference, the election of the members and deputy members of the ILO Governing Body for the period 1972–75 was held. Following a constitutional amendment that was approved by the Conference, the size of the Governing Body has been increased from 48 members to 56. Ukraine was elected a Government Deputy Member of the Governing Body.

This Session was marked by a confrontation over the rules concerning the conduct of the debates at the Conference. At the outset of the discussion of the Director-General's Report, Mr Veldkamp, President of the Session, speaking on behalf of all of the Officers of the Conference, asked the delegates to exercise their freedom of speech with discretion and to abide by parliamentary language and by the generally accepted procedure, to be relevant

⁹³ The ILO and apartheid. Geneva, ILO, 1977, p. 32.

to the subject under discussion and to avoid references to extraneous matters. He appealed to all delegates for their cooperation in applying these principles.

In the course of discussion, some delegates did not pay heed to this appeal and after issuing several warnings and reminders of the principles which should govern the Conference debates, the President decided to withdraw the right to speak from one delegate and to order that certain terms and passages used by other speakers should be expunged from the *Record of Proceedings*. A majority of delegates declared its opposition to this ruling of the President, considering his decisions as unjustified and illegal, based on no provision of the ILO Constitution or of the Standing Orders in force.

The President after having fully considered the question decided to restore the deleted passages in the final version of the *Record of Proceedings*, including, however, footnotes on the appropriate pages. He explained his decision in the Note by the President of the Conference.

This decision was supported by the Government Vice-President. In the Note by the Government Vice-President of the Conference, Mr Martynenko stated that in restoring the passages deleted from speeches delivered from the rostrum at the 57th Session of the International Labour Conference, the President was guided above all by the Standing Orders of the Conference and the interests of the ILO.

The Employers' and Workers' Vice-Presidents of the Conference, on the contrary, did not support this decision of the President. In the Note by the Employers' and Workers' Vice-Presidents of the Conference, they declared that the reinsertion of passages in the form in which they were ruled out of order was not acceptable and expressed their protest against the publications of that passages in the *Record of Proceedings*.⁹⁴

In his closing speech at the Session, Mr Martynenko, stressing the remarkable results recently achieved in the developing mutually advantageous links between socialist and capitalist countries, brought the attention of the delegates to the problem of equal and equitable participation in the ILO for the representatives of economic systems based on public ownership for the means of production.

Mr Vladimir Nikolaevitch Khalapsin, Vice-Chairperson of the State Committee for Planning of Ukraine, Government delegate, was elected the Government Vice-President of the 62nd (maritime) Session of the Conference (1976).

Mr Anand, Capt., Employers' delegate from India, and Mr Shepard, Workers' delegate from the United States, were elected, accordingly, the Workers' and Employers' Vice-Presidents.

Mr Hareide, Government delegate from Norway, was elected the President of the Conference. All 15 sittings of the Conference were conducted by the President.

The Session was held at Geneva from 13 to 29 October 1976. Over 600 delegates and advisers representing the governments, ship-owners and seafarers of 78 countries took part in the work of the maritime Session. Ukraine was represented by four delegates and two advisers, including two Government delegates, one Employers' delegate and one Workers' delegate.

This Session, in addition to discussing the Director-General's Report, adopted three Conventions (the Convention concerning Continuity of Employment of Seafarers, No. 145,

⁹⁴ All of these three Notes were published after the title pages in: ILO. International Labour Conference, Record of proceedings, , the 57th Session, Geneva, 1972.

the Convention concerning Annual Leave with Pay for Seafarers, No. 146, the Convention concerning Minimum Standards in Merchant Ships, No. 147), three Recommendations (the Recommendation concerning the Protection of Young Seafarers, No. 153, the Recommendation concerning Continuity of Employment of Seafarers, No. 154, the Recommendation concerning the Improvement of Standards in Merchant Ships, No. 155) and 16 resolutions.

As the Ukrainian Government delegate, Mr Khalapsin took part in the discussion of the Director-General's report and as the Government Vice-President delivered a closing speech.

Mr Gennadi Jossifovitch Oudovenko, Deputy Minister of Foreign Affairs of Ukraine, Government delegate, was elected the Government Vice-President of the 67th Session of the Conference (1981).

Mr Villalobos, Employers' delegate from Venezuela, and Mr Walcott, Workers' delegate from Barbados, were elected the Vice-Presidents from the Employers' and Workers' groups accordingly. Mr Diagne, Minister of the Civil Service, Employment and Labour, Senegal, was elected the President of the Conference.

This Session was held in Geneva from 3 to 24 June 1981. Over 1,800 delegates and their advisers, representing 137 Member States, took part in the work of the Conference. Ukraine was represented at this Session by the delegation of eight members: two Government delegates and four Government substitute delegates and advisers, one Employers' delegate and one Workers' delegate.

In addition to discussing the annual Report of the Director-General, a report submitted by the Governing Body, the regular report on the application of international labour Conventions and Recommendations, programme and budget proposals and other financial questions, the seventeenth special report on apartheid and the report of the working party set up to consider the structure of the ILO, the Conference considered the following five technical items: (i) promotion of collective bargaining; (ii) equal opportunities and equal treatment for men and women Workers: Workers with family responsibilities; (iii) safety and health and the working environment; (iv) maintenance of migrant Workers' rights in social security (revision of Convention No. 48); and (v) termination of employment at the initiative of the employer. The Conference adopted Convention and Recommendation on each of the first three items and held the first discussion on the other two, with a view to adopting international instruments at next 68th Session.

The Conference updated the 1964 Declaration concerning the Policy of Apartheid of the Republic of South Africa and adopted four resolutions on questions not included in its agenda: **Resolution concerning the training and retraining of managers in both private and public undertakings as well as the encouragement of the spirit of entrepreneurship especially in developing countries; Resolution concerning the role of the ILO in the International Development Strategy for the Third United Nations Development Decade; Resolution concerning the economic and social consequences of disarmament; and Resolution concerning training.**

During the Conference, elections of the members of the Governing Body of the ILO for the period 1981–1984 were held. A delegate of Ukraine was elected a Government Deputy Member of Governing Body.

Mr Oudovenko presided over six sittings. Under his presidency, the Conference discussed and adopted the Convention concerning the Promotion of Collective Bargaining, No. 154 and the Recommendation concerning the Promotion of Collective Bargaining, No. 163.

In his closing speech, Mr Oudovenko noted, among the positive results produced by the Conference, the adoption of six Conventions and Recommendations, and the revision of the Declaration concerning the Policy of Apartheid of the Republic of South Africa. He also mentioned the adoption the resolution concerning the economic and social consequences of disarmament. Calling this decision as a milestone, Mr Oudovenko said that it provided particular satisfaction for the delegation of the Ukrainian SSR which, as early as 1965, was the initiator of the adoption by the ILO General Conference of the first resolution concerning the social and economic consequences of disarmament.

Speaking about things that had not been achieved by the Conference, Mr Oudovenko referred to the question of the introduction of structural changes in the Organization, which was, according to him, postponed for the seventeenth time. He suggested that more attention in the ILO's activities, and particularly at its General Conference, should be devoted to questions of ensuring employment, combating unemployment and guaranteeing the right to work, so that the Organization, in its turn, can clearly and precisely state that the right to work is one of its basic concerns.

Mr Oudovenko also expressed his gratitude to the Conference and to the Government group for his election to the post of Vice-President of the Conference, considering it as a great honour to the Ukrainian SSR, and recognition of the considerable and constructive role played by the countries of the socialist community in the activity of the International Labour Organization.

Mr Valentine Nikolaevitch Lipatov, Deputy Minister of Foreign Affairs of Ukraine, Government delegate, was elected the Government Vice-President of the 73rd Session of the Conference (1987).

Mr Lindner, Employers' delegate from the Federal Republic of Germany, and Mr Maier, Workers' delegate from Austria, were elected the Vice-Presidents from the Employers' and Workers' groups accordingly. Mr Haj-Hassan, Minister of Labour and Social Development of Jordan, was elected President.

The Session was held in Geneva from 3 to 23 June 1987. Over 1,700 delegates and their advisers from 138 Member States took part in the work of the Conference.

Ukraine was represented at this Session by the delegation of six members: two Government delegates and two Government substitute delegates and advisers, one Employers' delegate and one Workers' delegate.

The Conference discussed the annual Report of the Director-General, the report submitted by the Governing Body summarising the more important decisions it had taken since the 72nd Session, the regular report on the application of the ILO Conventions and Recommendations, programme and budget proposals and measures to implement the Declaration concerning the Policy of Apartheid in South Africa. In addition, three technical items were on the Agenda of the Conference: employment promotion and social security; safety and health in construction; and the role of the ILO in technical cooperation.

The Conference held a preliminary discussion on the first two of these technical items with a view to adopting Convention and Recommendation at its next 74th, Session and, following a general discussion, adopted a resolution on the role of the ILO in technical co-operation.

The Conference also adopted three resolutions on questions not included in the agenda: **Resolution concerning the International Year of Shelter for the Homeless and the role of the ILO; Resolution concerning the 40th anniversary of the adoption of the**

Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87); and Resolution concerning measures against drug and alcohol abuse in working and social life.

During the Conference, elections were held to designate the members of the Governing Body for the period 1987–1990.

Mr Lipatov presided over seven sittings. In his closing speech Mr Lipatov noted the accomplishments of the Conference, in particular the adoption of the resolution concerning the International Year of Shelter for the Homeless and the role of the ILO and the preparatory work in the drafting and adoption of the new standard-setting instruments on employment promotion and social security and safety and health in construction. He also mentioned a number of problems which still await a positive decision. Among these problems were: the improvement of the method of work of the ILO supervisory machinery; and the permission of the representatives of the Employers of a number of countries to take part on the equal footing in all the ILO's bodies.

Governing Body

In the period between 1954 and 1991, the Ukrainian Government representatives were elected three times as government deputy members (1963–1966, 1972–1975, and 1981–1984) and once as a government titular (regular) member of the Governing Body (1984–1987).

Government deputy member (1963–1966)

At the 47th Session of the International Labour Conference Ukraine was elected for the first time to appoint its Government representative as a Government deputy member of the Governing Body.⁹⁵ According to the provisions of Article 7 of the ILO Constitution and the amendments to the Constitution, which came into force on 22 May 1963, the Governing Body consisted of 48 persons, including 24 representing governments, 12 representing Employers, and 12 representing Workers. Of the 24 persons representing governments, ten were appointed by the Member States of chief industrial importance, and 14 were appointed by the Member States elected for that purpose by the government Electoral College consisted of government delegates to the Conference.⁹⁶ The government Electoral College also selected ten other Members of the Organization, including Ukraine, the governments of which were entitled to appoint government deputy members of the Governing Body.

At its 156th Session, the Governing Body appointed members of its Standing Committees. Before the elections, the Governing Body had the following seven Committees:

Financial and Administrative Committee

Allocations Committee

Committee on Standing Orders and the Application of Conventions and Recommendations

Committee on Industrial Committees

International Organizations Committee

⁹⁵ ILO. International Labour Conference, Record of proceedings, [47th Session](#), Geneva, 1963, p. 142.

⁹⁶ Method of election and procedure for the Electoral Colleges was defined by the Standing Orders of the International Labour Conference.

Committee on Operational Programmes

Committee on Freedom of Association

On the proposal of the Government group, the Governing Body appointed the Ukrainian representative as a Member of the Committee on Standing Orders and the Application of Conventions and Recommendations, and as a Substitute Member of the following three Committees: The Financial and Administrative Committee; the Committee of Industrial Committees; and the International Organizations Committee.

During the period of office (June 1963–May 1966), Ukraine was represented at the sessions of the Governing Body by the following government delegates:

Mr S. Slipchenko, Deputy Minister, Ministry of Foreign Affairs from the 156th Session (June 1963) to the 160th Session (November 1964).

Mr Y. Khilchevsky, Permanent Delegation of the Ukrainian S.S.R. to the European Office of the United Nations from the 161st Session (1–5 March 1965) to 162nd Session (May–June 1965);

Mr A. Kissel, Deputy Minister of Foreign Affairs, from 163rd Session (November 1965) to the 165th Session (May 1966).

The Ukrainian representatives took active part in discussions held at the above sessions. At the meeting of the Financial and Administrative Committee held during the 159th Session, Mr Slipchenko participated in the discussion on the Audited Accounts for 1963 and Auditor's Report and suggested that the system of auditing the accounts of the Organization should be reviewed.

In view of the increase in expenditures made by the Office, members of the Organization needed to be better informed after the approval of annual budgets.

He proposed that a group of independent auditors should be appointed comprising representatives of three or five countries chosen by the General Conference on the basis of fair geographical distribution, including major contributor States and countries principally interested in the expansion of the technical assistance programmes. This group, created as part of the modernisation of the structure of the ILO, should review the manner in which expenditures has been made, and could better inform the Financial and Administrative Committee on such matters as disbursements under the extra-budgetary accounts.⁹⁷

At the meeting of the International Organizations Committee met on 4 June 1964 in the context of the 159th Session of the Governing Body, Mr Slipchenko raised a question of the role of the ILO in the study of the economic and social aspects of disarmament. This subject was discussed in response to the Economic and Social Council resolution 982 (XXXVI) and the General Assembly resolution 1931 (XVIII), which invited the UN specialized agencies concerned, and the International Atomic Energy Agency, to co-operate with the UN Secretary-General in advancing studies, within their fields of competence, of various problems concerning international economic and trade relations relevant to the economic and social aspects of disarmament.

Mr Slipchenko suggested that, based on the factual data already available, the ILO should be in a position to express its views on the action required, both before and during the disarmament process, to solve the economic and social problems raised by disarmament. Detailed recommendations for action on similar problems had, indeed, been made by the

⁹⁷ ILO. Governing Body, Minutes, [159th Session](#), Geneva, 11–13 June and 10 July 1964, p. 29.

ILO in the past, in particular in the resolution concerning the maintenance of full employment during the period of industrial rehabilitation and reconversion, and in the resolution concerning employment policy adopted by the International Labour Conference in 1945 and 1961, respectively. A precise plan of ILO action related to the economic and social consequences of disarmament should therefore be drawn up, possibly on the basis of consultations between some of the Government, Employer and Worker members of the Committee.⁹⁸

In the course of the discussion at the 160th Session (November 1964) of the proposals submitted by the Director-General on the resolution concerning the Programme and Structure of the International Labour Organization adopted by the International Labour Conference at its 48th (1964) Session, the Ukrainian Government delegate, together with other delegates from socialist countries, favoured a more specific outline of the ILO programmes. He suggested that there should be a regular submission to the Conference of a detailed programme clearly outlining priorities.⁹⁹ Concerning the Appeal Board procedure, the Ukrainian representative supported provisionally the Director-General's proposal that it should be retained but urged that another procedure should be sought to guarantee equal treatment for all delegations.¹⁰⁰

At the meeting of the Committee on Industrial Committees during the 161st Session of the Governing Body, the Ukrainian Government delegate, discussing the outcomes of the eight Session of the Coal Mines Committee (October 1964), supported Resolution No. 59 concerning energy policy which was adopted at the Session. Endorsing its content, he pointed out the importance of taking measures to avoid adverse social consequences flowing from the disproportionate exploitation of the different sources of energy. Since this was a complicated problem it was all the more important to invite the United Nations and the ILO, jointly, to find a solution.

The Ukrainian representative was also in favour of Resolution No. 61 concerning visits in coal-producing countries. The resolution asked for facilitating visits by tripartite or bipartite delegations from the coal mining industry, at their request and in agreement with all concerned, to other countries in order to study economic and technical progress and its social consequences, as well as labour-management relations, in the coal mining industry of these countries.

At the meeting of the Committee on Standing Orders and the Application of Conventions and Recommendations which was held in connection with the 161st Session of the Governing Body on 23 February 1965, the Ukrainian Government delegate suggested that the forms of report on Conventions and Recommendations, existing in English, French and Spanish, should also be prepared in Russian. According to him, this would involve little or no additional expense and might enable the governments which used this language to provide fuller information in their reports. The Representative of the Director-General promised to explore the practical implications of meeting this suggestion.¹⁰¹

Taking part in the discussion at the meeting of the same Committee during the 164th Session of the Governing Body (28 February–4 March 1966), the Ukrainian representative opposed to the amendments to the Rules concerning the Powers, Functions and Procedure of Regional Conferences designed to bring them into closer conformity with the Standing Orders of the General Conference. He pointed out that the present rules governing regional

⁹⁸ Ibid., pp. 95–96.

⁹⁹ ILO. Governing Body, Minutes, [160th Session](#), Geneva, 17–20 November 1964, p. 76.

¹⁰⁰ Ibid, p. 93.

¹⁰¹ ILO. Governing Body, Minutes, [161st Session](#), Geneva, 1–5 March 1965, p. 70.

conferences were sufficiently effective, as experience at the Second African Regional Conference had most recently shown, and that there was no urgent need for altering them. The fact that they were more flexible than the Standing Orders of the General Conference was, in his view, an advantage at meetings the circumstances of which differed from those of the General Conference.¹⁰²

Government deputy member (1972–1975)

At the 57th Session of the International Labour Conference, a Ukrainian Government delegate was elected for the second time as a Government deputy member of the Governing Body.¹⁰³

At the 187th Session (June 1972) the Governing Body appointed the members of its standing committees. Before the elections, the Governing Body had the following eight standing committees:

Financial and Administrative Committee

Allocations Committee

Committee on Standing Orders and the Application of Conventions and Recommendations

Industrial Activities Committee

International Organizations Committee

Committee on Operational Programmes

Committee on Freedom of Associations

Committee on Discrimination

The Ukrainian Government delegate was elected as a regular member of the Allocation Committee and a substitute government member of the Financial and Administrative Committee, the Industrial Activities Committee and the Committee on Discrimination.

Ukraine was represented at the sessions of the Governing Body by:

Mr V. Martynenko, Deputy Minister, Ministry of Foreign Affairs, the 187th Session (June 1972), and the 189th Session (February–March 1973); Mr I. Grishchenko, Permanent Representative of the Ukrainian SSR to the United Nations Office and the international organizations in Geneva, the 188th Session (November 1972), the 190th Session (June 1973), the 193rd Session (May–June 1974), the 194th Session (November 1974), the 196th Session (June 1975); Mr V. Osnach, Deputy Minister, Ministry of Foreign Affairs, the 191st Session (November 1973), 192nd Session (February–March 1974), the 195th Session (March 1973).

Discussing the agenda of the 59th (1974) Session of the International Labour Conference, the Ukrainian representative (Mr Reshetnyak) expressed the view that the Conference, as the supreme ILO body, should concern itself with topical problems relating to the protection of Workers and of trade unions, for which the ILO bore primary responsibility.

There were several subjects urgently calling for Conference action but unfortunately not proposed as items in the Office paper, such as the right to employment, protection of the Worker against unemployment and inflation, and the social consequences of the growth of multinational corporations.

¹⁰² ILO. Governing Body, Minutes, [164th Session](#), Geneva, 28 Feb–4 Mar 1966, pp. 26, 75.

¹⁰³ ILO. International Labour Conference, Record of proceedings, [57th Session](#), Geneva, 1972, p. 259.

Taking account the Workers' wishes, the Ukrainian Government was in favour of selecting three of the items proposed. It gave priority to migrant workers which, in the resolution adopted in 1972 by the Conference, were put on the 1974 agenda: one on the working environment, and the one on freedom of association in the public service, in that order.¹⁰⁴

At the 189th Session of the Governing Body (27 February–2 March 1973), Mr Martynenko, Ukrainian Government representative, discussed social and economic problems posed by the growth of multinational enterprises which was raised during the consideration of the Report of the Meeting on the Relationship between Multinational Corporations and Social Policy, which was held in Geneva from 26 October to 4 November 1972. Mr Martynenko said that the far-reaching economic and social consequences of the growth of multinational enterprises had rightly aroused widespread concern. He stressed that objective assessment of the impact of multinational corporations on living and working conditions proved beyond doubt the need for international standards to safeguard the Workers' interests. In his view, the multinational enterprises represented a grave threat to national sovereignty arising from the increasing centralisation of decision making in multinational enterprises, which undermined national development plans by appropriating for their own benefit the skilled manpower and material resources of host countries. He suggested that the ILO should, in coordination with other United Nations organizations, thoroughly investigate all disturbing problems concerning the growth of multinational enterprises, adopt guidelines for legislative action aimed at exercising stricter control over their activities, and provide a basis for collective bargaining between such corporations and Worker representatives.¹⁰⁵

Speaking at the Committee on Discrimination, the Ukrainian representative stressed that the ILO's action against apartheid should not be limited to reports and the dissemination of information, but should extend to giving direct assistance to victims of apartheid and racial discrimination by means of scholarships, training programmes, etc.¹⁰⁶

Taking part in the discussion of the Programme and Budget Proposals for 1974–75 at the Financial and Administrative Committee, the Ukrainian Government delegate (Mr Martynenko) drew attention to the suggestions made in the Committee by the Ukrainian Government, and others, for reducing the proposed 20 per cent budget increase. In spite of these, the Director-General's final proposals still entailed an increase of roughly that amount, and provision was still made for items to which objections had been raised, such as assistance to Employers' organizations and the use of outside personnel. No action had been taken to reduce headquarters staff concurrently with decentralisation, nor had any means been proposed to ensure that the increased costs, resulting from inflation and currency changes, were not borne by countries that were not responsible for them. The Ukrainian Government therefore opposed the Committee's recommendations.¹⁰⁷

Ukraine took a similar attitude during the discussion of the Programme and Budget proposals for 1976–77, when its representative (Mr Grishchenko) expressed his concern at the fact that even after the reductions made by the Director-General, the programme and budget proposals presented a heavy increase in expenditure. He proposed to make savings by reducing the expenditure on technical cooperation, taking into account the existence of

¹⁰⁴ ILO. Governing Body, Minutes, [188th Session](#), Geneva, 14–17 November 1972, p. 19.

¹⁰⁵ ILO. Governing Body, Minutes, [189th Session](#), Geneva, 27 Feb–2 Mar 1973, p. 12–13.

¹⁰⁶ ILO. Governing Body, Minutes, [188th Session](#), Geneva, 14–17 November 1972, p. 315.

¹⁰⁷ ILO. Governing Body, Minutes, [189th Session](#), Geneva, 27 Feb–2 Mar 1973, p. 75.

UNDP which had been established specifically for the purpose of providing technical cooperation, and supported proposals to reduce research, publication activities and missions, and to make further efforts to reduce administrative costs.¹⁰⁸

The Ukrainian Government representative (Mr Osnach) also opposed the harmonisation of the ILO scale of contributions with the United Nations scale. Speaking at the Allocation Committee, he said that his Government was prepared to agree to a slight increase in the Ukrainian contribution provided that the assessment of the two main contributors remained unchanged. It could not therefore accept the proposed automatic alignment of the ILO scale on the United Nations scale, which would entail considerable increase in the Soviet Union's contribution.¹⁰⁹

Another issue raised by the Ukrainian Government delegate at the sessions of the Governing Body was a Chilean question. On 11 September 1973, the military overthrew the democratically elected government of Salvador Allende. The new military regime of General Pinochet was established and thousands of working-class militants and political activists were murdered, tortured and kidnapped. At the 191st Session of the Governing Body (November 1973), the Committee on Freedom of Association examined the complaints submitted by the World Federation of Trade Unions, the International Confederation of Free Trade Unions, the Latin American Central of Workers, the World Confederation of Labour, and several other trade unions, against the Government of Chile (case No. 765). Taking into account that the Government's reply reached the Committee after the commencement of its Session, it was decided to examine the case thoroughly at its next Session. The Ukrainian representative (Mr Osnach) speaking at the Committee stated that for more than two months now the Chilean people had been deprived of the most elementary human rights and freedoms, and Workers' organizations had been disbanded. He deplored the fact that a special meeting of the Governing Body had not been convened to discuss the Chilean question. He said that he was also disappointed with the Chairperson's decision not to have that question discussed at the present Session as a separate and urgent item on the agenda. At the same time Mr Osnach supported a proposal that the Governing Body should as a matter of urgency set up a fact-finding and conciliation commission to investigate the non-application of specific ILO Conventions in Chile.¹¹⁰

The Fact-Finding and Conciliation Commission on Freedom of Association concerning the case of Chile was setup by the Governing Body at its 193rd Session (May–June 1974). The Ukrainian Government member took part in the discussion of the work of the Commission on the 195th Session of the Governing Body (March 1975) and the Commission's report submitted at the 196th Session of the Governing Body (May 1975). The report was adopted at this Session and the Governing Body called upon the Government of Chile to implement without delay the recommendations of the Commission and to inform the Director-General not later than 1 October 1975 of the action taken.

Being the member of five industrial committees, Ukraine participated actively in the discussion of the criteria and procedures for reviewing the membership of industrial and analogous committees at the meeting of the ILO Industrial Activities Committee during the 190th Session of the Governing Body (May–June 1973). The Ukrainian Government member said that while the Ukrainian SSR was well represented on the Industrial Committees, thanks to its high industrial level, it was concerned about the interests of the less well repre-

¹⁰⁸ ILO. Governing Body, Minutes, [195th Session](#), Geneva, 4–7 Mar 1975, p. VII/6.

¹⁰⁹ ILO. Governing Body, Minutes, [192nd Session](#), Geneva, 26 Feb–1 Mar 1974, p. VIII/9.

¹¹⁰ ILO. Governing Body, Minutes, [191st Session](#), Geneva, 13–16 November 1973, p. VIII/12.

sented countries. The case of Israel's representation on six Committees, in contrast to Czechoslovakia's representation on only one Committee, was an example of the unsatisfactory results of the procedure used in November 1970 in the course of the fourth general review of the membership. He said that the Government of the Ukrainian SSR supported the view of the USSR Government that the procedure must be revised; in particular, each applicant country should obtain a seat on the Committees to which it had given its first and second preferences, and there should be equitable geographical distribution of the seats.¹¹¹

Government deputy member (1981–1984)

At the 67th Session of the International Labour Conference, a Ukrainian Government delegate was elected for the third time as a Government deputy member of the Governing Body.¹¹² After the entry into force on 1 November 1974 of the Constitution of the International Labour Organization Instrument of Amendment, 1972, the composition of the Governing Body was changed. The number of the Governing Body members was increased to 56 (28 persons representing governments, including ten persons appointed by the Members of chief industrial importance), 14 persons representing Employers and 14 persons representing Workers). The number of government deputy members was also increased to 28 persons.

At the 217th Session (June 1981) the Governing Body appointed the members of its Standing Committees. Before the elections, the Governing Body had the following eight Standing Committees:

Programme, Financial and Administrative Committee

Allocation Committee

Committee on Standing Orders and the Application of Conventions and Recommendations

Industrial Activities Committee

International Organizations Committee

Committee on Operational Programmes

Committee on Freedom of Association

Committee on Discrimination

The Ukrainian Government representative was elected as a regular member of the International Organizations Committee and a substitute member of the Programme, Financial and Administrative Committee, the Industrial Activities Committee and the Committee on Operational Programme. At the meeting of the International Organizations Committee on 10 November 1981, on a proposal by the Mexican Government representative seconded by the United Kingdom Government representative and the Employer members, Mr Batiuk Victor, Government representative of the Ukrainian SSR, was unanimously elected the Committee's Chairperson.

During this period of membership (from June 1981 to May–June 1984) Ukraine was represented at all sessions of the Governing Body by Mr G. Oudovenko Gennadi, Deputy Minister of Foreign Affairs, as a Government Deputy Member, and by Mr V. Batiuk V., the

¹¹¹ ILO. Governing Body, Papers, 190th Session, Geneva, May–June 1973, [GB.190/13/28/](#), p. 14.

¹¹² ILO. International Labour Conference, Record of proceedings, [67th Session](#), Geneva, 1981, pp. 15/1–15/2.

Permanent Representative of the Ukrainian SSR in Geneva, as a Substitute Government Deputy Member. The two were actively involved in the work of the Governing Body.

One of the main issues considered by the Governing Body throughout this three-years period was the trade union situation in Poland. The formation of Solidarity, a Polish non-governmental trade union movement, in August 1980, and the strike actions it organized in the country, led to the confrontations with the official authorities. In December 1981 the Polish government imposed martial law in the country and took measures against Solidarity and its militants and leaders.

Following the delegations of the Soviet Union and other East European socialist countries, the Ukrainian representative at the Governing Body tried to present Solidarity's activity as irresponsible and directed at undermining the economy through strikes and at overthrowing the State through its anti-constitutional behaviour.¹¹³ Discussing the report of the Committee on Freedom of Association concerning the complaint of violation of trade union rights in Poland, submitted to the ILO by international trade unions (case No. 1097), the Ukrainian Government delegate stated that the complaints, allegedly concerning the violation of trade union rights and freedom of association, gave an exaggerated and tendentious picture of the situation and were part of a campaign being waged by certain Western countries against Poland and the other socialist countries as a result of the failure of the attempts to overthrow the Polish government. He said that the government of the Ukrainian SSR rejected the conclusions and recommendations of the Committee on Freedom of Association, which amounted to interference in the domestic affairs of an ILO member State and an attempt to exert political pressure on it.¹¹⁴

At the 222nd Session of the Governing Body (March 1983), the Ukrainian Government delegate restated his Government's opposition to the examination of the Polish question by the ILO, irrespective of the procedure invoked, and the use the Governing Body and its committees "to spread distorted statements concerning Poland's internal situation and policies".¹¹⁵

When the Commission of Inquiry on the situation in Poland was set up by the Governing Body at its 223rd Session (May–June 1983), the Ukrainian representative reaffirmed his Government's opposition to the appointment of such Commission, which was, according to him, direct proof of the use of the ILO's supervisory machinery to interfere in the internal affairs of a sovereign State. He pointed out that his Government would give serious consideration to the possibility of withholding part of its contribution, representing its share in the financing of the Commission.¹¹⁶ Later, when the Report of the Commission was presented to the Governing Body at its 228th (November 1984) Session, the Ukrainian representative (speaking on behalf of the socialist countries) opposed the inclusion of this question in the agenda of the Session. Despite this opposition, the Governing Body decided to take note of the report of the Commission of Inquiry by 31 votes in favour, ten against, with 12 abstentions.¹¹⁷

Among the issues frequently raised by the Ukrainian representative at the sessions of the Governing Body during this period (1981–1984) were the economic and social consequences of disarmament and the right to work. Discussing the agenda of the 70th Session

¹¹³ ILO. Governing Body, Minutes, [220th Session](#), Geneva, May–June 1982, p. III/12.

¹¹⁴ Ibid., p. V/15.

¹¹⁵ ILO. Governing Body, Minutes, [222nd Session](#), Geneva, March 1983, p. VII/10.

¹¹⁶ ILO. Governing Body, Minutes, [224th Session](#), Geneva, 15–18 November 1983, p. VIII/10–VIII/11.

¹¹⁷ ILO. Governing Body, Minutes, of [228th Session](#), Geneva, 12–16 November 1984, p. XII/5.

(1984) and then of the 72nd Session (1986) of the International Labour Conference, Mr Oudovenko, the Ukrainian Government delegate, suggested that the Conference should consider disarmament, its consequences for social policy and employment and the likely outcome of the reconversion of arms industries. At all sessions of the Governing Body, the Ukrainian representative suggested that consideration of the disarmament, reconversion of arms industries and its social impact should be among the priority issues for the ILO.¹¹⁸

Discussing the agenda of the 69th Session of the ILC (1983) at the 218th of the Governing Body (November 1981), the Ukrainian representative urged for a specific ILO instrument embodying one of the mankind's fundamental rights – the right to work.¹¹⁹ This issue was again brought up at the 221st Session of the Governing Body (November 1982) when the Ukrainian Government delegate spoke of the need to recognise the right to work as an inalienable human right. According to him, an international instrument which answered that need would fill a large gap in the ILO's standard setting on employment. Such a gap was all the more unjustified in that the right to work was already constitutionally guaranteed to all citizens in many ILO Member States.¹²⁰

In connection with the suggestion concerning the right to work, Ukraine proposed action in the field of employment promotion and employment policy. Speaking about the action on the resolution concerning employment policy adopted by the Conference at its 70th Session (1984), Mr Oudovenko, Ukrainian representative, declared that the action called for in the resolution was the minimum that could be done to help overcome the problem of unemployment. Only acceptance of the right to work as a goal by Member States could put an end to unemployment, and the ILO should, therefore, proclaim the right of every citizen to choose employment freely and to enjoy job security in adequately remunerated work that was appropriate to his or her aptitudes, skills and experience.¹²¹

The Ukrainian representative also stressed that such a complex problem as employment policy could not be solved solely through standard-setting, however important it might otherwise be. He said that the time had come for the ILO to turn from mere fact-finding to the implementation of effective measures to root out mass unemployment and achieve full employment by the year 2000.¹²² He also suggested that the ILO should disseminate the experience of the socialist countries, which, according to him, had gone to the root of the problem of full and stable employment. He mentioned an example from his country: in the field of regional development, Ukrainian industry had opened branch plants in rural areas, thereby providing off-season employment for the rural population.

The question of employment policy was also touched upon by Mr Batiuk, the Ukrainian Government delegate, during the discussion of the agenda of the 70th (1984) Session of the Conference. The Office proposed to carry forward the question of employment policy from the previous Session.

Stating that the employment policy was a very important question, affecting millions of Workers who should be in the forefront of the ILO's concerns, he expressed his hope that when the matter was discussed at the 69th and 70th Sessions of the Conference, there would be a far-reaching reappraisal of the World Employment Programme so as to ensure that, in

¹¹⁸ See: ILO. Governing Body, Minutes, [218th Session](#), Geneva, 17-20 November 1981, p. I/10; ILO. Governing Body, Minutes, [220th Session](#), Geneva, May-June 1982, p. I/5; ILO. Governing Body, Minutes, [222nd Session](#), 1-4 March 1983, p. V/4; ILO. Governing Body, Minutes, [226th Session](#), 31 May-1 June 1984, p. I/6.

¹¹⁹ ILO. Governing Body, Minutes, [218th Session](#), Geneva, 17-20 November 1981, p. I/10.

¹²⁰ ILO. Governing Body, Minutes, [221st Session](#), Geneva, 16-19 November 1982, p. I/6.

¹²¹ ILO. Governing Body, Minutes, [228th Session](#), Geneva, 12-16 November 1984, p. III/2.

¹²² ILO. Governing Body, Minutes, [218th Session](#), Geneva, 17-20 November 1981, p. I/10.

future, the ILO concerned itself also with the guaranteeing employment and the abolition of unemployment.¹²³

Another issue supported by Ukraine during this period of its Governing Body's membership was occupational safety and health. Discussing the agenda of the 70th Session of the Conference, the Ukrainian representative was in favour of adoption of standards for the protection of Workers exposed to asbestos, and updating of the Occupational Health Services Recommendation. He also expressed the full support of his Government for PIACT, the ILO's International Programme for the Improvement of Working Conditions and Environment. Endorsing the inclusion into the agenda of the 70th Session of the Conference a general discussion on PIACT, the Ukrainian representative stated that the Programme could and should make an important contribution to the ILO's efforts to protect and improve the working environment.

Close cooperation in that field between the ILO, UNEP and the WHO should have been encouraged and the Ukrainian SSR had taken practical steps in this direction by organising three international meetings in Kiev in 1982 alone.¹²⁴

Taking part in the discussion of the effects of automation on production processes, working conditions and the need for continued improvement of Workers' knowledge and skills required in the process of introducing the new technology, the Ukrainian representative mentioned that useful experience had been gained in Ukraine, where a general State system of continuous training and education, enabling a Worker to adapt himself rapidly to the use of new technologies, had been in existence for many years. He also called the ILO to pay particular attention in its future activities to the situation of older Workers who should not find themselves cast aside as they approached the end of their working life.¹²⁵

Ukraine also engaged actively in the discussion on the ILO financial and budgetary issues. As the Substitute Member of the Programme, Financial and Administrative Committee, Ukraine proposed to take firm action to manage the Organization's resources more economically and efficiently. Its representative suggested that the right way to finance new activities was to discontinue the out-of-date ones and to streamline the Office's administrative procedures. He also suggested making savings in the organization of the Conference, such as reducing its duration and cutting expenditure on documentation.¹²⁶

In the course of discussion of personnel questions and conditions of employment of the ILO staff, the Ukrainian representative expressed his concern about the tendency in the ILO to move away from the UN common system in pension and other personnel matters. This statement was a reaction to an attempt made by the Office to introduce a complementary pension scheme for the ILO officials of the professional category. The main reason for this was the difficult financial situation of the United Nations Joint Staff Pension Fund (UNJSPF). Successive actuarial valuations of the UNJSPF have shown actuarial deficits since 1978. These led in 1982 to a very substantial benefit reductions for existing staff and pensioners and more drastic reductions for officials commencing employment from 1983. In these circumstances the Director-General and the Staff Union of the ILO had proposed to establish a complementary pension scheme. After four discussions of the subject (at the 221st, the 222nd, the 223rd and the 224th Sessions) the Governing Body postponed a deci-

¹²³ ILO. Governing Body, Minutes, [220th Session](#), Geneva, May-June 1982, p. I/5.

¹²⁴ ILO. Governing Body, Minutes, [221st Session](#), Geneva, 16-19 November 1982, p. I/5-I/6.

¹²⁵ ILO. Governing Body, Minutes, [225th Session](#), Geneva, 28 Feb-2 Mar 1984, p. VIII/5.

¹²⁶ ILO. Governing Body, Minutes, [219th Session](#), Geneva, 2-5 March 1982, p. VII/2/.

sion on the scheme indefinitely. As was mentioned above, in the view of Ukraine the introduction of this scheme would undermine the generally accepted principles governing the operation of the UN common system. As the Ukrainian representative said, it was impossible for the governments to lend support to one policy within the ILO while taking a different line in the Fifth Committee of the United Nations General Assembly.

He called on the ILO to make greater use of the Administrative Committee on Coordination (ACC)¹²⁷, the International Civil Service Commission (ICSC) and other co-ordinating bodies to resolve such problems.¹²⁸

Replying to a statement of the ILO staff representative concerning the deterioration of the employment conditions of the ILO staff, the Ukrainian Government delegate remarked that at present all countries faced serious problems over their economies and the distribution of state resources. A great many governments were aware that their contributions to the international organizations were increasing more rapidly than their national budgets and were therefore absorbing a disproportionate part of them. A large share of the budgets of the international organizations covered staff costs. For example, the cost of a single Professional category official – between US\$60,000 and US\$65,000 a year – was five times as great as the minimum contribution paid by 68 Member States, while the total cost of all the Professional officials employed in the United Nations system exceeded the national incomes of about 20 Member States of the ILO. That was why Member States attached the greatest importance to the work of the bodies responsible for the supervision of budgetary and personnel policies. In the ILO, the Programme, Financial and Administrative Committee should ensure that resources were used efficiently and that staff policies were fair both as regards recruitment and conditions of work and remuneration, in which case they must be in accordance with decisions taken within the common system. Its work was hampered by the fact that, with increasing frequency it had to cope with the growing demands of the staff, which for the most part were unjustifiable. The staff should be reminded that they had the privilege of working in the interest of Workers throughout the world and enjoyed levels of remuneration far superior to those of the people they served, a fact they tended to forget. The arguments they advanced amounted to special pleading and were unfounded. They ran counter to the agreement to set up a joint body to guarantee equal conditions of work and remuneration for staff in all the agencies belonging to the common system. For this reason, the position adopted by the Staff Union was regrettable.¹²⁹

Government regular member (1984–1987)

At the 70th Session of the International Labour Conference, for the first time a Ukrainian Government delegate was elected as a Government regular member of the Governing Body.¹³⁰

At the 227th Session (June 1984), the Governing Body appointed the members of its Standing Committees. Before the elections, the Governing Body had the following nine committees:

Programme, Financial and Administrative Committee
Allocations Committee

¹²⁷ In 2001, the Administrative Committee on Coordination was renamed to the United Nations System Chief Executives Board for Coordination (CEB).

¹²⁸ ILO. Governing Body, Minutes, [222nd Session](#), Geneva, 1-4 March 1983, p. IX/4.

¹²⁹ ILO. Governing Body, Minutes, [225th Session](#), Geneva, 28 Feb-2 Mar 1984, p. X/8-X/9.

¹³⁰ ILO. International Labour Conference, Record of proceedings, [70th Session](#), Geneva, 1984, p. 18/1-18/2.

Committee on Standing Orders and the Application of Conventions and Recommendations

Industrial Activities Committee

International Organizations Committee

Committee on Operational Programmes

Committee on Freedom of Association

Committee on Discrimination

Committee on Multinational Enterprises

The Ukrainian representative was elected a Member of the International Organizations Committee and a Substitute Member of the Programme, Financial and Administrative Committee, the Industrial Activities Committee and the Committee on Operational Programme.

Mr V. Batiuk Permanent Representative of the Ukrainian SSR in Geneva and representative of the Government of the Ukrainian SSR on the Governing Body, was re-elected as the Chairperson of the International Organizations Committee.¹³¹

During the period of office (June 1984–May 1987), Ukraine was represented in the Governing Body by:

Mr G. Oudovenko, Deputy Minister of Foreign Affairs, at the 227th Session (June 1984) and the 228th Session (November 1984);

Mr A. Ozadovski, Permanent Representative of the Ukrainian SSR to the United Nations Office and the international organizations in Geneva, at the 229th Session (February–March 1985), the 230th Session (June 1985), and the 236th Session (May 1987);

Mr V. Lipatov, Deputy Minister of Foreign Affairs, at the 231st Session (November 1985), the 232nd Session (March 1986), the 233rd Session (May–June 1986), the 234th Session (November 1986), the 235th Session (March 1987).

At the 227th Session of the Governing Body (June 1984), Ukraine (Mr Oudovenko) was appointed as one of the three government members (together with Norway and the United Kingdom) of the Working Party on European Trade Union Studies. The Working Party was established to discuss the studies on the trade union situation and industrial relations systems in Spain and Yugoslavia. These studies involved an analysis of the legislation and factual situation of the country concerned in the light of relevant ILO standards as well as visits by ILO officials to those countries.

During this period of membership, Ukraine was a co-ordinator for the governments of the socialist countries of Eastern Europe and a Ukrainian Government delegate spoke on many occasions on behalf of this group of countries at the sessions of the Governing Body.

Being a regular member of the Governing Body, Ukraine was actively involved in its work.

Thus, taking part in the discussion of action on the resolution concerning employment policy adopted by the Conference at its 70th (1984) Session, Mr Oudovenko, Ukrainian Government delegate, stated that the action called for in the resolution was the minimum

¹³¹ Because of departure Mr Batiouk as the Permanent representative of Ukraine in Geneva and Government representative of the Ukraine on the Governing Body in the autumn 1984, Mr Crespo Rodas, Government representative of Bolivia was elected Chairperson of the Committee at the 228th Session (November 1984) of the Governing Body.

that could be done to help overcome the problem of unemployment. According to him, only acceptance of the right to work, as a goal, by Member States could put an end to unemployment, and the ILO should therefore proclaim the right of every citizen to choose employment freely and to enjoy job security in adequately remunerated work that was appropriate to his or her aptitudes, skills and experience.¹³² At the same time, the Ukrainian representative opposed an idea of closer cooperation between the ILO and the International Monetary Fund and the World Bank on matters of economic and employment policy, saying that it would benefit only the capitalist countries and harm the interests of the developing world.

The representative of the Ukrainian Government also supported proposals for the creation of a Governing Body Committee on Employment submitted in response to the resolution.

At this Session, the Ukrainian delegate, commenting on the list of proposals for the Conference agenda, called for the improvement of the procedure for selecting items for inclusion in the agenda in order to ensure broader participation by Member States in the procedure.¹³³

Ukraine was actively involved in the general discussions of the Programme and Budget proposals for 1986–87 (the 229th Session, February–March 1985) and for 1988–89 (the 235th Session, March 1987). Its representative proposed that a ceiling should be set for the budget, and adopted by the Conference at the Session preceding the period to which it referred. He also suggested that a special ILO programme, including a responsible unit within the Office, should be set up to deal with the social and economic aspects of disarmament. As for technical cooperation, it should be financed exclusively from the extra-budgetary sources, and the government of the Ukrainian SSR firmly opposed any increase in technical cooperation funds under the regular budget.¹³⁴

Participating in the discussions on the ILO's standard-setting activities, the Ukrainian Government representative supported a proposal of setting up a joint Governing Body-Conference working party on the international labour standards. This proposal was not adopted by the Governing Body which decided to establish its own Working Party on International Labour Standards.

Discussing the terms of reference and composition of the Working Party, Ukraine and the socialist countries of Eastern Europe, suggested that the questions of the application of standards and the supervisory machinery be included into the Working Party's terms of reference. This view was not taken into account and the Ukrainian Government delegate Mr Ozadovski, on behalf of the Governments of the socialist countries of Eastern Europe, declared that those countries would take no part in the work of the Working Party.¹³⁵

The issue of the ILO's supervisory machinery was also raised by the Ukrainian representative during the discussions of the Report of the Committee of Experts on the Application of Conventions and Recommendations. He expressed his Government's regret that the report contained no constructive proposals for reorganising the methods of work and procedures of the ILO's supervisory machinery, of which the Committee of Experts was a part.¹³⁶

¹³² ILO. Governing Body, Minutes, [228th Session](#), Geneva, 12-16 November 1984, p. III/2.

¹³³ Ibid., p. I/6.

¹³⁴ [ILO. Governing Body, Papers](#), 229th Session, Geneva, 25 Feb-1 Mar 1985, [GB.229/8/23](#), p. 21.

¹³⁵ ILO. Governing Body, Minutes, [229th Session](#), Geneva, 25 Feb-1 Mar 1985, p. III/5.

¹³⁶ ILO. Governing Body, Minutes, [236th Session](#), Geneva, 28-29 May 1987, p. I/10.

European Regional Conferences

During the period between 1954 and 1991, four ILO European Regional Conferences were held. The Ukrainian tripartite delegations participated in all of them.

The First European Regional Conference was held in Geneva from 24 January to 5 February 1955.

The Conference was attended by tripartite delegations from 25 European Member States of the Organization. The total number of delegates was 99 and 157 advisers.

Ukraine was represented at the Conference by six delegates: two government delegates and two Government advisers, one Workers' and one Employers' delegate.

The Conference had four items on the Agenda:

- Discussion of the Director-General's Report;
- Role of Employers and Workers in programmes to raise productivity;
- Methods of financing social security benefits;
- Age of retirement.

The Ukrainian Government, Workers' and Employers' delegates took part in the discussion of the Report of the Director-General.

The Government delegate (Mr Selivanov) spoke about the action taken in his country to encourage the building of Workers' housing.

The Workers' delegate (Mr Ivanov) referring to the polemic between the Employers' delegate from France (Mr Waline) and the Workers' delegate of Czechoslovakia (Mrs Trojanov) about the absence of freedom of association in Czechoslovakia and the Soviet Union, declared that in Ukraine freedom of association for the trade unions was guaranteed by the Constitution, and was subject to no restriction of any kind.

The Conference was faced with a problem regarding the representation of Employers on the technical committees.

Although the Employers' delegates from Western European countries decided not to challenge formally the credentials of the Employers' delegates and technical advisers of the socialist countries (Czechoslovakia, Byelorussia, Bulgaria, Hungary, Poland, Ukraine and the USSR), nevertheless they refused to nominate the Employers from these countries as members in any of the three technical committees of the Conference. Following the decision taken by the Conference to appoint the Employers from the socialist countries as deputy members of the committees, the group of Employers of the Western European countries unanimously decided to stop working in these committees, although continuing to participate in the work of the plenary sittings of the Conference and in the Selection and Credentials Committees.

On the basis of reports from the Committee on productivity, Committee on the financing of social security and the Committee on the age of retirement, the Conference adopted resolutions and conclusions. It also adopted a resolution on housing construction.

The Second European Regional Conference was held in Geneva from 14 to 23 January 1974. The Conference was attended by 370 delegates and advisers from 28 countries.

Ukraine was represented by six delegates: two Government delegates and two Government advisers, one delegate from Employers and one delegate from Workers.

The Ukrainian Government delegate was appointed as a member of the Resolutions Committee of the Conference. Four Ukrainian delegates were also represented in the technical committees of the Conference: Committee of Employment (Government member and Employers' member); Committee on Income Security (Government member and Workers' member).

There were three items on the Conference Agenda:

- Report of the Director-General;
- Manpower aspects of recent economic developments in Europe;
- Income security in the light of structural changes.

The delegates of the Conference discussed the Director-General's Report entitled *Human Values in Social Policy: ILO agenda for Europe*. The Report reviewed the growing complexity of social problems arising in Europe caused by technological, structural and other changes.

There was an extensive debate on the Report, in which 59 speakers (including 19 Ministers or Deputy Ministers) took part. Two Ukrainians delegates participated in the discussions.

The Ukrainian Government delegate (Mr Osnach) welcomed the Report of the Director-General, describing it as "an important and topical document bearing on questions which were of vital interest to millions of Workers in Europe". He supported the suggestion contained in the Report for a greater exchange of opinions and experiences on the European level. The Government delegate said that Ukraine was prepared to participate in such useful exchanges, which might take the form of seminars, meetings of experts, joint research, etc. As a beginning, he proposed such questions as the effectiveness of systems and forms of remuneration, the organization of production and work, the protection of working environment, and vocational and technical training and retraining.

While welcoming the Report in general, the Workers' delegate (Mr Gladky) expressed his feeling that it did not cover sufficiently the achievements of the socialist countries in solving social problems, and their experience in accelerating scientific, technological and socio-economic progress. Furthermore, certain negative features were quite wrongly attributed to the socialist countries. According to him, the Workers in Ukraine did not experience any negative consequences of scientific and technical progress thanks to reorganization and concentration of production. He also expressed his support for proposals put forward by other speakers at the Conference that it would be useful to organise within the framework of European ILO cooperation regional seminars and meetings of experts, to carry out joint surveys on specific matters of vital importance to the Workers, such as social security, Workers' education and occupational safety,

The Conference adopted unanimously three resolutions: **Resolution concerning the rights of Workers in case of bankruptcy**; **Resolution on regional action for the ILO in Europe**; and **Resolution on freedom of association and industrial relations in Europe**.¹³⁷

The Third European Regional Conference was held in Geneva from 16 to 25 October 1979.

¹³⁷ ILO. *Official Bulletin*, 1974, vol. 57, No. 2-4, pp. 150–153.

The Conference was attended by 382 delegates and advisers from 30 Member States of the region.

Ukraine was represented by a delegation consisting of two Government delegates and two advisers, one Employers' and one Workers' delegate. The delegation was headed by the Chairperson of the State Committee for Labour of Ukraine (Minister of Labour). The Ukrainian Government delegate, Mr Onichtchenko, was elected the Vice-Chairperson of the Government group of the Conference.

The Conference discussed the Report of the Director-General in plenary sitting, and set up two committees to consider the two technical items on its agenda: Committee on Young People and Work; and Committee on Working Conditions and Environment,

Sixty-seven speakers, including three Ukrainian delegates, took part in the discussion of the Director-General's Report, which was entitled *Growth, structural change and manpower policy: the challenge of the 1980s*.

The Government delegate from Ukraine (Mr Onichtchenko) spoke about the economic and social achievement of Ukraine and other socialist countries and expressed his regret that this was not reflected in the Report. He said that the rich and varied experience of the socialist countries in solving the problem of employment could be of great benefit in the elaboration of appropriate ILO instruments and, in particular, a Convention on the right to work. Referring to regional cooperation within the ILO framework, the Government delegate suggested that the ILO should make its contribution to curtailing the arms race and strengthening peace on the continent. In his view, the problems of employment, the elimination of unemployment, and improving the situation of Workers could not be solved without a halt of the arms race.

Supporting the proposal, expressed by other delegates, on the creation of a European advisory committee, the Ukrainian Government delegate asked the Director-General and the Governing Body to study ways and means of setting up such a coordinating body in the interests of further strengthening European cooperation in the framework of the ILO.

On behalf of the Ukrainian trade unions that had more than 25 million members, the Workers delegate (Mr Poida) made reference to the favourable trend in European politics to strengthen European security and called upon the Conference to support the resolution concerning the economic and social consequences of disarmament, which was submitted to the Conference by the representatives of the Workers' delegates from several countries. Speaking of youth and work, which was one of the items of the Conference's agenda, the Workers' delegate said that Ukraine guaranteed young people the right, not only to education and to work but also, to rest and spiritual and physical development. At their disposal, the country placed sports facilities, cultural centres, technical creation centres, tourist centres and rest camps.

The Workers' delegate pointed out that one of the main goals of Ukrainian trade unions was to involve Workers in management and improvement of the organization and methods of work. He said that the trade union organizations of the works committees at enterprises of the Council of Trade Unions of the Ukrainian SSR participated in economic planning and devoted particular attention to the improvement of the occupational safety, wages and living standards of the Workers.

During discussion of the concern expressed in the Report, and in many speeches about the consequences of the implementation of new technology and its impact on employment, the Ukrainian Employers' delegate (Mr Zlobine) pointed out that this issue had been tackled in Ukraine in a fairly successful way. He said that the introduction of new technology

in undertakings in the country allowed enterprises not only to increase their industrial capacity and output, but also to improve the working conditions and reduce the number of Workers employed on arduous jobs, and transfer them to new, lighter and safer work processes without a loss of pay. The enterprises in his association, for example, had been using for some years new magnetic pumps for liquid iron which had released the Workers from hard work and generally eliminated manual labour from this process. Therefore, all released Workers had been given new and more productive jobs. The Employers' delegate stressed that despite the broad and constructive character of the Report, there were important gaps in it. The living environment and the working environment were inseparable; any damage to the living environment affected production. Therefore, in his view, the ILO should actively participate in the protection of the environment and devote great attention to this question.

The Conference adopted nine resolutions: two resolutions on the technical items on the agenda of the Conference (**Resolution concerning Young People and Work, Resolution concerning the Improvement of Working Conditions and the Working Environment in Europe**) and seven resolutions on questions not included in the agenda of the Conference (**Resolution concerning the Development of Cooperation in the Field of Social Security; Resolution concerning Small- and Medium-sized Enterprises; Resolution concerning the Contribution of the ILO to the Development of Regional Exchanges of Experience in the Field of Work Organization and the Management of Undertakings in the Countries of Europe irrespective of Their Social and Economic System; Resolution concerning the Employment Consequences of the Introduction of New Technologies; Resolution concerning the Contribution of the ILO to the Development of Cooperation in Europe; Resolution concerning Freedom of Association, Trade Union Rights and Industrial Relations in Europe; and Resolution Concerning the Problems of Intra-European Migration**).

The fourth European Regional Conference was held in Geneva from 15 to 22 September 1987.

The Conference was attended by 355 delegates and advisers from 31 countries.

Ukraine was presented by two Government delegates and a Government adviser, one Employers' and one Workers' delegate.

Mr, Ozadovski, Government delegate of Ukraine, was elected as the Chairperson of the Government group of the Conference.

The Ukrainian delegates were also represented in the Resolutions Committee (Government member and Workers' member) and two technical Committees: Committee on Social Security (Workers' deputy member); and Committee on Training (Technological Change) (Employers' member).

The Ukrainian representative took part in the discussion of the Report of the Director-General.

The Government delegate (Mr Panteleiev) spoke of the current economic and social conditions in Ukraine and the restructuring that took place in the country. Referring to the recent development in the labour field, he touched the issues of improving working conditions, promoting vocational training and retraining, introducing a brigade type of work organization, reforming wage system. He said that the Ukraine Government attached importance to supporting various types of individual business and co-operative activities spreading in the country.

Noting with satisfaction that the Report contained the appeal for taking measures to put into practice a basic human right (the right to work) the Government delegate emphasised the need to draw up an ILO Convention on this important issue. In his view, the ILO should concern itself more actively with the social and economic consequences of disarmament.

The Ukrainian Employers' delegate (Mr Tsapov) focused on the economic reform carried out in Ukraine and its consequences for state enterprises. The main feature of reform was the changeover to predominantly economic methods of running the economy at all levels, with a broad democratisation of management and an overall enhancement of the human factor. The new economic mechanisms created a more favourable economic environment for enterprises; it increased their rights and responsibilities. Under new conditions, much greater emphasis was placed on the initiative and independence of Workers and the director of enterprise, which facilitated the changeover to self-management, whereby all problems of internal organization were resolved by the Workers' collectives.

The Employers' delegate illustrated the changes that took place in the country by referring to a few examples from his enterprise. He also described a new system of training and retraining at the enterprise, and the measures taken at enterprise level to enhance the quality of working life.

The Workers' delegate (Mr Koviazine) pointed out the role of education, both general and specialized, in the process of involving Workers, engineers and technicians in the search for appropriate solutions to the challenges posed by the technological change. Referring to the importance of continuous vocational education and training, he brought attention of delegates to a new legislation of the Ukrainian SSR which provided special incentives to encourage Workers to participate in training and retraining. He also mentioned training and retraining provided for redundant Workers. The Workers' delegate touched the role of trade unions in improving the living and the health conditions of their members. He supplied some figures in this respect. Thus, trade unions managed more than 200 rest-homes, 120 tourist and camping sites, and about 2,000 places in resorts. Special attention was paid to prophylactic measures and a network of over 500 sanatoriums had been set up in the country.

Industrial and analogous Committees

The ILO sectoral activities programme

Since its creation in 1919, the ILO has always paid attention to working and employment conditions in specific industries and occupations. During the 1920s and 1930s, the ILO Conferences discussed labour issues in the maritime sector, textiles, coalmines, rail transport and other industries.

More efficient sector-oriented activity began with the creation of an advisory committee on intellectual Workers (1927) and an advisory committee on salaried employees (1929).¹³⁸

A sectoral programme of the ILO was initiated by the 26th Session of the International Labour Conference held in Philadelphia in April and May 1944.

The Subcommittee on Industrial Committees appointed by the Conference adopted the following resolution: "That this meeting is of the opinion that the International Labour

¹³⁸ See more: Weisband, E. ILO industrial committees and sectoral activities: an institutional history. Geneva, ILO, 1996 (Sectoral Activities Programme, Working paper, SAP 2.53/WP.100), pp. 9-23.

Office should proceed forthwith with the setting up of industrial sections and invites the Governing Body to elaborate regulations governing the activities of industrial committees.¹³⁹

Following the Philadelphia Conference, the Governing Body at its 94th Session (London, 25–31 January 1945) decided to set up regular industrial committees for the following seven industries: Inland transport; Coal mining; Iron and steel production; Metal trades; Textiles; Petroleum production and refining; Building, civil engineering and public works.¹⁴⁰ Over the years, 14 other standing committees and regular meetings were added.¹⁴¹

In 1947, at its 103rd Session the Governing Body established within its structure a Committee on Industrial Committees, consisting of three members from each group, for the purpose of examining the results of the work of the Industrial Committees, co-ordinating their activity and laying down their programme for the future in such a way as to put the Industrial Committees in their proper place within the general framework of the International Labour Organization.¹⁴² Industrial and similar committees established, within the institutional framework of what was to become the ILO Sectoral Activities Programme (a programme of industrial committee meetings). The industrial meetings were to provide a continuous forum to encourage open dialogue between the social partners, to foster a better understanding of the social and labour issues in various industries, to enable an exchange of information on developments in each of the industries concerned, to promote consensus among ILO constituents on the nature of the problems and how to tackle them and to provide guidance for effective national and international policy and industry practice. In the period between 1954 and 1990, the membership in each committee was being regularly reviewed. During these years, seven general reviews of the membership of the industrial and analogous committees were conducted (1954, 1959, 1965, 1970, 1976, 1982 and 1990). Since its establishment, the ILO sectoral activities programme was subject to many reform exercises. The evaluation and reforms of sectoral committees and meetings were carried out in 1961–1963, 1965–1969, 1970–1972, 1980–82, and 1988–1991.

Ukraine's participation in industrial committees

Since its entry into the ILO on 12 May 1954, Ukraine participated actively in its sectoral activities programme.

In 1959, the Ukrainian SSR submitted for the first time applications for membership in industrial and analogous committees. The Ukraine's applications for membership in three committees (the Coal Mines Committee, the Iron and Steel Committee and the Building, Civil Engineering and Public Works Committee) were considered during the second general

¹³⁹ ILO. International Labour Conference, Record of proceedings, [26th Session](#), Philadelphia, 1944. Montreal, ILO, 1944, p. 320.

¹⁴⁰ ILO. Governing Body, Minutes, [94th Session](#), London, 25–31 January 1945, p. 83.

¹⁴¹ ILO. Governing Body, Papers, 259th Session, Geneva, March 1994, [GB.259/STM/1/4](#), p. 3.

¹⁴² At the 182nd Session of the GB (March 1971) the title of the Committee of Industrial Committees was changed to the Industrial Activities Committee to make it correspond more exactly to the Committee's field of activity after the establishment of the ILO Programme of Industrial Activities. At its 156th Session (May 1993), the GB adopted a new committee structure. According to the new structure, the title of the Industrial Activities Committee was changed to the Committee on Sectoral, Regional and Technical Issues. At its next 157th Session (June 1993), the GB replaced this Committee by setting up a Committee on Sectoral and Technical Meetings and Related Issues. The Committee's terms of reference were to consider and advise the Governing Body on matters relating to: the planning, preparation and follow-up of the ILO's sectoral committees and meetings; preparation and follow up of ILO technical meetings provided for in the programme and budget; and the review of the ILO's Sectoral Activities Programme and other policy issues relating to the ILO sectoral and technical meetings. Since March 2011 as a result of a new structure of the Governing Body five new sections were created. One of these sections, a Policy Development Section (POL) covers, among others, the mandate of the Committee on Sectoral and Technical Meetings and Related Issues. More exactly, the sectoral activities programme is covered by one of its four segments: a Segment of social dialogue and industrial relations questions.

review of the membership of industrial and analogous committees which took place at the 143rd Session of the Governing Body (17–20 November 1959).

The procedure adopted by the same Session of the Governing Body envisaged that one-third of the seats in each Committee should be filled by the applicant member countries with the largest world industrial interest in the industry in question, calculated according to the criteria chosen by the Governing Body; and that the remaining seats should be allotted by holding two separate ballots in the Committee for the other two-thirds of the seats, and that a third ballot should take place if, in the second ballot, there was a tie for the last seat.¹⁴³

According to this scheme, Ukraine was elected to two committees: Coal Mines Committee and Iron and Steel Committee.¹⁴⁴ The fact that the USSR became also member of these committees was criticized by some delegates. The United States Workers' member considered that it was unjust for a federal State (the USSR) to have two seats when many countries were kept out for the want of seats. The Government member of the USSR pointed out that both the USSR and Ukraine were full members of the ILO and were entitled as such to participate in its activities. The Chairperson of the Committee on Industrial Committees ruled that the application of both the USSR and Ukraine should be taken into account.¹⁴⁵

In 1965, in the course of the third general review of the membership of the industrial and analogous committees, Ukraine became a member of the following four committees: Coal Mines Committee, Iron and Steel Committee, Metal Trades Committee, Building, Civil Engineering and Public Works Committee.¹⁴⁶ The methods of selection of countries, members of committees, remained the same as during the 1959 review.

During the discussions at the session of the Committee on Industrial Committees at the 161st Session of the Governing Body, the Government member of Ukraine, Mr Khilchevsky (Counsellor, Permanent Delegation of the Ukrainian SSR to the European Office of the United Nations) proposed to make changes to the existing procedure. He stated that a system of seat allocation by thirds did not seem to take into account suitable geographical distribution, which according to the Governing Body's decision should be one of the criteria for the selection of States for membership in the Committees. He mentioned in this connection the case of an oil-producing country, which despite of its importance had not been given a seat in the Petroleum Committee in 1959. He asked the Representative of the Director-General to indicate what steps had been taken by the Office to guarantee that previous mistakes concerning geographical distribution of seats would not be repeated in the future. His statement was supported by the Indian Government member, who also stressed the importance of fair geographical distribution and expressed the hope that all the members of the Committee would bear it in mind. The Representative of the Director-General (Mrs Figueroa, Assistant Director-General) explained that two ballots did, in fact, give the Committee the opportunity of seeing that a proper geographical distribution of the seats as a whole was made, because, once it had the list of the most important States to which the first third of the seats would be allocated, members could vote for other applicant States.

However, the Government member of Ukraine remained of the opinion that the existing procedure involved a possibility of improper geographical distribution of seats.¹⁴⁷

¹⁴³ ILO. Governing Body, Minutes, [143rd Session](#), Geneva, 17-20 Nov 1959, pp. 55, 85 (paras. 13 and 14).

¹⁴⁴ Ibid., pp. 55, 86-87.

¹⁴⁵ Ibid., pp. 85-86.

¹⁴⁶ ILO. *Official Bulletin*, [vol. XLVIII, No. 2](#), April 1965, pp. 150-153.

¹⁴⁷ ILO. Governing Body, Minutes, [161st Session](#), Geneva, 1-5 March, 1965, p. 85.

The next general review of the membership of the industrial and analogous committees was held in 1970. During the discussions at the Committee on Industrial Committees, the French employers' representative raised again the question of appropriateness in allotting separately the seats to the USSR, Byelorussia and Ukraine. He inquired whether the statistics which had been submitted by the Government of the USSR in respect of employment and production incorporated those presented by the Governments of Ukraine and Byelorussia in support of their separate applications.

The representative of the Director-General, replying in the affirmative to the question raised by the French employers' representation, recalled that the same problem had been fully discussed on the occasion of the 1959 review of membership. He explained that the USSR, as well as Byelorussia and Ukraine, were each original members of the United Nations Organization and, arising out of their membership in that Organization, had become full members of the ILO. As such, they had supplied the figures of their production or their employment, i.e. figures which related to their respective territories.¹⁴⁸

As a result of the fourth general review, Ukraine was entitled to the membership of five committees: Coal Mines Committee, Iron and Steel Committee, Metal Trades Committee, Building, Civil Engineering and Public Works Committee, Inland Transport Committee.¹⁴⁹

The fifth (1976) and sixth (1982) general review of the membership of the industrial and analogous committees confirmed the membership of Ukraine in these five committees.¹⁵⁰

In 1990, according to the seventh general review of the membership of industrial committees, Ukraine became a member of six industrial committees: the membership of Ukraine in five committees was renewed and, in addition, Ukraine became a member of the Food and Drink Industries Committee.¹⁵¹

The Coal Mines Committee

Since its selection for the membership of the committee (1959), Ukraine participated in the all consequent sessions: the eighth Session (Geneva, 19–30 October 1964), the ninth Session (Geneva, 4–15 May 1970), the tenth Session (Geneva, 28 April–6 May 1976), the 11th Session (Geneva, 20–29 April 1982) and the 12th Session (Geneva, 13–21 April 1988).

The Iron and Steel Committee

Ukraine (member of the committee since 1959) attended all consequent sessions of the committee: the seventh Session (Cardiff (the United Kingdom), 26 August–6 September 1963), the eighth Session (Geneva, 24 September–9 October 1969), the ninth Session (Geneva, 16–26 September 1975), the tenth Session (Geneva, 13–22 October 1981) and the 11th Session (Geneva, 3–11 December 1986).

The Metal Trades Committee

A member of the committee since 1965, Ukraine participated in all consequent sessions: the eighth Session (Geneva, 6–17 September 1965), the ninth Session (Geneva, 18–

¹⁴⁸ ILO. Governing Body, Minutes, [181st Session](#), Geneva, 17–20 November, 1970, p. 218

¹⁴⁹ ILO. *Official Bulletin*, [vol. LIV, 1971, No. 2](#), pp. 65–68.

¹⁵⁰ ILO. *Official Bulletin*, [vol. LX, 1977, series A, No. 2](#), pp. 53–56; ILO. *Official Bulletin*, [vol. LXVI, 1983, series A, No. 1](#), pp. 18–22.

¹⁵¹ ILO. *Official Bulletin*, [vol. LXXIV, series A, 1991, No. 1](#), pp. 9–11.

29 January 1971), the tenth Session (Geneva, 20–28 April 1977), the 11th Session (Geneva, 20–29 September 1983) and the 12th Session (Geneva, 7–15 December 1988).

The Building, Civil Engineering and Public Works Committee

Ukraine was a member of the committee since 1965 and was present at all consequent sessions: the eighth Session (Geneva, 19–30 July 1971), the ninth Session (Geneva, 12–20 January 1977), the tenth Session (Geneva, 12–21 April 1983), the 11th Session (Geneva, 1–9 April 1987) and the 12th Session (Geneva, 2–10 December 1992).

The Inland Transport Committee

Ukraine, as a member of the committee since 1970, participated in all consequent sessions: the ninth Session (Geneva, 24 April–3 May 1972), the tenth Session (Geneva, 18–27 September 1979) and the 11th Session (Geneva, 23–31 January 1985).

The Food and Drink Industries Committee

This committee was set up by the Governing Body in November 1980. Ukraine became member of the committee as a result of the seventh general review of the membership of industrial committees (1990) and because the new membership came into effect on 1 January 1992, its delegation did not attend the second Session of the committee (Geneva, 4–12 December 1991). The next meeting of this sector was held in 1998 (a Tripartite meeting on technology and employment in the food and drink industries, Geneva, 18–22 May 1998) in accordance with the 1994–1995 sectoral activities reform, and representatives from already independent Ukraine were not invited to attend this meeting.

Ratification and application of the ILO Conventions, 1954–1991

During the Soviet period (1954–1991) Ukraine ratified 43 ILO Conventions, of which 35 are still in force and eight have been denounced (Automatic Denunciation procedure). 18 Conventions, including four fundamental Conventions, were ratified in 1956, i.e. only two years after joining the ILO. Other Conventions were ratified in 1961 (4), 1968 (5), 1970 (13) and 1979 (3).

After the ratification of the Conventions, the Ukrainian SSR was obliged to report regularly on the measures which it had taken to give effect to the provisions of Conventions to which it was a party (Article 22 of the Constitution); and provide information and reports on unratified Conventions and on Recommendations (Article 19 of the Constitution). According to the Article 19 of the Constitution, the Government was also obliged to submit to the competent national authorities the Conventions and Recommendations adopted by the International Labour Conference.

The Government, at the request of the ILO Committee of Experts on the Application of Conventions and Recommendations (CEACR)¹⁵², submitted its first reports on 17 ratified

¹⁵² The Committee of Experts on the Application of Conventions and Recommendations as well as the Conference Committee on the Application of Standards were established on the basis of a resolution adopted by the Eighth Session of the International Labour Conference in 1926 for regular supervision of the observance by Member States of their standard-related obligations. The Committee of Experts is composed of 20 members, outstanding lawyers at national and international level. Members of the Committee are appointed by the Governing Body upon the proposal of the Director-General. Appointment are made in a personal capacity among completely impartial persons of technical competence and independent standing drawn from all regions of the world, in order to enable the Committee to have at its disposal first-hand experience of different legal, economic and social system. See more: *Committee of Experts on the Application of Conventions and Recommendations (CEACR): internal handbook /International Labour Office, International Labour Standards Department. Rev. ed. 2012. Geneva: ILO, 2012.*

Conventions in 1958 and 1959. Two years earlier, in 1956, the Government presented its first report on unratified Conventions (Labour Inspection Convention, 1947 (No. 81) and Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87)).

Using information supplied in the Governments' reports on the ratified Conventions, the Committee of Experts made its observations and direct requests¹⁵³ in order to evaluate whether the national law and practice were in conformity with these Conventions. In many cases, the Committee in its observations and comments requested the Government to take all necessary measures to amend, repeal or supplement the provisions of the legislation and regulations which were not compatible with the Conventions. Since the basic legislative instruments (especially those related to the trade union rights) in the Ukrainian SSR were based on relevant federal laws adopted at the All-Union level, the Committee, frequently taking into account this situation, did not make separate observations on Ukraine but requested the Government of Ukraine to refer to the comments made in respect of the USSR under an appropriate Convention. The same approach was used by the Conference Committee on the Application of Standards.¹⁵⁴

Regular comments of the Committee of Experts, and the discussions of individual cases by the Conference Committee regarding the application of the Forced Labour Convention, 1930 (No. 29), and of the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), provoked sharp criticism from the Ukrainian SSR, Byelorussian SSR, the USSR and other socialist countries.

They considered that the work of this Committee had become steadily more complicated and involved omissions and inaccuracies, and was lacking in the impartiality and objectivity. They also insisted that the Committee should, when examining the effect given to ratified Conventions, take into account the different conditions prevailing in capitalist, socialist and developing countries.

Responding to the criticism that its observations regarding the application of the Freedom of Association Conventions in several socialist countries did not take into account the economic and social systems existing in these countries, the Committee stated year after year that "in compliance with its terms of reference, while noting the various political, economic and social conditions in different countries, it is not called upon to express any view concerning the systems of different countries, but simply to examine, from a purely legal

¹⁵³ There are three forms by which the Committee of Experts indicates its views: observations, direct requests and general comments. Observations are generally used in more serious or long-standing cases of failure to fulfil obligations. On occasion, an observation is used to highlight an example of progress or promulgation of the best practice by a country. The observations are published in the Committee's annual report. Direct requests relate to more technical questions or requests for further information. They are not published in the report but are communicated directly to the governments concerned. General observations are used to draw attention to matters or practices which have broad application across a number of countries or alternatively to discuss trends in application of the Convention. See more: *Committee of Experts on the Application of Conventions and Recommendations (CEACR): internal handbook /International Labour Office, International Labour Standards Department. Rev. ed. 2012, Geneva: ILO, 2012.*

¹⁵⁴ The Committee of Experts and the Committee of the Application of Standards have different functions: Committee of Experts is responsible for technical supervision, whereas the Conference Committee, which is tripartite, provides an opportunity for direct dialogue between governments, employers and workers, and can even mobilize international public opinion. The Conference Committee deals only with cases already examined by the Committee of Experts. See more on this in: *Seventy-fifth anniversary of the ILO. The Standard-setting activities of the International Labour Organization: the present and the future. – International Labour Conference, 81st Session, 1994, Report III (Part 4A), [Report of the Committee of Experts on the Application of Conventions and Recommendations](#), pp. 8-20.*

point of view, to what extent the countries which have ratified Conventions give effect in their legislation and practice to the obligations which derive therefrom".¹⁵⁵

In 1971, at the meeting of the Conference Committee, the Government members of Bulgaria, Byelorussia, Czechoslovakia, Hungary, Ukraine, USSR, and the Workers' members of Byelorussia, Ukraine and USSR, made proposals on improving the methods of work of the supervisory bodies. These included: the creation of small working parties (composed of the members from the capitalist, socialist and developing countries), within the Committee of Experts, to carry the initial responsibility, in respect of such Conventions as those dealing with forced labour or freedom of association; the presentation of the Committee of Experts' Report in a condensed form and dealing only with the more essential problems; reconsideration of the terms of reference of the Committee of Experts and avoidance of the adjunction of new items to its heavy agenda; and measures to prevent excessive reliance by the Committee of Experts on the ILO secretariat.¹⁵⁶

In considering these proposals, the great majority of the Committee's members felt that the objectivity and impartiality of the Committee of Experts could not be questioned and that the supervisory bodies should continue to observe strictly the principle of uniform criteria when evaluating the degree of compliance by the Member States with their obligations. They stated that the proposed modification to the methods of work of the Committee would affect adversely the validity of Conventions themselves, and undermine their status as universal standards designed to improve social conditions throughout the world.

The criticism of the supervising system, and proposals for its reform, were continuing in the following years.

The socialist countries summarised their views on the supervisory machinery in a Memorandum that was submitted to the 69th Session of the International Labour Conference (1983). The authors of the Memorandum proposed that the composition, procedures and powers of ILO supervisory bodies be re-examined taking into account basic and generally accepted principles of international relations, such as: respect for the sovereignty of the Member States and strict compliance with the principle of non-interference in the internal affairs of the Member States; equality of the Member States in all aspects of monitoring the observance of international legal obligations; equal representation of all socio-economic and political and legal systems in all the elements of the supervisory machinery; preventing the supervisory machinery as a whole or its separate elements from being used as a supra-national tribunal with respect to sovereign States; ensuring that supervision of the observance of international labour standards is directed at assisting Member States to improve their national legislation and to exchange experience in improving this legislation in the light of international legal standards. The Memorandum proposed the establishment of an ad hoc working group, whose composition should be decided by the Conference, in order to analyse the activity of the ILO supervisory machinery and to prepare proposals on its improvement for consideration by the 70th Session of the Conference.¹⁵⁷ The Memorandum was discussed at the 69th and 70th Sessions of the Conference and at the Conference Committee on the Application of Standards (1983).

The majority of the Conference delegates and members of the Conference Committee did not agree with the criticism of the supervisory system mentioned in the Memorandum

¹⁵⁵ Report of the Committee of Experts on the Application of Conventions and Recommendations, Report III (Part 4A), [Volume A: General Report and Observations concerning Particular Countries](#). International Labour Conference, 60th Session, Geneva, 1975, p. 100.

¹⁵⁶ ILO. International Labour Conference, Record of proceedings, [56th Session](#), Geneva, 1971, p. 588

¹⁵⁷ ILO. International Labour Conference, Record of proceedings, [69th Session](#), Geneva, 1983, pp. 7/18-7/19.

and expressed their confidence in the objectivity and effectiveness of that system. They observed that the membership of the Committee of Experts was representative of different regions and systems and that half the members came from developing countries.

Despite the criticism from Ukraine, the USSR and other socialist countries, both the Committee of Experts and the Conference Committee continued assessing observance of the Conventions in a very large number of countries, including the Ukrainian SSR, without distinction as to their political, economic, or social system, applying uniform criteria.

The brief account of monitoring of the application the Forced Labour Convention, 1930 (No. 29), Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87) and the Holidays with Pay Convention, 1936 (No. 52) by the Ukrainian SSR (and the USSR) as well as regular comments on the manner in which the governments complied with their obligation to submit Conventions and Recommendations to the competent authorities in accordance with the Article 19 of the ILO Constitution presented below shows to what extent the ILO regular supervisory system had the impact on the changes in law and practice in the country.

Forced Labour Convention, 1930 (No. 29) (ratification: 1956)

After the first report on the Convention, which was submitted by Ukraine in 1958 and published in the Summary of Reports of Ratified Conventions in 1959, the Committee of Experts made several direct requests concerning clarification of some provisions of certain laws and regulations and its compliance with the Convention. The direct requests related mainly to:

- a) the repeal of Section 11 of the Labour Code of the Ukrainian SSR (which permits compulsory labour in case of shortage of manpower for carrying out important state work) or the limitation of this provision to cases of emergency as defined in the Article 2, paragraph 2 (d), of the Convention;
- b) the obligations in regard to delivery of agricultural produce by collective farms imposed by the Decisions of the Central Committee of the Communist Party of the Soviet Union and the Council of Ministers of the USSR dated 9 March 1955 and 20 March 1964;
- c) the rights of members of collective farms to terminate such membership freely and the obligations arising from membership;
- d) the Decree of the Presidium of the Supreme Soviet of the Ukrainian SSR of 12 June 1961 (as amended) to intensify the campaign against persons evading socially useful work and leading an anti-social, parasitic way of life, which permits the compulsory direction to employment of certain persons, subject to penal sanctions.

The Government supplied additional information in response to these requests in 1962, 1964 and 1966.

With regard to Section 11 of the Labour Code, the Government stated in its reply to a direct request in 1964 that the provisions in this section was not applied in practice and it would be revised in a new Labour Code to bring them into conformity with existing practice.

A reference to the provision in Section 11 of the Labour Code of the Ukrainian SSR permitting compulsory labour in cases of shortage of manpower for important state work was made by the Committee in its 1968 General Survey on Forced Labour. The Committee used this case as an example of legislation which, according to the Government, was intended to permit the call-up of labour in exceptional circumstances was worded in terms which might permit its application in circumstances other than cases of emergency in the

sense of the Article 2, paragraph 2(d), of the Forced Labour Convention, and sometimes for purposes of economic development.

The need to repeal or amend Section 11 of the Labour Code was also observed in the Committee's Report in 1972. Finally, in its Report in 1974, the Committee noted with satisfaction that a new Labour Code adopted by the Supreme Soviet of the Ukrainian SSR on 10 December 1971 contained no provisions corresponding to section 11 of the previous Labour Code, which permitted the call-up of labour in the exceptional cases, including the cases of shortage of labour for carrying out important state work.

The other three points raised by the Committee of Experts in its direct requests (obligations in regard to agricultural production, termination of membership of collective farms and legislation concerning persons "leading a parasitic way of life") continued to be under close supervision of the Committee in the 1970s and 1980s.¹⁵⁸

In its report published in 1974, the Committee provided a detailed observation regarding these three issues. With reference to the ***obligations in regard to agricultural production*** imposed on collective farms by the Decision of the Central Committee of the Communist Party of the Soviet Union and the Council of Ministers of the USSR of 20 March 1964, the Committee noted the Government's statement, which argued that the relevant legislative provisions were based on the fact that collective farms were managed in accordance with a plan approved by the general meeting of their members, and that the relationship between the State and the collective farms as regards the production and distribution of agricultural commodities was based on a contractual agreement concluded on equal terms by the collective farms and the state purchasing agencies.

Replying to this statement, the Committee pointed out that Section 3 of the Decision of 1964 placed upon the collective farms the obligation, in planning their production, to ensure fulfilment of the state plan for agricultural products. The preamble to the Decision stated that collective farms must be given an assignment for the quantities and types of products they were to sell to the State, while being left to decide how to fulfil the state plans. The Committee also noted that non-compliance by the management of a collective farm with the obligations imposed by the Decision of 20 March 1964 would be punishable under the section 167 of the Penal Code of the Ukrainian SSR relating to the non-performance or improper performance of duties by an official (as defined in section 164).

The Committee also made reference to the General Survey of Forced Labour in its report of 1968 (paragraph 61), which explained that except for emergencies, all forms of compulsory cultivation, whether imposed by reference to prescribed areas of land or the production of prescribed quantities of commodities, and whether affecting persons already holding land or persons directed to undertake cultivation, were incompatible with the Convention.

The Committee expressed the hope that appropriate measures would be taken to ensure the observance of the Convention in this connection.

With regard to the ***termination of membership of collective farms***, the Committee referred to its previous comments which noted that, by virtue of the Article 3 of the Fundamental Principles of Labour Legislation of the USSR and the Union Republics adopted on 15 July 1970, the labour of collective farm members is regulated by the collective farm rules adopted on the basis of and in conformity with the Model Collective Farm Rules and the Legislation of the USSR and the Union Republics relating to collective farms. It had also

¹⁵⁸ During this period the Committee made 12 observations on these subjects.

noted that, under the clause 7 of the Model Collective Farm Rules adopted on 28 November 1969, a member's application to leave the collective farm must be submitted to the management committee and the general meeting of the collective farm and had sought clarification of the legal consequences of this requirement.

In its latest report, the Government states that a member of a collective farm is free to leave the farm even though the management may not have considered his application to leave; that he will incur no liability in so doing; that he is then free to go from one place to another, as he may see fit, and take up any form of productive work; that, whether or not his notice of withdrawal has been considered by the management of the collective farm, the local Soviet of Working People's Deputies is obliged, in accordance with the Decision of 12 April 1968 on the procedure for the examination of citizens' proposals, petitions and complaints, to give him within one month a certificate of his/her identity, civil status and assets.

The Committee took note of the above indications but considered that the legal position required further clarification. It had noted that, under the passport regulations approved by Ordinance of the Council of Ministers of the USSR of 21 October 1953, the system for delivery of passports was, with the exception of certain specified Districts, not applicable to rural areas (Sections 1 and 3); persons wishing to move from one place to another place were required first to obtain a passport from the authorities of the former area of residence (Section 3); for this purpose a certificate concerning the person's last work had to be produced (Section 9); the engagement as a wage or salary earner of a person not having a passport was prohibited (Section 34). Furthermore, under the legislation governing work record books (Order of 20 December 1938 and instructions of 9 July 1958), persons taking up employment as wage earners or salaried employees for the first time, including persons who have previously been members of a collective farm, were obliged to submit a certificate concerning their last activity, failing which they might not be taken into employment.

In the light of the foregoing indications, it would appear that a member of a collective farm may terminate his/her membership only with the consent of the management committee and the general meeting of the collective farm and that, if such consent was refused, he/she remained bound by all the obligations resulting from his membership of the collective farm (including obligations regarding work). The respect of these obligations would be ensured by the fact that, so long as he remained a member of the collective farm, he/she would not obtain a passport, nor be able to produce a certificate concerning his last activity as required by the legislation relating to work record books, and would thus be deprived of the possibility of taking employment elsewhere as a wage or salary earner.

The Committee also made reference to its Report on the General Survey of Forced Labour in 1968 (paragraph 70) which explained that statutory restrictions which prevent the termination by notice of a contract of employment of indefinite duration had the effect of turning a contractual relationship based on the will of the parties into service by compulsion of law and were accordingly incompatible with the Convention. It considered that the above-mentioned restrictions on the right of a member of a collective farm to terminate that membership and to take up employment elsewhere were similarly contrary to the Convention. The Committee expected that measures would be taken to amend the existing provisions so as to permit a member of a collective farm freely to terminate such membership, subject only to a reasonable period of prior notice.

With reference to the legislation concerning persons "leading a parasitic way of life", the Committee reminded that in the previous observations it referred to the Decree of the Presidium of the Supreme Soviet of the Ukrainian SSR of 12 June 1961 to intensify the campaign against persons evading socially useful work and leading an anti-social, parasitic

way of life, as amended by Decree of the Presidium of the Supreme Soviet of the Ukrainian SSR of 18 March 1970. Under this legislation, persons may be compulsorily placed on job by the decision of the Executive Committee of a Soviet of Working People's Deputies; deliberate non-compliance with such a decision was punishable with imprisonment or corrective labour for up to one year, under the section 6 of the Decree of 1961 (as amended) and the section 214 of the Penal Code of the Ukrainian SSR (inserted by Decree of the Presidium of the Supreme Soviet of the Ukrainian SSR of 18 March 1970).

The Committee indicated in its previous observations that work undertaken pursuant to compulsory job placement by the Executive Committee of a Soviet of Working People's Deputies under the above-mentioned legislation was labour performed under the menace of a penalty and for which the person concerned had not offered himself voluntarily and that such work accordingly fell within the definition of "forced or compulsory labour" contained in the Article 2, paragraph 1, of the Forced Labour Convention, and was not covered by the exception provided for in the Article 2, paragraph 2 (c), of the Convention relating to labour exacted as a consequence of a conviction in a court of law.

Replying to the latest Government's report which stated that, since under the Article 12 of the Ukrainian Constitution every able-bodied citizen was under an obligation to work, and since the country was run by the Workers themselves through the Soviets of Working People's Deputies, the above-mentioned legislation was in the Workers' interest, and also that any action taken under this legislation lay in the realm of administrative law and had nothing to do with employer-worker relations, the Committee pointed out that the Convention applied to "all work or service which is exacted from any person under the menace of any penalty and for which the said person has not offered himself voluntarily". Accordingly, the fact that exaction of work or service took place under administrative law or in pursuance of constitutional provisions did not prevent it from constituting forced or compulsory labour within the scope of the Convention.

The Committee expressed the hope that measures would be taken at an early date to bring the above-mentioned legislation into conformity with the Convention.

The situation of the Ukrainian SSR in regard to these matters was also covered by the discussion of the corresponding observation which the Committee of Experts had made in respect of the application of Convention No. 29 by the USSR at the Conference Committee on the Application of Standards in 1974.¹⁵⁹

The Government of the USSR communicated information which was supplemented by a statement of a Government representative. Concerning the Decree of the Presidium of the Supreme Soviet of the RSFSR of 4 May 1961 to intensify the campaign against persons evading socially useful work and leading an antisocial, parasitic way of life, which, according to the Committee of Experts was contrary to the Convention, the Government representative of the USSR, after making some clarifications from the juridical and practical points of view concerning this issue, stated that the conclusions of the Committee of Experts were erroneous and that there were no contradictions to the Convention.

The representative of the Government also called in question the observation of the Committee of Experts dealt with obligations in regard to agricultural production in which the Committee stated that the Decision of the Central Committee of the Communist Party of the Soviet Union and of the Council of Ministers of the USSR of 20 March 1964 was contrary to the Convention. The Government representative maintained that in the reports which it had furnished in 1973 and 1974, the Government had given full information

¹⁵⁹ ILO. International Labour Conference, Record of proceedings, [59th Session](#), Geneva, 1974, pp. 538-545.

and it had indicated in 1974 that the Committee of Experts' interpretation of the legislation of the USSR was not well founded.

As to the observation of the Committee of Experts concerning the termination of membership of collective farms, in which the Committee stated that the possibility for members of the collectives to leave them was limited in contravention to the Convention, the Government representative argued that neither law nor practice prohibited a member from terminating his membership in a collective farm. He reminded that in the report which it sent in 1973, the Government had indicated that the charter of the collective farms did not put limitations on the right of members to leave the collectives and that, if a member desired to leave his/her collective, he/she should make a statement which had to be examined within three months by the administration and by a general assembly of the collective. In practice, the examination of the statement was intended to inform all the members of the collective, since it was a co-operative, and possibly to permit the assembly to persuade the party concerned that he should not leave the collective. However, no prohibition existed either in practice or in law on leaving the collective, nor did any restriction on this possibility.

More than 30 Conference Committee members took part in the discussion. In the light of this discussion, the majority of Employers' members requested that the USSR be placed on the Special List under criterion 7.¹⁶⁰ The Workers' members of Canada, Sierra Leone, Trinidad and Tobago, the United States and Uruguay supported the proposal of the majority of the Employers' members. The Committee proceeded with a vote on the proposal. The result of the vote was as follows: 15,336 for, 4,749 against, with 980 abstentions. Accordingly, the Committee decided to place the USSR on the Special List under criterion 7 with regard to the application of Convention No. 29.

After this decision of the Conference Committee, the Government member of the USSR, on behalf of the Government, Employers' and Workers' members of the Byelorussian SSR, the Ukrainian SSR and the USSR, declared their complete lack of confidence in the Committee of Experts as presently constituted and their refusal to co-operate with it any more, as well as their disagreement with the procedures applied by the present Committee. In these circumstances they considered that it would serve no purpose to submit any further information on the application of Conventions.

In reply to this communication, the Chairperson stated that many members of the Committee expected that the Governments in whose name the Government representative of the USSR had spoken would reconsider their position as to collaboration in the supervisory activities of the ILO, and that these Governments would participate fully in these activities next year.

Despite the decision of the Conference Committee in 1974 and the statement made by the Government representative of the USSR, the Ukrainian SSR as well as the Byelorussian SSR and the USSR continued its collaboration with the Committee of Experts and the Conference Committee on the Application of Standards.

In 1976, the Conference Committee had again a discussion concerning the application by the USSR of the Forced Labour Convention in regard to the matters mentioned in the Committee of Experts' observations. As in 1974, the Committee decided that the cases of the Byelorussian SSR and of the Ukrainian SSR would be considered as dealt with under the examination of the case of the USSR.

¹⁶⁰ Criterion 7 stated that the Committee had noted with grave concern that in a certain number of countries there was continued failure to implement fully the Conventions concerned, and that full information should therefore be supplied on the measures taken to ensure such compliance.

The Conference Committee noted that changes had occurred in legislation relating to persons leading a "parasitic way of life", in particular, the repeal of legislative texts which had previously been the subject of comments of the Committee of Experts. It noted, however, that parallel to this repeal new provisions were inserted in the Penal Code to punish persons who lead a parasitic way of life over a long period. Concern was expressed as to what had been the real change in the situation. The Committee expressed the hope that, as requested by the Committee of Experts, full information would be provided on the precise effects of the new legislation.

As to the planning of agricultural production, the Committee noted the further information provided by the Government representative in which he insisted on the contractual nature of the arrangements governing the production and sale of agricultural commodities and that the production quotas were set by collective farms themselves on the basis of such contracts. In the opinion of the Committee of Experts, it appeared from the legislation that the collective farms were obliged, in planning production, to meet the assignments given to them under the state plan, and that the conclusion of contracts was based on that obligation. The Committee requested the Government to re-examine the legislation governing this issue with a view to making clear in law as well as in practice the right of collective farms themselves to determine their production in this respect.

With regard to the question of termination of membership of collective farms, the Government representative of the USSR indicated that the Committee of Experts had noted progress with respect to the new regulations concerning the passport system. According to the Ordinance of the Council of Ministers of the USSR of 28 August 1974 concerning the passport system, citizens living in rural areas to whom passports were not formerly issued would, on moving to another place for a prolonged period, be issued with a passport, which was a necessary prerequisite for taking employment elsewhere as a wage or salary earner. In this connection, the Conference Committee also considered that it would be desirable for the Government to make clear in legislation the rights of members of collective farms to terminate their membership by a unilateral decision, subject only to a reasonable notice.¹⁶¹

The above-cited matters remained the subject of observations or direct requests of the Committee of Experts in the following years.

As regards the obligations in the planning of agricultural production, the Committee of Experts in its observation concerning the USSR in 1978, noted that according to the indications provided by the Government to the Conference Committee in 1977 and in its latest report, neither the sanctions laid down in the section 172 of the Penal Code of the RSFSR nor sanctions under any other legislative texts were applicable to the cases of non-compliance with obligations relating to the planning of agricultural production. It requested the Government to supply in future reports information on any developments in national legislation and practice in this area. Beginning from 1979 this issue had been removed from the Committee's annual reports.

As to the legislation concerning persons "leading a parasitic way of life", the Committee of Experts in its observation in 1976 noted with interest that an Decree of the Presidium of the Supreme Soviet of the Ukrainian SSR of 4 September 1975 had repealed both the Decree of 12 June 1961, as amended, which permitted the job placement, by decision of the Executive Committee of a Soviet of Working People's Deputies, of persons evading socially useful work and leading an anti-social, parasitic way of life, and the section 214 of the Penal Code of the Ukrainian SSR which laid down penalties for refusal to comply with such a

¹⁶¹ ILO. International Labour Conference, Record of proceedings, [61st Session](#), Geneva, 1976, pp. 200-203.

decision. At the same time, the Committee observed that the Decree adopted by the Presidium of the Supreme Soviet of the Ukrainian SSR on 4 September 1975 had extended the scope of the section 214 of the Penal Code of the Ukrainian SSR. This section, which had previously applied to persons systematically engaging in vagrancy or begging, now also applied to "persons leading over a prolonged period of time any other parasitic way of life". The Committee addressed a direct request to the Government with the purpose of clarification of the precise effect of these provisions.

In its reply to the Committee's request, the Government referred to Article 40 of the new Constitution adopted in 1977, which guaranteed citizens the right to work and to the Article 60, which sets out the duty to work and stated that this was a matter of honour for every able-bodied citizen, while evasion of socially useful work was incompatible with the principles of socialist society.

The Government also referred to the Ukrainian Labour Code, which stated that work was a duty and a moral obligation for every able-bodied citizen. It further indicated that cases of social parasitism were investigated by judicial bodies which abode by all the principles governing Soviet justice.

The Committee pointed out that the laws creating an obligation for all able-bodied citizens to engage in a gainful occupation, subject to penal sanctions, are incompatible with the Convention and that the laws on vagrancy and assimilated offences worded in such general terms as to lend themselves to application as means of direct or indirect compulsion to work should be amended. It requested the Government to provide information on any measures taken or contemplated regarding the section 214 of the Penal Code of the Ukrainian SSR with a view to ensuring the observance of the Convention.

In its observations in 1980, 1982, 1984, the Committee restated its request to the Government to take appropriate measures regarding Section 214 of the Penal Code of the Ukrainian SSR with a view to ensuring observance of the Convention.

Despite some changes in the application of Section 214 of the Penal Code (Decree of the Presidium of the Supreme Soviet of the Ukrainian SSR of 3 January 1985 on the manner of applying the section 214 of the Penal Code of the Ukrainian SSR and another Decision, adopted on 28 December 1984 by the Plenum of the Supreme Court of the Ukrainian SSR, concerning court practice on the matter) which was noted by the Committee in its observations in 1986 and 1988, the section 214 of the Penal Code remained in force until 1992. In 1992, all legal acts concerning "persons leading a parasitic way of life" were repealed by the independent Ukraine. In its observation adopted in 1994, the Committee noted with satisfaction that the section 214 of the Penal Code concerning "persons leading a parasitic way of life", and the Order of 3 January 1985 of the Supreme Soviet of the Ukrainian SSR on the manner to applying this section, were repealed by the Law of 7 July 1992 (No. 2547-XII). The Committee also noted that by the Ordinance of 10 September 1991, No. 194, of the Council of Ministers, the Ordinance No. 138 of 10 March 1970 respecting measures to strengthen the struggle against persons evading socially useful work and leading a parasitic way of life, and Ordinance No. 365 of 10 November 1987 respecting additional measures to recruit the unemployed part of the able-bodied population for socially useful work, were repealed.

The Committee finally noted with satisfaction that by the Decree of 7 July 1992 (No. 548-XII), the Supreme Soviet of Ukraine ruled that persons convicted under section 214 of

the Penal Code be released from serving their sentences and that criminal proceedings against persons charged under the aforementioned section be dropped.¹⁶²

The third point raised by the Committee of Experts in its observations concerning the application of the Convention by Ukraine was the question of termination of membership of collective farms. As mentioned above, the Committee of Experts made comments on this issue in its observation in 1974. The situation in Ukraine as regards this question was also covered by the Conference Committee in 1974 and 1976, in the course of discussions concerning the application of the Convention by the USSR.

In its observation in 1984, the Committee of Experts noted with satisfaction the Government's report that the Presidium of the Union Council of Collective Farms, in an annex to its Decree No. 139 adopted on 8 February 1984, had issued an explanation concerning the application of the clause 7 of the Model Collective Farm Rules, indicating that the management committee of the collective farm and the general meeting of collective farm members did not have the right to refuse a request made by a collective farm member to leave a collective farm. Furthermore, referring to the clause 40 of the instructions for the maintenance of work record books of collective farm members, the Presidium of the Union Council of Collective Farms indicated that the management committee of the collective farm must on the day following termination of membership in a collective farm, hand the work record book of the former collective farm member to him.

In its observation in 1990, the Committee noted with satisfaction that the freedom of members of collective farms to leave the farm, announced on 28 May 1987 in a communiqué of the Presidium of the Union Council of Collective Farms, had been written into the text of the new Model Collective Farm Rules adopted by the General Congress of Members of Collective Farms on 23 March 1988. According to these Model Rules, all members of collective farms had the right to resign by giving three month's written notice. Neither the management nor the general assembly of the members of a collective farm had the right to refuse applications to resign, which took effect after the three-month period, even in the absence of a reply. In addition, the management was obliged to hand out to the former member of the collective farm his work-book on the day on which the resignation takes effect. The Committee also noted with interest that by virtue of section 10 of Act No. 49 of 25 May 1988 respecting co-operatives, voluntary membership and free withdrawal were among the principles governing the activity of co-operatives.

Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87) (ratification: 1956)

The Government submitted its first report on the Convention in 1959. In the same year, the Committee of Experts made comments on the report and made a direct request in 1960. In 1961 the Committee made a detailed observation in order to consider to what extent the legislation in force in the Ukrainian SSR guaranteed freedom of association as defined by the Convention. The observation took into account the previous comments of the Committee, the direct request of 1960 and the information contained in the Government's reports of 1960 and 1961. In its observations the Committee noted the following.

¹⁶² Report of the Committee of Experts on the Application of Conventions and Recommendations (Articles 19, 22 and 35 of the Constitution) General report and observations concerning particular countries. International Labour Conference, 81st Session, Geneva, 1994. [Report III \(Part 4 A\)](#), pp.142-143.

Firstly, the Committee observed that the legislation of the Ukrainian SSR drew a distinction between salaried and wage-earning Workers, on the one hand, and self-employed (non-salaried) Workers, on the other hand.

As regards salaried Workers, the Committee pointed out that despite the fact that Article 152 provided that the trade unions should not be liable to registration by the state bodies, at the same time, it also provided that unions must be registered with an inter-union organization, the Central Council of Trade Unions. The Committee observed that the registration of a trade union with an inter-union organization, which could refuse registration, constituted an indispensable formality which should be fulfilled in order that a trade union could legally exist as such. In fact, Article 153 of the Labour Code specifically provided that no trade union which had not been registered with an inter-union organ, as specified in the Article 152, could style itself a trade union or claim the rights of a trade union.

The Committee also observed that, from the information available, the Central Council of Trade Unions would appear to have a dual character: firstly, that of a superior federal organization of all the trade unions; and secondly, that of an organ invested with the exercise of a part of the powers of the State, in view of the fact that it could, among other things, by virtue of the decrees of 23 June 1933 and 21 August 1934, issue regulations governing the application of labour legislation. It would therefore seem, as the Committee had already pointed out previously, that articles 152 and 153 of the Labour Code resulted in a requirement of "previous authorisation" within the meaning of Article 2 of the Convention.

In 1960, the Committee observed that Articles 152 and 153 of the Labour Code might also be regarded as constituting "interference" by the State, which was incompatible with Article 3 of the Convention. It noted that under the rule 56 of the Rules of the Trade Unions, the Central Council of Trade Unions might refuse to register the rules of a trade union if they were not in accordance with the Rules of the Soviet Trade Unions. In view of the fact that such refusal of registration might result, by virtue of the Article 153 of the Labour Code, in a trade union being prohibited from existing as such, it would appear that the Articles 152 and 153 placed restrictions on the right of organizations to draw up their constitutions and rules in freedom, to organise their administration and activities and to formulate their programmes. From this point of view, therefore, the Articles 152 and 153 of the Labour Code constitute "interference" on the part of the public authorities, through the medium of legislation, which is incompatible with the Articles 3 and 8 of the Convention.

With respect to the establishment by primary trade union organizations of federations and confederations, the Committee pointed out in 1959 and 1960 that, even in the absence of any specific provisions to that effect, the Articles 152 and 153 of the Labour Code have the effect of prohibiting the establishment of federations or confederations outside the existing trade union movement.

The Committee also referred to Articles 156, 157 and 158 of the Labour Code. In its report the Government indicates that these articles do not preclude the existence in an undertaking of several committees, as bodies of different trade unions. According to the Government, these articles merely stated that the Workers of the same undertaking, institute or organization, who were members of the same trade union, should be represented by the committee of that union. The situation was different in the undertakings, institutions or organizations where there were Workers belonging to different trade unions. It was obvious that each group of Workers would be represented by the committee of the trade union to which the group belonged.

The Committee argued that the practice referred to by the Government did not mean that when a trade union committee already existed in undertaking in order to represent certain categories of Workers the Workers belonging to these categories might if they wish set up another organization. The manner in which Articles 156, 157 and 158 of the Labour Code were drafted would seem, on the contrary, to preclude the possibility of a second organization, representing the same categories of Workers, being set up. As the fact of this being prescribed by the legislation would not be compatible with the Convention, the Articles in question should be amended so as to preclude any possibility of their being interpreted erroneously.

As regards the formation of their own organizations by managers of undertakings, the Committee stated that according to the Government's report, the directors of undertakings could, and, in fact, did adhere to the same trade unions as did the Workers employed in the undertakings which they manage. Under the legislation in force, if managers of undertakings wished, as wage earners, to set up their own occupational organizations, they would have to register their organizations with the Central Council of Trade Unions. With respect to the associations or "unions" that managers of undertakings might set up outside the trade union movement of salaried Workers, they would have to be established in accordance with the procedures laid down in the Federal decree of 6 January 1930 of the Central Executive Committee and Council of People's Commissaries.

Referring to its previous comments concerning the various categories of non-salaried Workers, the Committee indicated that, on the one hand, non-salaried Workers might not set up "trade union organizations" within the meaning of the Labour Code. On the other hand, according to the legislation in force, these Workers might, subject to certain conditions, set up "unions", such as the Artists' Union, the Writers' Union, etc., and, on certain conditions, these unions could defend the legal and economic interests of their members. According to the Decree of 6 January 1930 of the Central Executive Committee and Council of People's Commissaries, the procedure for the setting-up and dissolution of these unions should be determined by the laws of each of the Republics of the USSR.

As to the situation concerning the application of the Convention to the non-salaried Workers who were excluded from the application of the Labour Code by reason of their membership in collective farms and producers' co-operatives, the Committee observed that the collective farms and producers' co-operatives could not be regarded, either in fact or in law, as "organizations" of Workers within the meaning of the Article 10 of the Convention.

It indicated, however, that, although the legislative texts in question in fact do not apply to the collective farms and producers' co-operatives as such, they might be applicable to individuals who were members of the collective farms and producers' co-operatives, if these Workers should choose to combine in a "voluntary association". If that should be the case, the establishment by such Workers of "unions", that was to say, organizations which might defend the legal and economic interests of their members, would have to be effected pursuant to the Decree of 1930 and the legislation applying that Decree.

In its report, the Government stated that the organization and registration of voluntary associations and unions was governed by articles 281-309 of the Administrative Code of the Ukrainian SSR and the Decree of the All-Union Central Executive Committee and the Council of People's Commissars of the Ukrainian SSR of 20 February 1933. The associations and unions covered by these provisions did not come within the scope of the Convention, since as a rule their aims and tasks did not include the defence of the rights and economic interests of their members. This, however, did not preclude the right of members of such voluntary associations and unions to join trade unions in order to defend their rights and economic

interests. Similarly, there was no limitation on the right of members of collective farms to set up, should they think it necessary, any special organization to defend their rights and economic interests.

As to the legislation on the right to hold meetings, the Committee observed that in order to ensure the application of the Article 8 of the Convention, it would be necessary to undertake the revision of various legislative provisions of more general application. It indicated that the Decree of 15 May 1935 making it necessary to obtain the authorisation of the competent authorities for any meeting, conference, etc., should be amended. In this connection, the Committee took note of the Government's statement that the provisions of this Decree "had never applied to trade unions" and were considered obsolete. The Committee also noted that, according to Section 7 of the regulations regarding the rights of factory and local trade union committees, such committees might hold meetings without the prior authorisation of the public authorities. The Committee noted, however, that the Decree of 15 May 1935 and the other relevant provisions concerning meetings would give the public authorities the right, if they chose to exercise it, to oppose the establishment of any new organization or of any new federation or confederation by refusing, for example, to authorise the meeting of the constituent assembly. It therefore expressed the hope that the Government would take all the necessary measures to give full effect to the Article 8, paragraph 2, of the Convention, according to which "the law of the land shall not be such as to impair, nor shall it be so applied as to impair" the different rights provided for in the Convention.

As regards the rights to organise of foreigners, the Committee noted that the Article 151 of the Labour Code and the trade union constitution referred specifically only to citizens. In its report, the Government stated that the legislation of the Ukrainian SSR and the Rules of the Trade Unions adopted at the Twelfth Congress placed no restrictions on the right of foreigners to belong to Soviet trade unions.

Finally, the Committee asked the Government to furnish the information which was requested, in 1959 and 1960, in a direct request about Article 106 of the Constitution which reads "the Communist Party . . . is the leading core of all organizations of the working people, both public and State". According to the Committee, effect of this provision appeared to prohibit members of trade unions and their leaders from belonging to any other political party and also to place all organizations of Workers under the direction of this Party. The Committee would be glad to know whether the effects of this provision would therefore make it legally impossible for any group of Workers, should they so desire, to establish a trade union independent of the Party.

The Committee concluded that the main provisions which might restrict the rights provided for in the Convention and infringe the guarantees laid down therein were sections 152, 153, 156, 157 and 158 of the Labour Code, the Decrees of 23 June 1933 and 21 August 1934, the Decree of 15 May 1935, Article 18 of the Civil Code and possibly also the provisions applying the federal decree of 6 January 1930. The Committee expressed the hope that the Government would take all necessary measures to amend, repeal or supplement the provisions in question.

In reply to the Committee's observation, a Government representative of the Ukrainian SSR, in his statement at the Conference Committee of the Application of Standards in 1961, argued that the Committee of Experts made an inaccurate interpretation of his country legislation. He also stated that the inter-trade union organizations were not acting as a state body and there was no restriction, in law or in practice, of the possibility of forming different trade unions for Workers and directors of undertakings, members of collective farms, and of forming different trade union committees in undertakings. He added that the legislation

in Ukraine was in conformity with the Convention and fully safeguarded freedom of association.

The Committee of Experts in its observation in 1962, noting that the information supplied by the Government representative contained no new element that could lead it to modify its conclusions, provided the explanations related to the observations previously made by the Committee and to the replies given by the Government to the Conference Committee.

In 1963, the Committee, in the absence of new information in the Government's report, recapitulated various provisions of the legislation, which were or were liable to be contrary to the rights and guarantees laid down in the Convention.

In the observation in 1965, the Committee noted that in its report the Government stated that on 18 July 1963 the Supreme Soviet of the Ukrainian SSR adopted a new Civil Code which came into force on 1 January 1964 and that, accordingly, the Civil Code of 1922 ceased to be effective, including the section 18 thereof which had been the subject of observations by the Committee. The Committee noted with interest that, according to the report, the section 39 of the new Civil Code of 1963 provides that "public organizations which have legal personality shall cease their activity on the grounds stated in their Constitutions". The Committee would be glad to know, therefore, whether in accordance with this provision it was the organizations themselves which alone might decide on their dissolution.

In 1967, the Committee noted that, in connection with the direct request made in 1966, the Government stated in its report that, under the section 39 of the new Civil Code, the associations referred to therein may be dissolved only following the procedures prescribed in the rules drawn up and adopted by the association itself. In 1968, 1969 and 1970 the Committee indicated the absence of new information in the Government's reports.

In its observation in 1971, the Committee noted with interest, from the Government's report, the adoption by the Supreme Soviet of the USSR on 15 July 1970 of the "Fundamental Principles Governing the Labour Legislation of the USSR and Union Republics", containing various provisions relating to trade unions. The Government indicated in its report that a new Labour Code of the Ukrainian SSR would be adopted in accordance with this document. Recalling the points raised in its previous observations, the Committee expressed its hope that the Government would use this opportunity to introduce suitable amendments to the provisions of the Labour Code.

The application of the Convention by the Ukrainian SSR was also covered in the course of discussion of the situation in the USSR at the Conference Committee on the Application of Standards in 1971 and 1973.¹⁶³

At the meeting in 1971, the Conference Committee discussed the application of the Convention in the light of the Fundamental Principles Governing the Labour Legislation of the USSR and Union Republics adopted on 15 July 1970.

A Government representative of the USSR, speaking before the Conference Committee, stated that the Committee of Experts' interpretation of the provisions of the Fundamental Principles Governing the Labour Legislation of the USSR and the Union Republics was incorrect. He argued that the Committee had revived the old question concerning registration of trade unions with the inter-union organizations, a requirement which no longer, existed in the USSR. The Fundamental Principles had resolved the question of registration

¹⁶³ The Conference Committee decided that the discussion on the case of the USSR and the information in this regard given to the Committee should be considered to cover the case of the Ukrainian SSR and the Byelorussian SSR.

in full conformity with the Convention. In addition to the Article 95, the Fundamental Principles contained other articles referring to freedom of association, including the articles relating to the participation of Workers in the management of undertakings, the rights of trade unions and trade union members.

The Government representative reminded that trade unions had for a long time not been required to register with the All-Union Central Council of Trade Unions, nor with any other body. Article 56 of the previous constitution of the trade unions of the USSR had required the establishment of each trade union to be registered with the All-Union Central Council. The present constitution adopted in 1963 by the 13th Trade Union Conference no longer contained such a provision. In practice there was no problem of registration, and this was fully reflected in the Fundamental Principles. He also indicated that the Fundamental Principles superseded all contrary provisions of the previous legislation.

During the discussion, members of the Committee raised various questions and expressed their views on the matters under consideration. The Workers' Vice-Chairperson, speaking on behalf a substantial number of members, stated that it would be useful if the Government's next report on the Convention would clearly place on record what had been stated and would be accompanied by the text of legal provisions confirming this situation. It was not enough to bring evidence that certain provisions or practices no longer applied; positive evidence should be supplied to show that the Convention was being fully applied. In the USSR, as in other Socialist countries, this was not only a matter of legislation but of the spirit in which the Convention was applied in practice.¹⁶⁴ Eleven members of the Conference Committee took part in the discussion.

At the meeting in 1973, the Conference Committee, discussing the application of the Convention, focused on four main points raised in the recent observation of the Committee of Experts: the right of Workers to establish organizations of their own choosing; the right of managers of undertakings to organise; the trade union rights of members of collective farms; the relationship between the Communist Party and trade unions.¹⁶⁵

A Government representative, in his statement before the Conference Committee, presented a position of his Government with regard to these questions. Noting that, according to the Committee of Experts, Sections 7 and 230 of the Labour Code of the RSFSR excluded the possibility for Workers to establish trade union organizations other than the trade union committee of the office or factory, which was contrary to the Article 2 of Convention, the Government representative declared that this assertion of the Committee did not correspond to reality. Neither these sections, nor any other provisions, excluded the possibility of setting up organizations other than those which already existed. Nor were there such provisions in any other republic of the Soviet Union. The Workers themselves decided what trade union movement they wished to belong to, and it should be stressed that this question was not decided by the legislation.

As to the right of managers of undertakings to organise, the Government representative stated that in the Soviet Union, the managers of undertakings could establish their own organizations, and the legislation did not restrict this right in any manner. They had the right to form any sort of social organization, including trade unions, not only to discuss problems relating to production but also to defend their interests as managers of undertakings.

Concerning the trade union rights of members of collective farms, and the Committee of Experts' question whether they could set up organizations without the necessity of special

¹⁶⁴ ILO. International Labour Conference, Record of proceedings, [56th Session](#), Geneva, 1971, p. 619.

¹⁶⁵ ILO. International Labour Conference, Record of proceedings, [58th Session](#), Geneva, 1973, pp. 559-563.

legislation being adopted to this effect, the Government representative replied that this question had a very abstract character since it did not arise in the practical life of the country. However, Workers on collective farms had the right to set up trade unions by virtue of the right to establish trade unions which was recognised by the Constitution of the USSR. If, at a given moment, these Workers wished to establish a trade union, practice would determine under what form it should be done, and whether, for example, special legislation should be adopted.

As regards the question of the relationship between the Communist Party and the trade unions, the position of the Government was as follows. Convention No. 87 did not deal with the question of the relationship between trade unions and political parties in general, but only with the relationship between trade unions and the State. The aim of the Convention was to guarantee freedom of association in relation to the public authorities. Consequently, it was not within the competence of the Committee of Experts to examine the relationship between trade unions and political parties. This question should not have been examined.

After the statement of the Government representative, nine members of the Conference Committee took part in the discussion. The Committee members from the socialist countries (Workers' members of the USSR, Hungary, the Government members of Czechoslovakia, Cuba) supported the position of the Government of the USSR. They expressed the views that the work of the Committee of Experts as a whole was incomplete because it examined only the law, and never assessed the degree to which the objectives of Conventions were achieved in practice in individual countries. They also pointed out that the functions and rights of trade unions could not be appreciated if the political, economic and social structure of the States was not taken into consideration. The Workers' Vice-Chairperson, speaking on the question of the right to form more than one trade union organization, emphasized that the legislation should give Workers the right to establish other trade union organizations if they so desired. A monopoly should not be accorded to the committee of the undertaking. This view was supported by the Employers' members. Both of them paid special attention to the problem concerning the role of the Communist Party in the activities of trade union organizations, pointing out that this question was not outside the Competence of the Committee of Experts. This issue was also raised by the Workers' member of the United States. He said that according to the Committee of Experts' report, the Government itself had indicated that the trade unions carried on their work under the direction of the Communist Party. This fact was expressly stated in the preamble to the Rules of the Trade Unions of the USSR. Trade unionism was thus dependent on the Communist Party and integrated into the political system.

The Committee expressed the wish that the dialogue between the Government of the USSR and the Committee of Experts should continue on the basis of adequate information, as requested by the Committee of Experts, in order to clarify the position regarding the application of the Convention No. 87.

The Committee of Experts, in its observation in 1972, noted that on 10 December 1971 a new Labour Code was adopted in the Ukrainian SSR and asked the Government to answer the following questions:

- whether it was legally possible for Workers belonging to a category to set up an organization other than the trade union committee which represents that category;
- whether it was legally possible for managers of undertakings to set up and to join trade unions other than those to which the Workers in these undertakings belong;
- and what were the trade union rights of members of and other Workers on collective farms and those of foreign Workers.

In its observation, in 1973, the Committee noted that with regard to the points raised in the previous observation, the Government indicated that the legislation in force did not deal with these questions, thus leaving Workers and employees every freedom to decide themselves on matters of trade union association. According to the Government, practice in the Ukrainian SSR was such that Workers and employees, who were dissatisfied with the work of a trade union committee, or of any of its members, could elect a new committee.

As to the question relating to the right of Workers belonging to a category to set up an organization other than the trade union committee which represents that category, the Committee observed that the provisions contained in the Labour Code, such as the sections 10 and 14 concerning collective bargaining, and the sections 246 and 247 concerning the rights of trade union committees, did not contemplate the possible existence of another trade union organization established by Workers of the category represented by the trade union committee referred to in the legislation, and, by bestowing trade union functions solely upon the trade union committee of the undertaking concerned, would seem to preclude the possibility of another organization representing Workers of the same category being set up. The Committee considered that if the legislation directly or indirectly should have such an effect, this would be incompatible with the Article 2 of the Convention, which provided for the right of Workers to establish the organizations of their own choosing.

With regard to the right to organise of managers, the Committee presumed that the legal position was as follows. Managers appeared to be covered by the Article 106 of the Constitution of the Ukrainian SSR and the sections 2 and 243 of the Labour Code, which recognised the right to organise in trade unions for all citizens and for wage earners and salaried employees. Trade unions were organised as established in their rules, according to the section 28 of the Civil Code, and operate in accordance with the rules they had adopted, as provided in the section 243 of the Labour Code. The Committee requested the Government to confirm the understanding of the Committee that, by virtue of the above-mentioned provisions, managers had the right to establish organizations of their own choosing, in particular for furthering and defending the interests of their members, if they considered it necessary.

As regards the right to organise in trade unions of members of collective farms, the legal position, according to the Committee, was as follows. These members appeared to be covered by the Article 106 of the Constitution of the Ukrainian SSR which recognised the right to unite in trade unions for all citizens. The section 28 of the Civil Code, mentioned above, governed the organization of trade unions. However, with regard to the operation of trade unions the above-mentioned section 243 of the Labour Code was not applicable in the case of members of collective farms, who were excluded from the Labour Code. The Committee requested the Government to indicate whether members of collective farms could not only establish organizations under the above provisions of the Constitution and the Civil Code, if they so wish, but whether such organizations could also effectively operate for furthering and defending the interests of their members without the necessity of special legislation being adopted to this effect.

With regard to the right to organise of foreign Workers the Committee noted that, contrary to the previous Labour Code, the provisions in the new Labour Code (sections 2 and 243) recognised the right of Workers to organise in trade unions and no longer referred to citizens in this connection.

Beginning 1975, the Committee of Experts made some changes in its approach to supervising the application of the Convention by the Ukrainian SSR. In its observation in

1975 the Committee noted that the Conference Committee, when dealing with the application of the Convention in the Ukrainian SSR, made reference to the statements made respecting the application of the Convention in the USSR. Consequently, since the matters in question were similar, the Committee would also refer in this case to its observations relating to the USSR, as regards the following four points: the question relating to the right of Workers belonging to a category to set up an organization other than the trade union committee which represents that category; the right to organise of managers; the right to organise of members of collective farms and the role assigned by the Article 106 of the Constitution of the Ukrainian SSR to the Communist Party in all organizations of the working people. As regards the other matters on which the Committee had previously made comments (including particularly the right of meeting without prior authorisation), the Committee would be ready to consider the situation further in the light of any new elements which may be brought to its attention. During the next 15 years, the Committee was following this approach.

In 1991, the Committee made its last observation on the application of the Convention by the Ukrainian SSR. In the observation, the Committee noted with satisfaction that section 6 of the Constitution of the Ukrainian Republic, which had set out the leading role of the Communist Party over mass organizations, including trade unions, had been repealed and that the section 7, as amended, enshrined the principle of political pluralism. The Committee also noted with interest that, in October 1990, the first Congress of the new Federation of Independent Ukrainian Trade Unions was held, during which a Charter was adopted that laid down the principle of independence of trade unions with regard to the State and political authorities and recognised the right of the trade unions of the Ukrainian SSR to join or leave freely the Federation. It also noted that a Bill concerning the trade unions of the Ukrainian SSR was being examined by the specialized committees of the Supreme Soviet of the Ukrainian SSR. The Committee requested the Government to supply copies of these texts.

Throughout the period of supervision of the application of the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87) by the Ukrainian SSR, the Committee of Experts made 25 observations and many direct requests. This issue was also discussed at the Conference Committee of the Application of Standards in 1961, 1971 and 1973.

Holidays with Pay Convention, 1936 (No. 52)
(ratification: 1956)

The Convention is currently not in force (Automatic Denunciation on 25 Oct 2002 by the *Holidays with Pay Convention (Revised)*, 1970 (No. 132); ratification: 25 Oct 2001).

The Committee of Experts, in its observation (1959), noted that under Sections 91, 116 and 120 of the Labour Code of Ukraine, provision was made for the replacement of the holiday by compensation in cash or for the postponement of the holiday. The Committee pointed out that the Convention authorised no exceptions whatever to the granting of annual leave with pay, and that, in virtue of Article 4 of the Convention, any agreement to relinquish the right to an annual holiday with pay, or to forgo such a holiday, shall be void. The Government, therefore, requested the Government to take the necessary measures to ensure that the legislation was brought into conformity with the Convention.

In view of the fact that the Government did not reply to its request, the Committee repeated its previous observation in 1960, 1961 and 1962.

In its observation in 1964, the Committee noted the Government's statement that the postponement of leave was permitted only in exceptional circumstances when this was re-

quired for the normal working of the undertaking, and that it was subject to agreement between the employer and the Worker. The Committee pointed out however that, even in such cases, the Convention did not permit the postponement of the minimum prescribed holiday and it asked the Government to modify the national legislation (section 120 of the Labour Code and the Regulations of 30 April 1930) in order to fulfil the obligations imposed by the Convention. The Committee also noted that the Government supplied no information regarding the replacement of holidays by compensation in cash (sections 91 and 116 of the Labour Code and sections 23-27 of the Regulations of 30 April 1930). It pointed out once again that these provisions were contrary to the Convention and it requested the Government to take measures without further delay to ensure that the minimum annual holiday prescribed by the Convention might not in any case be replaced by compensation in cash.

In its observation in 1970, the Committee reflected that there were three points on which the national legislation allowed exceptions, not provided for by the Convention, to be made in the granting of annual holidays. Thus, under sections 91, 116 and 120 of the Labour Code and sections 19 and 23 to 27 of the regulations of 30 April 1930, it was permitted, in certain cases:

- a) to replace the granting of the whole of the holiday by compensation in cash;
- b) to postpone the whole of the holiday from one year to the next;
- c) to divide the holiday into several parts without a guarantee of a minimum continuous period of holiday.

The Committee recalled once again the need to bring the provisions of the Labour Code and of the regulations of 1930 into harmony with the Convention.

In its observation published in 1972, the Committee noted with satisfaction from the Government's report that section 83 of the new Labour Code of the Ukrainian SSR, adopted on 10 December 1971, prohibits the payment of cash compensation in substitution for annual leave, except when the Worker was dismissed in circumstances which made it impossible for him to take his leave. The Committee asked the Government to include in its next report information on the effect of the new Code on the other points raised by the Committee in its comments since 1959, concerning the postponement of the whole holiday from one year to the next, and the division of the holiday into several parts without a guarantee of a minimum continuous period of holiday.

In its observation in 1974, the Committee noted the information given in the Government's report that the new Labour Code had come into force on 1 June 1972. The Committee also noted that section 80 of the new Code provided that the annual holiday must be carried forward when the Worker was performing his national or social duties, and that carrying the holiday forward to the following year might be authorised, in exceptional cases, when the granting of a holiday to the Worker during the current year might have unfortunate consequences for the working of the undertaking. Reminding that, according to Article 2 of the Convention, every person covered was entitled to an *annual* holiday of at least six working days, and, according to Article 4, any agreement to relinquish the right to an annual holiday was void, the Committee requested the Government to take the necessary steps to bring the legislation into conformity with the Convention.

In 1983 in reply to the previous observations of the Committee, the Government stated that the postponement of the annual holiday was authorised only in exceptional cases depending on urgent production requirements and with the agreement of the Worker and the trade union committee. The Committee pointed out again that, under the Convention, every person to whom it applied was entitled to a holiday of at least six working days every year and that only the part exceeding this minimum may therefore be carried over (Article 2,

paragraphs 1 and 4). It asked the Government to take the necessary measures to bring the legislation into conformity with the Convention on this point.

In 1987, in reply to the previous observation of the Committee, the Government repeated its position by stating that the postponement of the annual holiday was authorised only in exceptional cases depending on urgent production requirements and with the agreement of the Worker and the trade union committee. The Committee, reminding the provisions of the Convention in this regard, asked the Government once more to take the necessary measures to bring the legislation into conformity with the Convention.

The appropriate action was taken by the Government in 1989. The Committee, in its observation in 1990, noted with satisfaction that section 80 of the Labour Code had been supplemented by a provision under which, for each year of work, an annual holiday of at least six working days must be taken at the latest within the year following the acquisition of the entitlement to holiday, thereby bringing the legislation into conformity with this provision of the Convention.

During the long period of close supervision of the Convention (1959-1990), the Committee of Experts made 13 observations and many direct requests.

Submission to the competent authorities of the Conventions and Recommendations adopted by the International Labour Conference (Article 19 of the Constitution)

According to Article 19 of the Constitution (paragraphs 5, 6 and 7) all Member States have an obligation to submit Conventions and Recommendations to the competent national authorities within 12 months or, exceptionally, 18 months. Under the same provisions the governments of Member States shall inform the Director-General of the International Labour Office of the measures taken to submit the Conventions and Recommendations to the competent authorities, and also communicate particulars of the authority or authorities regarded as competent, and of the action taken by them.¹⁶⁶

In discharging this obligation, the Ukrainian government, during the long period of time, had a disagreement with the Committee of Experts over the question of the determination of the national competent authority.

The Government began communicating the information relating to submission of the Conventions and Recommendations to the competent authorities in 1956. In its first communication, the Government indicated that the Recommendation No. 98, adopted by the Conference at its 37th Session (1954) was submitted in June 1955 to the Council of Ministers of the Ukraine, in conformity with the Article 19 of the Constitution of the ILO. The Committee of Experts took note of this information and drew the attention of the Government to Part II of the special Memorandum adopted by the Governing Body, which defined the competent authority.

In 1957, and as from 1959, the Government in its information indicated that the Conventions and Recommendations were submitted to the Presidium of the Supreme Soviet as the competent authority for the purposes of the Article 19 of the Constitution of the ILO. In its comments on this matter, in 1957, the Committee indicated that the legislative power was, in a wider sense (comparing with the Presidium of the Supreme Soviet), vested in the

¹⁶⁶ In order to assist Governments in carrying out their constitutional obligations in this field and to facilitate the communication along uniform lines of the information requested, the Governing Body adopted in 1954 a *Memorandum concerning the obligation to submit Conventions and Recommendations to the competent authorities*. The text of the *Memorandum* was amplified in 1958 and revised in 1980 and [2005](#).

Supreme Soviet, which was furthermore the most representative constitutional body. Therefore, it would be completely within the spirit of Article 19 to submit the ILO instruments also or exclusively to this body. The Committee asked the Government to consider the possibility of submitting Conventions and Recommendations adopted by the Conference, as a general rule, to the Supreme Soviet.

Contrary to the view of the Committee of Experts, the Ukrainian representative in his statement at the Conference Committee (in 1959) declared that, under the Ukrainian Constitution, the Presidium of the Supreme Soviet was competent to take the necessary measures to effect ratified Conventions. It issued decrees which had the force of law. Accordingly, the Presidium was considered to be the competent authority for the purposes of the Article 19 of the Constitution of the ILO. He added that the determination of the competent authority was a domestic matter. It was important that Conventions and Recommendations should be widely known. Legislative texts and other decisions of the Presidium were widely published in the press and in the Official Gazette. In the statements at the Conference Committee in 1960 and 1962, the Government representative confirmed the position of his Government in regard to the Presidium of the Supreme Soviet of the Ukrainian SSR as the competent authority under the Article 19 of the ILO Constitution.

The Government representatives of the USSR and the Byelorussian SSR were of the same opinion in respect to the situation on this matter in their countries

In its general review of the fulfilment of the obligations concerning submission to the competent authority, published in 1960, the Committee of Experts stressed again that the competent authority referred to in the Article 19 was the authority empowered to take the necessary measures to give effect to Conventions and Recommendations on the national level, i.e. normally the authority empowered to legislate.

A clear disagreement between the Government of the USSR, as well as the Governments of the Ukrainian SSR and Byelorussian SSR, with the Committee of Experts on the nature of competent authority became apparent during a long debate at the Conference Committee in 1972.

The Government representative of the USSR in his statement asserted that the determination of the body to which Conventions and Recommendations should be submitted was an internal matter within the sovereign decision of each State. It was determined by the constitutional system of the State. Under the USSR constitutional system, the Presidium of the Supreme Soviet was the competent authority to whom Conventions and Recommendations were to be submitted. He argued that the ILO Constitution did not give the Committee of Experts the right to decide which body was the competent authority, nor to indicate to any government to which body ILO instruments should be submitted. If it attempted to do this it went beyond its mandate. Article 19 of the Constitution provided that each Member must submit Conventions and Recommendations to the authority within whose competence the matter lies. He also added that the Presidium was the body which ratified international treaties, including ILO Conventions, and enacted legislation in this connection. The Supreme Soviet also had power to ratify, but Soviet constitutional practice was such that international treaties were, in most cases, ratified by the Presidium. The Presidium had a wide membership, including chairmen of the Presidiums of the Supreme Soviets of the different Republics, representatives of the Party, trade union representatives and representatives of public organizations.

The Committee of Experts, in its observations concerning the Submission to the Competent authorities of the Conventions and Recommendations adopted by the International Labour Conference in 1973, made comments on the nature of the competent authority with reference to the Ukrainian SSR.

The Committee stated that, under the relevant provisions of the Constitution of the Ukrainian SSR, while the Presidium could indeed issue decrees and interpret the laws in force in the Ukrainian SSR (Article 30 (b) and (c) of the Constitution of the Ukrainian SSR, as amended up to 1965), Article 23 of the Constitution provided that "The Supreme Soviet of the Ukrainian SSR is the sole legislative organ of the Republic". It therefore seemed that the Supreme Soviet was in principle the authority vested by the national Constitution with the *general* power to legislate on the matters dealt with by ILO Conventions and Recommendations. In these circumstances, it would seem that the legislative powers of the Presidium, even if they extended in fact to all the subjects covered by ILO instruments, should not exclude the competence of the Supreme Soviet as the body in which the general power to legislate was vested. It therefore seemed appropriate for Conventions and Recommendations to be brought to the attention of the members of the Supreme Soviet which adopted the fundamental texts in the field of labour legislation. Similarly, in the case of instruments which did not call for legislative measures but for other action, it would be desirable to ensure the widest possible dissemination of Conventions and Recommendations, to submit these instruments also to the Supreme Soviet as the most representative parliamentary body. It was understood that the most appropriate procedure to be followed in bringing these instruments before the Supreme Soviet can be determined by the Government in the light of national practice.

It seemed that arguments provided by the Committee of Experts, in favour of the Supreme Soviet as the competent authority for submission of the ILO instruments, were convincing for the Ukrainian authorities; but it took more than ten years before the Government began changing its attitude in regard to this question.

In its comment, in 1982, the Committee of Experts noted with satisfaction, from the statement of a Government representative at the Conference Committee in 1981, that the instruments adopted by the Conference and submitted to the Presidium of the Supreme Soviet were also submitted to the various competent committees of the Supreme Soviet of the Ukrainian SSR. And, finally, in 1985, the Ukrainian government, in its communication on the submission of ILO instruments to the competent authority, stated that the instruments adopted at the 69th Session of the Conference (1983) had been submitted to the Supreme Soviet. Since that time the ILO instruments have been submitted to the Supreme Soviet as the competent authority under the Article 19 of the ILO Constitution.

Financial contribution to the ILO, 1954–1990

The financial obligations of the Member States are laid out in the Article 13 of the ILO Constitution. These provisions are supplemented by the Financial Regulations of the ILO, which were adopted by the International Labour Conference at its 29th (1946) Session and are amended from time to time.

The financial contribution to be made by a new Member to the budget of the Organization is decided by the International Labour Conference upon its review of proposals made by the Governing Body. Since 1977, the scales of assessment used for determining the contributions of Member States of the ILO had been based on the United Nations scales of

assessment on its Member States. The UN scale is adopted by the General Assembly every third year, upon the recommendation of the Fifth Committee, following proposals made by the UN Committee on Contributions. The ILO scale of assessments is adjusted arithmetically for differences in membership between the two organizations, with the maximum and minimum rates set at 25 per cent and 0.01 per cent respectively as in the UN scale. The assessment is expressed in terms of a percentage of the total budget. The amount of cash contribution to be paid annually depends on this percentage assessment, on the overall level of the budget which was approved by the Conference and on the date at which the new Member becomes a member of the Organization.¹⁶⁷

In 1954, after joining the ILO, the contributions of Ukraine to the Organization's budget was determined by the International Labour Conference at its 37th Session. According to the resolution concerning the Financial Contributions of the Union of Soviet Socialist Republics, the Ukrainian SSR and the Byelorussian SSR to the Expenses of the International Labour Organization for the Financial Years 1954 and 1955, adopted by the Conference on 24 June 1954, the financial contributions of the Ukraine was assessed at 1 per cent of the gross expenditure budget for those years.¹⁶⁸

The assessed contribution of 1 per cent for Ukraine was not changed until 1965. As of 1966, the assessment level had been increased annually: from 1.01 per cent (1966) to 1.70 per cent (1977). The cash contribution for this period was increased from US\$205,413 (1966) to US\$1,069,997 (1977).

Despite the fact that in the next period (1977-1990) the rate of contributions for Ukraine was decreased from 1.70 per cent in 1977 to 1.24 per cent in 1990, the cash contribution was increased considerably for the same period: from US\$1,352,782 to US\$3,585,272.

In the period between 1954 and 1990, Ukraine paid its contributions to the ILO budget in full and, as a rule, on time. The table below summarises the payments of financial contributions by Ukraine to the ILO budget during the Soviet period, 1954-1990.¹⁶⁹

¹⁶⁷ Membership in the International Labour Organization: information guide. Geneva, ILO, 2014, p. 2.

¹⁶⁸ ILO. International Labour Conference, Record of proceedings, [37th Session](#), Geneva, 1954, p. 580. In applying this level of assessments to the financial year 1954, the contributions from Ukraine, Byelorussia and the USSR were pro-rated from the dates of entry.

¹⁶⁹ The Assessed contributions were payable in US dollars until 1989. From 1990, the assessed contributions are payable in Swiss francs according to the amendments to the ILO Financial Regulations, adopted by the 76th Session of the Conference (1989). Therefore, in the table the assessed contributions from 1954 to 1989 are given in *US dollars*, for 1990 are in *Swiss francs*.

UKRAINE

Payments from 1954 to 1990
(1954 - 1989 in USD; 1990 in CHF)

Year	Assessed Contributions		Contributions received or credited		Contributions due
	%	Amount	Date	Amount	
1954	1.0000	42,036	22/09/1954	16,800	-
			21/12/1954	25,236	
1955	1.0000	69,909	30/06/1955	34,955	-
			02/12/1955	34,955	
1956	1.0000	68,579	27/06/1956	34,290	-
			10/12/1956	34,290	
1957	1.0000	71,685	02/07/1957	35,842	-
			12/12/1957	35,842	
1958	1.0000	75,423	26/06/1958	37,711	-
			23/12/1958	37,712	
1959	1.0000	74,274	28/07/1959	37,137	-
			31/12/1959	37,137	
1960	1.0000	90,039	01/07/1960	45,020	-
			04/07/1961	45,020	
1961	1.0000	97,959	03/10/1961	54,422	-
			15/01/1962	43,537	
1962	1.0000	110,862	12/07/1962	49,000	-
			28/12/1962	61,862	
1963	1.0000	140,069	26/08/1963	70,000	-
			30/12/1963	70,069	
1964	1.0000	163,888	01/07/1964	81,950	-
			24/12/1964	81,938	
1965	1.0000	186,844	21/06/1965	93,400	-
			10/12/1965	93,444	
1966	1.0100	205,413	30/06/1966	102,700	-
			27/12/1966	102,713	
1967	1.0000	231,466	30/06/1967	115,733	-
			19/12/1967	115,733	
1968	1.1000	293,066	01/07/1968	146,520	-
			25/12/1968	146,546	
1969	1.2600	335,320	23/06/1969	167,660	-
			24/12/1969	167,660	

UKRAINE

Payments from 1954 to 1990
(1954 - 1989 in USD; 1990 in CHF)

Year	Assessed Contributions		Contributions received or credited		Contributions due
	%	Amount	Date	Amount	
1970	1.3500	402,779	26/06/1970	201,400	
			29/10/1970	164,044	
			31/12/1970	37,335	-
1971	1.4400	450,222	30/06/1971	220,071	
			09/11/1971	220,071	
			28/06/1972	10,080	-
1972	1.5100	526,039	28/06/1972	248,032	
			21/12/1972	258,112	
			03/07/1973	19,895	-
1973	1.5900	553,909	03/07/1973	252,687	
			24/12/1973	272,582	
			18/06/1974	28,640	-
1974	1.6700	753,747	18/06/1974	340,093	
			23/12/1974	368,733	
			28/07/1975	44,921	-
1975	1.6800	758,259	28/07/1975	326,019	
			22/12/1975	370,940	
			16/06/1976	61,300	-
1976	1.6900	1,369,593	16/06/1976	618,870	
			20/12/1976	680,170	
			28/06/1977	70,553	-
1977	1.7000	1,352,782	28/06/1977	601,184	
			28/12/1977	681,045	
			30/06/1978	70,553	-
1978	1.4900	1,296,852	30/06/1978	577,873	
			27/12/1978	648,426	
			26/11/1979	70,553	-
1979	1.5200	1,833,400	26/11/1979	846,147	
			21/12/1979	916,700	
			30/06/1980	70,553	-
1980	1.5200	2,064,962	30/06/1980	961,928	
			23/12/1980	1,032,481	
			12/06/1981	70,553	-
1981	1.4500	1,391,459	12/06/1981	625,177	
			17/12/1981	695,729	
			18/02/1983	70,553	-

UKRAINE
Payments from 1954 to 1990
(1954 - 1989 in USD; 1990 in CHF)

Year	Assessed Contributions		Contributions received credited		or	Contributions due
	%	Amount	Date	Amount		
1982	1.4500	1,725,837	18/02/1983	1,655,284		
			29/07/1983	70,553		-
1983	1.4500	1,789,079	29/07/1983	823,987		
			28/12/1983	893,709		
			12/07/1984	71,383		-
1984	1.3100	1,668,573	12/07/1984	761,040		
			28/12/1984	832,423		
			28/06/1985	75,110		-
1985	1.3100	1,668,573	28/06/1985	759,176		
			23/12/1985	834,287		
			31/07/1986	75,110		-
1986	1.3100	1,612,395	31/07/1986	711,916		
			30/12/1986	806,170		
			11/02/1987	27		
			15/07/1987	94,282		-
1987	1.2800	1,620,096	15/07/1987	697,033		
			01/12/1987	810,048		
			14/03/1988	113,015		-
1988	1.2800	2,079,104	14/03/1988	926,537		
			26/05/1988	1,039,552		
			15/12/1988	106,770		
			18/01/1989	6,245		-
1989	1.2800	2,490,792	18/01/1989			
			03/07/1989	1,245,396		
			13/02/1990	6,245		
1990	1,2400	CHF 3,585,272	13/02/1990	1,787,271		
			03/07/1990	1,798,001		

Visit of the ILO Director-General Mr David Morse to Kiev (6–8 April 1958)

Within his mission to Austria and Eastern Europe (March–April 1958), the Director-General of the ILO, Mr David A. Morse, visited Kiev at the invitation of Ukrainian Government. The Director-General arrived at Kiev from Minsk the late evening on 6 April 1958. On the next day, 7 April, he had a meeting with Mr L.S. Palamarchuk, Minister of Foreign Affairs of Ukraine. Also present at the meeting were Mr S.A. Slipchenko, Deputy Minister of Foreign Affairs, Mr V.I. Zaichuk, Deputy Minister of Justice, Ms N.K. Voitova, deputy Minister of Social Security, Mr N.J. Shadinov, Secretary of the Ukrainian Trade Unions, Ms A.I. Kelina, Deputy Chairperson of Executive Committee, Kiev Town Soviet, Mr V.N. Tsyba, Chief of Protocol, and Mr Tidmarsh (ILO).

Mr Palamarchuk opened the conversation by saying that he hoped it would not be long before the employer issue would be resolved. The Director-General replied that the machinery for addressing this issue had been instituted but, in his opinion, it would be a mistake to expect a solution too soon. Mr Palamarchuk raised the question concerning the securing of a greater number of appointments to the ILO from Ukraine and other East European countries. The Director-General explained the recruitment procedure in other countries, pointing out that the normal pattern was the holding of a competition rather than appointment on the basis of nomination by governments. He explained the advantages of this method in the light of the fact that the ILO was a technical specialized agency. Mr Morse said that, in most cases of recruitment from major States, competitions were conducted through ministries of labour rather than of foreign affairs.

The Director-General again mentioned the ILO Commissions on technical questions. It had become the habit, he said, when composing such Commissions, to turn to Moscow for someone to represent the Soviet Union. Mr Morse asked whether in such cases it might be possible to ask for candidates from Ukraine or from Byelorussia as well. He added that he did not want to create problems and, therefore, was seeking advice.

These were technical appointments and he wished to avoid political difficulties. Mr Slipchenko, deputy Minister of Foreign Affairs, replied that there was no problem whatsoever as far as this matter was concerned: Moscow and Kiev should be treated as distinctly as London and Paris.¹ The Director-General said that he would bear this in mind when faced with further USSR appointment questions. In the course of the conversation Mr Palamarchuk asked that Russian should become an official language and that more ILO documents should be translated into Russian.

The conversation continued during the lunch, given by the Minister of Foreign Affairs in honour of the Director-General. Mr Morse and Mr Palamarchuk discussed the role of ILO in attaining its high objective of peace and the reception which would be given at the ILO Conference to a resolution concerning nuclear disarmament. Mr Morse said that it would be considered as being political and would fail adoption.

The Director-General visited the Tochelektropribor Factory and had a conversation with Director of the Plant, Mr Volik, Employer delegate to the ILO. The Director-General made a tour of the factory which produced various kinds of electrical measurement instruments. He was surprised, firstly, by the very high proportion of women employed in the enterprise and, secondly, by the inadequacy of medical provisions.

Mr Morse was received by the Chairperson of Council of Ministers of Ukrainian SSR Mr N.T. Kalchenko. The Chairperson described the present economic and social situation

¹ ILO Archives, File No. Z.3/64/2 Director-General's mission to Austria and Eastern Europe (March–April 1958).

in Ukraine, pointing out the great achievement of the Republic in industrial and agricultural developments. Mr Kalchenko then explained, in reply to a query from the Director-General, the organizational pattern and the inter-action of Union and Republican control. Mr Kalchenko said that he himself was a member of the All-Union Government (Council of Ministers) and his representatives were on the All-Union Gosplan (State Planning Committee). He explained the lines of command linking the Republican Supreme Soviet, Council of Ministers and regional committees. Mr Morse asked how decisions were taken in the Council of Ministers. Mr Kalchenko replied that this was frequent as a result of a straight vote. The conversation ended with a remark by Mr Kalchenko that a lot could be done with so influential an organization as the ILO. His Government were greatly concerned about the problem of nuclear weapons testing and perhaps the ILO should do something in this sphere. Mr Morse replied that, in his opinion, the ILO could do a great deal towards creating a better understanding among the peoples of the world on conditions and differences in the sphere of its own competence.

Mr Morse also had an interview with Mr K.F. Moskalets, Chairperson of Ukrainian Trade Union Council. Mr Moskalets explained that the Trade Union Council was the supreme trade union body, between sessions of the Trade Union Congress.

He described the trade union structure in Ukraine. There were 23 trade unions in the country. These were grouped on a territorial principle, there being 25 administrative regions. In each of these there was a regional council of trade unions. This council was the highest trade union body in a given region, embracing all the occupational branches of the trade union movement. With a total labour force of 10 million, nine million Workers were members of trade unions. There were 90,000 factory-level trade union committees in Ukraine. Each factory committee had subcommittees on subjects such as production, occupational safety, social insurance, wages, housing, culture and rationalisation.

In larger plants, there were profgroups or shop committees. In the reply of the Director-General about conflicts between managers and trade unions, Mr Moskalets said that imperfect managers existed and disputes, often severe, developed. In cases of conflict, the manager was often criticised as the first stage. Later, he (or she) could be dismissed as a result of an appeal by the trade union to the Ministry. Trade unions were in no case identical with management, as was always alleged in the West. Mr Moskalets described the cultural activities of trade unions.

Mr Moskalets touched upon the question of relationships between the Communist Party and the trade unions, pointing out that their organizations were not Party dominated. They were voluntary and they lived by their own money. He rejected the statement that the trade unions in the USSR were “instruments” of the Party.²

² The authors of this book would like to point out that this was the first and so far, the last visit of the ILO Director-General to Ukraine.

Chapter 3

Developments after 1991: from relationship to partnership

The relationship between Ukraine and the ILO has changed considerably since August 1991 when Ukraine became an independent country. In the process of economic reform and transition to a market economy, Ukraine needed support and technical assistance from the international community. In particular, Ukraine expressed its interest in active participation in the ILO technical cooperation programme. The issues of technical cooperation, and the need for ILO assistance in reforming the labour market and social protection system, dominated in discussions of the Ukrainian representatives at the sessions of the International Labour Conference, the Governing Body and other ILO meetings. In 1993, the Ukrainian Government made a series of proposals for long-term cooperation between the ILO and Ukraine in a number of specific labour-related fields. In response to these proposals, the ILO began expanding its technical activities in Ukraine. An important role in these activities was played by the Central and Eastern Europe Multidisciplinary Team (CEET), established in January 1993 in Budapest, Hungary. The first comprehensive technical cooperation programme between the ILO and Ukraine, “Active Partnership Policy: Country Objectives for Ukraine”, was realised in 1998-2001. Beginning 2006, the cooperation between the ILO and Ukraine has been implemented through the Decent Work Country Programmes.

The ILO cooperation activities in Ukraine have been carried out in coordination with the United Nations Office in Ukraine and the European Union (EU) Representation there. All Decent Work Country Programmes adopted between 2006 and 2016 were formulated in line with the United Nations Development Assistance Framework: first as “Ukraine 2006-2010 and the Government of Ukraine”; and later as “United Nations Partnership Framework 2012-2016”.

In developing its cooperation programmes with Ukraine, the ILO takes into account the main issues of bilateral cooperation between the EU and Ukraine, and the country’s commitment to a closer integration with the EU. Thus, in the first Decent Work Country Programme for Ukraine, 2006-2007, a closer alignment with the European Union standards was defined as one of the three priority areas of cooperation between Ukraine and the ILO.

Earlier, in 1998, as a result of the reorganization of the ILO field structure for Central and Eastern Europe and Central Asia, the ILO decided to transfer Ukraine and Moldova, as two Eastern European countries, under the responsibility of a newly established Budapest Area Multidisciplinary Team Office, which covered 15 Central European countries (Albania, Bosnia and Herzegovina, Bulgaria, Croatia, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, the Former Yugoslav Republic of Macedonia, Poland, Romania, Slovakia, Slovenia, Ukraine and the Federal Republic of Yugoslavia).³

Since then, Ukraine has been under the responsibility of the Budapest Area Office, which in 2003 was renamed SRO-Budapest, and in 2011 to the Decent Work Technical Support Team and Country Office for Central and Eastern Europe (DWT/CO-Budapest).⁴

³ New field structure for Central and Eastern Europe and Central Asia. Circular [of the ILO Director-General] No. 222. Series 2: Organization. 16.02. 1998.

⁴ In 2003, as a result of new reorganization of ILO field structure, the Budapest Area Office/MDT became the Budapest Subregional Office (SRO-Budapest) (See: Reorganization of the ILO structure. Circular [of the ILO Director-General] No. 236. Series 2: Organization. 25.03.2003). In 2011 a new ILO field structure was implemented, according to which the SRO-Budapest assumed dual roles as the Decent Work Technical Support Team (DWT) and country office (with specified

Another sign of the Ukraine's commitment to closer integration with the European Union is the fact that, since 2005, the Ukrainian delegations participating in the ILC and other ILO meetings aligned themselves with the statements made by representatives of the European Union (EU) on behalf of the EU and its Member States.

The present chapter consists of four sections: (i) *Technical cooperation and promotion of decent work*; (ii) Participation of the Ukrainian delegations in the sessions of the International Labour Conference, the Governing Body and other ILO meetings; (iii) Ratification and application of the ILO Conventions; and (iv) Financial relations between Ukraine and the ILO since 1991.

The first section, *Technical cooperation and promotion of decent work*, traces back how the technical cooperation between Ukraine and the ILO began in early 1990s, discusses the role of the Decent Work Country Programmes in developing and strengthening this cooperation and describes how the cooperation has been realised in such key areas as: promotion of employment opportunities and improvement of labour market conditions for men and women, labour migration, tripartism and social dialogue, labour law, labour statistics, child labour, occupational safety and health.

The second section, *Participation of Ukrainian delegations in the sessions of the International Labour Conference, the Governing Body and other ILO meetings*, highlights the main questions raised by the Ukrainian delegates at the ILO meetings, and documents other issues concerning Ukraine which were discussed at these meetings.

The third section, *Ratification and application of the ILO Conventions*, while describing a general status of ratification and application of the ILO Conventions by Ukraine since 1992, examines in detail the application by Ukraine of the following seven Conventions: *Protection of Wages Convention, 1949 (No. 95)*, *Minimum Age Convention, 1973 (No. 138)*, *Worst Forms of Child Labour Convention, 1999 (No. 182)*, *Freedom of Association and Protection of the Right to Organize Convention, 1948 (No. 87)*, *Right to Organize and Collective Bargaining Convention, 1949 (No. 98)*, *Labour Inspection Convention, 1947 (No. 81)*, *the Labour Inspection (Agriculture) Convention, 1969 (No. 129)*

The fourth section, *Financial relations between Ukraine and the ILO since 1991*, unveils the origins of difficulties experienced by Ukraine in meeting its financial obligations arising out of its ILO membership, and provides a summary of the payments of financial contributions by Ukraine to the ILO budget for the period from 1991 to 2017.

Technical cooperation and promotion of decent work

As has already been mentioned above, shortly after declaring its independence in August 1991, Ukraine expressed its desire to strengthen cooperation ties with the ILO.

In January 1993 the Prime Minister of Ukraine, Mr Kuchma, addressed a letter to Mr Michel Hansenne, ILO Director-General, asking him to consider the proposal encompassed in his letter as a basis for a long-term cooperation between the ILO and the Ukrainian Government, Workers' and employers' in the following six specific areas: (i) international labour standards and Workers' rights; (ii) industrial relations and labour administration; (iii) establishment of the labour market institution and employment promotion; (iv) management

country coverage), and became DWT/CO-Budapest. (See: Enhancing delivery of ILO services to constituents. Director-General's announcement. IGDS Number 150 (Version 2), 13 April 2011.)

and vocational training; (v) labour information and labour statistics; (vi) working conditions and environment.

In his response, the ILO Director-General welcomed the proposal made by Ukraine and promised that they would be carefully studied by the ILO Regional Office for Europe, relevant technical Departments as well as the newly established ILO Multidisciplinary Team for Central and Eastern Europe in Budapest.⁵

As a result of the above correspondence between the Prime Minister of Ukraine and the ILO Director-General, the technical assistance of the ILO to Ukraine intensified. Most notably, the change could be observed in the field of labour statistics.⁶

In 1993, the Government of Ukraine requested the ILO and the United Nations Development Programme (UNDP) to provide assistance in reforming its social protection system. In response, the ILO Social Security Department; the ILO Multidisciplinary and Advisory Team for Central and Eastern Europe (ILO-CEET) and the UN Office in Ukraine, in close collaboration with the Ukrainian authorities, developed a technical assistance programme which included the following areas: (a) a comprehensive country objective review of the national labour and social policy in Ukraine; (ii) a technical mission to the country for establishing technical assistance needs in the social protection field; and (c) implementation of a series of technical assistance projects identified during the mission.⁷

A comprehensive country objective review was conducted by the ILO-CEET between January and August 1994. As a result of that review, a report “The Ukrainian challenge: reforming labour market and social policy” was prepared. The report was submitted to the international conference “Reforming Labour Market and Social Policy in Ukraine” organised by the Ministry of Labour of Ukraine, ILO and the UNDP Office in September 1994 in Kyiv. The main conclusions and recommendations drawn from the discussions of the report were submitted to the Ministry of Labour of Ukraine for their reflection.⁸

The next step in the social sector supporting programme was the technical mission to Ukraine carried out by the ILO and the UNDP from 28 November to 17 December 1994. The World Bank also joined the mission as an observer. The mission reviewed in detail the social policy reform proposals discussed by the Government, the Parliament and the general public, and identified the technical assistance needs.

The report based on the mission findings outlined four basic “cornerstones” of a comprehensive social protection strategy to be considered by the decision-making bodies in Ukraine. In addition, the mission developed a plan of technical assistance to be provided in order to implement the above reform.⁹

During that period, the ILO provided assistance to Ukraine in overhauling its industrial relations paradigm. Thus, with the participation of the ILO and its experts, two important conferences were organised in Kiev, the capital of Ukraine: the National Tripartite Conference on Social Dialogue and Tripartism in Ukraine (April 1996) and the National

⁵ See the texts of both letters in the section “Official documents” in the volume II.

⁶ See the section “Restructuring of labour statistics and labour market information system” in this volume.

⁷ Ukraine: report to the government on social protection reform and issues of implementation / ILO, Geneva, Budapest; UNDP. Kiev, Geneva, ILO, 1995, p. 3.

⁸ The Ukrainian challenge: reforming labour market and social policy. ILO Central and Eastern Europe Multidisciplinary Advisory Team (CEET), Budapest, Geneva, ILO, 1994.

⁹ Ukraine: Report to the Government on social protection reform and issues of implementation. ILO, Geneva, Budapest; UNDP. Kiev. Geneva, ILO, 1995, pp.48-65.

Tripartite Conference on Employment Policy in Ukraine (October 1997).¹⁰ The tripartite conference on employment policy was used as a starting point for a country employment policy review which was finalised at the end of 1998.

For a better coordination of ILO activities in the country and ensuring that the ILO was kept informed of national developments, an Office of the ILO National Correspondent was established in Kyiv in June 1996.

In 1998, the first official programme of the cooperation between the ILO and Ukraine entitled “Active Partnership Policy: Country Objectives for Ukraine” was developed by the ILO in close collaboration with its tripartite constituents.

The Programme was elaborated within the framework of the ILO Active Partnership Policy, which had been adopted in 1993 with the aim of bringing the ILO closer to its tripartite constituency in Member States and enhancing the coherence and quality of the technical services provided to them.

The Programme, designed for the period 1998–2001, was signed on 23 October 1998 by the representative of the ILO Director-General, the Minister of Labour and Social Policy of Ukraine and representatives of trade union and Employers’ organizations of Ukraine.

It was aimed at seeking ILO advisory services and technical assistance in achieving the following eight objectives with a detailed plan of action for implementation of each objective:

- Developing and implementing national social and economic policies capable of conciliating the demands of economic development with social equity;
- Enhancing social dialogue through the development and improvement of tripartite consultation and collective bargaining schemes;
- Reforming the national labour legislation in conformity with the international labour standards;
- Reforming the wage system;
- Elaborating a national strategy on labour market policy and an active employment policy;
- Improving the management and functioning of social protection schemes and programmes;
- Preventing child exploitation and elimination the worst forms of child labour;
- Improving the legislative framework in the field of occupational safety and health in compliance with the ILO Conventions and Recommendations.

Despite the ambitious and multiple character of the Programme, many of its targets were accomplished.

In 1998, the ILO together with its tripartite constituents drafted a country employment policy Review for Ukraine which was published in 1999.¹¹ The Review identified the main labour market problems in the country and outlined a set of policies to promote demand for labour and employment, improve the quality of employment, stimulate sound enterprise

¹⁰ National Tripartite Conference on social dialogue and tripartism in Ukraine: challenges and perspectives. Kyiv, April 2-3, 1996. Kyiv, ILO, 1996, p. 187; National Tripartite Conference on employment policy in Ukraine. Kyiv, October 14-15, 1997. Kyiv, ILO, 1997.

¹¹ Ukraine: Country employment policy review. International Labour Office, Employment and Labour Market Policies Branch, Central and Eastern European Team. Budapest, ILO, 1999, p. 91.

restructuring, assist the unemployed in finding new jobs and protect them against poverty. Institutional changes and policies were recommended to stimulate growth and job generation in small and medium-sized enterprises. An action programme was proposed to address the non-payment of wages. Local development initiatives were identified as a primary approach towards restoring sound economic development in crisis regions and were piloted in the Chernobyl region. The Review was presented at a tripartite conference held in Kyiv 22 October 1998, and endorsed by its participants.

In response to the needs outlined in Ukraine's country objective concerning the improvement of the management and functioning of social protection schemes and programmes, the ILO elaborated a social budget model for Ukraine. A report was produced as a product of a Ukrainian inter-agency task force that was entrusted with drawing up a social budget model for Ukraine with the assistance of a team of advisers from the World Bank and ILO. The report concentrated on the results of quantitative analysis of the complete national social protection system in Ukraine and described the first version of the Social Budget Model.¹² In conjunction with the report, the ILO produced a users' manual which provided a basic and general guide on the use of the Model.¹³ A Social budgeting unit has also been established as a permanent means of governance.

The ILO provided technical assistance to the government, Employers' and Workers organizations as well as to women's NGOs in the promotion of gender equality in the labour market, with special emphasis on the rights of women Workers. During 1998–1999, in order to increase the level of women's rights knowledge, the ILO in cooperation with the State Committee of Ukraine for Family and Youth Affairs, the Ministry of Labour and Social Policy of Ukraine, the State Employment Center and the Ministry of Economy of Ukraine (in the framework of the Interregional project on training and information dissemination on women Workers' rights) carried out tripartite seminars in three regions: Lviv, Chernihiv and Dnipropetrovsk. The seminars were aimed at the specialists of the boards for family and youth affairs dealing with women's issues, leaders of women's NGOs, trade union representatives and women Workers from different industries and economic sectors.

It also published the information materials on women Workers' rights including a number of recommendations to strengthen the observance of these rights.¹⁴

In accordance with the objective concerning the prevention of child exploitation and elimination the worst forms of child labour, a national Child Labour Survey was conducted by the State Committee on Statistics of Ukraine supported by the ILO-IPEC (SIMPOC) in 1999.¹⁵

Within the above umbrella Programme, the ILO/UNDP Swiss-funded project on Flexible Programmes for Vocational Training for Unemployed (the second phase, 1999–2002) was carried out, and the Luxembourg-funded project on social dialogue was implemented thereafter.

¹² Social Budgeting in Ukraine: Report of a joint task force in collaboration with the International Labour Organization, the World Bank and the United Nations Development Programme in Ukraine. Geneva, ILO, 1999.

¹³ Ukraine Social budget model: user's manual. International Labour Office, Central and Eastern European Team. Geneva, ILO; Budapest: CEET, 1999.

¹⁴ Права працюючих жінок в Україні – Women workers' rights in Ukraine / International Labour Office, State Committee of Ukraine for family and Youth Affairs, Ukraine Institute for Social Research. Kyiv, Ukraine Institute for Social Research, 1999.

¹⁵ See more about the survey in the chapters "Restructuring of labour statistics and labour market information system" and "Prevention and elimination of the worst forms of child labour, including trafficking in children" of this volume.

Although not all objectives were attained in full, the Programme was an important step to further deepen the cooperation between Ukraine and the ILO.

It should be observed that in spite of the fact that the cooperation between Ukraine and the ILO during the next five years (2001–2005) was not based on the official programme, the ILO continued providing technical assistance to Ukraine concentrating on specific technical projects in various fields of labour market and labour relations.

In this context, the project "Ukraine: Promoting fundamental principles and rights at work" implemented in August 2001–May 2006 occupied a special place.

The project, with an overall budget of US\$2.3 million granted by the US Department of Labor, was designed to promote goals set out in the ILO Declaration on Fundamental Principles and Rights at Work (1998). It was the largest ILO technical cooperation project ever implemented in the whole Central and Eastern European Region, both in term of funding and the scope of problems to cover.

The project defined specifically four main objectives: reform of the labour law; reform of the labour inspection system; improving the practice of freedom of association and collective bargaining; and the promotion of gender mainstreaming (to address in all components of the project with special emphasis on labour legislation).

In the process of project implementation, a draft of a new labour code was prepared on a tripartite basis with advisory assistance of the ILO. It was voted in the Parliament in the first reading in December 2003 and approved by the Parliamentary Committee on Social Policy and Labour for the second reading in June 2004. Because of the political crisis in Ukraine, from late November 2004 to January 2005, voting in the Parliament of a final version of the new labour code was delayed.¹⁶

Concerning the reform and the increased efficiencies within the labor inspection system, there were clear indications that this institution has benefited enormously from the support and professionalism of the project through training, materials and consultation, as well as the material support in the form of a new computerized system. As a result of efforts made within the project, two important ILO Conventions, Labour Inspection Convention, 1947 (No. 81) and the Labour Inspection (Agriculture) Convention, 1969 (No. 129), were ratified by the Ukrainian parliament on 10 November 2004.

With regard to improving the practice of freedom of association and collective bargaining, the legislative and institutional framework for collective bargaining and labour dispute settlement at all levels was examined critically during the conferences, seminars and workshops in Kyiv and regions. Master collective bargaining agreements were also developed on a tripartite basis with the ILO support.

The principles of non-discrimination and gender mainstreaming were addressed in all components of the project. The non-discriminatory clauses were included in the draft Labour Code. The state labour inspectorates introduced monitoring of non-discrimination at work in their daily practice. In 2005, an analytical report on the gender equality problems at work, in Ukraine, with appropriate recommendations, was prepared and published both in English and Ukrainian within the project by the Center of Social Expertise of the Institute

¹⁶ See the chapter "*Reforming the labour law*".

of Sociology of the National Academy of Sciences of Ukraine.¹⁷ It was also published in the Ukrainian version of the ILO book “Gender equality: a guide to collective bargaining”.

The project had a substantial impact on all target groups involved in its implementation, in particular the tripartite group of governments, trade unions and Employers. They have participated in numerous training events and conferences, both as participants and organizers. The total number of seminars, conferences and training sessions held between 2001 and 2005 was 62. The total number of participants who attended these was 3,429. All participants received, and often participated themselves in the development of, publications, research materials and other documents. 30 publications were prepared and released on issues of international labour law.¹⁸

In general, the Project activities and outputs greatly contributed to the promotion of the ILO Declaration on Fundamental Principles and Rights at Work in Ukraine and produced results that were sustainable, appropriate and necessary for the future development of labour relations in the country.¹⁹

Beginning 2006, the cooperation between Ukraine and the ILO has been implemented through Decent Work Country Programme.

Decent Work Country Programmes

In its Report to the 87th Session of the International Labour Conference (1999) the ILO Director-General formulated the Decent Work Agenda as a new framework for the ILO’s action. It was declared that that the primary goal of the ILO was to promote opportunities for women and men to obtain decent and productive work, in conditions of freedom, equity, security and human dignity.²⁰

The concept of decent work integrated four strategic objectives: fundamental principles and rights at work and international labour standards; employment and income opportunities; social protection and social security; and social dialogue and tripartism. In order to promote the Decent Work Agenda at the national level and to explore how the concept of decent work could be applied in practice, the ILO introduced a Decent Work Pilot Programme in October 2000. Based on the experience of eight countries participating in the pilot programme, the ILO adopted Decent Work Country Programmes (DWCPs) as the main instrument for ILO cooperation with Member States.

Each DWCP was developed by the ILO in close consultations with the government and social partners, and organised the cooperation in a coherent framework that effectively enabled a country to make progress towards achieving decent work goals.

¹⁷ Analytical report on a situation analysis of the gender equality problem at work in Ukraine (summary) / International Labour Office, Technical Cooperation Project “Ukraine promoting fundamental principles and rights at work”, Center of Social Expertise Institute of Sociology, National Academy of Sciences of Ukraine. Kyiv: ILO, 2005.

¹⁸ ILO Declaration project in Ukraine: information and fact sheet /International Labour Organization, Technical cooperation project “Ukraine: promoting fundamental principles and rights at work”. Kyiv: ILO, 2005, p. 22.

¹⁹ ILO Technical Cooperation Project “[Ukraine: promoting fundamental principles and rights at work; UKR/01/51M/USA](#)” / Steve Gibbons (Ergon Associates), Wael Issa (ILO); 08 December 2005. London: Ergon Associates, 2005, p. 84.

²⁰ Decent work: report of the Director-General. International Labour Conference, [87th Session](#), Geneva, 1999, p. 3.

The contents of DWCPs include the following elements:

- an analysis of the current situation in a country, from a decent work perspective, and lessons learned from previous cooperation;
- a limited number of Country Programme priorities which take into account national development planning activities and international agenda such as the Millennium Development Goals, the United Nations Development Assistance Framework (UNDAF), the views and priorities of constituents in the country, and the ILO's Strategic Policy Framework (SPF) and Programme and Budget;
- intended Country Programme outcomes to be achieved;
- management and implementation issues;
- performance monitoring and evaluation arrangements.²¹

The objectives of the DWCPs are pursued through the use of various means of action, including technical cooperation projects, advisory missions, and seminars for information dissemination and capacity building.

The DWCPs were first formally introduced as a programming concept in November 2003 and were institutionalised in ILO programming in 2004.²²

The first Decent Work Programme for Ukraine, covering the period 2006–2007, was developed in 2005 and signed on 3 March 2006. It concentrated on three priorities, which were considered as long-term goals:

- deepening the democratization process through strengthening social partners and social dialogue;
- promotion of more and better employment opportunities for men and women;
- closer alignment with European Union standards.

Other areas of activities specified in the programme were human trafficking and child labour.

Within these priority areas 12 country programme outcomes were defined.

Among the main results of the implementation of the 2006–07 DWCP there were:

- Law on Social Dialogue, prepared with the assistance of the ILO, was adopted by Verkhovna Rada in a second (final) reading on 7 June 2007;
- improved practice towards better enforcement of labour law, and progress towards a sound legal framework for social dialogue through deepened legal knowledge;
- labour inspection equipped with new computerized system for tracking labour rights violations.

ILO projects became an important means for wider social debate and creative discussions between social partners and civil society, and a place where useful contacts were established and further activities planned; the modular vocational training programme has been sustained and expanded. They have demonstrated their effectiveness in: improving employability, job placement and business activities; encouraging high-level discussions to develop a comprehensive policy on labour migration, with focus on aspects related to reducing the scale of trafficking in women from the Ukraine; raising public awareness of the negative effects and consequences of illegal employment outside the country; increasing acceptance

²¹ ILO Decent Work Country Programmes: a guidebook. Version 2, Geneva, ILO, 2008, p. 4.

²² ILO. Governing Body, Papers, 307th Session, Geneva, March, 2010, [GB.307/TC/1](#), p. 2.

by authorities of new measures linked to social income, labour costs, poverty and income inequality; providing a model of socio-economic impact of HIV/AIDS in Ukraine developed and then was updated and improved; heightened awareness, changed attitudes and improved institutional capacities towards eradicating the worst forms of child labour; promoting enhanced policy and legal frameworks at national level to eradicate child labour; developing progress at local level in supporting multidisciplinary teams and peer educators, as well as rehabilitation services and employment opportunities.²³

Simultaneously, with preparation and starting implementation of the first DWCP for Ukraine, the ILO conducted an independent evaluation of its programme support to the country over the period 2000–2006.²⁴

The purpose of the evaluation was to provide an independent assessment of the approaches taken, progress being made against country-level strategies and outcomes, and to identify lessons learned to inform future strategy development and improve the effectiveness of the Decent Work Country Programme finalized in 2005.

The independent evaluation report outlined main conclusions and recommendations for the ILO in the following six areas: the ILO's role and relevance in Ukraine; the role and effectiveness of the national tripartite constituents in promoting decent work; the focus and coherence of the country programme's design and strategies; evidence of the direct and indirect use of the ILO contribution and support at national level; the efficiency and adequacy of organizational arrangements to deliver the ILO programmes in Ukraine; knowledge management and sharing.

The report was submitted to the Governing Body at its 300th Session (November 2007). After discussion of the report at the Programme, Financial and Administrative Committee, the Governing Body requested the Director-General to take into consideration the findings and recommendations presented in the report together with the deliberations of the Programme, Financial and Administrative Committee, for continuing support to Ukraine through the ILO's Decent Work Country Programme.²⁵

A number of recommendations of the report were already reflected in the DWCP 2006–07 and were also taken into account in the course of preparation of the next DWCP.

In June 2008, a Memorandum of Understanding on the second DWCP in Ukraine, for 2008–2011, was signed between the ILO and national constituents.

Within the overarching theme of “Decent Work for All” the Programme focused on three priorities considered as long-term goals:

- strengthening capacity of government institutions and social partners to improve governance in the labour market;
- improving employment policy formulation, and promoting equal opportunities in the labour market;
- improving the effectiveness of social protection policies, with special focus on vulnerable groups.

In order to attain these goals, the DWCP formulated 12 country programme outcomes (with outcome indicators).

²³ Ukraine: Decent work country programme [document](#) 2008-2010, p. 2.

²⁴ Beleva, I. [Independent evaluation of the ILO's country programme to Ukraine: 2000–2006](#). Geneva, ILO, 2007.

²⁵ ILO. Governing Body, Papers, 300th Session, Geneva, Nov. 2007, [GB.300/PFA/13/4 \(& Corr.\)](#).

ILO. Governing Body, Minutes, [300th Session](#), Geneva, 15-17 Nov 2007, ILO, 2007, p. 60.

The accomplishment of the Programme contributed to:

- strengthening labour market policy and regulation, and its information system, while implementing the ILO Global Jobs Pact through promotion of employment for disabled people;
- promoting equal opportunities for women and men at the workplace;
- designing and implementing strengthened labour migration governance and skill matching;
- tripartism, social dialogue and collective bargaining through augmenting and harmonizing national legislation, capacity building of the constituents;
- strengthening socio-economic councils at all levels and labour inspection institutions;
- capacity building of the constituents in the OSH area, to assist the development of the National Strategy and the State Programme on Occupational Safety and Health in Ukraine for 2012–2016;
- elaboration of the and implementation of the National Tripartite Strategy on HIV at work;
- capacity building of Ukrainian authorities and social partners for ensuring respect for national and international gender equality commitments in the world of work, in progressively eliminating gender biases in employment policies and sexual harassment at the workplace, and in creating a supportive environment for women's economic empowerment and women's entrepreneurship.

This was pursued in the context of the Technical Cooperation Project “Gender Equality in the World of Work” which was implemented by the ILO and co-funded by the EU and the ILO.

During this period, there have been 11 ILO Technical Cooperation projects successfully implemented.

At the request of the Government, the ILO was actively involved in consultations related to pension reform.²⁶

Considering the lessons learned during past cooperation, the ILO after close collaboration with the Government, Trade Unions and Employers Organizations, signed, on 12 June 2012, a new DWCP for the period 2012–2015.

The Programme defined the following priority areas of cooperation:

- strengthening social dialogue institutions so as to improve their participation in labour market governance;
- promoting decent work and enhanced employability of the Ukrainian labour force;
- improving social protection systems.

Within these priority areas ten programme outcomes were determined.

The implementation of the 2012–2015 Decent Work Country Programme as well as two previous Programmes promoted the Decent Work Agenda at different levels in Ukraine.

Both the Decent Work Agenda and the Global Jobs Pact had been reflected in official documents of the President of Ukraine, the Parliament and the Government of Ukraine, as well as the National Tripartite Agreement on Employment and Jobs. The Federation of Employers of Ukraine and the Confederation of Employers of Ukraine had formulated key elements of Decent Work Agenda into their strategic programmes.

²⁶ Ukraine: Decent Work country programme document [2012–2015](#), pp. 10–11.

At the same time, the following dramatic political events which took place in early 2014 impacted negatively the implementation of this particular DWCP, as well as on the economic and social development of Ukraine in general: the annexation of Crimea and Sevastopol by the Russian Federation, and the outbreak of political and military crisis in the Donetsk and Lugansk regions.

In spite of the above and in such a difficult political context, aggravated by the long-standing structural problems of the country such as weak economic growth and employment creation, wage arrears, high share of informal economy and undeclared work, and poor labour market governance and regulation, the ILO developed the fourth Decent Work Programme of Ukraine for the period 2016–2019. This has been done with the participation of the Ukrainian Government, Employers' organizations and trade unions. The Programme was signed on 7 April 2016 in Kiev. It focuses on three jointly agreed key priorities:

- promoting employment and sustainable enterprises for stability and growth;
- promoting effective social dialogue;
- enhancing social protection and conditions of work.

Notably, twelve programme outcomes, with appropriate indicators and targets, were defined.

According to the first Programme priority, *promoting employment and sustainable enterprises for stability and growth*, a national assessment of the enabling business environment will be completed in order to help Ukrainian constituents to initiate or adopt legal and institutional reforms promoting the creation and growth of sustainable enterprises. The Ukrainian vocational education and training system will be reformed in order to offer market relevant skills and address labour market skills mismatch. The ILO will provide technical support to the reform of the Public Employment Service for a more client-oriented approach, a diversification of services and a stronger role in providing labour market information. The ILO will also open a policy and technical dialogue with the Ukrainian constituents and with international donors and financial institutions, to maximize the job creation impact of new investment programmes in the country.

In accordance with the second Programme priority, *promoting the effective social dialogue*, the ILO will continue to assist the tripartite constituents in the process of legislative reforms as well as strengthening the effectiveness of collective bargaining and coordination, in addition to improving the functioning of the National Mediation and Conciliation Service. The ILO will also continue supporting Employers' and Workers' organizations, enabling them to deliver targeted and useful services to their members and enhancing their advocacy capacities. The labour inspection system will be also strengthened and modernized with the ILO's support.

Lastly, according to the third Programme priority, *enhancing social protection and conditions of work*, wage and income policies will be developed and implemented in order to reduce wage arrears, reduce the gender pay gap and adjust the minimum wage. The ILO will support Ukraine to update occupational health and safety legislation focusing on high-risk industries, and to implement practical occupational health and safety measures at the enterprise level. HIV workplace programmes will be developed and implemented in selected regions or sectors reaching out to at least 10,000 women and men Workers, and ensuring their access to Voluntary Counselling and Testing on HIV at and through workplace.

The Programme also takes into account development planning activities in the country and international agendas, such as: the United Nations Partnership Framework 2012–

2016, the National Poverty Reduction Strategy as well as the Sustainable Development Strategy “Ukraine – 2020”.

Soon after the launching the Decent Work Agenda and the Decent Work Country Programmes, the ILO began its work on the framework for measuring decent work, and monitoring and assessing progress towards the achievement of decent work at the national level.

Ukraine was among the first countries in which this framework had been promoted and tested.²⁷

In 2011 Ukraine completed its first Decent Work Country Profile, covering the period of 1998–2009²⁸ and, two years later, the second edition was published which included new data for 2010–2011 and revised data for 1998–2009.²⁹

Promoting employment opportunities and improving labour market conditions for men and women

As mentioned previously, the ILO began its close cooperation with Ukraine in the area of employment promotion and reforming labour market policies shortly after the country declared its independence. In 1994, the report entitled *The Ukrainian challenge: reforming labour market and social policy* was prepared. Next, in 1998, the ILO, together with its tripartite constituents, drafted a country employment policy review for Ukraine.

The major part of the first cooperation programme “Active Partnership Policy: Country Objectives for Ukraine” (1998) was devoted to these problems.

As of 2006, all employment issues were essential components of the Country Decent Work Programmes.

The promotion of employment opportunities for disadvantaged groups of people and people with disabilities, in particular, was given special consideration in the cooperation programmes.

The ILO provided assistance in the preparation of the National Programme on Professional Rehabilitation and Employment of People with Limited Physical Abilities for 2001–2005, which was adopted by the Order of the President of Ukraine No. 519 of 13 July 2001. The Programme aimed at reinforcing social protection of people with limited physical abilities, creation of favourable social and economic, medical, organizational and legal conditions for realization of their rights to education, professional orientation and voluntary labour within their abilities.

In the process of implementation of the Programme, the ILO Convention on Vocational Rehabilitation and Employment (Disabled Persons), 1983 (No. 159) was ratified on 15 May 2003.

²⁷ See chapter “Decent Work measurement” in the section “Restructuring of labour statistics and labour market information system” of this volume.

²⁸ Decent work country profile: Ukraine / International Labour Office / EC Project “Monitoring and Assessing Progress on Decent Work” (MAP). Geneva, ILO, 2011.

²⁹ Decent work [country profile](#): Ukraine. ILO/EC Project “Monitoring and Assessing Progress on Decent Work” (MAP). 2nd ed. Geneva, ILO, 2013.

One of the most important outputs of this National Programme was also the establishment of the All-Ukrainian Vocational Rehabilitation Centre and vocational rehabilitation centres at regional and local levels.³⁰

In 2008, the UNDP, the ILO, and the State Employment Center of Ukraine launched a three-year project entitled “Social Inclusion of People with Disabilities through Access to Employment”. The project’s objective was to strengthen the institutional capacity of the State Employment Service in the provision of employment promotion services to people with disabilities through implementing a new methodology and capacity development of employment service personnel and their partners, as well as raising awareness of job placement and employment among the target group. To fulfill this task, a new approach to establishing an effective mechanism of job placement of people with disabilities was elaborated: a draft Model of Job Placement and Employment for People with Disabilities in Ukraine and a draft Methodology of Provision of Services to People with Disabilities by State Employment Centres were prepared in 2008.

The test of the Model and the Methodology took place during March–October 2010 with the participation of seven pilot employment centers of three Ukrainian regions – Kyiv city, Kyiv oblast and Chernigiv oblast. The project worked with job seekers with disabilities following the new standards of this Model and Methodology.

Seven pilot employment centers, three oblast branches of the Fund for Social Protection of Disabled Persons (FSPDS), three centers for vocational rehabilitation of disabled persons, 12 medical and social expertise commissions, 17 NGO’s for disabled persons, 3,758 enterprises, organizations and institutions, and local directorates of labour and social protection were involved in the realization of the Model. As a result of this new cooperation, 157 persons with disabilities were placed by seven employment centers.

During eight months of the Draft Model and Draft Methodology testing, the following results were achieved: 2,285 employers received information and counseling on employment issues, 437 people with disabilities participated in training and received psychological support, 1,034 employers were advised on workplace accommodation and opening new workplaces, 3,961 representatives of Employers’ organizations participated in seminars.

The stage-by-stage implementation of this Model and Methodology began at the national level in 2011 to extend the results of this pilot to the whole territory of Ukraine.³¹

In December 2012, the UNDP initiated a joint programme with the ILO, the UNICEF, and the WHO on “Promoting Mainstream Policies and Services for People with Disabilities in Ukraine”. The programme (2012–2014) was implemented at regional (Kharkiv oblast) and national levels, and facilitated the development of a model for job support and coaching services for persons with disabilities. The model was developed and submitted for implementation to the Ministry of Social Policy of Ukraine in March 2015.

The improvement of vocational education and training (VET) systems, to facilitate reintegration into the labour market of a large number of the population losing employment as a result of the transition to a market economy, was another priority in the ILO technical cooperation programmes in Ukraine.

³⁰ More about the activities of the Centre: Kostrytsya V Vocational Rehabilitation in Ukraine. - ILO Budapest Newsletter / ILO Subregional Office for Central and Eastern Europe, 2003/1, pp. 7–8; Grumiau S. Vocational training for disabled people in Ukraine. – [Labour education, 2004/4, No. 137](#), pp. 37–39.

³¹ More details about the project and its results in: Social inclusion of people with disabilities through access to employment: from theory to practice; [Social inclusion of people with disabilities through access to employment project 2008–2011. Report](#). December 2011.

There was an efficient VET system in Ukraine in the 1990s, but due to the lack of sufficient flexibility and mobility the system was not sufficiently adapted to the structural changes taking place in the national economy and labour market.³²

Taking this into account, it was decided to implement flexible training programmes in Ukraine using the Modules of Employable Skills (MES) methodology developed by the ILO.

This modular methodology was already introduced by two regional vocational centers in Donetsk and Kharkiv between 1994 and 1996. Representatives of these centers participated in seminars and training courses organized by the International Development Centre for Modular Training in Moscow in the framework of the ILO project RER/93/M04/FRG.

In order to introduce modular training throughout of Ukraine, an ILO project, funded by the UNDP and the Government of Switzerland, was set up.

The project on the “Introduction of flexible vocational training programme for the unemployed”, aiming at developing national capacities to introduce in Ukraine innovative vocational training approach based on modular methodology, was implemented over the period of eight years (July 1997 to December 2005) through three phases (1997–1999; 1999–2002; 2002–2005).

From the very beginning, the project was oriented towards ensuring its continuity after termination of donor support by establishing the financially independent national executing agency and forming the necessary infrastructure for introduction of the modular training into the different fields of workforce development.³³

This objective was successfully accomplished. Among the main achievements of the project were:

- Creation of the infrastructure for modular training introduction in Ukraine;
- Training and certification of national trainers;
- Creation of the normative and legislative base of modular training implementation;
- Development of competency standards;
- Small business development support;
- Development of modular training and methodological materials;
- Introduction of modular training approach to vocational rehabilitation of people with disabilities.³⁴

When making reference to this project in his Report to the Sixth European Regional Meeting (Geneva, 2000), the ILO Director-General pointed out that experience of the implementation of the MES methodology showed that it was possible to provide trainees with higher levels of job-specific skills in a significant shorter time than using traditional training methods, while making training and retraining accessible to broader categories of the labour force. As a result, the Workers are more competitive on the labour market.³⁵

³² The VET system in Ukraine: recent changes, challenges and reform needs /European Training Foundation; National Observatory of Ukraine. Kiev, National Observatory of Ukraine, 1997. pp. 40–41.

³³ Voigt, B., Avshenyuk, N., Kazanovskiy A. Report on Capitalization of the Experiences of the Government of Ukraine, UNDP and ILO Project “Introduction of Flexible Vocational Training Programmes for the Unemployed” in Ukraine. Kyiv, 2005, p. 1.

³⁴ Ibid., pp. 2–4.

³⁵ [Sixth European Regional Meeting](#), Geneva, December 2000: report of the Director-General; Vol. 2 Decent work in Europe and Central Asia: ILO activities 1995-2000. Geneva, ILO, 2000, pp. 57–58.

The issues of gender equality and gender mainstreaming were always a focus of ILO-Ukraine cooperation. The gender component was present in many ILO projects on social dialogue, the project on promoting fundamental principles and rights at work, etc.

The promotion of gender equality and empowerment of women in the country is based on the national legal framework which is being aligned with international standards. In 2005, the Law of Ukraine “On Ensuring Equal Rights and Opportunities of Women and Men” was adopted by the Parliament. The Law was aimed at ensuring equality of women and men in all spheres of society, including employment, through enforcement of equal rights, the elimination of gender discrimination, and positive action to address the existing inequalities between men and women. Under Section 17, equal rights and opportunities shall be granted to women and men in the field of employment, job promotion, skills development and retraining. Discriminatory job advertisements and seeking information on the private life of job applicants is prohibited.

In pursuance of the law, state programmes on ensuring gender equality were developed and implemented. (Prior to 2005, Ukraine established two national action plans for the implementation of gender equality.)

In December 2006, the State Programme for the Implementation of Equality in Ukrainian Society for 2006–2010 was approved by Cabinet of Ministers of Ukraine.

Ukraine also ratified the ILO core conventions related to gender equality.

Despite Ukrainian legislation’s achievements in securing equal rights for men and women, the realization of gender policy and women’s employment rights are far from being completed in the country. According to the ILO Committee of Experts, the law “On Ensuring Equal Rights and Opportunities of Women and Men” still does not fully comply with the ILO principles, in particular, on equal pay for men and women (Equal Remuneration Convention, 1951 (No. 100) and on sexual harassment (Discrimination (Employment and Occupation) Convention, 1958 (No. 111)).³⁶

In order to enable key state bodies and social partners to promote gender equality in the Ukrainian world of work by developing, implementing and monitoring gender-sensitive policies and programmes, the ILO, jointly with the EU, initiated in April 2009 a project entitled “Gender Equality in the World of Work”.

More specifically, the project was aimed at:

- enabling governmental authorities and social partners to promote, implement and monitor relevant international commitments, national legislation, policies and programmes aimed to secure gender equality and women’s empowerment in the world of work;
- improving the capacity of labour market institutions and social partners in developing and implementing gender sensitive labour market policies, programmes and services;
- building the capacity of the Labour Inspection Service and trade unions to effectively monitor gender equality provisions at the workplace and redress rights violations;
- contributing to women’s economic empowerment, in particular through support for women’s entrepreneurship.

The project was also aimed at supporting Ukraine in the development of a new national programme for gender equality for 2011–2016 and in the preparation of amendments to the law on equal rights for women and men.

³⁶ Report of the Committee of Experts on the Application of Conventions and Recommendations, [Report III \(Part 1A\)](#), International Labour Conference, 98th Session, Geneva, 2009, pp. 422-424.

Over the period of implementation (2009–2011), the project conducted a series of training activities targeting 280 labour inspectors across the country promoted gender equality in the labour inspection system. Twenty-four gender audit facilitators were trained to conduct audits in organizations. More than 30 training tools were adapted to the Ukrainian context to train over 900 labour administration staff, while around 600 Workers mastered the tools on gender mainstreaming in collective bargaining and non-discrimination at work. 300 Employers’ representatives learnt how to create balanced employment opportunities at the workplace.

The first ever Ukrainian gender equality plans were developed in four companies, and five others were honoured for their best practices in promoting gender equality in a competition organized with the participation of 90 Ukrainian enterprises and organizations. More than 900 women entrepreneurs developed advanced skills on smart business operations in the ILO’s Start and Improve Your Business programmes.³⁷

In the framework of the project, a round table discussion between members of Parliament, government officials, representatives of Employers’ and Workers’ organizations, the European Union Delegation to Ukraine and the ILO as well as other international organizations took place on 27 May 2010 in the Ukrainian Parliament, where experts of the ILO presented the comments by the CEACR on application of two ILO Conventions: the Discrimination (Employment and Occupation) Convention, 1958 (No. 111) and the Equal Remuneration Convention, 1951 (No. 100).

The round table discussion resulted in the adoption of recommendations which served as a road map for the Ukrainian authorities and social partners in bringing the national gender equality law into full compliance with international labour standards

Within the project “Gender Equality in the World of Work”, a smaller project on Gender Mainstreaming in the Public Employment Service (PES) of Ukraine was carried out in 2010. The objective of the project was to develop an action plan for the PES to improve its capacity in developing and implementing gender-sensitive labour market policies, programmes and services.³⁸

With the project’s assistance, the State Programme on Ensuring Equal Rights and Opportunities for Women and Men for 2013–2016 was developed by the Ministry of Social Policy and approved by the Cabinet of Ministries in September 2013.

One of the objectives of the Programme was harmonization of work and family responsibilities of women and men. In particular, the Programme included information campaigns to address the necessity of equal distribution of family duties and responsibilities on raising a child, between women and men, with the both employees and Employers being the target audience.

Improving labour migration governance

Since the fall of the Soviet Union, labour migration has been an important strategy for men and women from Ukraine to cover the basic needs of their families. The Migration Survey carried out in 2008 by the State Statistics Committee of Ukraine identified up to 1.5

³⁷ http://www.ilo.org/budapest/information-resources/press-releases/WCMS_167281/lang--en/index.htm.

³⁸ Kupets, Olga. *Gender mainstreaming at the labour market of Ukraine and role of the Public Employment Service*. ILO Decent Work Technical Support Team and Country Office for Central and Eastern Europe. Kyiv, ILO, 2010, p. 72.

See also: Gorbanese, Valli. *Gender mainstreaming in the Public Employment Service in Ukraine: trainers’ guide*. ILO Decent Work Technical Support Team and Country Office for Central and Eastern Europe. Kyiv, ILO, 2011, p. 103.

million Ukrainians working abroad in 2005–2008 which accounted for 5.1 percent of the working age population. The survey showed that the majority of labour migrants ended up in irregular employment situations in the major destination countries.

The worst form of irregular migration - human trafficking - particularly of young women has become a growing phenomenon in Ukraine. According to Ukraine's independent human rights ombudsman, over 100,000 Ukrainian women became victims of human trafficking in the 1990s.

In order to assist Ukraine in solving this problem the ILO, in October 2003, launched a project entitled “Employment, Vocational Training Opportunities and Migration Policy Measures to Prevent and Reduce Trafficking in Women in Albania, Moldova and Ukraine”.

The project, funded by the Government of the Republic of Ireland, provided assistance and guidance to the Ministry of Labour and Social Policy of Ukraine, the Public Employment Service and other government authorities in the formulation of gender-balanced migration policy measures and strengthening of migration and employment management capacity. The project activities were aimed at reinforcing the institutional structures and policy measures to regulate legal labour migration, especially out-migration, and reducing trafficking of young women by providing domestic employment alternatives and by enhancing access to legal migration channels.

The project was implemented over the period of five years (October 2003–October 2008) and its main achievements in Ukraine were:

- Strengthening the national legal framework on labour migration regulation, protection of the rights of migrant Workers and combating of human trafficking;
- Signing the bilateral agreements on employment and social protection of migrant Workers with Portugal (November 2003), the Libyan Arab Jamahiriya (June 2004) and Azerbaijan (February 2006);
- Re-enforcing the national institutional framework dealing with combating human trafficking;
- Raising the population’s awareness about irregular labour migration, human trafficking and legal channels of employment abroad by information dissemination on the subject through various means of communication by all government authorities, non-governmental and international organizations working in the field.³⁹

Within the project, 30 international, national and regional seminars, workshops and training sessions were held for representatives of the government, Employers’ and Workers’ organizations; 26 publications were translated and produced in Ukrainian.

Within the framework of the major project, a pilot project was implemented in the Chernivtsi region in November 2003. Its goal was to develop a mechanism for identifying women who were actual or potential victims of trafficking, and to provide them with assistance through vocational guidance, vocational training, job placement and entrepreneurial activities.

Thanks to the application of the mechanism developed by the pilot project, 2,785 women were identified as potential victims and 70 women as actual victims of trafficking.

³⁹ See more details in: *Employment, vocational training opportunities and migration policy measures to prevent and reduce trafficking in women in Albania, Moldova and Ukraine: Ukraine. October 2003–October 2008; technical cooperation project/International Labour Office*. Kyiv: ILO, 2009. See also: *Employment, vocational training opportunities and migration policy measures to prevent and reduce trafficking in women in Albania, Moldova and Ukraine: ILO evaluation summaries; (Phase I) and (Phase II)*.

All of them received appropriate assistance, according to their needs, from the regional Public Employment Service. In particular, 25 women started their own business.

In response to new challenges arising in Ukraine, reflecting the changing nature and dimensions of human trafficking and requests from its national partners, another project on the progressive elimination of irregular migration and human trafficking was launched by the ILO in November 2006. The project “Elimination of human trafficking from Ukraine through labour market based measures” (November 2006–February 2009) was implemented by the ILO and International Centre for Migration Policy Development, and funded by the European Commission and the Government of Irish Republic. The key implementing partners from the Ukrainian were the Ministry of Labour and Social Policy, the Ministry for Family, Youth and Sports, the State Employment Centre, other executive branch bodies, trade union associations, Employers’ organizations and NGOs.

The project was based on a two-pronged strategy: (1) strengthening national legal and policy frameworks to combat trafficking in human beings/irregular migration and bolstering national actors’ capacity to implement them; (2) awareness raising campaigns for potential migrants about legal migration channels and trafficking in human beings/labour exploitation and/or direct assistance to actual and likely victims of trafficking.

The project’s key objective was to contribute to the progressive elimination of irregular migration, in particular trafficking in persons, from Ukraine.

Project activities were focused on attaining the following specific objectives:

- Improving the policy and legal frameworks to promote legal migration and combat trafficking in persons for sexual and labour exploitation;
- Strengthening capacity of national stakeholders to detect criminal activities related to irregular migration and prevent trafficking in human beings;
- Enabling potential migrants and trafficking victims to make more informed decisions about migration for employment abroad;
- Improving access of trafficking victims to assistance, including socio-economic reintegration measures tailored to their needs.

The project was designed to capitalise and build on outcomes of the ILO Project on Prevention of Trafficking in Women. It aimed to ensure sustainability of the achieved results, and to combine resources available for two projects by closely coordinating their activities.⁴⁰

The project activities included: conducting thematic seminars, workshops and training programmes for the Government officials, representatives of trade unions and Employers’ associations, NGOs and other stakeholders; translation, production and distribution of ILO thematic publications among the national partners and potential migrants; dissemination of employment’s best practices, assisting in improving their job placement services to potential migrants and trafficked persons and supporting their cooperation with other stakeholders.

Among the main project outcomes were: participation in the assessment of the national referral system carried out by the Office of the OSCE Project Coordinator in Ukraine; support to enhancing relations between Ukraine and Spain in regulating labour migration

⁴⁰ Elimination of human trafficking from Ukraine through labour market-based measures: technical cooperation project. Report, November 2006–February 2009/International Labour Organization; International Center for Migration Policy Development; with funding by the European Union and Government of Irish Republic., Kyiv, February 2009, p. 7. See also: Elimination of human trafficking from Moldova and Ukraine through labour market-based measures: [ILO evaluation summaries](#). 2009.

flow; new partnerships in the anti-trafficking area among legal advisers working for trade unions, state labour inspectors and law enforcement officers; new services by the state employment centers integrated into the national referral mechanism for trafficked persons. On the recommendation of the training participants, reference materials with forced labour cases in Ukraine and comments on their interpretation in the national criminal and labour law, as well as on relevant international standards, were prepared.

As a part of the project, two regional workshops, one for Employers' associations and another for trade union representatives, were held in Ukraine. On 21–22 May 2008 the Regional Workshop for Employers' Organizations on Strategies against Human Trafficking and Forced Labour was held in Kiev with the participation of Employers' organizations and international companies from Moldova, Bulgaria, Poland, Romania, Ukraine, experts from the ILO Special Action Programme to Combat Forced Labour, the ILO Sub-regional Office for Central and Eastern Europe and the ILO Sub-regional Office Moscow, representatives of OSCE, IOM, UN Global Compact, and La Strada in Ukraine.⁴¹

Pursuant to the workshop, and with support of the ILO Special Action Programme to Combat Forced Labour, the project collected, analyzed and summarized the best practices of Ukrainian employers active in addressing human trafficking and forced labour issues.

A similar regional workshop for trade union representatives from Greece, Italy, Ireland, Moldova, Portugal, Romania, Russia, Spain and Ukraine was organized in cooperation with the ILO Sub-Regional Office for Central and Eastern Europe and the International Trade Union Confederation (ITUC) in Kyiv on 25–26 November 2008.

The objective of the workshop was to facilitate cooperation between trade unions in countries of destination and origin for labour migration, and to establish a network of trade union and NGO focal points providing assistance and support to migrant Workers in order to prevent forced labour and trafficking, and support compensation claims of exploited Workers. The workshop and other project events targeting trade union representatives created the basis for implementing the EU funded project "Safe Bridges for Labour Migration from Ukraine and Moldova" (1 February 2008–30 September 2011), which focused on strengthening legal channels for labour migration from Ukraine and Moldova to Italy.

Another ILO regional project addressing labour migration issues was implemented in Ukraine in the period between March 2011 and December 2013.

The project entitled "Effective Governance of Labour Migration and its Skill Dimensions" was funded by the European Commission through the Thematic Programme "Cooperation with Third Countries in the Area of Migration and Asylum" (TPMA). The project was implemented by the ILO in partnership with the International Organization for Migration (IOM).

The overall objective of the project was to strengthen the capacity of Ukraine to regulate labour migration and promote sustainable return, with a particular focus on enhancing human resources capital and preventing skills waste. It was also aimed at contributing to the development and effective implementation of rights-based migration policies and programmes, in line with the ILO Migration for Employment Convention (Revised), 1949 (No. 97) and Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143) and the principles and guidelines of the ILO Multilateral Framework on Labour Migration. With

⁴¹ [Report on the regional Workshop for Employers' Organizations on Strategies against Trafficking and Forced Labour](#). Kyiv, Ukraine, 21–22 May 2008.

a view to achieving the overall objective, the project was designed to attain four independent yet complementary specific objectives, along the following components:

- Building capacity to analyse the skills shortages and oversupply as a result of migration;
 - Enhancing the capacity of migration sending countries to balance migration flow and return with national needs and EU Member states' skills needs;
 - Building capacity to negotiate and manage rights based labour migration schemes, including bilateral agreements on social protection;
- Delivering technical assistance, and building capacity to govern labour migration by enacting relevant legislation and engaging social partners.

The project targeted both, Ukrainian regular and irregular migrant Workers.

In the framework of the project, the M.V. Ptoukha Institute for Demography and Social Studies of the National Academy of Science of Ukraine, and the State Statistics Service of Ukraine, conducted a modular sample population (household) survey on labour migration in April–June 2012. This survey was the second nation-wide labour migration survey.⁴² The first survey on this subject was conducted by the Ukrainian Centre for Social Reforms and the State Statistics Committee of Ukraine in June 2008.

According to the survey results, there were 1.2 million Ukrainian migrant workers between January 2010 and June 2012. About one quarter of them was staying abroad illegally without adequate social protection; almost 50 percent of them were engaged in short-term jobs or other jobs which requires a lower level of education and skills. Migrant Workers faced multiple disadvantages including the lack of social security coverage in the absence of proper coordination mechanisms between sending and receiving countries. A Report, which presented an assessment of the scope of labour emigration, its main directions, the socio-economic and demographic characteristics of migrant workers, their level of education, working conditions in destination countries, earnings and impact of remittances on the well-being of households in Ukraine, was published in English and Ukrainian.⁴³

The issue of social security of migrant workers was the focus of the project. Support was provided to the government of Ukraine in developing a relevant legal framework, as well as building capacity for negotiating and implementing social security agreements. As a result, Ukraine successfully concluded social security agreements with Poland, Portugal and Estonia during the project implementation period. Experts of the project helped the Ukrainian Government to negotiate and sign a Protocol of Cooperation with trade unions in Italy to ensure the protection of migrant workers' rights. The project organized numerous capacity building events appropriately tailored to target groups' needs.

In addition, the project revealed that migrant workers with unrecognized competencies had worse economic prospective and fewer possibilities for integration. To overcome this, the project offered Ukrainian Government support in developing the system for the validation of informal learning.⁴⁴

⁴² See more about the survey in the section “*Restructuring of labour statistics and labour market information system*” of this volume.

⁴³ [Report on the Methodology, Organization and Results of a Modular Sample Survey on Labour Migration in Ukraine](#). Decent Work Technical Support Team and Country Office for Central and Eastern Europe (DWT/CO-Budapest), Budapest: ILO, 2013, p. 96.

⁴⁴ Mansfield, Bob. [Proposals for the design and implementation of a system for the validation of informal learning to support the process of managed migration: options for Ukraine](#). ILO Decent Work Technical Support Team and Country Office for Central and Eastern Europe (DWT/CO-Budapest). Budapest: ILO, 2013.

Among the project's outcomes were several studies on the impact of migration on labour markets and certain professions, the link between education and migration, the functioning of private employment agencies, etc.

One of such studies analyzed the impact of migration from Ukraine on a specific profession, namely teaching and research professionals. Information from targeted surveys of potential, current and return migrants, focus group discussions and in-depth interviews carried out in January–April 2012, examined the impact of emigration of secondary school teachers, teaching professionals from higher educational institutions and researchers. The study analyzed its impact on Ukraine's economy and education system, and the competitiveness in the workforce in short-, medium- and long term.⁴⁵

As part of the project, research was carried out at the EU to identify the skill needs and the mechanisms for filling vacancies for jobseekers. The study was complemented by research conducted on the same subjects in Republic of Moldova and Ukraine. Based on the interviews conducted with employers in IT, construction and tourism it became clear that knowledge and skills provided by the education system did not always corresponded to the needs of enterprises looking for skilled labour. The findings of the research were presented and validated through specific country-based workshops held in Kyiv and Chisinau (Moldova).⁴⁶

Further research conducted within the project concerned the analysis of the relationship between education, remittances and migration in Ukraine.⁴⁷

One more outcome of the project was a study investigating the role of licensed private employment agencies mediating job placement abroad, and their impact on labour migration. It also reviewed the relevant national legislation and its compliance with the ILO Convention on Private Employment Agencies (No. 181), 1997.⁴⁸

On June 24 2014, the Conference on 'Decent work for the migrant workers' summarized the achievements of the Project on the 'Effective Governance of Labour Migration and its Skills Dimensions'. The project resulted in better understanding of labour migration and its governance. Its final conference gathered experts in Kyiv to discuss further steps to be taken by the state to guarantee the right and integration of migrants into the Ukrainian society.

Since the adoption the Domestic Workers Convention, 2011 (No. 189), the ILO has been giving special consideration to promoting the rights of migrant domestic workers.

In February 2013, the ILO launched "The Global Action Programme on Migrant Domestic Workers and their Families" (GAP-MDW). The Global Action Programme (GAP) aimed at promoting the human and labour rights of migrant domestic workers worldwide by addressing the challenges that make migrant domestic workers particularly vulnerable to the risks of exploitation and abuse. By concentrating on ten countries through five main migration corridors consisting of Ukraine-Poland, Zimbabwe-South Africa, Indonesia-Malaysia, Nepal-Lebanon, and Paraguay-Argentina, the project undertook policy-oriented research

⁴⁵ Kupets, O. [International mobility of Ukrainian teaching and research professionals](#). ILO Decent Work Technical Support Team and Country Office for Central and Eastern Europe (DWT/CO-Budapest). – Budapest: ILO, 2013, p. 129.

⁴⁶ Popa, Ana; Kolyshko, Rodion; Popova, Natalia; Panzica, Francesco. [Research and analysis of vacancies and skills needs in the European Union, in the Republic of Moldova and Ukraine](#). ILO Decent Work Technical Support Team and Country Office for Central and Eastern Europe. Budapest: ILO, 2013, p. 126.

⁴⁷ Vakhitova, Ganna; Coupe, Tom. [The relations between education and migration in Ukraine](#). ILO Decent Work Technical Support Team and Country Office for Central and Eastern Europe (DWT/CO-Budapest), Budapest: ILO, 2013, p. 107.

⁴⁸ Vakhitova, Ganna. [Private employment agencies in Ukraine](#). ILO Decent Work Technical Support Team and Country Office for Central and Eastern Europe, Budapest: ILO, 2013, p. 58.

and capacity building in a variety of ways, at both regional and global levels, to achieve the following three specific objectives:

- Enhance research and practical knowledge on migration and trafficking issues with regards to domestic work across global care chains;
- Strengthen the capacities of policy makers, domestic worker and Employer organizations, and practitioners to advocate for migrant domestic workers' access to decent work and human rights;
- Pilot-test national capacity building approaches to promote rights-based policies and regulations and empower migrant domestic workers throughout all stages of the migration cycle.

As part of the GAP-MDW Ukraine-Poland Corridor project, partners created an "information passport" and complementary a Q&A leaflet for Ukrainian domestic workers emigrating to Poland.

The "passport" and leaflet provide workers with pre-departure information regarding labour rights and employment in the domestic sector in Poland. The hands-on resource guide and leaflet have been distributed to the three Ukrainian national trade union confederations which have acknowledged them as a powerful information tool for protecting domestic workers' rights abroad and providing information on labour standards in Poland.

The "passport" was recommended for distribution via the General Consulate of the Republic of Poland, and particularly through its territorial units in western Ukraine, given the predominance of Ukrainian domestic worker migration in the region.

Promoting tripartism and social dialogue

Since the start of close cooperation between the ILO and Ukraine in the 1990s, the promotion of social dialogue and tripartism has been among the leading issues in their co-operation programmes.

The formation of a new system of industrial relations was one of the challenges Ukraine faced in the first years of its independence. This process was hampered by the absence of an appropriate institutional and legislative framework and, primarily, by the weakness of the trade unions and Employers' organizations as main parties of industrial relations.

At the beginning of the 1990s, the trade unions and Employers' organizations were in the process of reorganization (former trade unions) or creation (new independent trade unions and Employers' organizations).

The former trade unions (the Council of Trade Unions of the Ukrainian SSR) were reorganized into the Federation of Independent Trade Unions of Ukraine (October 1990) and then renamed into the Federation of Trade Unions of Ukraine (FTU) in November 1992. Although FTU remained the largest trade union federation in the country, its influence was declining (14.2 million members in 1998 and 8.2 million members in 2011). In other words, FTU membership fell from 75 per cent of all workers in 1998 to 42.1 per cent in 2008 and to just 40.3 per cent in 2011.⁴⁹

⁴⁹ Decent work country profile: Ukraine. [Second edition](#). ILO/EC Project "Monitoring and Assessing Progress on Decent Work" (MAP). Geneva, ILO, 2013, p. 59.

Over the last 20 years the number of trade union organizations was constantly growing. In 1992, there were 42 All-Ukrainian trade unions and 3 trade unions' associations on the national level, while, as of 1 January 2012, there were 152 All-Ukrainian trade unions and 16 trade unions' associations.⁵⁰

In 2009, the trade unions established two joint representative bodies responsible for collective bargaining and social dialogue at the national level: the National Joint Representative Body of Trade Unions and their Associations (62 affiliated unions and 4 million members) and the Joint Representative Body of All-Ukrainian Trade Unions and Unions' Associations (55 national trade unions and two associations and over 10 million members).

In September 2012, five nationwide trade unions signed an agreement on the formation of the new Joint Representative Body of Trade Unions at national level.⁵¹

The legislative framework of trade union activity, principles of establishment, and their rights and obligations were laid down in the Law on Trade Unions, their Rights and Guarantees for Activities, adopted by the Ukrainian Parliament on 15 September 1999.

Currently five trade unions are recognized as nationally representative and are accredited as such to the National Tripartite Social and Economic Council: the FPU; the Confederation of Free Trade Unions of Ukraine (KVPU), founded in 2006; the Federation of Trade Unions of Transport Workers of Ukraine (FPTU), founded in 2003 and affiliates rail, road and maritime transport unions; the Association of All-Ukrainian Trade Unions and Trade Unions' Associations "Yednist" ("Unity" in English) (2012), organizing police, penitentiary workers, power sector workers, and seafarers; and the Association of All-Ukrainian Autonomous Trade Unions (2012), organizing unions across science, army, transport, food and food processing industries, and tax service.⁵²

Three of All-Ukrainian trade unions, the FPU, KVPU and the All-Ukrainian Union of Workers' Solidarity (VOST) are members of the International Trade Union Confederation (ITUC), the world's largest trade union federation.

Unlike the trade unions, no Employers' organizations existed in Ukraine before independence.

The first Employers' organizations emerged in the country in the end of the 1980s and at the beginning of the 1990s. Among these organizations, the largest and strongest was the Ukrainian League of Industrialists and Entrepreneurs (ULIE), founded in February 1992. ULIE organized enterprises from different economic sectors and with all forms of ownership, and claimed to unite ten All-Ukrainian Unions and Associations and 32 branches at regional and local level.

Apart from the ULIE, other 13 Employers' organizations (registered with the Ministry of Justice of Ukraine), including the Union of Leaseholders and Entrepreneurs of Ukraine (ULEU), the Ukrainian National Assembly of Entrepreneurship (UNAE), the Union of Independent Entrepreneurs, the All-Ukrainian Union (AUE), were established in this period.⁵³

⁵⁰ Osovoy G., Ivankevych, V. [Annual Review 2012 on Labour Relations in Ukraine](#). The Friedrich-Ebert-Stiftung, November 2012.

⁵¹ Decent work country profile: Ukraine. [Second edition](#). ILO/EC Project "Monitoring and Assessing Progress on Decent Work" (MAP). Geneva, ILO, 2013, p. 60.

⁵² Trade unions of the world. 2016. 7th ed. London, International Centre for Trade Union Rights, 2016, p. 605

⁵³ Proceedings of the national tripartite conference on social dialogue and tripartism in Ukraine: challenges and perspectives, Kyiv, April 2-3, 1996, pp. 73-78.

In spite of the growing number of Employers' organizations and associations, they remained weakly organized and their voice was not always heard by other social partners. One of the reasons for this was a lack of unity among Employers' organizations: the absence of one national coordination center and the weakness of their organizational structure.⁵⁴

From the beginning of the 2000s, the process of development of Employers' organizations was marked by their consolidation, strengthening institutional structure and enhancing their role in the system of industrial relations in general and collective bargaining in particular. The adoption of the law "On Employers' organizations" by the Parliament in 2001 facilitated this process.

An important step towards the consolidation of Ukrainian Employers was also the establishment of the Joint Representative Board of Employers at the national level (July 2009). On 1 February 2010, the Board consisted of representatives of 21 Ukrainian associations of Employers' organizations registered by Ministry of Justice of Ukraine.

At present, the most influential organization of Ukrainian business is the Federation of Employers of Ukraine (FEU). Founded in 2002, the FEU currently unites over 80 sectoral and regional organizations of Employers, representing the most important sectors of the economy of Ukraine such as machine building, metallurgy, automotive, aerospace and defense industries, agriculture, the chemical industry, IT, the media industry, energy, the medical and microbiological industry, construction, transport and infrastructure, retail and logistics, light and food industries, tourism, utilities, and the services sector.

The Federation represents over 8,500 enterprises, collectively employing over 6 million people and generating about 70 per cent of the national GDP.⁵⁵ The FEU is a member of the International Organisation of Employers (IOE).

Among the leading associations of Ukrainian Employers are also the Confederation of Employers of Ukraine (founded in 2006) and the Association of Employers' Organizations of Ukraine (founded in 2009).

The first form of interaction among social partners (trade unions, Employers and the state) in the country was tripartite consultation and collective bargaining at the national level. With assistance from ILO experts, Ukraine began creating a legislative and institution framework for these purposes. In February 1993, the National Council of Social Partnership (NCSP), a national tripartite body, was established. In July 1993, the Law on Collective Agreements and Contracts was adopted. Starting from 1994, the Government and social partners began concluding General Agreements at the national level on a regular basis.

On 16 May 1994, Ukraine also ratified the Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144).

The situation with social dialogue, tripartite cooperation and the first three years of activity of NCSP were considered by the above National Tripartite Conference on Social Dialogue and Tripartism in Ukraine held in Kyiv in April 1996. In addition, the Conference discussed the role and activity of NCSP, as well as other important topics: the role and function of the parties in industrial relations; collective bargaining mechanisms and procedures; tripartite cooperation in national economic and social policy-making; and the settlement of labour disputes. The Conference adopted a set of recommendations on the issues related to

⁵⁴ Casale, G. "Social dialogue in Ukraine" in *"Social dialogue in Central and Eastern Europe"* Budapest, ILO-CEET, 1999, pp. 323–324.

⁵⁵ [The Federation of Employers of Ukraine](#).

the promotion of social partnership, deepening of social dialogue and strengthening the role of NCSP.

In September 1996, a National Tripartite Seminar on Labour Dispute Settlement was held in Kyiv as a direct follow-up to one of the conclusions adopted by the Conference. During the seminar, the legal and practical issues related to conciliation, mediation and arbitration were discussed, and alternative solutions to the existent legislation were provided by the ILO and foreign experts. The views and recommendations expressed at the seminar helped in drafting the Law on the Procedure for Settlement of Collective Labour Disputes adopted by the Parliament on 3 March 1998.

In November 1997, two regional workshops in Ternopil and Vinnytsya were conducted by the ILO-CEET. The workshops focused on the implementation of the basic industrial relations principles at the regional level and specifically covered such issues as the creation of regional tripartite bodies for economic and social issues, collective bargaining at regional level, improvement of conciliation procedures, rules for the settlement of individual and collective disputes, and new forms of workers' participation in decision-making at the enterprise level. More than 300 participants took part in the both workshops.

In the same year a tripartite study tour to Italy for Ukrainian officials was organized with the ILO assistance. During the tour, the participants examined collective bargaining practices at the levels of industry, region and enterprise, as well as labour dispute settlement procedures, and tripartite cooperation at the national level with an emphasis on labour productivity.

The issues of the development and improvement of tripartite consultation, social dialogue and collective bargaining schemes were also among the eight main objectives in the earlier mentioned "Active Partnership Policy: Country Objectives for Ukraine" - the cooperation programme between the ILO and Ukraine in the period 1998–2001.

According to the programme, the ILO concentrated its efforts on the training of tripartite bodies in the field of collective bargaining and the mechanisms of implementation of conciliation procedure at national, regional, branch and enterprise levels. Advisory assistance was provided in the field of training and retraining of specialists dealing with industrial relations and social dialogue issues.

In the framework of a Luxembourg-funded project on the promotion of social dialogue, two final activities were carried out in November 1998: a tripartite regional seminar on social dialogue in Mykolaiv, and a tripartite national seminar on labour dispute settlement in Kyiv.

The ILO also provided assistance to Employers' organizations of Ukraine in the preparation of a draft law on Employers' organizations.

As shown earlier, the questions of strengthening social dialogue and, in particularly, promoting the principle of freedom of association and collective bargaining, and reforming the Labour Inspection system, were among objectives of the technical cooperation project entitled "Ukraine: promoting fundamental principles and rights at work" (2001–2005).

In 2005, the ILO assisted the government and social partners of Ukraine in redesigning the institutional framework of social dialogue system.

It was decided to dissolve the National Social Partnership Council and its branches in the regions, which were not effective, and to create a new tripartite body at the national and regional levels.

On the proposal of All-Ukrainian trade unions, Employers' associations, and the Cabinet of Ministers of Ukraine, the National Tripartite Social and Economic Council of Ukraine (NTSEC) was established as an advisory and consultative body to the President of Ukraine, consisting of representatives of the Cabinet of Ministers of Ukraine, All-Ukrainian trade unions and their associations, and All-Ukrainian associations of Employers' organizations, in accordance with the Decree of the President of Ukraine dated December 29, 2005, No. 1871 "On the Development of Social Dialogue in Ukraine".

The Government also adopted the regulatory instruments to give effect to the tripartite National Council. A draft law on fundamental principles of social dialogue in Ukraine was elaborated by the NTSEC.

As of 2006, when the first Decent Work Country Programme for Ukraine was adopted, the issue of promoting social dialogue and strengthening capacity of the social partners remained among priority areas in all further ILO-Ukraine decent work cooperation programmes.

During the period between 2006 and 2014, Ukrainian tripartite constituents benefited from the ILO technical assistance through several ILO projects and activities that produced positive outcomes for the development of industrial relations and social dialogue in Ukraine.

In 2006–2009, the ILO implemented the "Consolidating the legal and institutional foundations of social dialogue in Ukraine" funded by Germany. The Project focused on the following areas: promotion of the labour law reform (namely preparation of the draft Labour Code and Social Dialogue Law) compliant to the EU and international standards; and assistance in establishing the effective institutional framework for social dialogue.

The main accomplishments of the Project were:

- development of the draft Labour Code and the draft Social Dialogue law with full involvement of the government and social partners;
- ILO comments prepared on both legal texts served as reference to the Ukrainian drafters to find numerous compromises and improve overall quality of both drafts;
- the institutional capacity of the NTSEC has been promoted and its Secretariat significantly strengthened;
- the introduction of Ukrainian stakeholders to a variety of best practices of social dialogue and labour law. A range of important publications on social dialogue and labour law reform were produced;
- the introduction of an integrated approach multiplied the effects of international cooperation and created synergy, while attracting additional financial resources and pro bono services from business companies and local institutions.

Despite the fact that the political instability in the country, and frequent changes of the Government and parliament members, prevented the Ukrainian Parliament from adopting the Draft Law on Labour Code and Social Dialogue, the Project kept the issue of the improvement of labour legislation and the need for an effective social dialogue as a high priority topic.⁵⁶

One of the most successful ILO activities in the field of social dialogue in Ukraine was the project "Improving Collective Bargaining and Labour Law Compliance in Ukraine"

⁵⁶ [Consolidating the legal and institutional foundations of social dialogue in Ukraine. ILO Evaluation summaries](#). August 2009.

financed by the Government of Canada and implemented by the ILO Decent Work Team and Country Office for Central and Eastern Europe (DWT/CO-Budapest) in 2011–2012.

The project aimed to address gaps in the effective realization of the right to organize and bargain collectively, by improving the capacity of social partners to carry out and promote collective bargaining, minimizing collective disputes, facilitating understanding of the collective bargaining framework, and raising the enforcement levels of national legislation and collective agreements through the maintenance of an effective labour inspection system.

The project was efficient and effective in producing the expected outputs in both components: collective bargaining and labour inspection.⁵⁷

Among the main achievements of the project were:

Collective bargaining

The modernisation of the national legislative framework was carried out through the adoption of a new Law on Social Dialogue, and amendments to the Law on Collective Agreements (1993).

The law “On social dialogue in Ukraine”, adopted on 23 December 2010, introduced a number of changes in the system of social dialogue.

Thus, the Law enhanced the role and status of the NTSEC and determined the representativity criteria on social dialogue levels (national, sectoral, regional and local) for trade unions and Employers’ organizations.

The national system of collective bargaining has been upgraded to become truly tripartite, with the newly established Employers’ organizations joining on an equal footing. These changes can be broadly described as a transformation of the social dialogue process, which was no longer seen as only a dialogue between the Government and trade unions. This development has marked a real change of mindsets and culture.

A new General Tripartite Agreement for 2013–2015 was drafted in a record short time (from May to December 2012), thanks to the quality of advice made available with the help of the project, i.e., recommendations based on the study “Legal framework and existing practices of collective bargaining in Ukraine”.⁵⁸

A National Tripartite Agreement on Employment and Jobs, to realize people’s right to decent work, was adopted and signed by the representatives of the government, Employers and trade unions on 1 June 2012. The agreement has been based on the ILO Global Jobs Pact aimed at helping countries recover from crisis. The agreement was signed for a period of five years and comprised 17 concrete initiatives for improving the labour market, promoting wage increases and the professional development of workers.

New terms of registration of collective bargaining agreements have been developed, based on an informative (as opposed to permissible) approach.

Further to the progress made at the national level, social dialogue practices at the sectoral level have improved as well, based on the training, study, recommendations and guidance that became available. For example, the draft of the new sectoral agreement in the

⁵⁷ Improving collective bargaining and labour law compliance in Ukraine 2011-2012: Final internal evaluation report; project financed by the Government of Canada and implemented by the ILO Decent Work Team and Country Office for Central and Eastern Europe in Budapest (DWT/CO – Budapest). Irina Sinelina, Evaluation Officer, DWT/CO-Moscow. ILO, February 2013. (UKR/11/01/CAN), pp. 18–21.

⁵⁸ Zarko, Nadiya. [Legal framework and existing practices of collective bargaining in Ukraine](#). ILO DWT and Country Office for Central and Eastern Europe. Kyiv, ILO, 2012, p. 56.

mining industry was prepared in February 2013, based on the new vision, with a reference to the recommendations of the above-mentioned study.

Labour Inspection

The project created a modern, up-to-date training course for labour inspectors and established an internal training capacity by training a group of 40 trainers from within the Labour Inspectorate. All three constituencies are extremely positive about the usefulness of the training course. It helped fill the gap resulting from the absence of a training center at the State Labour Inspectorate. The training manual was very instrumental and reader-friendly, explaining how to plan work and implement it. It was adapted to the Ukrainian context and legal framework. The progress made so far suggests that the labour inspectorate will be in a position to effectively implement the new training approach and train labour inspectors on an ongoing basis.

The public awareness-raising campaign under the slogan “Labour inspection will help you at the workplace” conducted by the Labour Inspectorate in 2012, with the technical support of the project, brought very good results. According to the Labour Inspectorate public relations department, it reached an estimated 200,000 persons around the country. It helped improve the image of the Labour Inspectorate, raise awareness of its purpose, increase the quality of its services, and strengthen the qualifications of staff at the territorial branches. Unfortunately, in the opinion of the Employers’ representatives, outreach to employers under the current campaign was not quite so strong, but such deficiencies can be corrected under future campaigns organized by the Inspectorate, based on the newly acquired skills.

With the help of the project, the new database for the Labour Inspectorate was developed. It allows for risk-oriented monitoring to help better target work, avoid unnecessary inspections, and increase overall efficiency.

The project helped promote an integrated approach to the work of two major labour inspectorates, the State Inspection on Labour Issues and the State Service for Industrial Safety and Mining, and it improved cooperation between these institutions. The State Service for Industrial Safety and Mining was originally not included in the list of partners, but thanks to the project its specialists were able to participate in training and other activities.

The project built bridges and enhanced cooperation between trade unions, Employers and the labour inspectorate, establishing communication links that had been missing.

For example, in 2012 a new consultative body, the Public Council, was established under the Labour Inspectorate with the participation of unions and Employers. Thanks to the project, the unions developed a targeted national programme for occupational safety improvement, which they currently promote.

The programme was conceived as a practical instrument to implement state occupational safety and health (OSH) policy, in a spirit of compliance with labour legislation, and has been submitted for consideration by the national parliament.

As a result of participation in the project, Employers developed an initiative aimed at optimizing occupational accident reporting at enterprise level, and reducing the number of duplicate forms that have to be submitted to various institutions.

Reforming labour law

From the early 1990s, the ILO assisted the government and social partners of Ukraine in reforming labour legislation and improving the conditions of its enforcement.

At the beginning, the ILO supplied information concerning the labour laws currently in use in developed countries, especially EU countries. For these purposes the ILO specialists assisted in the use of the ILOLEX database on International Labour Standards and the NATLEX database on national labour, social security and related human rights legislation.

At the same time, the ILO provided legal and technical advice in drafting specific labour laws upon request to tripartite constituents. Among such laws were:

- Law of 1 March 1991 on the Employment of the Population;
- Law No. 3356-XII of 1 July 1993 on Collective Agreements and Contracts;
- Law No. 137/98-VR of 3 March 1998 on the procedure of settlement of collective labour disputes (conflicts).

After the adoption of the first official cooperation programme with Ukraine “Active Partnership Policy: Country Objectives for Ukraine” (1998) and, later, the Decent Work Country Programmes for Ukraine, the ILO’s technical assistance in reforming the labour legislation and its enforcement were agreed with social partners and included in these documents.

Laws on trade unions (1999) and Employers’ organizations (2001) were adopted by the Parliament with technical support of the ILO.⁵⁹ These laws were important elements in establishing a system of labour relations and social dialogue.

The ILO provided assistance to the tripartite constituents in preparing a new law on Social Dialogue adopted by the Parliament on 23 December 2010 (Law No. 2862-VI on Social Dialogue).⁶⁰

The Law has strengthened the institutional framework of social dialogue in the country. It enhanced the role and status of the National Tripartite Social and Economic Council. The NTSE became an autonomous body (not a consultative and advisory body as previously) and its recommendations are mandatory for consideration by authorities.

The ILO provided assistance in the preparation of this Law through its two projects: “Consolidating the legal and institutional foundations of social dialogue in Ukraine” and “Improving Collective Bargaining and Labour Law Compliance in Ukraine”.

Recently, the ILO provided technical assistance and advice to Ukraine in the reform of its labour inspection law. It included a review of draft text, provision of detailed comments and suggested revisions. This resulted in repeal of provisions that limited the labour inspectorate’s inspection authority to only responding to complaints, and the inclusion of provisions that allow the inspectorate to conduct proactive inspections without prior notice.

The ILO placed considerable effort in assisting government and social partners to draft a new Labour Code of Ukraine.

⁵⁹ Law No. 1045-XIV of 15 September 1999 on Trade Unions, their Rights and Guarantees for Activities, Law No. 2436-III of 24 May 2001 on Employers’ organizations (This Law was replaced by the [Law No. 5026-VI of 22 June 2012](#) on Employers’ Organizations, their Associations, and the Rights and Guarantees of their Activities.)

⁶⁰ See chapter “*Promoting tripartism and social dialogue*”.

The adoption of the new Labour Code was necessary for the adoption of this key piece of legislation, adapting labour relations in the country to the needs of a market economy. The effective Labour Code of Ukraine, adopted in 1971, was outdated and, despite numerous amendments and changes (235 out of 265 Articles of the Code were changed considerably since 1973), did not correspond to the new economic and social environment in the country.

The work on a new Labour Code started in July 2002 in accordance with a decision of the Ukrainian Government.

From the very beginning, the ILO was closely involved in preparing a new Labour Code. The assistance was rendered in two ways: through an analysis of the draft, and suggestions for its improvement, set out in a written report; and through the technical cooperation project “Ukraine: promoting fundamental principles and rights at work”.⁶¹ Within the project, technical assistance was provided directly to a tripartite group drafting the Code.

The group consisted of 23 persons, representatives of government, trade unions, Employers’ organizations and academia. The project encouraged leaders and trade unions and Employers’ experts to identify and discuss the problems of adaptation of the labour law to the requirements of a global market economy, and to assure its conformity with principles of democracy and international labour standards. Within the project a conceptual framework paper was prepared by leading Ukrainian legal experts and was discussed with involvement of the international labour law specialists during a national tripartite conference (June 2002). The project provided the best Ukrainian specialists from both the legal occupation and academia, with the Ukrainian translation of the labour legislation of various European countries as well as other important and relevant theoretical and practical materials. Many recognized international experts directly participated in the elaboration of the draft Code, providing both advice and assistance to the Ukrainian partners to examine the draft.

The final draft of the Labour Code consisted of nine books (429 Articles).

The draft Code was approved by the National Council of Social Partnership on 17 July 2003 and submitted to the Parliament (No. 1038-1) on 28 August 2003 and adopted by the Parliament on 11 December 2003 in the first reading. The draft was prepared for the second reading on 5 July 2004. It was considered by Parliament on 19 May 2005 and was not adopted, but was transferred to the Committee for preparing the draft for the recurring second reading. The Committee prepared the draft for the recurring second reading on 10 February 2006. In March 2006, after the parliamentary elections, a political crisis started in Ukraine. It ended in August 2006 with changes in the executive power. After that, the draft Labour Code (No. 1038-1) had not considered by the new composition of the Parliament and, consequently, was not voted and adopted.

The work on the new (second) draft of the Labour Code started in late 2006. The ILO provided assistance to the drafting group in the framework of the new project “Consolidating the legal and institutional foundations of social dialogue in Ukraine” (2006–2009).⁶²

A new draft (No. 1108) was submitted to the Parliament on 4 December 2007.

It was adopted on 20 May 2008 in the first reading. The Parliamentary Committee on Social and Labour policy worked on the harmonization of the draft from May 2008 to April 2012. In September 2012, Parliament refused to consider it.

⁶¹ See more about the project on pp.118–119 of this volume.

⁶² See chapter “*Improving tripartism and social dialogue*”.

Legal and technical advice was also provided in the process of the preparation of the last (third) draft of the Code which was submitted to the Parliament on 27 December 2014 (No. 1658). The draft was adopted by the Parliament in the first reading on 5 November 2015. Since then this draft has been pending for the second reading and final adoption.

For assisting Ukraine and other countries of the region in reforming labour law, a Central and Eastern European Labour Legislation database (CEELEX) was developed. It contains labour, social dialogue and industrial relations related legal texts, and covers 13 countries as a policy tool for both the ILO specialists and the national policy-makers in those countries.⁶³ The ILO also keeps up information on basic labour laws of Ukraine on its website.⁶⁴

Restructuring labour statistics and labour market information system⁶⁵

Being a specialized UN agency in the area of labour-related issues, the ILO took the lead in providing technical assistance and advice to Ukraine in restructuring its labour statistics and labour market information system from the very beginning of the transition process in the country. The principal vehicles of ILO assistance to Ukraine were:

- (i) Fact-finding missions, where tasks and targets of cooperation were laid down;
- (ii) Technical missions/consultations, where technical advice on specific issues was given to specialists working in the national statistical organization and/or the Ministry of Labour;
- (iii) Information/training seminars, which were usually organised either inside or outside Ukraine;
- (iv) Organization of on-the-job training of Ukrainian specialists in Western national statistical offices in modern methods of data collection;
- (v) Dissemination of training material and preparation of joint publications;
- (vi) Organization, preparation and implementation of joint statistical surveys.

A special role in enhancing the coverage and scale of the ILO technical assistance programme in the field of labour statistics in Ukraine was played by the letter addressed to the ILO Director-General, Mr Michel Hansenne, by the Prime Minister of Ukraine, Mr Leonid Kuchma.⁶⁶

Technical and advisory missions, training programmes and joint statistical initiatives carried out by senior ILO international experts, or organised and financed by the ILO-lead projects, are presented below. The list is not exhaustive.

ILO High-Level Fact-finding mission to the Ministry of Statistics, 1991

The official visit of Mr Farhad Mehran (Director, ILO Bureau of Statistics) and Mr Igor Chernyshev (Statistician, ILO Bureau of Statistics) to the Ministry of Statistics of Ukraine (Kiev) and the Statistical Office of the Region of Lviv, from 16 to 23 November

⁶³ ILO. Governing Body, Papers, 331st Session, Geneva, 26 October–9 November 2017, [GB.331/POL/4](#), p. 6.

⁶⁴ http://www.ilo.org/dyn/natlex/country_profiles.nationalLaw?p_lang=en&p_country=UKR

⁶⁵ Partially adapted from Igor Chernyshev, *Statistics for Emerging Labour Markets in Transition Economies; A technical Guide on Sources, Methods, Classifications and Policies*. Macmillan Press Ltd., London 1997 and St. Martin's Press, Inc., New York, 1997.

⁶⁶ A copy of the letter is included in vol. II of this publication.

1991, set the basis for lasting and fruitful cooperation between the ILO and Ukraine in the field of labour statistics. The visit's objectives were two-fold: discussion of areas of technical assistance and cooperation; and assistance in the preparation and testing of a draft questionnaire used in a pilot test of the first Labour Force Survey (LFS) of Ukraine.

As a result of the mission, Mr Mehran, on behalf of the ILO, and Mr Borysenko, Minister of Statistics, and Mr Kaskevich, Minister of Labour, on behalf of Ukraine, signed a Memorandum which became a road map for restructuring the Ukrainian System of Labour Statistics.⁶⁷

ILO assistance in preparation and implementation of the first Labour Force Survey (LFS) in Ukraine, 1992–98.

The assistance included:

1. A study visit to the Federal Statistical Office of Germany (Wiesbaden) organized for senior officials from the State Committee on Statistics (Ms Iryna Hainatska, Deputy Chair, Mr Olexander Osaulenko, Deputy Chair, and Ms Nadia Grygorovych, Director, Labour Statistics Department) in April 1992, with the objective to learn about the organization and implementation of the German Micro census (the LFS equivalent in Germany);
2. Advisory mission of Mr Igor Chernyshev and Mr Ralf Hussmanns (Statistician, ILO Bureau of Statistics) to the State Committee on Statistics to provide assistance in the finalization of the questionnaire for the first LFS (November 1992);
3. Assistance in the implementation of the Pilot LFS in Kiev and the Region of Chernihiv (23–27 November 1992);
4. Advisory mission of Mr Igor Chernyshev and Mr Ralf Hussmanns to the State Committee on Statistics to assist in the launching of a regular annual LFS of Ukraine (October 1995);
5. Advisory visit of Dr. Vijai Verma (Research Professor at University of Essex and top ten world expert in sampling and survey design) with a series of lectures on sampling theory and survey design for subject specialists from the State Committee on Statistics (SCS), Scientific and Research Institute of Statistics, Ministry of Labour and lecturers from the Kiev National Economic University. Notably, Dr. Verma helped the SCS to improve the Ukrainian LFS design (7–18 December 1997);
6. Advisory mission of Mr Ralf Hussmanns to the State Committee on Statistics to discuss the methodology of transition from the annual to quarterly Labour Force Surveys and assistance in the preparation for an experimental observation of the informal employment (15–19 December 1997);
7. Advisory mission of Mr Igor Chernyshev (ILO Senior Statistician) and representatives of the USAID Project "Reforming the Employment System of Ukraine" (Mr Van Logan and Mr Key Reitel) to the State Committee on Statistics to discuss the areas for improvement of the annual LFS of Ukraine (17–19 February 1998).

ILO High-Level visit to the State Committee on Statistics⁶⁸, 1998

Official visit of Mr Kebebew Ashagrie (Director, Bureau of Statistics) and Mir Igor Cherishes to the State Committee on Statistics, to take stock of cooperation between the ILO

⁶⁷ A copy of the Memorandum is included in the vol. II of this publication.

⁶⁸ Former Ministry of Statistics.

and Ukraine in the field of labour statistics, and discuss areas for further bilateral collaboration and assistance (22–26 June 1998).

ILO assistance in the implementation of a new system of LFS, 2000–2003, which included:

1. Technical mission of Mr Ralf Hussmanns (ILO Senior Statistician) to the State Committee on Statistics to advise on the methodology for harmonization of time series of the main statistical indicators after transition from the annual to quarterly LFS (3–7 April 2000);
2. Technical mission of Mr Ralf Hussmanns to the State Committee on Statistics to advise on the steps to be taken during the implementation of a new system of LFS organization in order to secure compatibility of employment and unemployment indicators after the improvement of the LFS programme (6–13 August 2003).

Coverage of participation expenses of the Ukrainian specialists in the international events on the methodology and practical implementation of the Labour Force Surveys, 1993–2012

1. ILO/UNECE/UNDP Working Group on the Labour Force Survey Issues for the CIS countries and the Baltic States (14–19 September 1998);
2. ILO International Seminar “Labour Statistics and Computerised Systems of Social Policy in Countries with a Market Economy” (Odessa, Ukraine, 26–30 April 1993);
3. Consultation of the Head of Labour Force Survey Unit of the Labour Statistics Department (State Committee on Statistics of Ukraine) on the LFS-specific issues at the ILO Bureau of Statistics (May 2003);
4. Participation of the Deputy Director, Department of Labour Statistics of the State Committee on Statistics, in the “ILO Training Course on Labour Statistics” at the International Training Centre (Turin, Italy, 31 October – 2 November 2011);
5. Participation of the Deputy Director, Department of Labour Statistics of the State Statistics Service of Ukraine, in the “Regional Preparatory Meeting of Labour Statisticians for the 19th International Conference of Labour Statisticians” (Paris, France, 9 – 11 July 2012).

Wage and Labour cost data collection, 1993–95

The ILO was the first international agency to provide assistance to the State Committee on Statistics of Ukraine on understanding the conceptual framework of labour cost and development and of relevant data collection tools. More specifically, the following assistance was provided:

1. Participation of two specialists from the State Committee on Statistics in the International Seminar on the Development of a New System of Wage Statistics in Transition Economies (Berlin, 22–26 February 1993);
2. A visit of three Ukrainian senior specialists was organized to the ILO Bureau of Statistics to study the ILO recommendations on the measurement of labour cost (Maya 1994);
3. Technical assistance in the preparation for and carrying out of a Pilot Labour Cost Survey (April 1995);

4. Technical assistance to the State Committee on Statistics in the preparation for the first comprehensive establishment survey (December 1997);
5. Technical assistance in the preparation for and carrying out of a Pilot Labour Cost Survey (April 1995).

Revision and improvement of administrative records for statistical use

1. Advisory mission of Mr Igor Chernyshev to the Ministry of Labour and Social Protection (September 1997) with the objective to review the relevant registration forms of the Employment Offices for their better use for statistical purpose;
2. Advisory mission of Mr Igor Chernyshev to the Ministry of Labour and Social Protection to provide assistance to the Statistical Unit of the State Employment Service in the preparation of its first issue of the regular Bulletin of the Ukrainian Labour Market (November 1997).

Measuring of employment in the informal economy, 1997

1. Participation of Ukrainian specialists in the joint ILO/TACIS Workshop on a Pilot Informal Sector Survey (Geneva, 11–20 June 1997);
2. Advisory mission of Mr Igor Chernyshev to the State Committee on Statistics to review the preparation for the LFS-based Modular Informal Sector Survey (13–16 October 1997);
3. Training visit of the Director and Head of Labour Forces Survey Unit, of the Department of Labour Statistics, to the Brazilian Institute of Geography and Statistics to learn about Brazilian experience in carrying out the LFS-based Modular Informal Sector Surveys (Rio de Janeiro, November 1997);
4. ILO advisory mission to the State Committee on Statistics on the organization and implementation of the LFS-based Modular Informal Sector Survey (December 1997).

Enterprise Labour Flexibility Surveys, 1994–2004

Ukraine was one of the first countries in Central and Eastern Europe in which the Enterprise Labour Flexibility Surveys (ELFS) were launched. In total, ten rounds of such surveys were conducted between 1994 and 2004. Six ELFSs were funded by the ILO Global ELFS Programme (some US\$300,000) and four rounds of the ELFS were financed from the budget of the State Committee on Statistics of Ukraine.

The ELFS survey mainly examines the process of employment creation, labour utilization, and job structure, working conditions, gender segregation and labour relations at the enterprise or establishment level⁶⁹. More specifically, the survey investigates:

⁶⁹ For more information see: Igor Chernyshev, Azfar Khan, Sriram Natrajan. *Enterprise labour flexibility and security surveys (ELFS): A technical guide*. ILO, Geneva, 2006.

- (i) The problems of labour utilization and the efficient utilization of workers;
- (ii) The main mechanisms of, and obstacles to, skill formation and the effective utilization of skills;
- (iii) The labour recruitment practices employed by the enterprises, and the considerations, which motivate these practices;
- (iv) The “labour segmentation” within and across enterprises. In other words, examining the opportunities and restrictions on labour mobility within firms;
- (v) The patterns of labour turnover and their implications for productivity, as well as the factors that determine the rate of labour turnover;
- (vi) Labour flexibility in its various dimensions and the extent of these practices in different types of firms and sectors;
- (vii) The role of labour legislation in determining recruitment practices, skill development, and the level and structure of employment;
- (viii) Gender preferences in recruitment, working conditions and opportunities for advancement;
- (ix) Labour relations mechanisms (trade unions, collective bargaining, etc.) in operation, and their impact on the dynamism of establishments.

The most important activities carried out with the ILO advisory and financial assistance are listed below:

1. ILO experts (Mr Guy Standing, Director, and Mr Azfar Khan, Senior Economist, of the ILO InFocus Programme on Socio-Economic Security, and Mr Igor Chernyshev, Senior Statistician of the ILO Bureau of Statistic) carried out over ten advisory missions to the State Committee on Statistics on the preparation, implementation and analysis of the ELFS results;
2. Preparation for the ELFSs included development of questionnaires, Manuals for Interviewers and Supervisors, ELFS sample design as well as numerous meetings with representatives of workers’ and Employers’ organizations where objectives and advantages of the ELFS were presented and discussed;
3. Preparation for the implementation of the ELFSs also included training seminars organized by the State Committee on Statistics for key specialists from its Department of Statistics and all Regional Statistical Offices of Ukraine. The training seminars were funded by the ILO and run by the ILO experts;
4. Results of each round of the ELFS were presented at the National Tripartite Conferences (funded by the ILO) with the participation of ILO experts.

Ukraine People’s Security Survey (UPSS), 2000–2004

Ukraine was one of the first countries in the world in which the People’s Security Survey was launched within the ambitious and comprehensive ILO Programme on Socio-Economic Security in the World of Work. In total, five rounds of the UPSS were conducted in Ukraine during 2000–2004 and in 2006. All five rounds were financed by the ILO (some US\$200,000) within the framework of the ILO project “Development of indicators to measure socio-economic security of the population of Ukraine”.

This survey is a unique statistical tool honed to measure the following labour-related forms of security⁷⁰:

- basic needs security;
- income security;
- labour market security;
- employment security;
- job security;
- work security;
- skills reproduction security;
- representation security.

Of these, the last two stand out as being at the crux of a security that should encourage legitimate risk-taking and innovations while promoting society and social solidarity.

More specifically, the following activities were carried out with the financial support and participation of the ILO experts:

1. ILO experts (Mr Guy Standing, Director, and Mr Azfar Khan, Senior Economist, of the ILO InFocus Programme on Socio-Economic Security, and Mr Igor Chernyshev, Senior Statistician of the ILO Bureau of Statistics) carried over ten advisory missions to the State Committee on Statistics on the preparation, implementation and analysis of the UPSSs results;
2. Preparation for the UPSSs included development of questionnaires, Manuals for Interviewers and Supervisors, UPSS sample design as well as numerous meetings with representatives of workers' and Employers' organizations where objectives and advantages of the UPSS were presented and discussed;
3. Preparation in the implementation of the ELFSs also included training seminars organized by the State Committee on Statistics (SCS) for key specialists from its Department of Statistics and all Regional Statistical Offices of Ukraine. The training seminars were funded by the ILO and run by the ILO experts;
4. Results of the UPSSs were presented at the National Tripartite Conference (funded by the ILO) with the participation of ILO experts. Thus, results of the UPSS 2000 were presented at the joint SCS/ILO national scientific and practical conference "Socio-economic security of the population of Ukraine" which was held in Kyiv (31 May – 1 June 2001). The Conference was attended by 109 official representatives from the State Committee on Statistics of Ukraine and its Regional Offices, the Verhovna Rada of Ukraine (the Parliament), governmental organizations as well as representatives of workers' and Employers' organization, researchers and academicians of Ukraine. There were also participants from Russia, Switzerland, the United Kingdom and the ILO.
5. Results of the UPSS 2004 were presented at the National Tripartite Conference on the *Socio-economic security of the population of Ukraine* (Kyiv, 13 – 14 April 2005). The Conference was attended by 120 participants, including four experts from the ILO.

Other events

Visit of Mr Olexandr Osaulenko, Chairperson of the State Committee on Statistics of Ukraine, to the ILO Bureau of Statistics (23 – 25 September 2002) within the framework

⁷⁰ For more information see: People's security surveys (PSS): A Manual for training and implementation. ILO, Geneva, 2004.

of the joint ILO/Ukraine project “Measurement of poverty: development of indicators on socio-economic security in Ukraine”. The visit was funded by the ILO.

The participation of the Head of Social Surveys Unit, Department of Social Statistics, State Committee on Statistics of Ukraine, as a consultant in the ILO project on measuring socio-economic security in Azerbaijan was funded by the ILO and initiated the use of Ukrainian specialists as consultants in a number of ILO projects.

Child Labour Survey, 1999

The Survey was prepared and conducted in accordance with the Objective 7 of the “Active Partnership Policy. Country Objectives for Ukraine” which envisaged that the ILO “will provide assistance to the State Statistics Committee of Ukraine in developing both technical capacity and sampling methodology of data collection on child labour, that can be integrated to the new quarterly LFS”.

The State Committee on Statistics and the ILO signed the agreement on the organization and implementation of a Child Labour Survey (CLS) of children living in the households with their parents or guardians. The agreement was signed within the framework of the ILO International Programme on the Elimination of Child Labour (IPEC) and covered the period from 1 January 1999 to 1 January 2000.

The IPEC allocated US\$179,689 for the implementation of the survey and provided additional funds for the Sub-Regional Conference “Ukrainian Child Labour Survey 1999: main findings” (US\$41,500) which was held in Yalta (Ukraine) in May 2000.

The implementation of the UCLS 2000 preceded the following comprehensive preparatory work funded from the project budget and as well as the ILO regular budget (all missions of the ILO experts):

1. Organization of three methodological national seminars with the participation of ILO experts (Mr Kebebew Ashagrie and Mr Igor Chernyshev) and specialists from the State Committee on Statistics, relevant ministries, scientific and research institutes (November 1998, February 1999 and December 1999). The ILO experts presented and explained the CLS concepts, definitions and methods of data collection. As a result, a comprehensive set of tools adapted to the Ukrainian context was developed and approved by the participants of those meetings. Numerous other CLS related issues were also discussed and decisions made;
2. National Conference “Ukrainian Child Labour Survey: first findings” was held in Yalta (Ukraine) in June 1999;
3. Four cluster seminars for the CLS coordinators and six training seminars for the CLS interviewers;
4. Two visits of five Ukrainian specialists were organized to the Ministry of Labour of Portugal and the National Statistical Institute of Portugal to learn about the Portuguese experience in organizing and carrying out the Child Labour Survey of Portugal (21–28 November 1999 and 15–15 November 2000);
5. A visit of three Ukrainian specialists was organized to the ILO Bureau of Statistics and Statistical Information and Monitoring Programme on Child Labour (IPEC-SIM-POC) to discuss and present the main findings of the UCLS 1999 (20 November – 1 December 2000);
6. Joint ILO/Ukraine Sub-Regional Conference “Child Labour in Ukraine: findings of the UCLS 1999” (Yalta, Ukraine, May 2000). The Conference was attended by 70 participants, including specialist from Central and Eastern Europe and Turkey. Participants

discussed results of the UCLS 1999 and adopted recommendations on the protection of children interests and rights;

7. The State Committee on Statistics produced a special bilingual publication (in English and Ukrainian) “Child Labour in Ukraine”, detailed report on the UCLS 1999 and the survey primary data were uploaded to the ILO official website.

ILO High-Level visit to the State Statistics Service of Ukraine, 2011

An official visit by Mr Rafael Diez De Medina (Director, ILO Department of Statistics) and Mr Igor Chernyshev (Head, Yearly Indicators, ILO Department of Statistics) to the State Statistics Service of Ukraine, to take stock of cooperation between the ILO and Ukraine in the field of labour statistics and to discuss areas of further bilateral collaboration and assistance, took place on 7 – 8 November 2011. This was the first visit of the Director of the ILO Department of Statistics and the ILO Chief Statistician to Ukraine. Three major issues were discussed and the ILO offered financial and technical assistance in the following areas: (i) participation of Ukrainian specialists in the preparatory technical meetings for the 19th ICLS on the revision of the 13th ICLS Resolution concerning statistics of employment, unemployment and underemployment, organized by the ILO; and participation of Ukrainian senior specialist in the 19th ICLS; (ii) measurement of labour migration; and (iii) second round of the Ukrainian Child Labour Survey.

Child Labour Survey 2014 and Social Survey of Street Working Children

At the request of the State Statistics Service of Ukraine, the ILO International Programme on the Elimination of Child Labour allocated US\$222,183 to organise and carry out the second round of the Ukrainian Child Labour Survey 2014.

The following activities were carried out in the course of the preparation for and implementation of the Ukrainian Child Labour Survey 2014:

- Training Seminar for the UCLS field work coordinators from the 25 Regions of Ukraine (Chernivtsi, Ukraine, September 2014);
- Training of the UCLS interviewers (organized in the 25 Regions of Ukraine, October 2014);
- A Pilot Modular Child Labour Survey (11 Regions, August 2014);
- The Ukrainian Modular Child Labour Survey (25 Regions, October–December 2014).

Advisory mission of Mr Igor Chernyshev, ILO Senior International Consultant to the State Statistics Service of Ukraine and the Ukrainian Centre for Social Research, to assist in the review, re-writing and finalization of the Ukrainian National Child Labour Survey (NCLS) Report.

Modular Sample Survey on Labour Migration in Ukraine, 2012

In a globalized economy, international migration is becoming an increasingly complex phenomenon that directly or indirectly relates to the world of work. Migration for employment is very much a part of the global agenda of the International Labour Organization, which is based on the vision of decent work for all.

The *Ukrainian Modular Sample Survey on Labour Migration* (UMLMS) was conducted within the framework of the EU-funded ILO Project “Effective Governance of Labour Migration and its Skill Dimensions”. The survey was made possible by the effective collaboration of the State Statistics Service of Ukraine, Ptoukha Institute for Demography and Social Studies of National Academy of Sciences of Ukraine, and comprehensive methodological support by Ms Elisa Benes, Senior Statistician at the ILO Department of Statistics. The ILO provided US\$129,620 for the preparation and implementation of the UMLMS.

The ILO project covered the period of 2011 – 2013 and encompassed the following activities and events:

- Advisory mission of the ILO Senior Statistician to provide assistance to the State Statistics Service of Ukraine on the application of the ILO methodology in the UMLMS (September 2011);
- ILO training seminar on harmonization of the methodology on data collection, and sharing of experience on measuring labour migration (21–22 November 2011);
- Training seminar for the field work supervisors of the UMLMS (March 2012);
- Training seminar for the interviewers of the UMLMS (April 2012);
- Carrying out of the Pilot UMLMS (February 2012);
- Implementation of the UMLMS (April – June 2012);
- A Round Table on the presentation of findings of the UMLMS 2012 (May 2013);
- Publication by the State Statistics Service of the UMLMS 2012 Report (August 2013) and organization of the National Conference on the results of the UMLMS 2012 (June 2014).

Decent work measurement

Ukraine was one of the pioneering countries selected by the ILO to test the Decent Work concepts and definitions as well as the statistical measurement framework. The ILO provided financial and technical assistance for testing and implementing the LFS-based Modular Decent Work Survey in Ukraine (UMDWS), which was conducted in September–October 2003. The survey covered 26,500 persons of working age, and its results were extrapolated to the national total. The findings of the UMDWS covered the following eleven aspects of decent work:

- Economic and social context for decent work;
- Employment opportunities;
- Adequate earnings and productive work;
- Decent working time;
- Combining work, family and personal life;
- Work that should be abolished;
- Stability and security of work;

- Equal opportunity and treatment in employment;
- Safe work environment;
- Social security;
- Social dialogue, workers' and Employers' representation.

More specifically, the ILO provided the following methodological assistance:

1. Consultative mission of Mr Richard Ancker (Head, Statistical Development and Analysis Group, ILO Policy Integration Department) and Mr Igor Chernyshev (Senior Statistician, Statistical Development and Analysis Group, ILO Policy Integration Department) to the State Committee on Statistics to explain the methodology of data collection and production of DW indicators (5 – 14 April 2003);
2. Training Seminar on the “Methodological bases, organization and implementation of the LFS-based Modular Decent Work Surveys” held in Kherson, Ukraine, from 28–31 July 2003 (34 participants);
3. LFS-based Modular Decent Work Survey of Ukraine (September – October 2003);
4. Elimination of all forms of forced labour is one of the DW dimensions. Mrs Nadia Grygorovych, Director of the Labour Statistics Department, State Committee on Statistics, participated in the methodological meeting on the conceptual framework for measuring forced labour organized by the ILO Fundamental Rights Department in Geneva (13 – 14 December 2006).

In 2008, the ILO launched a joint ILO/EC Project “Monitoring and Assessing Progress on Decent Work” (MAP). Six countries were selected for the project's implementation, and Ukraine was one of them.

The Project was implemented during 2008–2013 and covered the following activities involving Ukrainian specialists:

1. *Tripartite Meeting of Experts (MOE) on the Measurement of Decent Work* (8–10 September 2008): in a way it was a historic event as, for the first time since Ukraine's membership in the ILO (1954), a Ukrainian Senior Expert was invited to participate in the MOE in his individual capacity. This person was Professor Igor Mantsurov, Director General, Scientific and Research Institute of Economics at the Ministry of Economic Development and Trade of Ukraine (Corresponding Member of the National Academy of Sciences of Ukraine).
2. ILO advisory mission to the Ministry of Labour and Social Protection and the State Committee on Statistics to assist with the preparation of a draft *Decent Work Country Profile for Ukraine* (May 2009).
3. Invitation of Professor Ella Libanova, Director of the Institute of Demography and Social Research, Academician of the National Academy of Science of Ukraine, to give a lecture at the ILO Decent Work Forum on the “*Social aspects of decent work in Ukraine*”. In addition, Professor Libanova had a series of consultative meetings with the ILO leading experts in measuring and analyzing progress on decent work in Member States.
4. *Tripartite National Workshop where a Draft Decent Work Country Profile for Ukraine* was discussed with Ukrainian specialists and researchers. The Workshop was held at the Scientific and Research Institute of Economics at the Ministry of Economic Development and Trade of Ukraine (Kiev, May 2010).

5. Participation of Ms Inesa Senyk, Director, Labour Statistics Department of the State Committee on Statistics, in the *Meeting on Measuring and Monitoring Decent Work: Lessons learnt from MAP project* (Geneva, 27–29 June 2012).
6. Tripartite National Workshop on the launching of the *First Decent Work Country Profile: Ukraine* held in Kiev, May 2011.
7. Technical advice and financing of the *Second Decent Work Country Profile: Ukraine* (May–August 2012).
8. National Training and Knowledge-Sharing Workshop on Measuring and Monitoring Progress on Decent Work held in Lviv from 24–25 September 2012 (41 participants).
9. Regional Training and Knowledge-Sharing Workshop on Measuring and Monitoring Progress on Decent Work held in Kiev from 27–28 September 2012 (40 participants).

Quality of Employment

Quality of employment is an important issue for society, policy makers, governments and researchers. Employment is key to the social and economic advancement of workers and provides them with a sense of identity, but it may also be associated with risks to health and well-being.

Quality of employment is approached as a multidimensional concept, characterised by different elements which relate to human needs in various ways. To cover all relevant aspects, the framework identifies seven dimensions and twelve sub-dimensions of quality of employment:

1. Safety and ethics of employment
 - a. Safety at work
 - b. Child labour and forced labour
 - c. Fair treatment in employment
2. Income and benefits from employment
 - a. Income
 - b. Non-wage pecuniary benefits
3. Working time and work-life balance
 - a. Working hours
 - b. Working time arrangements
 - c. Work life balance
4. Security of employment and social protection
 - a. Security of employment
 - b. Social protection
5. Social dialogue
6. Skills development and training
7. Employment-related relationships and work motivation
 - a. Employment-related relationships

b. Work motivation

The ILO Department of Statistics, together with EUROSTAT and the UNECE, was leading the international development work on the conceptual framework and statistical measurement of the quality of employment. Notably, the ILO not only participated in the Working Group meetings, international workshops and seminars but also provided technical advice to and financed participation of specialists from several countries in these events, including Ukraine. In particular, the ILO covered participation of the Ukrainian specialists in the following technical meetings:

1. Participation of two senior Ukrainian specialists from the State Committee on Statistics in the First Joint ILO/UNECE/EUROSTAT Seminar on the Quality of Work (Geneva, May 2000);
2. Participation of two senior Ukrainian specialists from the State Committee on Statistics in the Second Joint ILO/UNECE/EUROSTAT Seminar on the Quality of Employment (Geneva, 27–29 May 2000);
3. Participation of one senior Ukrainian specialist from the State Committee on Statistics in the Fourth Joint ILO/UNECE/EUROSTAT Seminar on the Quality of Employment (Geneva, 18–20 April 2007);
4. Participation of Professor Igor Mantsurov, Member of the Working Group on the Quality of Employment in the Working Group Meeting (Geneva, May 2009);
5. Participation of one senior Ukrainian specialist from the State Committee on Statistics in the Fifth Joint ILO/UNECE/EUROSTAT Seminar on the Quality of Employment (Geneva, 31 October–2 November 2009);
6. Participation of Professor Igor Mantsurov, Member of the Working Group on the Quality of Employment, in the Statistics in the Fifth Joint ILO/UNECE/EUROSTAT Seminar on the Quality of Employment (Geneva, 31 October–2 November 2009);
7. Participation of one senior Ukrainian specialist in the Sixth Joint ILO/UNECE/EUROSTAT Seminar on the Quality of Employment (Geneva, 31 October–2 November 2011).

Labour Inspection Data to Improve the Monitoring of Decent Work

The ILO project *Harmonizing Labour Inspection Data to Improve the Monitoring of Decent Work* aimed to design a methodology for collection and analysis of basic national statistical data to allow for better international comparison and benchmarking on labour inspection activities. Ukraine was selected as one of the project pilot countries, representing the Eastern Europe.

1. ILO advisory mission of Mr Igor Chernyshev, ILO Senior International Advisor, with the objective to produce the outputs listed below:
 - a. Recommendations for harmonized concepts, definitions, classification schemes and codes used to produce LIS statistical indicators, taking into consideration what Ukraine could actually do and is willing to do;
 - b. List of basic Labour Inspection statistics and indicators to promote the compilation and comparison of LIS statistics;
 - c. List of additional issues identified in relation to the topic;

- d. Identification of a national counterpart to carry out further action, namely a follow up on the recommendations provided in the report;
 - e. A model harmonized questionnaire to use in the country.
2. ILO advisory mission of Mr Igor Chernyshev, ILO Senior International Advisor, with the objective to:
 - a. Consult with local stakeholders (national Labour Inspection authorities, National Statistical Office, Ministry of Labour and Social Protection and social partners) on the follow up of the recommendations provided;
 - b. Examine the new registration system for the State Labour Inspectorate for Labour Relations, produced under the project *Improving Collective Bargaining and Labour Law Compliance in Ukraine*, and report on its suitability according to the recommendation, in particular in what concerns the integration of the main concepts, definitions, variables, classification schemes and coding systems, timeliness and quality of the data provided by the system and the existing mechanisms to share and disseminate LIS statistics;
 - c. Make an updated inventory of the main concepts and definitions, variables, classification schemes and coding systems used by labour inspection, after implementation of the new registration system and the recommendation;
 - d. Present to constituents the main findings of the study in the Workshop.

Other events supported by the ILO

1. A two-weeks internship at the ILO Bureau of Statistics of two specialists from the Scientific and Research Institute at the Ministry of Labour and Social Protection in the development and updating of a National Classification of Occupations on the basis of ISCO-88 (October 1992);
2. Participation of Ms Natalia Vlasenko, Deputy Chair, State Committee on Statistics, in the "ILO International Conference: Restructuring of Labour Statistics in Transition Countries: First Results and Emerging Challenges" held in Minsk, Belarus (31 August–2 September 1994);
3. Translation and publication of the following ILO manual into Russian (Kyiv, 1999): *Statistics for Emerging Labour Markets in Transition Economies: A technical guide on sources, methods, classifications and policies* (with a contribution by Guy Standing). Macmillan Press Ltd. London 1997 and St. Martin's Press, Inc., New York, 1997;
4. Translation and publication of the following ILO manual into Russian (Kyiv, 2000): *Statistics for Emerging Labour Markets in Transition Economies: A technical guide on sources, methods, classifications and policies* (with a contribution by Guy Standing). Macmillan Press Ltd. London 1997 and St. Martin's Press, Inc., New York, 1997;
5. Translation of the following publications into English: *Labour in Ukraine 2002* and *Economically Active Population of Ukraine 2002*.

Financial support for the participation in the International Conference of Labour Statisticians (ICLS)

- 16th ICLS (1998) – five persons
- 17th ICLS (2003) – two persons
- 18th ICLS (2008) – two persons

19th ICLS (2013) – one person

Drawing on everything documented above, the following conclusion could be made: the ILO has been one of the few international specialized agencies that provided continued, comprehensive and sustainable assistance to Ukraine in the field of restructuring and enhancement of labour statistics and labour market information system. This has made it possible to develop, upgrade and strengthen technical capacity of Ukrainian subject specialists and enabled them to provide timely and comprehensive information to the Government and policy makers so much needed information was available during the historical process of dramatic move from a centrally planned to a market economy.

Taking into account all forms of assistance and advice provided by the ILO to Ukraine, the total amount of financial support can be roughly estimated at some US\$1,200,000. To this, one should add the mission costs of the ILO experts which exceeded US\$200,000. Lastly, but importantly, it should be noted that the ILO is not a funding agency and the assistance provided shows its exceptionally strong support for Ukraine on to building a democratic and just society.

Prevention and elimination of the worst forms of child labour, including trafficking in children

The volatile and fast-changing period of economic and social transformation in Ukraine in the 1990s was accompanied by sharply increasing poverty and income inequality. Children from poor families became the most vulnerable population group during this period of transition. In these conditions, child labour and, especially, its worst forms, began to increase rapidly and soon emerged as a pressing problem for the country.

At the end of 1999, there were 350,000 working children in Ukraine, mostly in agriculture (46 per cent), trade (26 per cent) and services (19 per cent). The average job entry age for a child was 12 years. One of the big concerns reported by the survey was the long hours of work of working children. Almost six per cent of working children in the 13–14 age group were working longer than for adults (41 hours per week), while 2 per cent of boys and girls in the 15–17 age group worked over 56 hours a week.⁷¹

The Ukrainian Government, despite the difficult economic and social situation in the country, was undertaking legislative, administrative and educational measures to improve child care, eliminate child labour and protect children against all forms of violence and exploitation.

Among the first legislative acts of Ukraine, as a newly independent country, were laws concerning the state aid to families with children, social formation and development of youth, and, later, Verkhovna Rada (Parliament) adopted law on the protection of childhood, and law on social work with families, children and youth.⁷²

⁷¹ Combatting worst forms of child labour, including trafficking in children in Ukraine – Протидія найгіршим формам дитячої праці та торгівлі дітьми в Україні, 2001–2009/International Labour Organization, International Programme on the Elimination of Child Labour. Kyiv, ILO-IPEC. 2012, p. 2.

⁷² Law on State aid to families with children (adopted on 21 November 1992, No. 2811-XII, entered into force on 1 January 1993; amended in 2001); Law on promotion of social formation and development of Ukrainian youth (adopted on 5 February 1993, No. 2998-XII, entered into force on 3 March 1993; amended on 23 March 2000); Law on the protection of childhood (adopted on 26 April 2001, No. 2402-III, entered into force on 6 June 2001; amended in 2005); Law on social work with families, children and youth (adopted on 21 June 2001, No. 2558-III, entered into force 27 July 2001).

Apart from legal steps taken by the parliament, several national programmes concerning the protection of children and the elimination of child labour were adopted by the President and the Ukrainian Government.⁷³

The Government also expressed its commitment to eliminate child labour by ratifying appropriate international conventions and agreements.

In particular, Ukraine ratified two ILO Conventions concerning child labour issues: Minimum Age Convention, 1973 (No. 138) (ratified in 1979) and Worst Forms of Child Labour Convention, 1999 (No. 182) (ratified in 2000).⁷⁴

Ukraine also ratified the UN Convention on the Rights of the Child (1991) and two Optional Protocols to the Convention: Optional Protocol on the sale of children, child prostitution and child pornography (2003) and, later, Optional Protocol on the involvement of children in armed conflict (2004).

The national laws and programmes, together with these international instruments, created a legal framework for protection of children and elimination of child labour in the country.

The ILO, through its specialized programme, the International Programme on the Elimination of Child Labour (IPEC), was, from the very beginning, involved in assisting Ukraine to combat child labour, especially, its worst forms. The provision of assistance to the Government of Ukraine to examine the scourge of child labour, through the elaboration of a legal framework and technical assistance activities aimed at the elimination of the most dangerous and worst forms of child labour, was one of the objectives (Objective 7) of the first official programme of cooperation between Ukraine and the ILO "Active Partnership Policy; Country Objectives for Ukraine" (1998).

According to this programme a National Child Labour Survey, carried out within the framework of the IPEC's Statistical Information and Monitoring Programme (SIMPOC), was conducted by Ukraine's State Statistics Committee between 1 January 1999 and 1 April 2000.⁷⁵

An official basis for cooperation between the Government of Ukraine and the ILO, with the goal to prevent and progressively eliminate child labour in Ukraine, was laid down by the Memorandum of Understanding between the ILO, represented by the IPEC, and the Ukrainian Government, was signed in June of 2002. This Memorandum was amended and extended for the next five years in December 2008.⁷⁶

The issue of prevention and elimination of the worst forms of child labour were mainstreamed into the Decent Work Country Programme Ukraine for 2006–2007 and for 2008–2011.

Since March 2000, the ILO-IPEC focused on three main strategic components in its activities in Ukraine:

- Advocate to bring legislation, policy and the institutional framework into line with international commitments and, specifically, ensure that national policies address the

⁷³ The national programme "Children of Ukraine" for the period 1996–2000 (presidential decree on 18 January 1996, No. 63/96); Additional measures on the implementation of the national programme "Children of Ukraine" for the period 2001–2005 (presidential decree, 24 January 2001, No. 42/2001); the comprehensive measures on the implementation of government youth policy in Ukraine (1998–2007) (the Cabinet of Ministers' resolution on 20 March 1998, No. 348).

⁷⁴ On the application of these Conventions, see the section *Ratification and application of ILO Conventions*.

⁷⁵ See the section "Restructuring of labour statistics and labour market information system" of this volume.

⁷⁶ See the texts of these documents in vol. II of this publication,

special needs of children trafficked internally and across borders for sexual exploitation or for labour;

- In selected high risk areas, through pilot projects: provide direct services to children at risk or involved in the worst forms of child labour (WFCL); promote youth employment (particularly through education and job counselling) and peer education in youth centers for prevention of trafficking and reintegration of trafficked victims; enhance capacity of professionals for the psychosocial rehabilitation of child victims of trafficking; establish, pilot and support the up-scaling at the national level of Child Labour Monitoring System (CLMS);
- Strengthen knowledge management at national and sub-regional levels by production of manuals and the promotion of their usage; and the documentation, validation, and dissemination of good practices in combating the WFCL.

The first major project on combating child labour and its worst forms, initiated and managed by the IPEC in the country, was the National Programme for Prevention and Elimination of Worst Forms of Child Labour in Ukraine 2001–2006. The project was designed in June 2000 and started in July 2001 for a 24 months' period.

The overall aim for the project was to assist the country to develop policy initiatives, prevent the increase of child labour, build the capacity of the concerned governmental and non-governmental agencies, conduct qualitative research, implement direct action activities and raise public awareness.

In March 2003, an independent mid-terms evaluation of the project, funded by the United States Department of Labor, was undertaken.⁷⁷

In 2004, the project was revised and extended until June 2006. The project continued the strategy as specified in the original project document, but revised them to take into account some specific recommendations from the mid-term evaluation of March 2003.⁷⁸

The revised Programme determined one development objective (to contribute to the prevention and progressive elimination of child labour in Ukraine, focusing on its worst forms as defined in the ILO Convention on the worst forms of child labour (No. 182) and six immediate objectives).

The Programme's activities included Action Programmes, Direct Action Programmes, Mini-Programmes and other efforts.⁷⁹

Programme implementation had four major components: research of different issues related to the WFCL in Ukraine; information and education activities aimed at raising awareness of the problems related to the WFCL among different stakeholders on all levels; capacity building activities targeting different stakeholders (primarily government agencies and

⁷⁷ National Programme on the Prevention and Elimination of Worst Forms of Child Labour in Ukraine (UKR/01/P50/USA P.340.001.443.050): IPEC evaluation. [An Independent mid-term project evaluation by an independent evaluation team](#); June 2004, Geneva, ILO-IPEC, 2004.

⁷⁸ Astapova, Natalia. National Programme for the Prevention and Elimination of Worst Forms of Child Labour in Ukraine: an independent final evaluation. Kyiv, ILO-IPEC, April 2006.

⁷⁹ There are few examples of such activities: Action Program "A Strategy and a package of awareness raising activities in selected Ukrainian villages designed and implemented aiming at children psycho-physiological needs, the dangers of employment at an early age, and legal provisions on the protection of children" implemented by the Kherson NGO "Uspishna Zhinka" in May-November 2002; Direct Action programme "A minimum of 500 working street children in the selected cities of Ukraine withdrawn from work and rehabilitated through a package of education counselling and vocational training" implemented by the Charity Fund "Intellectual'na Perspectyva" between December 2002 and January 2004; Mini-programme "Strengthening capacity of the State Labour Inspectorate to combat unconditional hidden child labor" implemented by the Ukrainian Center on Practical Psychology and Social Work under the Ministry of Education and Science of Ukraine in August 2003. Within the project 19 such Action programmes were completed.

service providers); direct actions aimed at prevention of the WFCL as well as identification, withdrawal, rehabilitation and reintegration of the children involved in WFCL.

The Programme was implemented on central and local levels with involvement of a variety of stakeholders (central and local government agencies, NGOs and trade unions, schools, orphanages, youth centers and individual practitioners (psychologists, social pedagogues) as well as children beneficiaries). The Programme's geographical coverage was limited to four regions: Kyiv, Vynnytsya, Kherson and Donetsk oblasts.

According to the final independent evaluation⁸⁰, the Programme made important contributions to the prevention and elimination of child labour in Ukraine, focusing on the worst forms of child labour (WFCL). This contribution included: changing attitudes towards child labour and raising awareness of the WFCL among government officials, practitioners and children targeted by the Programme interventions; inclusion of activities needed to prevent and eliminate WFCL both in public policy agenda, and direct work with children on local level (secondary and boarding schools, orphanages, youth centers and other institutions). The Programme also contributed to strengthening institutional and legal frameworks for the prevention and progressive elimination of the WFCL. The National Steering Committee, under the auspices of the Ministry of Labour and Social Policy, was established. Local Action Committees and Child Labour Units, within labour inspection, were also set up.

At Central Government level, issues related to the WFCL were not only introduced to the agenda, but also concrete actions were taken towards their implementation. One example was development of the National Concept and Plan of Action on prevention and elimination of the WFCL, their endorsement by the Cabinet of Ministers in 2003⁸¹ and their subsequent implementation during 2003–2005 by the government agencies concerned (Ministry of Labour and Social Policy; Ministry of Justice; Ministry for Family, Children and Youth Affairs; Ministry of Education and Science; Ministry of Internal Affairs; State Statistics Department, and other). The Labour Code and Law on the protection of childhood (Article 21) were amended in order to harmonise them with the ILO Convention No. 182. The capacities of government institutions and practitioners to prevent, identify and withdraw children from WFCL, as well as provide quality services, were also significantly strengthened in the process of implementing the Programme.

Within the Programme, the SCREAM methodology was adapted to the national context and widely disseminated. It was officially endorsed by the Ministry of Education and Science, and recommended for use in institutions for upgrading teachers' professional qualifications.⁸²

One of the most important results of the Programme has been withdrawal of children from the WFCL and provision of quality rehabilitation and reintegration services (including return to formal schooling).

⁸⁰ National Programme for the Prevention and Elimination of Worst Forms of Child Labour in Ukraine: an independent final evaluation / by Natalia Astapova, national consultant, Kyiv, April 2006. ILO-IPEC, Kyiv, ILO-IPEC, 2006, p. 2.

⁸¹ On the adoption of the concept document on prevention and elimination of the worst forms of child labour (Order of the Cabinet of Ministers of Ukraine, issued on 16 June 2003, No. 364-p); On adoption of plan of action on implementation of the concept document on prevention and elimination of the worst forms of child labour (Order of the Cabinet of Ministers of Ukraine, issued on 28 October 2003, No. 648-p).

⁸² The "SCREAM – Supporting Children's Rights through Education, the Arts and the Media – Stop Child Labour" programme introduced by the IPEC to empower children and youth to actively participate in the global campaign against child labour and bring about change in society. The methodology equips young people with knowledge and skills to convey their messages through different forms of artistic expression, such as drama, creative writing, drawing and music and in a manner specific to their culture and traditions.

Since 2004, the National Programme for Prevention and Elimination of Worst Forms of Child Labour in Ukraine (2001–2006) worked closely with the Ukraine component of the ILO/IPEC sub-regional Project of Technical assistance against Exploitation of Children (including Trafficking) in Central and Eastern Europe (PROTECT CEE).⁸³

The PROTECT CEE' activities focused on the following areas:

- Capacity building for the improvement of care of victims of trafficking, and direct support to their long-term reintegration;
- Support for existing community-based youth centres to reduce vulnerability to trafficking, identify potential victims, and facilitate social inclusion of returnees;
- Establishment of a Child Labour Monitoring and Referral System (CLMS);
- Economic empowerment for children at risk / victims of trafficking and their families;
- Support to the labour inspection authorities to participate in the CLMS.

Within the project, rapid assessment techniques were used to study the phenomenon of trafficking in children for labour and sexual exploitation in Ukraine.⁸⁴ Data collection was carried out using questionnaires, interviews, and group discussions in four selected regions: Kiev, Chernivtsi, Kharkiv and Kherson oblasts.

In 2006, the ILO/IPEC Rapid Assessment Survey on the use of child labour in six sectors of the informal economy in Ukraine was conducted. According to this survey, child labour in its worst forms most commonly occurred in: agriculture, street trade, work in the informal mining, entertainment services (work in bars, night clubs), sexual exploitation (prostitution, pornography) and other illicit activities.

In the period between 2003 and January 2007 Ukraine, together with Albania, the Republic of Moldova and Romania, participated in the first phase of an ILO/IPEC project “Combating trafficking in children for labour and sexual exploitation in the Balkans and Ukraine” funded by the US Department of Labor and Germany. Beginning in 2004, the implementation of this project, as well as other projects (including Country Programme for Ukraine and Albania and a sub-regional programme on the WFCL funded by Germany and closed in June 2008), have been carried out under a common framework of PROTECT CEE.

The project has had an impact on policy and legal frameworks at the national level, while at the local level it has supported the functioning of multi-disciplinary teams and peer educators. The project has also established the basis for national and local ownership of both policy initiatives and direct services that assist the target populations, while enhancing existing institutional capacities and maximizing the use of donor funds.

⁸³ PROTECT CEE is the programming framework for IPEC in Central and Eastern Europe. It includes the following countries/province: Albania, Bulgaria, Moldova, Romania, Ukraine and the UN administered province of Kosovo. Between 2001 and 2004 the IPEC country programmes in Albania, Romania and Ukraine set the basis for the work of PROTECT CEE in the region. The project started in February 2004. As of late-2005, the project had 28 action programmes running across the sub-region.

⁸⁴ Trafficking in children for labour and sexual exploitation in the Balkans and Ukraine: manual for rapid assessment / Prepared by Fafo Institute for Applied International Studies, International Labour Office, International Programme on the Elimination of Child Labour (IPEC), Project of Technical assistance against the Labour and Sexual Exploitation of Children, including Trafficking in countries of Central and Eastern Europe (PROTECT CEE). Geneva, ILO, 2003, v, p. 107; Rapid assessment for trafficking in children for labour and sexual exploitation in Ukraine / Prepared by the Centre of Social Expertise of the Institute of Sociology, National Academy of Sciences, Ukraine, under technical supervision of FAFO Institute for Applied International Studies, Norway, for the International Programme on the Elimination of Child Labour (IPEC) of the International Labour Organization (ILO), Project of Technical assistance against the Labour and Sexual Exploitation of Children, including Trafficking in countries of Central and Eastern Europe (PROTECT CEE). Kiev, ILO, 2003, vi, p. 51.

The evaluation report of the project recommended continuation of the project's comprehensive, multi-sectoral, multi-disciplinary strategy within the upstream-downstream approach; it also recommended that good practices need to be documented and shared as a key strategy for knowledge building and awareness raising in the region.

As a response to the last recommendation, a collection of more than 60 emerging good practices across the region, including 12 from Ukraine, were documented.⁸⁵

The second phase of the project (with a slightly different title "Combating trafficking and other worst forms of child labour in Central and Eastern Europe") also funded by the U.S. Department of Labor and Germany, started on 30 September 2006 and ended on 31 December 2009. Besides Ukraine, the geographic framework of the project covered Albania, Bulgaria, and the UN Administered Provinces of Kosovo, Moldova, Romania

This project focused on: advocacy to bring necessary changes into national legislation, and to ensure that national policies address the special needs of children-victims of trafficking and other WFCL; providing direct support to children at risk/involved in WFCL, and to parents of target children; enhancing the capacity of professionals, and supporting the use of manuals that are developed and adapted to local needs.

As the independent final evaluation of the project showed, its objectives were achieved in Ukraine. Among beneficiaries from the project activities were children, parents and professionals.

According to the evaluation, 1,178 children received direct support during 2006–2009 from the project (the total number for 2001–2009 is 5,750 children) in pilot regions of Ukraine (Kherson and Donetsk regions).

Children received educational services based on ILO/IPEC methodologies, such as "SCREAM: stop child labour" and "Life Skills Manual". 120 children have completed vocational and education courses and received state validated certificates, and are currently receiving assistance in job placement from the Public Employment Service. 95 most vulnerable children participated in SCREAM summer camps organized in 2008.

In addition, 256 adults (parents of target children) received legal counselling on existing social assistance and psychological counselling on family issues.

As many as 330 professionals from different levels were trained on the use of ILO/IPEC methodologies, including: psychologists from 27 regions of Ukraine trained on psycho-social rehabilitation of children-victims of trafficking and other WFCL; job counselors from the Public Employment Service from 27 regions of Ukraine trained on job counselling for children and youth; 176 professionals from different state institutions trained on child labour monitoring system (based on the manual *Child Labour Monitoring System in Ukraine*), including 19 practitioners who were trained as trainers; 100 teachers and school psychologists trained on the ways to provide direct services based on ILO IPEC methodology *SCREAM: stop child labour* and *Life Skills Manual*.

Among other achievements of the project in Ukraine were: increased awareness of child labour related issues in Ukraine; successful adaptation of ILO tools and models to the local context; piloting of the child labour monitoring system in two regions (Kherson and Donetsk oblasts); manuals on how to work with children and how to organize child labour monitoring; lobbying for the inclusion of child labour issues into relevant legislation.

⁸⁵ Grisewood, Christina. Steps to the elimination of child labour in Central and Eastern Europe: [emerging good practices](#) and lessons learned: documented by the agencies that implemented them with the support of ILO-IPEC. Geneva, ILO-IPEC, 2007, p. 71.

As a result of the advocacy efforts of ILO/IPEC in cooperation with other international organizations and national partners, child labour related issues have been mainstreamed into the number of legal acts, including Law on the National Programme ‘The National Plan of Action to Implement the United Nations Convention on the Rights of the Child’ for the period up to 2016” (5 March 2009, No. 1065-VI; entered into force on 31 March 2009; nationwide establishment of child monitoring system is the part of the national programme).⁸⁶

More recently two more laws on the subject were adopted by the Ukrainian parliament: Law on combating human trafficking (20 September 2011, No. 3739-VI, entered into force 15 November 2011) and Law on ratification of the Council of Europe Convention on the protection of children against sexual exploitation and sexual abuse (20 June 2012, No. 4988-VI).

Later, Ukraine participated in the Global Action Programme (GAP) on Child Labour Issues Project (30 September 2011–31 March 2017), funded by the US Department of Labour, and covering 40 countries. Project activities involve interventions across three inter-related components: capacity building and strategic policy development; research and statistics; and protection of child domestic workers. In accordance with the component 2 (Research and statistics) Ukraine was going to conduct a national child labour survey.

The survey, the Modular Child Labour Survey of Ukraine (UCLS), was conducted in October–December 2014 by the State Statistics Survey of Ukraine (SSSU) and, according to special requirements, covered the period of either the week that included the 15th of the month (current employment) or the last 12 months preceding the reference week (seasonal employment). Geographically, the UCLS covered 24 regions and the city of Kiev. The Autonomous Republic of Crimea, temporary occupied by Russia, was not included in the survey.

In addition to the above survey, a Social Survey of Street Working Children was conducted by a “Social Monitoring Centre”.

The survey was conducted in two stages: Stage I from 31 March to 13 April 2015, and Stage II from 8 May to 28 May 2015, and covered 13 regions of Ukraine and the city of Kiev.

While the UCLS field work was carried out by SSSU, the Report was written by researchers from the Ukrainian Center for Social Research (UCSR) with contribution from the Institute of Demography and Social Research of the National Academy of Science of Ukraine (IDSR).

Improvement of occupational safety and health

As stated in earlier sections, the issue of occupational safety and health (OSH) has been another important issue in the ILO technical cooperation in Ukraine after 1991. With the ILO’s advisory support, basic laws on labour protection were drafted and then adopted by the Parliament.

Presently, the labour protection legislation comprises the Law on Labour Protection (1992), the Labour Code of Ukraine (1971), with appropriate changes and amendments, the

⁸⁶ ILO-IPEC Round-Table Discussion “[Trafficking and other Worst Forms of Child Labour in Central and Eastern Europe](#)”, 30 October 2009, Kyiv, Ukraine.

Law on Mandatory State Social Insurance against Industrial Accident and Occupational Disease which Caused Disability (1999), and respective regulatory legal acts adopted in conformity with the abovementioned.

The Law on Labour Protection is the main piece of legislation in the area of OSH. It was adopted by the Parliament on 14 October 1992 (No. 2694-XII) and defined basic provisions concerning implementation of the employees' constitutional right to protection of their life, health in the course of labour activity, to the proper, safe and healthy working conditions. It also regulates relations between the Employer and the employee on security, occupational hygiene and working environment issues. The Law set a unified procedure of labour protection in the country. In November 2002, the Parliament of Ukraine adopted the new revision of this law which complies with the ILO Conventions and Recommendations as well as with other international legal norms in this field.

In November 1996, the Cabinet of Ministries adopted the National Programme for improvement of occupational safety, hygiene and working environment for 1996–2000. The Programme was developed by ministries and other central executive authorities with participation of the Social Insurance Fund against Accidents and All-Ukrainian associations of Employers and trade unions.

Ukraine also ratified the following ten ILO Conventions on OSH:

Underground Work (Women) Convention, 1935 (No. 45) (ratified on 4 August 1961);
 Radiation Protection Convention, 1960 (No. 115) (ratified on 19 June 1968);
 Guarding of Machinery Convention, 1963 (No. 119) (ratified on 17 June 1970)
 Hygiene (Commerce and Offices) Convention, 1964 (No. 120) (ratified on 19 June 1968);
 Occupational Cancer Convention, 1974 (No. 139) (ratified on 17 June 2010);
 Occupational Safety and Health Convention, 1981 (No. 155) (ratified on 4 January 2012);
 Occupational Health Services Convention, 1985 (No. 161) (ratified on 7 June 2010);
 Prevention of Major Industrial Accidents Convention, 1993 (No. 174) (ratified on 15 June 2011);
 Safety and Health in Mines Convention, 1995 (No. 176) (ratified on 5 June 2011);
 Safety and Health in Agriculture Convention, 2001 (No. 184) (ratified on 1 December 2009).

Four of these Conventions were ratified in the Soviet period, and the other six Conventions were ratified by Ukraine after attaining independence.

The role of the ILO's cooperation with Ukraine in the field of OSH was strengthened by the adoption of Conclusions, from the International Labour Conference at its 91st Session (2003), which outlined the ILO Global Strategy on Occupational Safety and Health, and the adoption of the Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187).

The Conclusions call for providing technical advisory and financial support to developing countries and countries in transition, for the timely strengthening of their national OSH capacities and programmes.

In 2007, with ILO assistance, the first national profile of occupational safety and health in Ukraine was developed. The profile recorded all tools and resources available in the country for implementing and managing OSH, and was designed to provide the data necessary for setting national priorities for action aimed at the progressive and continual improvement of workplace safety and health. The profile content was structured within six sections: legislatorial and political prerequisites; compliance with international standards;

organizational structure and surveillance mechanisms relating to adherence to legislation; role of social partners in labour protection related activity; systematic and current OSH activities; results of OS&H activity.

In 2010 and 2012, the national profiles of occupational safety and health were updated.

One of the ILO priorities in its activity in the OSH field in Ukraine was to ensure access to information and information exchange at national and international levels between government agencies and institutions, Employers' and workers' organizations and the general public. For these purposes, in 2003, with ILO assistance, the National Occupational Safety and Health Centre (CIS National Centre) was established within the State Committee of Health and Safety at Work. Since then, the CIS National Centre of Ukraine became a part of the International Occupational Safety and Health Knowledge Network initiated by the ILO (formerly known as the network of CIS National and Collaborating Centers). The network comprises 104 national, two regional and 44 collaborating centers in 109 countries, and provides a basis for collaboration among OSH agencies, institutions and organizations.

In 2010, Ukraine was chosen as one of the five pilot countries of the ILO/EU project "Improving safety and health at work through a decent work agenda (2010–2012).

The project was developed by the ILO and the European Commission, to better address safety and health at work as a vital component of decent work. The overall goal of the project was to contribute to a more inclusive and productive society through a reduction in occupational accidents and work-related diseases.

In Ukraine, the project organised meetings with members of Parliament to encourage them to include occupational safety and health on national and political agendas, and in national development plans, in order to secure further resources for OSH.

A network of trainers on risk assessment and management was created at the national level. In July 2011, a training course on risk assessment and management training of trainers was organized in Kyiv. The course was attended by 30 participants, including delegates from the private sector, representatives of trade union organizations, labour inspectors from the Kyiv region, delegates from the National Research Institute of Industrial Safety and Health, members of the OSH Training Center, representative of the State Service of Mining Supervision and Industrial Safety of Ukraine, and the head of the Ukrainian National Observatory on Drugs and Alcohol.

The course provided participants with detailed guidance and methodology on the use of risk assessment as a tool to identify evaluate and control risks in the workplace.

The OSH training institute included integrated risk assessment and management in its general curricula. A leading trade union and two major industrial companies have also developed further modules in order to provide regular courses to their members.

Within the project, a two-day training workshop for OSH inspection services was also conducted in Kyiv (October 2011). The workshop was attended by 26 participants, including labour inspectors from the Ministry of Labour, OSH Inspectors from the State Service of Mining Supervision and Industrial Safety of Ukraine, and trainers from the OSH Training Centre. Training and materials used were based on labour inspection training currently being developed by ILO/ITC Turin and the ILO's LAB/ADMIN unit. The workshop helped, according to participants, to foster joint work and cooperation between labour and OSH inspectors.

In order to provide an accurate and comprehensive picture of the occupational safety and health situation in the country, a national profile on OSH (National Occupational Safety and Health Profile: Ukraine 2012) was developed in consultation with government, Employers' and workers' organizations.

Within the project, the national programme on occupational safety and health for the period of 2012–2016 was drafted and then approved by the Cabinet of Ministries on 31 August 2011 (No. 889-p).

The project published in Ukrainian: a national study on the recording and notification of occupational accidents and diseases; a brochure on OSH economy; and a booklet with the texts of major ILO Conventions on occupational safety and health.

Ukraine ratified three OSH Conventions in the course of the project: the Occupational Safety and Health Convention, 1981 (No. 155); the Prevention of Major Industrial Accidents Convention, 1993 (No. 174); and the Safety and Health in Mines Convention, 1995 (No. 176). The future ratification of ILO Convention No. 187 has also been agreed among ILO constituents, and was included in the Resolution of the Parliamentary Hearings in 2011, as well as in the General Agreement on regulation of the main principles and norms in social and economic policy and labour relations in Ukraine (2011).

During the period of 1992 and 2014 the ILO carried out relatively few projects specifically or exclusively dealing with safety and health at work in Ukraine. OSH was, however, regularly included as a component of wider programmes on decent work, social protection and social dialogue.

The substantial part of the ILO development cooperation programme in Ukraine takes technical assistance to constituents, to develop and implement HIV/AIDS workplace policies and programmes.

The HIV pandemic has become one of the most critical economic and social issues in the country. The first HIV case in Ukraine was registered in 1987, while 1994 was regarded as the first year of the epidemic. From 1987 and until 1 July 2011 193,500 cases of HIV infection among the Ukrainian citizens were officially registered in Ukraine. Approximately 88 per cent of HIV-infected persons were young people of working and reproductive age.⁸⁷ Some 22,000 deaths were caused by AIDS.

According to the criteria of the UN Joint Programme on HIV/AIDS and of the World Health Organization, the rate of spread and prevalence of HIV/AIDS in Ukraine is classified as a “concentrated epidemic”.

Control of the HIV/AIDS epidemic was and still is one of the priorities of the national policy on health protection and social development.

On 9 January 1992, the Law on Prevention of the Spread of Diseases, caused by the Human Immunodeficiency Virus (HIV), and legal and social protection of people living with HIV, was adopted by the Parliament. (It was revised on 23 December 2010). The Law on approval of the National Programme for HIV Prevention, Treatment, Care and Support to HIV-Infected People and AIDS Patients for the period of 2009–2013 was enacted on 19 February 2009.

In addition, the Cabinet of Ministers of Ukraine, on July 11, 2007, by its Resolution No. 926, established the National Council for combating tuberculosis and HIV/AIDS. Its

⁸⁷ NATIONAL STRATEGY FOR TRIPARTITE COOPERATION ON PREVENTION OF HIV/AIDS IN THE WORLD OF WORK for the period of 2012-2017. Kyiv, 2012.

aim is to operate as a consultative and advisory body attached to the Cabinet of Ministers of Ukraine.

Taking into account the spread of the epidemic among young people of reproductive and working age, the world of work plays a crucial role in combating HIV/AIDS. Stigmatization and discrimination against people living with and affected by HIV and AIDS threaten fundamental rights at work, undermining opportunities for people to obtain decent work and sustainable employment.

Recognizing HIV/AIDS as a workplace issue, the ILO is piloting an effective approach to prevent HIV through targeted workplace programmes and to establish new partnerships between trade unions, enterprises and regional health centres. This new approach builds on the ILO's strength which lies in its access to the workplace through trade unions and Employers' organizations.

The ILO initiated HIV/AIDS prevention activities in the world of work in Ukraine in 2001 by providing assistance to government, Employers and workers organizations through technical cooperation projects as well as consistent cooperation with national and sub-national partners.⁸⁸

Since that time, the ILO has implemented a number of projects in the country aimed at increasing awareness of the constituents on HIV and its impact on the world of work, through: capacity-building; analysis of the legislative framework; research on HIV and TB; the development, translation, adaptation and printing of handbooks; guidance at the national and sectoral level; and assistance in developing and implementing HIV workplace prevention policies and programmes. All these activities were intended to strengthen the role of the workplace in preventing HIV and its impact, but also reduce stigma and discrimination on the basis of real or perceived HIV status in the world of work.

The project "Catalytic activities on HIV/AIDS in the world of work" for the period of 2003–2004 was developed, in accordance with national priorities, by the ILO, the German Technical Cooperation Agency (GTZ) and the United Nations Country Team (UNCT) joint programme ACT NOW⁸⁹. It served as an entry point to leverage further donor funding, and to initiate a strategic and extensive awareness and mobilization campaign supported by advocacy, training and technical assistance. The aim of the programme was to increase awareness of HIV/AIDS-related issues in the workplace among key decision-makers.

In 2005, within the project "Development of the Model of Socio-economic Impact of HIV/AIDS in Ukraine" the ILO worked with the Centre for Perspective Social Studies of the Ministry of Labour and Social Policy of Ukraine to develop and use a model of the socio-economic impact of HIV/AIDS.⁹⁰

In the period between 2002 and 2009, Ukraine participated in the ILO project on building capacity in countries for developing HIV and AIDS workplace policies and programmes in response to the AIDS pandemic. The project was funded by GTZ and implemented in two phases. The first phase (1 December 2002 to 30 June 2007) covered five countries: Uganda, Kenya, Zimbabwe or Ghana, Moldova, Ukraine. The second phase (1

⁸⁸ The active involvement of the ILO in technical cooperation on the issues dealing with the epidemic in the workplace started in 2000 when a resolution concerning HIV/AIDS and the world of work was adopted by the 88th Session of the International Labour Conference (June 2000) and a global Programme on HIV/AIDS and the World of Work (ILO/AIDS) (December 2000) was created as a follow-up to the resolution; In 2001, the ILO produced a Code of practice on HIV/AIDS and the world of work, which established principles for AIDS policies at enterprise, sectoral and national levels, and provided practical guidelines for programmes of prevention, care and support at the workplace.

⁸⁹ "Act Now" is a joint UN framework on HIV infection prevention in Ukraine.

⁹⁰ Beleva, I., Independent evaluation of the ILO's [country programme for Ukraine](#): 2000–2006. Geneva: ILO, 2007, p. 53.

July 2007 to 30 September 2009) covered four countries: Mali, Moldova, Namibia and Ukraine.

With the project's support, on 19 February 2009, the Ukrainian Parliament adopted the Law on Approval of the National Programme for HIV Prevention, Treatment, Care and Support to HIV-Infected People and AIDS Patients for the period of 2009–2013, which includes a workplace component covering the range of World of Work activities.

HIV prevention is also included in a General Agreement between the Cabinet of Ministries of Ukraine, All-Ukrainian Employers' associations and organizations, and All-Ukrainian trade unions associations and organizations at regional and national levels. By the year 2010, approximately 200 enterprises, institutions or organizations have included HIV and AIDS in their collective bargaining agreements.

Within the framework of cooperation between ILO/AIDS and GTZ a study on the demographic and socio-economic impact of HIV/AIDS in Ukraine was conducted in 2004.⁹¹

With the financial support of GTZ, the ILO carried out a project on HIV/AIDS issues in the educational sector in two regions (Chernivtsi and Kyiv) in 2007. In order to assess needs with respect to awareness on HIV prevention a teachers' survey was conducted. The survey showed that education workers consider HIV/AIDS as a medical and social problem, but do not fully understand its linkage with the world of work.

As a response to this assessment, more than 150 representatives of the education sector were trained in HIV-related issues as well as in methodologies used in conducting trainings. The main objectives of the training courses were to increase the participants' level of awareness on HIV/AIDS and its impact on workplaces, as well as acquainting them with methods of conducting prevention courses in schools for teachers, pupils and parents.

The project also distributed 1,000 copies of the *ILO Code of Practice on HIV/AIDS and the world of work* in Ukrainian to support the training courses.

The successful cooperation between the ILO and GTZ on HIV/AIDS workplace prevention in Ukraine continued until the end of 2010. In January 2011 GTZ merged with two other German development agencies to form the Deutsche Gesellschaft für Internationale Zusammenarbeit GmbH (GIZ).

In March 2011, GIZ and the ILO signed a Memorandum of Understanding in Ukraine with the objective of facilitating cooperation between the ILO and GIZ in the area of HIV workplace prevention through regular consultation, exchange of information, research, training and coordination of efforts. According to the Memorandum, the ILO and GIZ will hold consultations on HIV workplace strategies and assistance plans in Ukraine. To secure effective coordination the ILO representative became a member of the steering committee of the workplace component of the GIZ Project on HIV Prevention in Ukraine. In order to strengthen GIZ's HIV workplace interventions, ILO advocated for the development of a strong HIV workplace framework in Ukraine, and networking among its counterpart ministries, Employers' and workers' organizations and other civil society partners.

The ILO collaborated closely and maintained partnership with the UN, the UN agencies (UNAIDS, UNDP, UNHCR, WHO, UNFPA) and other international organizations in their efforts to combat HIV/AIDS in Ukraine.

Thus, the ILO was one of implementing agencies of the UN project "Promoting NGO involvement in Anti-Retroviral Therapy (ART), Care and Testing Programme in Ukraine

⁹¹ [Socio-economic impact of HIV/AIDS in Ukraine](#). Geneva, ILO, 2004, p. 20.

(September 2004–August 2006). Within the project, ILO experts provided assistance in the development partnership strategy between Government, trade unions and Employers on HIV/AIDS prevention and access to testing and care services on the workplace.

Another example of such collaborative practice was the joint UNAIDS/ILO Project “Reduction of stigma and discrimination towards people living with HIV through workplace policies and practices in the health sector in Ukraine”. One of the objectives of the project was to reduce stigma and discrimination of people living with HIV in the health sector (towards both health workers and patients through the development and implementation of the HIV prevention policies and practices at workplaces, and through increasing capacities of national partners in the health sector.

In the framework of this project a Study of HIV-related stigma and discrimination was carried out from February to June 2012 among health workers and the patients in five administrative units in Ukraine (Zakarpatska, Donetsk, Kharkivska, Kyivska oblasts and AR of Crimea). The study was conducted by the Centre of Social Expertise of the Institute of Sociology of the National Academy of Sciences of Ukraine by order of the ILO and UNAIDS.

In each of the units, a survey of health care workers and patients was carried out in the oblast centers and three district-level cities. Thus, a survey of 1,202 health care workers working in HCSs, and 600 patients, was carried out in 20 Ukrainian cities. (A quarter of this number consisted of people with real or perceived HIV-positive status.) In addition, 60 experts were interviewed among health care heads or executive officials (including staff from emergency departments, general and specialized prevention and treatment settings), representatives of Employers’ organizations and trade unions, and non-governmental organizations. Furthermore, the HIV/AIDS situation in Ukraine was analyzed in the light of HIV infection risk assessment for health care settings, and the current national laws and international instruments on HIV-related stigma and discrimination issues in the world of work were reviewed.

The problem of elimination of stigma, and discrimination on the basis of real or perceived HIV status, was also the focus of the ILO project “Addressing HIV stigma and discrimination to protect women and men workers from unacceptable forms of work in Ukraine”, which started in May 2016. The project dealt with OSH aspects of HIV in the health sector, and preventing/mitigating HIV for railway workers and the sea transport workers in the Odessa region of Ukraine.

The pilot project on Voluntary Counselling and Testing at Work, VCT@Work, was carried out during 2015 by the ILO in collaboration with the United Nations Programme on HIV/AIDS (UNAIDS) and United Nations Population Fund (UNFPA) at six enterprises/institutions in Cherkassy region representing health, education as well as industrial sectors.

The project was implemented within the framework of Global ILO/UNAIDS Initiative on VCT@Work, launched in June 2013, and aimed to ensure that workers know their HIV status and those people testing positive had referral services to access treatment, care and support if needed.

Eight thousand working women and men as well as students were reached by awareness-raising on HIV in the framework of the project, while 577 men and 1,440 women, in total 2,017, people underwent HIV testing. Seven were tested positive and referred to AIDS Centre for treatment.

As a result of ILO support and the active involvement and commitment of partners at the regional level, the Cherkassy region became a pioneer in setting up a network of enterprises that adopted HIV prevention programmes. In total, 13 enterprises and institutions launched HIV/AIDS workplace programmes and, among these, three enterprises adopted HIV workplace programmes. 30 representatives of local enterprises were trained on developing and implementing the HIV workplace programme. Representatives of the selected education institutions (65 students and teachers) were trained on HIV awareness and VCT@WORK for further promotion on VCT for HIV among students and teaching personnel.⁹²

ILO activities on promoting HIV/AIDS workplace programmes in Ukraine were reinforced after the adoption of the new international labour standard, ILO Recommendation concerning HIV and AIDS and the World of Work, 2010 (No. 200) in June 2010.

The text of the Recommendation was translated into Ukrainian, printed and disseminated with support of the ILO and constituents. This Recommendation calls for all ILO Member States to develop and implement national programmes. These should cover all those employed in all spheres of economic activity, as well as members of their families. To consolidate HIV and AIDS workplace efforts and give effect to the new standard All-Ukrainian organizations and associations of Employers and trade unions have initiated development of a National Tripartite Cooperation Strategy on Prevention of HIV and AIDS in the world of work. A tripartite expert group was established in April 2011 to draft the Strategy. The group consisted of six members: two from the Government (the Ministry of Health and the State Labour Inspection Service), two Employers (the Federation of Employers of Ukraine and the Association of Employers of Ukraine) and two from the unions (the Federation of Trade Unions of Ukraine and the Confederation of Free Trade Unions of Ukraine).

The draft of the *National Strategy for Tripartite Cooperation on Prevention of HIV and AIDS in the World of Work for the period of 2012–2017*, after comments and suggestions were made by all relevant stakeholders, was submitted to the National Tripartite Socio-Economic Council and approved by the NTSEC on 20 February 2012. The Strategy aims to consolidate the efforts of the tripartite constituents, encourage the development of public-private partnerships, promote gender equality, organize the collection of data for research, mobilize resources and ensure more effective collaboration with NGOs.

Participation of the Ukrainian delegations in the sessions of the International Labour Conference, the Governing Body and other ILO meetings

International Labour Conference

The 79th Session of the ILC (1992) was the first Session where the Ukrainian tripartite delegation represented the independent Ukraine. Interventions of the Ukrainian delegates at this and all subsequent sessions were devoted to various aspects of technical cooperation between Ukraine and the ILO. In his speech, delivered at this Session of the Conference, the Ukrainian Government representative pointed out that Ukraine like other countries was undergoing profound social and economic change and attached special importance to

⁹² Report of the VCT@WORK Campaign: Ukraine, Cherkassy region, 2015. Geneva, ILO, 2016, p. 23.

the opportunity for technical cooperation with the ILO in order to set up a tripartite dialogue at all levels, and to develop and strengthen Employers' and workers' organizations.⁹³

Speaking at the Conference, the Ukrainian delegates paid special attention to the problem of reducing adverse social consequences of economic reform.

At the 80th Session of the Conference (1993), the Ukrainian Government delegation, jointly with the government delegations from the Russian Federation, France and Germany, submitted a resolution concerning the social dimension of structural adjustment and transition to a market economy.

Introducing the resolution on behalf of all the co-authors the Government delegate of the Russian Federation observed that many of the countries which had launched programmes of structural adjustment and transition to a market economy were facing a number of severe problems, such as hyperinflation, reduction in industrial output, unemployment and bankruptcies, which had resulted in a decrease in the standard of living. He stressed that the success of such reform programmes would depend largely on reconciling economic reform with social protection. It was important that governments, with the active participation of the social partners, should adopt measures aimed at attenuating the negative consequences of these programmes, especially for the more vulnerable sections of society. The ILO could help in creating appropriate systems of social protection in the countries concerned and should reinforce its cooperation with the international financial institutions (e.g. IMF, World Bank, EBRD) so that their programmes take into account the need for social protection. In addition, the ILO should take a lead in the preparations, discussions and follow-up of the World Summit for Social Development, which should be held in March 1995 in Copenhagen.

Three more resolutions on related subjects were submitted by the Workers' delegates from different countries (a resolution concerning the contribution of the ILO to social protection during periods of transition and structural adjustment, a resolution concerning social security, and a resolution concerning the struggle against poverty, exclusion and marginalization).

The texts of these four resolutions were combined by their authors. The merged text was entitled Resolution concerning social protection and the alleviation of unemployment and poverty, and the social dimension of structural adjustment and transition to a market economy.

During the general discussion at the Resolutions Committee, some 70 amendments were submitted. Both the Workers' and Employers' members of the Committee supported the resolution, and its text was adopted unanimously and without voting by the Committee.

The resolution was adopted by the Conference on 21 June 1993.⁹⁴

Since 1993, the Government of Ukraine and the ILO extended and intensified their cooperation. At the 83rd Session of the Conference (1996), the Government delegate asked the ILO to orient activities towards providing technical assistance and advisory services to Ukraine, focusing on speeding up the implementation of planned projects and developing new programmes of cooperation with the active participation of the relevant ministries and agencies of Ukraine, as well as trade unions and Employers' organizations. He also expressed his gratitude to the ILO for its decision to appoint a National Correspondent in Kiev.

⁹³ ILO. International Labour Conference, Record of proceedings, [79th Session](#), Geneva, 1992, p. 10/9.

⁹⁴ ILO. International Labour Conference, Record of proceedings, [80th Session](#), Geneva, 1993, p. 28/26.

This would further intensify cooperation between Ukraine and the relevant departments of the ILO.⁹⁵

As noted by the Government representative at the 86th Session of the Conference (1998), during the next two years the technical advisory assistance of ILO specialists and its Area/MDT Office for the Countries of Central and Eastern Europe (Budapest) were contributing to developing and strengthening social dialogue in Ukraine, establishing a legislative basis for collective bargaining and introducing an arbitration mechanism, and conciliation procedures for settling industrial disputes.⁹⁶

With regard to the regional perspective of technical cooperation, the Ukrainian delegates always supported ILO efforts to strengthen its regional activities, in particular, the work of the Multidisciplinary Advisory Team Central and Eastern Europe in Budapest. In their view, the consolidation of the regional component of technical cooperation makes it possible to respond in an appropriate way to the specific needs of different countries and regions.⁹⁷

Since the beginning of the 2000s, in the course of their discussions at the Conference sessions, Ukrainian delegates focused on the promotion of decent work.

At the 91st Session of the Conference (2003), after a meeting with the ILO Director-General, the Government representative announced the beginning of preparatory work on a new programme of cooperation with the ILO to promote decent work in Ukraine.

This programme, bearing a name of Decent Work Country Programme for Ukraine 2006-2007, was signed in March 2006. The Workers' delegate expressed hope that the implementation of the ILO Decent Work Agenda would lead to a substantial improvement in people's lives, and for this reason the trade unions of Ukraine attached great importance to the Decent Work Country Programme which was designed to foster democratisation, increase employment and bring national legislation into line with international and European labour standards.⁹⁸ Referring to the Programme, the Government delegate stated that Ukraine, like many other countries, was interested in objectively measuring the situation in the field of decent work. He suggested that the ILO move more rapidly towards completing the formulation of indicators of decent work, and also suggested that Ukraine be included among those countries in which monitoring and measurement of decent work could be regularly carried out using such indicators.⁹⁹

At the 97th Session of the Conference (2008), making reference to the second Decent Work Country Programme 2008-2011, the Government representative stated that the creation of the economic conditions for decent work was one of the top priorities of the Ukraine's government and was supported both by the Employers and the workers of the Ukraine. She pointed out that by signing a Memorandum on the implementation of new Decent Work Country Programme 2008-2011, the Government, social partners and the ILO had made a major contribution to future collaboration.¹⁰⁰

⁹⁵ ILO. International Labour Conference, Record of proceedings, [83rd Session](#), Geneva, 1996, p. 90.

⁹⁶ ILO. International Labour Conference, Record of proceedings, [86th Session](#), Geneva, 1998, v. 1, p. 8/28.

⁹⁷ ILO. International Labour Conference, Record of proceedings, [80th Session](#), Geneva, 1993, p. 11/40.; ILO. International Labour Conference, Record of proceedings, [88th Session](#), Geneva, 2000, v.1, pp.14/13, 15/27.; ILO. International Labour Conference, Record of proceedings, [92nd Session](#), Geneva, 2004, p. 11/17.

⁹⁸ ILO. International Labour Conference, Record of proceedings, [96th Session](#), Geneva, 2007, p. 19/4.

⁹⁹ ILO. International Labour Conference, Record of proceedings, [95th Session](#), Geneva, 2006, p.10/23.

¹⁰⁰ ILO. International Labour Conference, Record of proceedings, [97th Session](#), Geneva, 2008, p. 14/20.

The third Decent Work Country Programme for 2012-2015 was signed by the tripartite delegation of Ukraine and the ILO on 12 June 2012 during the 101st Session of the Conference. The Employers' delegate from Ukraine, speaking at the Session, stated that the Programme set out realistic goals for ensuring decent work, social protection and safe working conditions and, in his view, the achievement of these goals would be possible only through social dialogue. He also said that the Employers of Ukraine recognized the need to focus their efforts on disseminating the principles of decent work throughout Ukraine, bearing in mind all of its four components, with the aim of optimizing our prospects for social progress and development. The Employers' delegate added that promoting and strengthening partnership-based labour relations in Ukraine, fostering a culture of trust and a shared responsibility among all the tripartite stakeholders based on a fair distribution of incomes, was the only approach that could contribute directly to transforming the risks arising from the financial crisis into new opportunities.¹⁰¹

The development and strengthen of social dialogue was another subject frequently raised by the Ukrainian delegates.

Speaking at the 92nd Session of the Conference (2004), the Government representative stated that, over recent years, the Government of Ukraine had been shown to acted correctly in its efforts to develop social dialogue and tripartism. In Ukraine the practice of direct participation of all social partners in formulating social labour legislation, as well as strategic programmes for social and economic cooperation, was developing. This practice was enshrined in a general agreement for the next two years. In addition to the Government, Employers' organizations and more than 70 Ukrainian trade unions signed that agreement. This policy was strengthened in the Government's programme of activities which had been approved by the Parliament of Ukraine. The Government was convinced that strengthening social dialogue must remain an important component of the efforts to ensure rapid economic growth, and steady increases in wages and the standard of living.¹⁰²

Referring to the importance of social dialogue in his country, the Government delegate pointed out at the 94th Session of the Conference (2006) that social dialogue was necessary for the successful development of the country. He indicated that Ukraine had already accumulated much experience in this field through negotiations on General Agreements, collective agreements, and joint work in developing and administering social insurance.¹⁰³

The need for further development and promotion of social dialogue was also the focus of the Ukrainian Employers' delegates at the Conference. Creating decent work conditions and establishing flexible guarantees in regard to employment through the development and institutionalization of social dialogue were mentioned by the Employers' delegate as being among the national priorities for Ukraine's integration into the global economy.¹⁰⁴

At the 96th Session of the Conference (2007), Mr Gryshchenko, Employers' delegate from Ukraine, drew attention to the need to strengthen the role of social dialogue and emphasized that "only strong Employers' organizations that are politically neutral, independent and democratic can be responsible and reliable partners".¹⁰⁵ This phrase was cited by the Director-General in Reply to the discussion of his Report.

¹⁰¹ ILO. International Labour Conference, Record of proceedings, [101st Session](#), Geneva, 2012, p. 21/34.

¹⁰² ILO. International Labour Conference, Record of proceedings, [92nd Session](#), Geneva, 2004, p. 11/18

¹⁰³ ILO. International Labour Conference, Record of proceedings, [95th Session](#), Geneva, 2006, p. 10/24.

¹⁰⁴ Ibid., p. 11/17.

¹⁰⁵ ILO. International Labour Conference, Record of proceedings, [96th Session](#), Geneva, 2007, p. 26/13.

At the 97th Session (2008), the Ukrainian Employers' delegate also made a suggestion to consider preparing a Convention on the fundamental principles of social dialogue.¹⁰⁶

Speaking at the 99th Session of the Conference (2010), and making reference to the consequences of the global economic and financial crisis, the Employers' delegate from Ukraine pointed out that the balanced, tripartite approach of the ILO was more important than ever, since the rapid recovery of the national economy could only be achieved by preserving social peace and updating decent work standards through upholding the principles of social dialogue.¹⁰⁷

The absence of real and effective social dialogue in a society can provoke a deep social and political crisis in a country. Such a conclusion was made by the Ukrainian Employers' delegate by analysing the tragic events which took place in Ukraine at the beginning of 2014. Speaking at the 103rd Session of the Conference (2014), he reminded that the major domestic crisis in Ukraine, which had triggered mass protest and claimed many lives, had led to a change of government in the country and required a complete political reset of the whole system of government. However, the reasons for this social crisis and its consequences were far deeper and could not be settled through a simple change of government. He offered a few lessons from the Ukrainian crisis. The first was that "when a government pretended to participate in social dialogue, sooner or later this would lead to a social explosion. In the case of Ukraine, the main mistake of the previous Government was that it deliberately avoided social dialogue and, ultimately, formed a very primitive understanding of the needs of its people".¹⁰⁸

The question of vocational training and retraining, and ILO assistance in developing vocational training systems, was discussed by the Ukrainian delegates in the context of employment promotion and employability of various groups of population.

Addressing the 79th Session of the Conference (1992), the Workers' delegate pointed out that the increase in unemployment, due to structural changes and the transition to a market economy, created the problem of retraining the population. He asked the ILO to provide assistance in setting up a new system of vocational training and retraining in Ukraine.

At the 81st Session (1994), the Government delegate stated that the Ukrainian Government was very interested in the active involvement of the ILO in the development of a system for the training and retraining of management staff to meet the needs of structural adjustment, privatization and the development of small-scale enterprises.

Speaking at the 83rd Session of the Conference, the Government representative also asked the ILO to help in retraining workers of the Chernobyl nuclear power plant after its closure.

In response to this request the ILO and UNDP, with the financial support from the Swiss Government, designed and began implementing in Ukraine, in 1997, a project on introduction of flexible vocational training programmes for the unemployed, which was based on modular training methodologies developed by the ILO.

Noting the success of the project the Government delegate, speaking at the the 90th Session of the Conference (2002), informed that, thanks to the project, a modular system of

¹⁰⁶ ILO. International Labour Conference, Record of proceedings, [97th Session](#), Geneva, 2008, p. 17/58.

¹⁰⁷ ILO. International Labour Conference, Record of proceedings, [99th Session](#), Geneva, 2010, p. 20/6.

¹⁰⁸ ILO. International Labour Conference, Record of proceedings, [103rd Session](#), Geneva, 2014, p. 18/165.

professional training for the unemployed was included in the state employment programme.¹⁰⁹

At the 101st Session (2012), raising the question of improving vocational training and retraining in Ukraine, the Government representative indicated that, according to the National tripartite agreement on jobs and employment, based on the provisions of the ILO Global Jobs Pact signed in June 2012, the measures would be undertaken to retrain 23 per cent of both employed people and the unemployed, and bring the share of workers without qualifications down from 23.9 to 16.5 per cent by 2017.¹¹⁰

The Government's plans to improve the system of internships for students from universities and vocational training institutions, as well as retraining and skills upgrading of older workers, were announced by the Government delegate at the 102st Session (2012) of the Conference.¹¹¹

In recent years, Ukrainian Employers began to play an active role in establishing an effective training system in the country.

The problem of training skilled workers for the national economy was the main subject of the Ukrainian Employers' delegate's statement at the 100th Session of the Conference (2011). He observed that Ukrainian Employers had drawn up a draft national framework for training which would meet the requirements of the economy for specialists with the necessary skills and experience. The Ukrainian Employers devoted considerable attention to expanding training in technical and scientific areas at secondary school and at university. They provide support for talented school pupils who have achieved high grades in natural sciences. The Employers also support student internships in companies, contribute to the modernization of school laboratories and the technical resources of universities, and help the establishment of university grants for students. In addition to their collaboration with national universities, the Employers of Ukraine have established relations with leading universities around the world: in 2011, for instance, at the University of Cambridge, with the Employers' financial assistance, a Ukrainian scholarship programme has been launched to enable the most talented students to obtain a Master's degree. All of these measures would contribute to the development of Ukraine's technological and scientific potential.¹¹²

Addressing the problem of skill mismatch in the labour market in Ukraine, at the 102nd Session (2013), the Employers' delegate pointed out that the Employers' organizations of the country intended to continue playing an active part in the development of vocational standards and in updating the curriculum, stressing the importance of career guidance, especially at school, and promoting the principles of a system of parallel training for workers and specialists, especially in engineering and technical trades.¹¹³

After the ratification of the Worst Forms of Child Labour Convention, 1999 (No. 182) by Ukraine in December 2000, the issues of child labour in the country were raised at the Conference regularly by Ukrainian delegates. Thus, at the 90th Session (2002), the Government delegate informed the Conference on the concrete political and practical steps taken by his Government in the application of Convention No. 182. In 2002 for the first time a

¹⁰⁹ ILO. International Labour Conference, Record of proceedings, [90th Session](#), Geneva, 2002, p. 16/21.

¹¹⁰ ILO. International Labour Conference, Record of proceedings, [101st Session](#), Geneva, 2012, p. 21/17.

¹¹¹ ILO. International Labour Conference, Record of proceedings, [102nd Session](#), Geneva, 2013, p. 20/149.

¹¹² ILO. International Labour Conference, Record of proceedings, [100th Session](#), 2011, p. 20/21.

¹¹³ ILO. International Labour Conference, Record of proceedings, [102nd Session](#), Geneva, 2013, p. 20/199.

state report on child labour was prepared. Ukraine had also become a participant in the International Programme on the Elimination of Child Labour (IPEC) and had signed a Memorandum of Understanding with the ILO.

Speaking at the special plenary sitting of the 95th Session of the Conference (2006) on the Director-General's Global Report *The end of child labour: Within reach*, under the follow-up to the ILO Declaration on Fundamental Principles and Rights at Work, the Government representative described the activities of the Government and its social partners with the direct support of the IPEC in eradicating the worst forms of child labour and the sexual exploitation of children in Ukraine. He explained that, in 1995, several laws and government initiatives had been adopted on: simplifying the procedures for adopting orphans; supporting the young; supporting foster families; and protecting the rights of minors. In order to implement the IPEC programme in 12 pilot regions of south-eastern Ukraine, a permanent system to monitor the use of child labour had been established. It included representatives from the state labour inspectorates, local authorities, Employers' and workers' organizations, public organizations and NGOs.¹¹⁴

The Workers' delegate from Ukraine, taking the floor at the same sitting, did not share the view of the Ukrainian Government representative on the child labour situation in the country. Noting the very serious problems in this respect, he stressed that there were over 456,000 children, today in Ukraine, who were forced to work. Many of them in some of the worst forms of child labour. There were children working throughout the whole economy. They worked on the street, washing cars, collecting and trading in scrap metal, bottles and so on, and even going through bins. They worked in the agricultural industries, in slaughterhouses and in unregistered mines. They also engaged in theft, swindling and begging. They were subject to commercial and sexual exploitation. Virtually none of these areas were subject to official labour agreements. Appreciating the role played by the IPEC in Ukraine, the delegate said that its activities helped to get some children out of the worst forms of child labour in the sex industry, agriculture and street trade. Approximately 1,200 children had been pulled out of the labour market as a result of this programme, and given education, medical care and social assistance. A list of hazardous jobs prohibited to children under 18, because of the moral and mental harm done to them, must be drawn up. Regulations on what types of "light work" school children could be employed, in and regulations on working times and conditions and minimum age for these jobs, were also needed.¹¹⁵

The Ukrainian Employers' delegate, speaking at the same sitting, pointed out that the Ukrainian Employers' organizations had supported the national programme for the prevention and elimination of the worst forms of child labour, but, in their view, there was a need for the social partners and governments to increase their efforts to establish an effective system of state monitoring of the informal sector, which was where the worst forms of child labour were usually to be found.¹¹⁶

The elimination of child labour was a subject of the next Global Report, *Accelerating action against child labour*, discussed at the 99th Session of the Conference (2010). Taking part in the discussion, the Ukrainian Government delegate welcomed the progress made towards eliminating the worst forms of child labour by 2016. He stressed that for Ukraine, in this respect, an important milestone was on 5 March 2009 when the Government adopted law on the state programme comprising the National Plan of Action to Implement the UN Convention on the Rights of the Child for the period up to 2016. The law guarantees, inter

¹¹⁴ ILO. International Labour Conference, Record of proceedings, [95th Session](#), Geneva, 2006, pp. 15/30-15/31.

¹¹⁵ Ibid., pp. 15/39-15/40.

¹¹⁶ Ibid., p. 11/17.

alia, a first job for graduates of higher education institutions and technical vocational schools. The Government had also developed special programmes to foster job placements for young people through the state employment service.¹¹⁷

The Employers' delegate from Ukraine, addressing the same Session, stated that the Federation of Employers of Ukraine supported the ILO in its campaign to abolish child labour. Acting in compliance with the Worst Forms of Child Labour Convention, 1999 (No. 182), Ukrainian Employers were actively participating in all activities carried out in the context of specialized programmes for the elimination of child labour in the following four strategic areas: working with legislative authorities in Ukraine; conducting pilot programmes in high risk regions; establishing a database of knowledge and experience at the national and regional levels; and evaluating progress in respect of the elimination of the worst forms of child labour. The Employers' delegate admitted a slowing down in the efforts to eliminate the worst forms of child labour, owing to the economic recession, and called on all interested parties to consolidate their efforts in this regard in order to achieve the crucial goal of eliminating child labour by 2016.¹¹⁸

The Ukrainian delegations at the Conference gave high priority to reforming the social security system and establishing a social safety net for vulnerable groups in the population. Discussing the Director-General's Report *Social insurance and social protection* at the 80th Session (1993), the Government delegate described the measures taken by his Government in setting up a system of social protection for various population groups. He informed that a conception of social insurance reform had been prepared in Ukraine. The conception envisaged the establishment of a pension plan, health insurance, occupational accident insurance and unemployment insurance, under both mandatory and voluntary social security schemes. The view of trade unions on reforming social security in Ukraine was expressed at the Session by the Workers' delegate from Ukraine. Both delegates were counting on the ILO's assistance, because it had at its disposal qualified experts and experience in the operation of various types of social security systems.

At the 86th Session (1998), the Government representative stated that a key issue for Ukraine was the reform of the social security system, including the introduction of pension insurance and unemployment insurance systems. He said that his Government very much appreciated the aid it was receiving from ILO specialists in preparing social and labour legislation to this end. He also stressed the importance of the model for a social budget for Ukraine, which was drawn up with the help of the ILO, UNDP and the World Bank, and expressed his hope that the ILO would find the necessary resources for the practical implementation of this social budget in Ukraine.¹¹⁹

Speaking at the 92nd Session (2004), the Government delegate pointed out that reforms had been successfully carried out in Ukraine in the area of state social security. As a result of pension scheme reforms, there was a significant increase in pensions for more than 3.5 million pensioners. There were also positive changes taking place in the labour market, all social contributions had been increased and salaries had risen by 23 per cent.¹²⁰

In the next few years, the Government, in close collaboration with social partners, continued making efforts to raise living standards and enhance social protection.

¹¹⁷ ILO. International Labour Conference, Record of proceedings, [99th Session](#), Geneva, 2010, p. 17/5.

¹¹⁸ Ibid., p. 20/7.

¹¹⁹ ILO. International Labour Conference, Record of proceedings, [86th Session](#), Geneva, 1998, v. 1, p. 8/29.

¹²⁰ ILO. International Labour Conference, Record of proceedings, [92nd Session](#), Geneva, 2004, p. 11/18.

As it was noted by the Government delegate at the 97th Session (2008), social assistance to families and children had been notably increased. She indicated that by comparison with the previous year (2007), the benefits paid for the birth of a first child had been increased by more than 40 per cent (US\$2,500), by three times for a second child (US\$5,000), and six times for the third child and subsequent children (US\$10,000). In addition, there was an important increase in child benefit for large families, and more than 240,000 disabled children received special assistance.

The delegate also noted that the Government, together with the ILO, analysed national social security legislation with regard to its conformity with the following the ILO Conventions: Employment Injury Benefits Convention, 1964 (No. 121), the Invalidity, Old-Age and Survivors' Benefits Convention, 1967 (No. 128), the Medical Care and Sickness Benefits Convention, 1969 (No. 130), and the Employment Promotion and Protection against Unemployment Convention, 1988 (No. 168).¹²¹

Thereafter, some changes were made to the system of social assistance for the population. As the Government representative stated at the 104th Session (2015), the Ukrainian Government introduced a new model for active support of the population based on targeting, when the social assistance was provided to each family in need. This model was designed to protect low income people and reduce poverty in the country. He also indicated that at the current stage of reform, a number of unjustified benefits and privileges had been abolished. In the future, all social programmes would be optimized using one criterion of their efficiency – an acceleration of social development and poverty alleviation in the country.

In June 2016, Ukraine ratified the Social Security (Minimum Standards) Convention, 1952 (No. 102). During the 105th Session of the Conference (2016), Vice Prime Minister of Ukraine, Pavlo Rozenko, Head of the Ukrainian delegation to the Conference, handed over to the ILO Director-General the instrument of ratification by Ukraine of the Convention No. 102. Speaking on this occasion, Mr Rozenko stated that it took Ukraine over ten years to make this event happen, and ratification of Convention No. 102 should become, for Ukraine, a starting point for further development of social policy focusing on a higher level of social protection and social security of citizens. He also noted that the entry into force, for Ukraine, of Convention No. 102 would contribute to aligning Ukrainian legislation in the field of social security with international standards, in particular standards of the International Labour Organization, and would create preconditions for Ukraine's accession to the European Code of Social Security as a whole.¹²²

The following year, at the 106th Session (2017), the Ukrainian Government delegate informed the Conference that in light of the implementation of the Convention No. 102, his country was undertaking health care and pension system reforms in order to improve the quality of services, financial stability and social justice.

After annexation of the Crimea by the Russian Federation in early 2014 and the beginning of the armed conflict in the East of the country, one of the major topics raised by the Ukrainian delegates was the problem of social support and integration of internally displaced persons (IDPs). In his statement at the 105th Session (2015), the Government representative pointed out that more than 1.3 million citizens from Donetsk and Lugansk oblasts (regions) who, as a result of the hostilities of the illegal armed groups supported by Russia, became internally displaced persons, needed assistance from the state and society. He said that the Government of Ukraine was developing the National Programme for support, social

¹²¹ ILO. International Labour Conference, Record of proceedings, 97th Session, Geneva, 2008, p. 14/20.

¹²² http://old.kmu.gov.ua/kmu/control/publish/article?art_id=249090075

adaptation and reintegration of IDPs, as well as a comprehensive programme of employment and vocational training for IDPs for the period 2015-2016. He also expressed the Government's gratitude to the ILO for its technical assistance provided to Ukraine for future recovery of the economy in the regions affected by the armed conflict with the Russian Federation, for examination of the depth and consequences of social and economic crisis caused by disruptive actions in Eastern Ukraine.

In this context, the Ukrainian delegations appreciated recent moves in ILO standard setting activities. In particular, at the 106th Session (2017), the Government delegate stated that Ukraine considered the ILO initiative to review the Employment (Transition from War to Peace) Recommendation, 1944 (No. 71) to be timely, and welcomed the adoption of the new ILO standard: the Employment and Decent Work for Peace and Resilience Recommendation, 2017 (No. 205).

The issues concerning Ukraine were also discussed at the following Conference's Committees: Finance Committee of Government Representative, Conference Committee on the Application of Standards and Credentials Committee.

Finance Committee of Government Representatives

At the 80th Session of the Conference (1993), discussing a draft scale of assessment of Member States' contributions for 1994 as recommended by the Allocations Committee of the Governing Body at the meeting of the Finance Committee of Government Representatives, the representative of Ukraine drew the attention of the Committee to the rate of assessment fixed for his country in the draft contribution scale. According to the document, Ukraine's contribution to the ILO was set at 1.88 per cent, an increase of more than 0.7 per cent since 1993. He indicated that Ukraine's delegation to the 47th Session of the UN General Assembly, which had determined the contribution scale, mentioned above, had found this decision unacceptable and had voted against the new scale of contributions. From its point of view, the new amount of Ukraine's contribution had not been established in line with certain basic principles and criteria. This had been confirmed by the UN Legal Adviser who pointed out that the Committee on Contributions, which had made recommendations to the General Assembly, had no mandate to modify Ukraine's contribution, and the decision as a whole was contrary to the rules of procedure in the UN. The Ukrainian representative added that this change to the rate of assessment for Ukraine's contribution was difficult to understand because the decision was taken at a time when Ukraine was experiencing extreme social and economic difficulties. Statistics reflected a sharp drop in living standards: in 1992, national income dropped by 14 per cent and the budget deficit rose to more than 9 per cent of GNP, while inflation sky-rocketed to over 2,000 per cent and new investment almost dried up. The billions spent to repair damage caused by Chernobyl appeared to have been overlooked. This accident had affected millions of workers, and Ukraine still needed help from the international community.

In view of the foregoing, the Minister of Foreign Affairs of Ukraine informed the UN Secretary-General earlier this year that his Government would pay contributions to the UN regular budget on the basis of its financial obligations determined in the UN scale of contributions for 1992, 1993 and 1994, as approved by the General Assembly Resolution 46/221. Consequently, Ukraine could not agree with the proposed ILO draft scale of contributions.

Replying to this statement, the ILO Treasurer explained that the scale of assessments in the ILO was based on that of the UN, adjusted for differences in membership. He confirmed that Belarus and Ukraine had issued a declaration earlier in the year at the United Nations objecting to the increases in their respective assessments and to the fact that they had been treated as new Member States. Nevertheless, this was a matter which would have

to be resolved in the United Nations, and the ILO had no alternative but to follow its usual practice of basing its scale of assessment on that of the UN, with adjustments for differences in membership.¹²³

Later, the financial issues, especially, the situation with regard to the payment of arrears of contributions by Ukraine, were examined by the Finance Committee of Government representatives at the 88th (2000) and 99th (2010) Sessions of the Conference in the context of requests of the Government of Ukraine, under paragraph 4 of article 13 of the ILO Constitution, for permission to vote at the Conference.¹²⁴

Conference Committee on the Application of Standards

The application of the ILO Conventions by Ukraine was examined by the Conference Committee on the Application of Standards.

During the period from 1992 to 2017, the Conference Committee on the Application of Standards held eight discussions (individual cases) on the application of four ILO Conventions by Ukraine: the Protection of Wages Convention, 1949 (No. 95) (1997, 2000, 2001, 2003 and 2010), the Minimum Age Convention, 1973 (No. 138) (2004), the Labour Inspection Convention, 1947 (No. 81) (2017) and the Labour Inspection (Agriculture) Convention, 1969 (No. 129) (2017).¹²⁵

In 2007 and 2008 the Credentials Committees of the Conference examined two objections concerning the nominations of the Workers' and the Employers' delegations from Ukraine.

The Credentials Committee of the 96th Session of the Conference (2007) received an objection presented jointly by the Confederation of Free Trade Unions of Ukraine (KVPU), the All-Ukrainian Union of Workers Solidarity (VOST), the National Confederation of Trade Unions of Ukraine, and the National Forum of Trade Unions of Ukraine, concerning the nomination as Workers delegate of Mr Oleksandr Yurkin, President of the Federation of Trade Unions of Ukraine (FPU). The authors of the objection alleged several initiatives by the Government to restrict freedom of association, designed to establish a trade union monopoly by the FPU. They referred also, in this respect, to a complaint made by the KVPU before the Committee on Freedom of Association. They stated that since 1991 the FPU had attended the Conference to the exclusion of all other workers organizations. Negotiations that took place in 2006 under the auspices of the Minister for Labour allegedly resulted in agreement that participation in the Conference should henceforth be rotated among all trade unions in Ukraine. However, during a meeting held on 26 April 2007 of the National Tripartite Socio-Economic Council (NTS-EC) in which the FPU holds 16 of the 22 trade union seats it was decided to designate Mr Yurkin as the Workers delegate to the current Session of the Conference. This was a violation of the rotation agreement, and most trade unions did not agree to FPU designation to the Conference.

On the basis of the information submitted to it, the Committee decided that the objection cannot be upheld.¹²⁶

Credentials Committee

The Credentials Committee of the 97th Session of the Conference (2008) received an objection concerning the nomination of the Employers' delegation of Ukraine presented

¹²³ ILO. International Labour Conference, Record of proceedings, [80th Session](#), Geneva, 1993, p. 17/17

¹²⁴ See the section "Financial relations between Ukraine and the ILO since 1991" of this volume.

¹²⁵ See more in the section "Ratification and application of the ILO Conventions" of this volume.

¹²⁶ ILO. International Labour Conference, Record of proceedings, [96th Session](#), Geneva, 2007, p. 4C/18-4C/19.

by members of the General Assembly of national associations of Employers' organizations. The authors of the objection alleged that the General Assembly provided to the Ministry of Labour and Social Policy a consolidated nomination on behalf of 15 out of the 17 existing national Employers' associations, representing the interest of Employers with a total of approximately 5 million employees, but that their submission was ignored. Instead the Ministry had appointed a delegate who was neither a representative of the most representative Organisation of Employers, nor the candidate supported by the majority of national Employers' organizations. They expressed deep concern for the non-transparency of the nomination procedure. After examining the information supplied to it, the Committee decided not to uphold the objection.¹²⁷

Governing Body

Between 1992 and 2017 Ukrainian Government representatives were elected as Government Deputy Members for the 1996-1999 and 1999-2002 periods. In 2008, for the first time since 1954, Ukraine was represented in the Governing Body by the Employers' delegate. The ILO Employers' group, in accordance with Article 4.4 of the Standing Orders of the Governing Body, appointed Mr V. Gryschenko, General Director of the Federation of Employers of Ukraine, as Employers' substitute member of the Governing Body for the period of 2008–2011.

Government deputy member (1996–1999)

At the 83rd Session of the International Labour Conference (June 1996), a Ukrainian Government delegate was elected as a Government deputy member.¹²⁸ The election of the Government members to the Governing Body at this Session was conducted under the new system, which had been set up in 1995 at the 82nd Session International Labour Conference by an amendment of Article 49, paragraph 4 and Article 50, paragraph 2 of the Standing Orders of the Conference. According to these changes, the number of deputy members of the Governing Body was increased: to 28 instead of 18 Government deputy members, and to 19 instead of 14 deputy members for the Employers' and Workers' groups. The amended Standing Orders of the Conference introduced a system of geographical distribution of the Government group of the Governing Body.¹²⁹

The Ukrainian Government delegate was not a member of any standing committees of the Governing Body during this period of membership.

During the entire period of its membership (June 1996–May 1999), Ukraine was represented at the Sessions of the Governing Body by:

Mr Slipchenko Alexandre, Ambassador, Permanent Representative of Ukraine in Geneva, at the 266th Session (June 1996);

Mr Maimeskul, Mykola, Ambassador, Permanent Representative of Ukraine in Geneva, at the 267th Session (November 1996), the 272nd Session (June 1998) and the 273rd Session (November 1998);

Mr Biloblotskyi, Mykola, Minister of Labour, at the 268th Session (March 1997) and the 270th Session (November 1997);

¹²⁷ ILO. International Labour Conference, Record of proceedings, [97th Session](#), Geneva, 2008, p. 4C19/-4C/21.

¹²⁸ ILO. International Labour Conference, Record of proceedings, [83rd Session](#), Geneva, 1996, pp. 7/1-7/2.

¹²⁹ ILO. International Labour Conference, Record of proceedings, [82nd Session](#), Geneva, 1995, pp. 11/2-11/5.

Mr Yampolsky, Serhiy, First Secretary, Permanent Mission of Ukraine, Geneva, at the 269th Session (June 1997);

Mr Sakhan, Ivan Y., Minister of Labour and Social Policy, at the 271st Session (March 1998), the 274th Session (March 1999) and the 275th Session (June 1999).

Speaking at the Programme, Financial and Administrative Committee (the 271st Session, 1998), the Government assured the Governing Body that the Government of Ukraine was doing all it could to contribute to the activities of the ILO, and informed that his country decided, in March, to make a payment of US\$4 million. This had eliminated the entire debt of Ukraine for the year 1995 and had reduced that for 1996, thereby permitting Ukraine to retain its voting rights in the ILO.¹³⁰

Discussing the portfolio of proposals for the Agenda of the 89th Session of the International Labour Conference (2001), Mr Tetkin (Government, Ukraine) proposed that item B.2 (Investment and employment) be given priority in view of the need for developing and transition countries to attract foreign investment and the interest of developed countries in ensuring that their investments resulted in social and economic development. Although Ukraine had tried to create a favourable investment environment and had offered state protection to foreign investment, the volume of foreign investment was insufficient to improve the country's social and economic situation. Its present social, economic and financial difficulties were related to the management of the consequences of the Chernobyl disaster. Foreign investment would contribute to the solution of these problems, while bringing economic advantages to Ukraine's foreign partners. The ILO could and should play an important role in intensifying investment flows and attracting financial support from international financial organizations as well as from private and state bodies in developed countries.¹³¹

Government deputy member (1999–2002)

At the 87th Session of the International Labour Conference (June 1999), a Ukrainian Government delegate was elected as a Government Deputy Member of the Governing Body.¹³²

At the 275th Session (June 1999) the Governing Body appointed the members of its standing committees. The committee structure adopted by the Governing Body at its 256th Session (May 1993) consisted of the following six standing committees:

Committee on Freedom of Association

Programme, Financial and Administrative Committee

Committee on Legal Issues and International Labour Standards

Committee on Employment and Social Policy

Committee on Sectoral and Technical Meetings and Related Issues

Committee on Technical Cooperation

The Ukrainian Government delegate was elected as a Government Substitute Member to the Programme, Financial and Administrative Committee, the Committee on Employment and Social Policy, the Committee on Technical Cooperation, the Committee on Sectoral and Technical Meetings and Related Issues.

¹³⁰ ILO. Governing Body, Minutes, [271st Session](#), Geneva, March 1998, p. VII/6.

¹³¹ ILO. Governing Body, Minutes, [273rd Session](#), Geneva, November 1998, p. I/9.

¹³² ILO. International Labour Conference, Record of proceedings, [87th Session](#), Geneva, 1999, v. 1, pp. 7/11–7/12.

During this period of membership (June 1999–May 2002), Ukraine was represented at the sessions of the Governing Body by:

Mr Sakhan, Ivan, Minister of Labour and Social Policy, at the 275th Session (June 1999), the 276th Session (November 1999) and the 280th Session (March 2001);

Mr Maimeskul, Mykola, Ambassador, Permanent Representative of Ukraine in Geneva, at the 277th Session (March 2000) and the 278th Session (June 2000);

Mr Ovcharenko, Petro, First Deputy Minister of Labour, at the 279th Session (November 2000);

Mr Skouratovskyi, Mykhailo, Ambassador, Permanent Representative of Ukraine in Geneva, at the 282nd Session (November 2001) and the 283rd Session (March 2002).

The Ukrainian delegation took part in discussions of proposals for the Agenda of the 90th Session (2002) of the Conference at the 276th Session (November 1999). The purpose of the discussion was to select the subjects on which specific proposals could be made for the final selection of items in March 2000.

Speaking at the 227th Session, Mr Maimeskul (Government, Ukraine) noted the wealth of subjects from which a selection had to be made. His Government considered investment and employment to be of major importance. Investment was a driving force in economic, and therefore social, development. While the investment climate in his own country was favourable, there had been an insufficient inflow of foreign investment vital for overcoming a number of the nation's pressing problems which were further increased by the consequences of the Chernobyl disaster. The ILO was equipped to make its contribution to social development by promoting intensified investment in countries in this and similar situations.¹³³

Taking part in the discussion of the final selection of items for the Agenda of the 90th Session (2002) of the Conference, Mr Ovcharenko (Government, Ukraine) stressed the importance for his country, and others whose economies were in transition, of investment for employment. Ukraine counted on the support of the ILO in encouraging private investment.¹³⁴ He also informed the Governing Body that in October 2000 Ukraine had ratified the Abolition of Forced Labour Convention, 1957 (No. 105), and the Worst Forms of Child Labour Convention, 1999 (No. 182).¹³⁵

The subject of employment and investment was also among proposals for the 2004 Conference agenda. Speaking at the 282nd Session (November 2001), a Government representative of Ukraine stressed the interdependence of employment and investment. The question was of particular importance for countries with transitional economies. In Ukraine, every effort was being made to create a more favourable environment for employment generating investment, to improve the working and living conditions of the population. This subject was a suitable candidate for inclusion in the 2004 agenda.¹³⁶

¹³³ ILO. Governing Body, Minutes, [276th Session](#), Geneva, November 1999, p. I/5.

¹³⁴ Although this proposal was supported by the Government representatives of seven countries, it was not included on the 2002 Conference agenda.

¹³⁵ ILO. Governing Body, Minutes, [279th Session](#), Geneva, November 2000, p. I/3.

¹³⁶ ILO. Governing Body, Minutes, [282nd Session](#), Geneva, November 2001, p. I/3.

European Regional Conferences/Meetings¹³⁷

In the period between 1991 and 2017 six ILO European Regional Conferences/Meetings were held. The Ukrainian representatives attended all of these meetings.

The Fifth European Regional Conference was held in Warsaw from 20 to 27 September 1995.

The Conference was attended by 335 delegates and advisers from 38 countries, including 24 ministers, and observers from the United States and the Holy See. The Conference was also attended by representatives of six intergovernmental and eight non-governmental international organizations.

Ukraine was represented by a delegation consisting of two Government delegates and a Government adviser, an Employers' delegate and a Workers' delegate.

The Conference had the following agenda, as determined by the Governing Body at its 259th Session (March 1994):

- (1) The coverage and financing of social protection;
- (2) The strengthening of tripartite structures for the development of active employment policy.

In accordance with the revised procedure at ILO regional conferences, the Conference referred the first item to a committee, while the second was the subject of general discussion held in plenary sitting. The Conference also established a committee to discuss sections of the Report of the Director-General concerning activities of the ILO during the period 1988–94 and international labour standards, as well as a Resolutions Committee to deal with the resolutions submitted in accordance with article 13 of the Rules concerning the Powers, Functions and Procedure of Regional Conferences Convened by the ILO. The Conference also set up a Credentials Committee pursuant to article 10, paragraph 2 of the Rules.

The Conference adopted the Conclusions and three resolutions: **Resolution aiming at ensuring the independence and facilitating the financing of Employers' and workers' organizations; Resolution concerning the protection and promotion of the rights of migrant workers and their families in Europe; and Resolution concerning employment and tripartism in Europe.**

The Conference also adopted Conclusions concerning the coverage and financing of social protection and Conclusions concerning ILO activities in Europe.

The Sixth European Regional Meeting was held in Geneva, Switzerland, from 12 to 15 December 2000.

The Meeting was attended by 420 delegates and advisers from 43 countries. They included 213 Government delegates, including 12 Ministers, 106 Employers' delegates and 101 Workers' delegates. The Meeting was also attended by representatives of intergovernmental and international organizations.

¹³⁷ The Governing Body decided at its 264th Session (November 1995), to replace the regional conferences by shorter Regional Meetings with a single agenda item, which would still be considered as regional conferences for the purposes of article 38 of the ILO Constitution. On the authority conferred to it by the International Labour Conference, a set of new rules was adopted on an experimental basis by the Governing Body at its 267th Session (November 1996). On the basis of experience drawn from five Regional Meetings, the Governing Body adopted, at its 283rd Session (March 2002), a [revised version of the Rules](#), which was confirmed by the 90th Session (June 2002) of the International Labour Conference.

Ukraine was represented at the Meeting by two Government delegates and a Government adviser, an Employers' delegate and a Workers' delegate.

The Meeting discussed the Report of the Director-General which consisted of two volumes: Volume I *Globalizing Europe: Decent work in the information economy* and Volume II *Decent work in Europe and Central Asia: ILO activities 1995–2000*.

The Ukrainian representatives took active part in the discussion.

The Workers' delegate of the Ukraine (Mr Stoyan), expressing his support for the Workers' group's statement on violation of trade union rights in Belarus, pointed out that actions undertaken by the Government of Belarus against unions had a history. He recalled that retaliatory measures had been taken in 1995 against those who had participated in the strike in the metropolitan underground railway in the Belarusian capital. These measures had still not been redressed, and he stated that the ongoing acts against trade unions were deliberate and planned.

The Employers' delegate of Ukraine (Mr Kinakh) pointed out that it was difficult to overestimate the importance of social dialogue, in countries with transitional economic systems, which allowed them to resolve conflicts and problems. In this respect, the role of the ILO was very important. Through social dialogue, Employers' organizations in Ukraine had a growing influence on Government decisions concerning: employment; improvement of the wage payment system; occupational safety and health; and workers' social protection.

They also participated actively in the National Council of Social Partnership and other tripartite bodies, and took part in the elaboration of new legislation including the draft Act on Employers' Organizations submitted to the Ukrainian Parliament. He expressed his appreciation for activities developed within the programme of active partnership between the ILO and Ukraine.

The Meeting adopted its conclusions and its report by consensus.

The Seventh European Regional Meeting was held in Budapest, Hungary, from 14 to 18 February 2005.

The Meeting was attended by 400 delegates and advisers from 46 Member States.

Ukraine was represented at the Conference by two Government delegates, an Employers' delegate, a Workers' delegate and three Workers' advisers.

The Meeting was convened under the theme "East-West: A common future".

The programme of the Meeting included:

- Plenary discussion of the Director-General's Report, which consisted of two volumes: ILO activities 2001–2004, *Cooperation in a changing environment* (Volume I), and *Managing transitions: Governance for decent work* (Volume II).
- Parallel sessions to discuss the key issues of the Director-General's Report.

In the discussion of the Report of the Director-General, Mr Hnybidenko, the Government delegate and First Deputy Minister of Labour and Social Policy of Ukraine, said that the activation of social dialogue and the increased role of trade unions had contributed to social peace in his country. The priorities of the new Government included a programme for the introduction of European social standards. He hoped for the ILO's cooperation in the reform of labour legislation, and in the areas of child labour and collective bargaining. He

also proposed the creation of a European and Central Asian regional database with decent work indicators.

Four parallel sessions were held during the Meeting to address the principal themes of the Director-General's Report: (a) Refocusing on youth as the key to lifelong employment; (b) Strengthening the rights-based framework for managing migration; (c) Balancing flexibility, stability and security in European labour markets; and (d) Ageing, labour market participation and pension reform.

Among the four panellists at the session "Strengthening the rights-based framework for managing migration" was Mr Hnybidenko, Government delegate of Ukraine. In his speech Mr Hnybidenko noted the number of Ukrainian nationals facing poor conditions. If people did not have jobs, they would leave. Better legislation to govern migration was clearly needed in many countries; migrants commonly faced barriers and restrictions on movement and entry. Contradictions abounded, including different requirements for low skilled than high skilled. Remedies were required to ensure that migration took place in a legal and civilized way. Rules were required to ensure protection. The ILO should play a leading role to ensure that the horrors of abuse and exploitation disappeared.

A brief informal meeting of ministers was held during the Regional Meeting, to discuss the follow-up to the report of the World Commission on the Social Dimension of Globalization. The meeting was chaired by the Chairperson of the ILO Governing Body, Mr Philippe Séguin, and was attended by ministers or their representatives, as well as representatives of the Employers' and Workers' groups.

The Meeting adopted its conclusions and report without a vote.

The Eighth European Regional Meeting was held 9 – 13 February 2009 in Lisbon, Portugal.

The Meeting was attended by 373 delegates and advisers from 44 European and Central Asian members States.

The Ukrainian delegation at the Meeting consisted of one Government delegate, represented by the Ambassador of Ukraine in Portugal, an Employers' delegate, two Employers' advisers and a Workers' delegate.

The Meeting's Agenda included a plenary discussion of the Director-General's Report, and a number of parallel discussions led by tripartite panels on the themes of: economic context and the employment situation; new wage challenges; fundamental rights at work; labour market policies to reconcile flexibility and security; social dialogue; the quality of working life; and social protection.

The Report of the Director-General to the Meeting consisted of two volumes. Volume I was entitled *Delivering decent work in Europe and Central Asia* and was divided into two parts. Part 1 provided an overview of recent world of work trends in the region. Part 2 contained seven background thematic chapters. Volume II was entitled *Towards decent work outcomes: A review of ILO work for 2005–08*.

Ukraine, as one of 15 other European countries, presented at the Meeting its National Report on Decent Work.¹³⁸ The National Reports on Decent Work of the 16 countries provided background information in the preparation of the Director-General's Report.

¹³⁸ Libanova, Ella. Decent Work Country Report: Ukraine. Ukrainian Centre for Youth Reform. Geneva, ILO, March 2008.

The Ukrainian Employers' delegate (Mr Gryshenko) took part in the discussion of the Report of the Director-General.

In his intervention, the Employers' delegate said that each country should ensure protection of its national market by participating in an international security system in the global economy, and learn from the experience of other countries to find the most effective way out of a crisis. The ILO should influence the conditions for sustainability of enterprises as well as promote labour protection. Unfortunately, there was no tripartite mechanism, nor a government programme in Ukraine to combat the crisis, but he hoped the Government would support his organization's own anti-crisis programme. He appealed to the ILO and EU countries for support to prepare a new Convention on social dialogue as an instrument of economic and people's development.

Mr Gryshenko also participated in two parallel sessions held to address critical issues of the region: *labour market policies to reconcile flexibility and security*; and *social dialogue*. At both sessions, he supported social dialogue as a means of achieving balance between the interests of Employers and workers. The Ukrainian Employers' delegate said that social dialogue had to be institutionalized at national, regional, sectoral and enterprise levels in order to significantly influence development of decent work and the economy as a whole. This necessitated the proactive participation of governments in the development of social dialogue.

The conclusions, and the Report of the Meeting, were adopted by the delegates.

The Credentials Committee of the Meeting considered a complaint, submitted by the International Trade Union Confederation (ITUC), concerning the non-payment of the travel and subsistence expenses of Mr Grygorij Osovyi, Deputy Chairperson of the Federation of Trade Unions and Workers' delegate to this Meeting.

The complaint alleged that the Government of Ukraine had not honoured its commitment to pay the expenses to the Ukrainian Workers' delegate for his participation in the Regional Meeting.

In its response to the Committee's request for information, the Government of Ukraine responded that due to the financial crisis, it decided to be represented only by its Embassy in Lisbon, and not to send anyone from the country. Consequently, it requested the social partners' delegates to cover their own expenses relating to their participation in the Meeting.

The Committee noted that the decision not to cover expenses of the Workers' delegate was incompatible with the Government's obligation under Article 1, paragraph 1, of the Rules for Regional Meetings to cover the expenses of a complete tripartite delegation. The Committee also noted that the financial crisis had not only an impact on governments, but an even greater impact on social partners and their ability to cover their own expenses. The Committee, therefore, trusted that the Government would meet its duty to cover the travel and subsistence expenses of the Workers' delegate for the entire duration of the present Meeting, and that in the future the Government would comply with its obligations in this respect.

The Ninth European Regional Meeting was held in Oslo, Norway, from 8 to 11 April 2013.

The Meeting was attended by 322 delegates and advisers from the ILO's 41 European and Central Asian members States.

Ukraine was represented by a delegation, headed by the Minister of Social Policy, which included two persons accompanying the Minister, and eleven delegates: two Government delegates and three Government advisers, an Employers' delegate and an Employers' adviser, a Workers' delegate and three Workers' advisers.

The programme of the Meeting included:

- discussion of the Director-General's Report;
- panel discussion of Heads of State or Government, the ILO and OECD on "How to tackle the consequences of the financial crisis";
- high-level tripartite ILO/IMF/EC panel discussions on "Recovery from the crisis – Coherent policies for growth and jobs";
- high-level tripartite panel discussions with the participation of the Ministers of Labour and Finance on "Job-rich growth and quality jobs".

The Report of the ILO's Director-General was entitled *Jobs, growth and social justice*. It analyzed the major challenges facing the crisis-hit region of Europe and Central Asia and considered key elements of a balanced growth strategy for this region which had the potential to promote strong, sustainable and job-centered recovery.

The plenary sitting opened with statements by Ms Anniken Huitfeldt, Minister of Labour of Norway; Mr Gilles de Robien, Chairperson of the Governing Body of the ILO; Mr Oleh Shevchuk, Vice-President, Federation of Employers of Ukraine (FEU); and Mr Luc Cortebееck, Honorary President, Confederation of Christian Trade Unions of Belgium (ACV/CSC). The address was given by the Director-General of the ILO.

The Ukrainian delegates took part in the discussions at the Meeting.

The Minister for Social Policy of Ukraine (Ms Korolevska) stated that in times of severe crisis, only systematic transformation could promote employment based on decent work. She noted that Ukraine had been strongly affected by the crisis, and had introduced a wide range of measures to combat the effects of the crisis as part of the presidential programme of economic reforms which, together with other initiatives, included improvements to the pension system, modernization of social protection, personalized and targeted social assistance, better quality social services, active labour market policies, stimulus to small business, and measures to address the needs of the most vulnerable.

The Vice-President of the Federation of Employers of Ukraine (Mr Shevchuk), speaking on behalf of the Employers' group, reminded the Meeting that poverty, deteriorating working conditions and living standards, the gap between the rich and poor, unemployment and degradation of production undermined people's confidence, leading to new disappointments and social and economic tensions. Government efforts to address these challenges with far-reaching and necessary structural reforms were starting to bear fruit, but needed time to reach their full effect. He noted that the Employers' group's main objective of the Meeting was to support the reform efforts through constructive discussions on approaches that facilitated transitions to the labour market, fostered job creation, addressed youth unemployment and also met the demographic challenge. He noted that the Director-General's Report missed the opportunity to provide an analysis of lessons learned from various approaches to reform. Drawing attention to the lack of professional training of youth in his country, he shared the experience of an initiative taken by Ukrainian Employers to address this through the development of a national professional qualification system, which was approved by the Cabinet of Ministers.

A Workers' delegate from Ukraine (Mr Kulyk) referred to several initiatives in his country: a state programme (2013–14) to promote modern industrialization; promotion of the 2008 Declaration on Social Justice for a Fair Globalization, envisaging a wage reform by 2020; a Programme for Occupational Safety and Health for 2014–18; a programme for creating employment for 21.5 million workers; compensation for Employers who created new jobs and offered more than the minimum wage; and an agreement with the EU for a free trade zone.

The Meeting adopted the “Oslo Declaration: Restoring confidence in jobs and growth.”

The Tenth European Regional Meeting was held in Istanbul, Turkey, from 2 to 5 October 2017.

The Meeting was attended by 222 delegates and advisers from 42 Member States.

Ukraine was represented by two Government delegates and a Government adviser and an Employers' delegate and an Employers' adviser.

The Meeting discussed the Report of the Director-General *What future for decent work in Europe and Central Asia: Opportunities and challenges*. On the agenda of the Meeting were also: an informal ministerial meeting on fair and effective access to labour markets for migrants and refugees, with the participation of social partners; four special plenary debates on the following topics: decent jobs for all; organization of work and production, including the promotion and application of the Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy; governance and work; work and society.

Participating in the discussion of the Report of the Director-General, the Ukrainian Government delegate (State Secretary of the Ministry of Social Policy), emphasised that the Ukrainian Government had carried out reforms leading to favourable trends in the economy, including doubling the minimum wage, adapting labour law, better labour inspection, and stronger collective bargaining. It had encouraged the development of better employment levels, including deregulation of the economy and changes to laws regulating how businesses were run. A strategy on small and medium-sized enterprises (SMEs) up to 2020 had also been introduced. The Ukrainian representative also affirmed that his Government supported international standards and other instruments to ensure human rights for migrants and refugees; 1.8 million internally displaced persons in Ukraine needed assistance. The Government had worked with the EU and had reached an agreement in respect of combating breaches of human rights.

The Meeting unanimously adopted the Istanbul Initiative for the Centenary: Future for Decent Work for strong and responsible social partnership in Europe and Central Asia.

Sectoral and technical meetings

During the period between 1992 and 1995, the Ukrainian tripartite delegations took part in the sessions of the following sectoral committees:

The Twelfth Session of the Building, Civil Engineering and Public Works Committee (Geneva, 2–10 December 1992);

The Twelfth Session of the Iron and Steel Committee (Geneva, 1–9 April 1992);

The Twelfth Session of the Inland Transport Committee (Geneva, 22 -30 January 1992);

The Thirteenth Session of the Metal Trades Committee (Geneva, 12–20 January 1994);

The Thirteenth Session of the Coal Mines Committee (Geneva, 11–19 January 1995).

The Thirteenth Session of the Coal Mines Committee was the last Session, attended by the Ukrainian delegation, before a comprehensive reform of the Sectoral Activities Programme started in March 1995.

According to the reform, the following 22 groups of sectors were selected to form the core of the meetings' programme (15 meetings per biennium): agriculture, plantation, other rural sector; basic metal production; chemical industry; commerce; construction; education; financial services, other professional services; food, drink, tobacco; forestry, wood, pulp and paper; health services; hotels, tourism, catering; maritime, ports, fisheries, inland waterways; mechanical and electrical engineering; media, culture, graphical; mining (coal, other mining); oil and gas production, oil refining; postal and other communication services; public service; textile, clothing, leather, footwear; transport (including civil aviation, railways, road transport); transport equipment manufacture; utilities (water, gas, electricity)¹³⁹.

Each of the 22 sectors, some of which encompass several sub-sectors, was supposed to have a meeting every four years. An innovation of the reform was the introduction of panels, sitting during meetings, at which invited speakers (from the meeting, the Office or outside the ILO) had the opportunity to speak on relevant topics and to stimulate discussion, but without seeking to reach conclusions or a consensus.

The reform also revised the parameters for sectoral meetings. The fixed membership for sectors was abolished. The Governing Body, based on proposals put forward by the Office according to established criteria (the importance of the country concerned in the sector, the importance of the sector for the country concerned, appropriate geographical distribution, etc.), took decisions on the number and type of delegations to be invited to each meeting (including a reserve list).

In the context of the development of the ILO's four strategic objectives, and the subsequent reorganization of the Office, a review of the Sectoral Activities Programme was undertaken in 2000-2003. The main outcome of the review was a new approach to the sectoral activities programme. The new approach, inter alia, envisaged: all aspects of sectoral activities undertaken by the ILO should be constituent-driven; the need for flexibility in respect of sectoral meetings as regards the approach, size and duration, as well as the rules by which they are governed, and in respect of non-meeting activities as regards their choice in maximizing impact; respect for the autonomy of the groups concerning the selection of their participants to sectoral meetings; the need for mechanisms to strengthen consultation to ensure that it was meaningful, transparent and ongoing; the importance of strengthening government participation in sectoral meetings; the need to integrate sectoral activities throughout the work of other sectors in the ILO.¹⁴⁰ The new approach also comprised a mix of traditional international sectoral meetings, and a new means of action and sectoral action programmes. Seven action programmes were initiated in 2004, as a response to constituent needs, through direct action at national and regional level.

¹³⁹ ILO. Governing Body, Papers, 262nd Session, Geneva, March-April 1995, [GB.262/STM/1](#), pp. 3-4.

¹⁴⁰ ILO. Governing Body, Papers, 283rd Session, Geneva, March 2002, [GB.283/13](#); ILO. Governing Body, Papers, 285th Session, Geneva, November 2002, [GB.285/STM/1](#).

In the process of further improving the ILO's sectoral approach in 2007, a new format for meetings, global dialogue forums, was adopted.¹⁴¹ The forums, shorter, more focused, small-scale tripartite or bipartite meetings, were introduced to provide additional opportunities for sectoral social dialogue on specific issue. Thus, by now there are, under the Sectoral Activities Programme, three standard formats of international meetings: sectoral meetings; meetings of experts; and global dialogue forums.¹⁴² Despite the fact that these three types of meeting have common elements, they differ in their objectives, outputs, composition and duration.

After the 1995 reform, the Ukrainian representatives began participating in the sectoral meetings under the new arrangements introduced in 1999. That year, two Employers' delegates from Ukraine were invited to represent the Employers at the *Tripartite Meeting on Social and Labour Issues in Small-scale Mines* (Geneva, 17-21 May 1999) and the *Tripartite Meeting on the Human Resource Implications of Globalization and Restructuring in Commerce* (Geneva, 25-29 October 1999).

Speaking at the Tripartite Meeting on the *Human Resource Implications of Globalization and Restructuring in Commerce*, the Employer member from Ukraine expressed the view that the role of the Employers was extremely important in the area of commerce and trade if the problems arising from recession were to be overcome. Social dialogue in particular was still only embryonic in the transition economy countries, and was developing in a disorderly fashion without any structured traditional base of partnership. The Government was, however, aware of this drawback and was attempting to promote social dialogue. The ILO could play an important role in disseminating information on the experience of other countries that had made some headway in regulating the sector in terms of international implications. The speaker also urged the ILO to consider assistance to developing countries and transition economies.

In 2000, the Ukrainian representatives attended three meetings within the ILO sectoral activities: Employers' representative, President, Ukrainian League of Entrepreneurs in Agriculture, was invited to represent the Employers at the *Tripartite Meeting on Moving to Sustainable Agricultural Development through the Modernization of Agriculture and Employment in a Globalized Economy* (Geneva 18– 22 September 2000); Workers' representative from Ukraine, President of the Trade Union of Education and Science Workers of Ukraine (STESU), was invited to represent the Workers at the *Joint Meeting on Lifelong Learning in the Twenty-first Century: The Changing Roles of Educational Personnel* (Geneva, 10–14 April 2000); a Government representative was invited to the *Symposium on Information Technologies in the Media and Entertainment Industries: Their Impact on Employment, Working Conditions and Labour-management Relations* (Geneva, 28–3 March 2000).

In 2002, the Workers' representative from the Ukraine, Chairperson of the Miners' Independent Union of Ukraine, was invited as adviser to the Workers' delegate at the *Tripartite Meeting on the Evolution of Employment, Working Time and Training in the Mining Industry* (Geneva, 7 – 11 October 2002). Addressing the meeting, the Worker member from Ukraine discussed working time problems in his country. While the low wages of mineworkers were a problem, many workers were not even paid. As a result, they were often forced to work in small groups in informal mines, sometimes at night (having worked in government mines during the day). These groups also included children, boys and girls, working

¹⁴¹ ILO. Governing Body, Papers, 298th Session, Geneva, March 2007, [GB.298/STM/1](#), p. 7.

¹⁴² ILO. Governing Body, Papers, 312th Session, Geneva, Nov. 2011, [GB.312/POL/5](#), p. 1.

in underground mines. Government-sanctioned trade unions in Ukraine were not in a position to address that issue. Non-governmental trade unions in the country were not protected, and officials had suppressed demonstrations about this problem.¹⁴³ He also provided information on the demise of much of the mining industry in his country, and the problems that existed as a result of restructuring. There was no concern for ecology. He called on participants to promote the ratification and implementation of the ILO's Safety and Health in Mines Convention, 1995 (No. 176), by his Government and their own.¹⁴⁴ Referring to repeated tragic mine accidents in his country, the Worker member said that in the last three years, many hundreds of workers had died in mine accidents in Ukraine. About 90 per cent of the accidents were due to human error, particularly by management who did not exercise their duty of care to protect their workers' lives. Management was also reluctant to provide mineworkers with appropriate training to prevent the occurrence of mine disasters.¹⁴⁵

In 2003, Workers' representative from Ukraine, Shop Steward, BAT-Priluki, Agro-Industrial Workers' Union of Ukraine, Chenigivska oblast, was invited as an adviser to the Workers' delegates at *the Tripartite Meeting on the Future of Employment in the Tobacco Sector* (Geneva, 242–8 February 2003).

In 2005, a Government representative from Ukraine attended the *Tripartite Meeting on Employment, Social Dialogue, Rights at Work and Industrial Relations in Transport Equipment Manufacture* (Geneva, 10 – 12 January 2005). Speaking at the meeting, he noted that the ILO report put emphasis on the importance of legislation pertinent to social partnership. His Government had established a 22-member National Council which dealt with all legislative proposals and changes in the law that touched on social issues and required the social partners' participation. Attendance was obligatory. The need for a closer partnership on the basis of tripartism was supported by the report of the World Commission on the Social Dimension of Globalization. The nine basic proposals therein should be followed to tackle the problems of globalization.¹⁴⁶

In 2007, a Workers' representative from Ukraine, Chair of the All-Ukrainian Commerce, Catering & Service Workers' Union, Kiev, Ukraine, was invited as an adviser to the Workers' delegates at the *Tripartite Meeting to Examine the Impact of Global Food Chains on Employment*, (Geneva, 24–27 September 2007). A Worker member from Ukraine pointed out that where no sectoral Employers' organization existed, trade unions were faced with difficulty in engaging in social dialogue. She indicated that Employers' hostility towards trade unions made it difficult to redress violations of labour rights.¹⁴⁷

In 2007, Ukraine, among other four countries, participated in the action programme on enabling public services to contribute to sustainable development and poverty alleviation through social dialogue and human resources development aimed at strengthening social dialogue in public services and developing human resource strategies. As a part of the action programme, a national seminar on social dialogue on remuneration and pension issues in the civil service was held in October 2006, and the second national seminar on social dialogue on skills training for job security and a sustainable civil service was held in April 2007. The

¹⁴³ [Note on the proceedings](#): Tripartite Meeting on the Evolution of Employment, Working Time and Training in the Mining Industry, Geneva, 7-11 October 2002. ILO. Sectoral Activities Programme. Geneva: ILO, 2002, p. 13.

¹⁴⁴ *Ibid.*, p. 19.

¹⁴⁵ *Ibid.*, p. 40.

¹⁴⁶ [Note on the proceedings](#): Tripartite Meeting on Employment, Social Dialogue, Rights at Work and Industrial Relations in Transport Equipment Manufacture, Geneva, 10-12 January 2005. ILO. Sectoral Activities Programme. Geneva: ILO, 2005, p. 16.

¹⁴⁷ [Note on the proceedings](#): Tripartite Meeting to Examine the Impact of Global Food Chains on Employment, Geneva, 24–27 September 2007. ILO. Sectoral Activities Programme. Geneva: ILO, 2007, p. 27.

seminar outcomes were published in Ukrainian. The action programme helped Ukraine to increase knowledge on various employment-related issues, and enhance capacity for more effective social dialogue in the civil service.

In 2011, a representative of Employers, ADECCO Ukraine, Kiev, took part in the *Global Dialogue Forum on the Role of Private Employment Agencies in Promoting Decent Work and Improving the Functioning of Labour Markets in Private Services Sectors* (Geneva, 18–19 October 2011),

Ratification and application of the ILO Conventions

Ukraine has ratified 71 ILO Conventions, including all eight of the following fundamental and all four governance (priority) Conventions:

ILO fundamental Conventions:

- C029 – Forced Labour Convention, 1930 (No. 29); ratification: 10 August 1956;
- C087 – Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87); ratification: 14 September 1956;
- C098 – Right to Organise and Collective Bargaining Convention, 1949 (No. 98); ratification: 14 September 1956;
- C100 – Equal Remuneration Convention, 1951 (No. 100); ratification: 10 August 1956;
- C105 – Abolition of Forced Labour Convention, 1957 (No. 105); ratification: 14 December 2000;
- C111 – Discrimination (Employment and Occupation) Convention, 1958 (No. 111); ratification: 4 August 1961;
- C138 – Minimum Age Convention, 1973 (No. 138) Minimum age specified: 16 years; ratification: 3 May 1979;
- C182 – Worst Forms of Child Labour Convention, 1999 (No. 182); ratification: 14 December 2000;

ILO Governance (Priority) Conventions:

- C081 – Labour Inspection Convention, 1947 (No. 81); ratification: 10 November 2004;
- C122 – Employment Policy Convention, 1964 (No. 122); ratification: 19 June 1968;
- C129 – Labour Inspection (Agriculture) Convention, 1969 (No. 129); ratification: 10 November 2004;
- C144 – Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144); ratification: 16 May 1994.

In addition, Ukraine has ratified 59 Technical Conventions out of 177.

It should be noted that out of 71 Conventions ratified by Ukraine, 62 are in force, 8 have been denounced (Automatic Denunciation procedure).

The latest Convention, Social Security (Minimum Standards) Convention, 1952 (No. 102), was ratified by the Ukrainian parliament on 6 June 2016 and entered into force for Ukraine on 6 June 2017.

Out of 71 Conventions, 43 Conventions were ratified by Ukraine in the Soviet period (1954–1990) and 28 Conventions were ratified by the independent Ukraine.

In the majority of cases, Ukraine observes the obligations contained in the ratified Conventions. National legislation and practice are being changed as a result of the implementation of the provisions of ratified Conventions.

Likewise during the Soviet period, at the request of the ILO Committee of Experts on the Application of Conventions and Recommendations, Ukraine submits regular reports on the measures taken to give effect to the provisions of Conventions to which it is a party (article 22 of the Constitution); and information and reports on unratified Conventions and on Recommendations (article 19 of the Constitution).

In 1993 and 1994, the Committee expressed its satisfaction with certain measures taken by the Government of Ukraine in making the necessary changes in its country's law and practice following comments by the Committee on the degree of conformity between national law and practice, and the provisions of the Convention No. 111: Discrimination (Employment and Occupation), 1958, and the Convention No. 29: Forced Labour, 1930, ratified by Ukraine in 1961 and 1956, respectively.

At the same time, beginning 1992, Ukraine experienced difficulties in the practical application of certain Conventions and Recommendations.

Protection of Wages Convention, 1949 (No. 95)
(ratification: 4 August 1961)

In the mid-1990s, Ukraine faced grave economic and financial crisis. One of the direct consequences of the crisis was the non-payment or delayed payment of wages to workers. This violated both the relevant national legislation and the Article 12(1) of the Convention No. 95 (regular payment of wages).

The Convention No. 95 was the only Convention, ratified by Ukraine, the application of which was examined under the regular supervisory procedure by the Committee of Experts and the Conference Committee of the Application of Standards, and under the representation procedure (Articles 24 of the ILO Constitution).

The Committee of Experts began regular monitoring of the application of Convention No. 95 by Ukraine in 1995, after receiving observations and comments from various workers' organizations in Ukraine about non-payment of wages. Over a long period of monitoring (1995–2013), the Committee made 17 observations and two direct requests concerning this issue.

In the observation adopted in 1996, and published in its Report at the 85th Session of the ILC (1997), the Committee noted that the problem of wage arrears concerned the implementation in practice of the national labour legislation which gave effect to the Convention. It emphasized that the effective application of the Convention, through the national provisions giving effect to it, should comprise three principal elements: supervision; appropriate sanctions; and means to redress the injury caused.¹⁴⁸ This latter element had two components: payment of the amounts due; and compensation for the losses incurred by the delayed payment.

¹⁴⁸ Report of the Committee of Experts on the Application of Conventions and Recommendations, [Report III \(Part 1A\)](#), International Labour Conference, 85th Session, Geneva, 1997, p.227.

Examining the application of the Article 12(1) of the Convention, and measures taken by the Government to ensure the regular payment of wages and the settlement of wage arrears, the Committee also drew the Government's attention to the fulfilment of other provisions of the Convention.

In the observation adopted in 1999, the Committee requested the Government also to report on measures taken to ensure the application of other important Articles of the Convention, in particular: Article 3 concerning the prohibition of payment with promissory notes or coupons; Article 4 concerning the regulation of payment in kind; Article 11 on the treatment of wages as privileged credit in the event of bankruptcy; and Article 15 on the sanctions in case of violation.¹⁴⁹ Beginning from 2000, Ukraine provided additional information on the application of these Articles of the Convention in its annual reports to the Committee.

The application of Convention No. 95 by Ukraine was also discussed at the Conference Committee on the Application of Standards in 1997, 2000, 2001, 2003 and 2010.

In discussions at the Conference Committee in 1997, 2000 and 2001, its members admitted that the problems of application of the Convention stemmed, to a large extent, from the economic difficulties resulting from the transition towards a market economy. However, they also pointed out that the situation was aggravated by other factors such as the absence of respect for the rule of law, of efficient control mechanisms or of procedures to claim payment of wages and damages. At the Conference Committee's Session in 2000, the Employer members emphasized that the problem of wage arrears could not be solved by issuing a large number of decrees and regulations, but by establishing a legal framework which was oriented towards enabling the country to establish a viable market economy.

As a result of close monitoring of the application of the Convention by the Committee of Experts, the Conference Committee on the Application of Standards and the measures taken by Government in the period of 1996–2002, total wage arrears had been reduced significantly. The Conference Committee, at its Session in June 2003, noted a clear improvement of the situation both in respect of outstanding wage debts and the amount of wages paid in kind.

Despite progress made in settling wage arrears, the Committee of Experts, in its observation in 2003, noted that the decrease of wage arrears had been much slower in certain sectors such as coalmining, while half of the workers affected by wage arrears continue to suffer delays in the payment of wages of more than three months. In the same observation, the Committee noted the information provided in the Government's report and the observations communicated by the Workers' Union of the Nikanor-Novaya coal mine in the Lugansk region about delay in wage payment and the accumulation of payroll debt by the enterprise. The case of Nikanor-Novaya coal mine was monitored by the Committee of Experts until the problems of this company were resolved in 2011.

In 2008–2009, the wage arrears situation in the country had again deteriorated. Wage arrears nearly doubled from US\$110 to US\$201 million between April and July 2009. It was significant that wage arrears did not only affect bankrupt or inactive enterprises, but also economically active enterprises that represented 64 per cent of total wage arrears in 2009, compared to 36 per cent the previous year.¹⁵⁰ According to the Government, the main reasons for this were: a difficult economic and financial situation of enterprises due to the global

¹⁴⁹ Report of the Committee of Experts on the Application of Conventions and Recommendations, [Report III \(Part 1A\)](#), International Labour Conference, 88th Session, Geneva, 2000, pp.217-218.

¹⁵⁰ Report of the Committee of Experts on the Application of Conventions and Recommendations, [Report III \(Part 1A\)](#), International Labour Conference, 99th Session, Geneva, 2010, p. 34.

economic crisis; the banking system crisis; increasing unemployment; and ineffective enterprise management in these unstable conditions.

This new wave of wage arrears was examined by the Conference Committee at the 99th Session of the ILC in 2010. In its conclusions, the Committee observed that this case related to the application of Article 12(1) of the Convention concerning payment of wages at regular intervals and that it had already been examined by the Conference Committee on five separate occasions. Expressing deep concern about the worsening wage arrears situation, the Conference Committee called for a set of measures: effective monitoring by labour inspection services and sufficiently effective and dissuasive sanctions to prevent and punish infringements. The Committee accordingly urged the Government to intensify its efforts in pursuing this set of measures through social dialogue, in order to resolve the serious wage debt crisis that had persisted in Ukraine for more than 20 years.

The Committee also welcomed the Government's request for a technical assistance mission, with a view to better understanding the current wage debt situation.

The technical assistance mission to Ukraine was undertaken from 16 to 19 May 2011. The mission was mandated by the Conference Committee to further inquire into the causes and extent of the wage arrears problem in order to better understand the situation, to assess the action being taken to redress the situation, and to collect up-to-date statistical information and documentation.

The mission noted the decrease in wage arrears as a positive trend, confirming the Government's commitment to tackling the problem.

The mission suggested that supervision and enforcement of the national legislation could be improved by introducing sufficiently dissuasive sanctions against the sense of impunity which currently prevailed, and by strengthening the labour inspection services, which currently visit each company, on average, once every 36 years. The mission referred to problems with the current methodology for collecting statistical data, namely the coverage of monthly surveys by the State Statistics Committee, which excluded enterprises with less than 50 employees, and the lack of confidentiality in the process of collecting reports from enterprises. It also pointed out the need for adopting a common definition of the term, "wage arrears" especially as regards the one-month delay in payment of wages, which appeared to be currently perceived at certain workplaces as a normal practice.

The mission referred to possible technical assistance and knowledge-sharing activities by the Office, addressing, for instance, the establishment and operation of a wage guarantee fund, the reform of bankruptcy law and the improvement of data collection on wage arrears. The mission expressed the view that the wage arrears problem was structural, and called for a holistic approach as part of an overall wage policy, and accordingly suggested that interrelated issues, including informal wage practices such as "envelope wages", should also be addressed.

The mission also examined the wage situation at the Nikanor-Nova coalmine, based on the results of direct contacts with both the management and trade unions of the mine. The mission concluded that there were currently no wage arrears, and that wages were paid on monthly intervals

After examining the report of the mission, the Committee of Experts, in its observation adopted in 2011, noted that the discussions with Government officials, members of Employers' and workers' organizations and academic experts were direct, open and constructive. As regards the general situation of wage arrears, the Committee noted with *interest* that the overall amount of wage arrears was generally decreasing.

The Committee also expressed its hopes that that the Government, based on the recommendations of the technical assistance mission, would take concrete steps in order to: improve data collection methodologies in the field of wage arrears; adopt sufficiently dissuasive sanctions; strengthen the system of labour inspection; and address pending issues which directly impact the wage arrears situation, including, for instance, establishing a wage guarantee institution, revising bankruptcy law and eradicating the practice of “envelope wages”.¹⁵¹

The Committee of Experts in its observation, adopted in 2012, stated that it was encouraged that the Government continued to address the issue of wage arrears as a matter of priority, and that according to official statistics the overall amount of wage arrears continued to be on a decreasing trend.

Despite the measures taken by the Government, the wage arrears crisis was not resolved completely.

On 16 April 2015 seven trade union federations and associations of Ukraine made a representation to the International Labour Office, under article 24 of the Constitution of the International Labour Organization, alleging non-observance by Ukraine of the Protection of Wages Convention, 1949 (No. 95).¹⁵² On 16 March 2016, one of the complainant organizations, the Federation of Trade Unions of Ukraine, submitted additional information.

In accordance with articles 1 and 2(1) of the Standing Orders concerning the procedure for the examination of representations under articles 24 and 25 of the Constitution of the ILO, as revised by the Governing Body at its 291st Session (November 2004), the Director-General acknowledged receipt of the representation, informed the Government of Ukraine and brought the matter before the Officers of the Governing Body.¹⁵³

At its 324th Session (June 2015), the Governing Body found the representation to be receivable and set up a committee to examine it. The Committee was composed of Mr Luis Carlos Melero García (Government member, Spain), Ms Garance Pineau (Employer member, France) and Mr Kelly Ross (Worker member, United States).

The complainants alleged that Ukraine violated the provisions set out in Convention No. 95, in particular Article 12, paragraph 1, due to late and partial payment of wages to workers. They stated that despite the fact that this issue was repeatedly considered by the ILO Committee of Experts on the Application of Conventions and Recommendations and the Committee on the Application of Standards (CAS), as well as the measures taken by successive governments, the timely payment of wages in Ukraine remained a serious social and economic problem. The complainants considered that the Government failed to take

¹⁵¹ Report of the Committee of Experts on the Application of Conventions and Recommendations, [Report III \(Part 1A\)](#), International Labour Conference, 101st Session, Geneva, 2012, p. 782.

¹⁵² Under the representation procedure, an employers' or workers' organization may submit allegations of failure by a Member of the Organization to adopt satisfactory measures, within its legal system, for the application of a Convention to which it is a party. If the representation meets the formal requirements of receivability, it is sent to the government concerned and the case is submitted for examination by a tripartite committee set up for the purpose within the Governing Body, whose conclusions and recommendations may be published.

¹⁵³ Report of the Director-General. Second Supplementary Report: Report of the Committee set up to examine the representation alleging non-observance by Ukraine of the Protection of Wages Convention, 1949 (No. 95), made under article 24 of the ILO Constitution by the Federation of Trade Unions of Ukraine, the Federation of Transport Workers' Trade Unions, the Association of All-Ukrainian Autonomous Trade Unions, the Association of All Ukrainian Trade Unions and Trade Union Associations “Iednist”, the Confederation of Free Trade Unions of Ukraine and the Federation of Trade Unions of Small and Medium Business' Workers of Ukraine. – ILO. Governing Body, Papers, 329th Session, Geneva, 9–24 March 2017, [GB.329/INS/20/2](#).

effective measures for the implementation of previous conclusions of the CAS in order to ensure State protection of the legitimate rights of workers to the timely payment of wages.

According to the allegations submitted by the complainants, as of March 2015, the total wage arrears amounted to more than 1.575 billion Ukrainian Hryvnia (UAH) (US\$58,333,333) excluding the “temporarily occupied territories”. The Federation of Trade Unions of Ukraine also alleged that since the submission of the present representation, wage arrears increased to UAH2,092,5 million (US\$77,500,000) as of 1 February 2016. The complainants stated the Government ignored all trade union demands, which were supported by workers mass protests, to ensure the payment of existing wage arrears and the timely payment of wages in the future, and to change the legislation in order to make the wage arrears unprofitable for Employers. In particular, they indicated that they had proposed to strengthen the liability of Employers for delays in wage payment by increasing the compensation required to be paid to workers by law for each day that pay is delayed. The complainants also alleged that in spite of the Ukraine’s ratification of Convention No. 95 and the Protection of Workers’ Claims (Employer’s Insolvency) Convention, 1992 (No. 173), the current mechanism of compensation for wage arrears remained flawed.

In its reply, the Government stated that although the situation improved from time to time due to various factors, the military activity taking place in Donetsk and Luhansk regions and the occupation of Crimea have had a negative impact on socially important matters such as the payment of wages. It indicated that in 2014, wage arrears increased once more as a result of the situation.

The Government indicated that as of 1 July 2015 wage arrears stand at UAH1.915 billion (US\$70,925,926), 46 per cent of which was owed to Workers of enterprises in the territory of military activity in Donetsk and Luhansk provinces. The Government highlights that the majority of wage arrears is accumulated in the industrial sector representing 70.5 per cent of the overall wage arrears of Ukrainian enterprises; 11.8 per cent in transport and communications; and 5.3 per cent in the construction sector.

The Government stated that a trend of reduced wage arrears was currently emerging due to special monitoring of the state of payment of wages.

The Government also stated that at its request, the Parliament decided to strengthen liability for violations of the labour law. To this end, an Act amending several laws was enacted, and entered into force on 1 January 2015, to reform compulsory state social insurance and introduce the legal regulation of payroll wage bills. This strengthened the liability of Employers for the late payment of wages. The Act strengthened the sanctions applicable under the Code of Administrative Offences, the Criminal Code and the Labour Code in case of late or non-payment of wages.

The Government indicated that in order to establish additional guarantees to protect the rights of Workers in the occupied territories, it had prepared a decision on the procedure for clearing their wage arrears and paying pensions.

After reviewing complainant’s allegations and replies from the Government, the Committee submitted its conclusions and recommendations to the Governing Body.¹⁵⁴

In the light of the conclusions set out in the Committee’s report, the Governing Body:

- approved the report;

¹⁵⁴ Ibid, pp. 5–9.

- requested the Government to pursue its efforts and adopt without delay all necessary measures aimed at the full implementation of the Convention, including implementation of the decisions adopted by the Labour Arbitration and Conciliation Commission as well as ensuring effective monitoring by labour inspection services and sufficiently effective and dissuasive sanctions to prevent and punish infringements;
- requested the Government to ensure that Workers affected by wage arrears would receive appropriate compensation for the losses incurred by the delayed payment;
- encouraged the Government to fully involve social partners in the search for solutions to the problem of wage arrears;
- reminded the Government that it could avail itself of ILO technical assistance, including the possibility of inviting an ILO mission that could examine the situation on the ground and contribute to the full implementation of the Convention;
- requested the Government to supply detailed information to the Committee of Experts on the Application of Conventions and Recommendations in its next report under article 22 of the Constitution of the ILO on the application of Convention No. 95;
- made the report public and closed the representation procedure.¹⁵⁵

Apart from Convention No. 95, the application of other ILO Conventions ratified by Ukraine was also under close monitoring by the ILO regular supervisory machinery.

Thus, the application of the following two Conventions concerning child labour - Minimum Age Convention, 1973 (No. 138) and Worst Forms of Child Labour Convention, 1999 (No. 182) – has been the focus of the Committee of Experts since the time of their ratification.

Minimum Age Convention, 1973 (No. 138) (ratification: 3 May 1979); Worst Forms of Child Labour Convention, 1999 (No. 182) (ratification: 14 December 2000).

After receiving, in 2002, communication from the Trade Union Federation of Ukraine containing comments on the application of the Convention the Minimum Age Convention, 1973 (No. 138), the Committee began close monitoring. The Trade Union Federation alleged in its communication that child labour was an increasingly frequent problem and that there were child Workers under the age of 15 in Ukraine. In most cases the children worked, above all, in the informal sector where labour relations were non-existent and the Government had virtually no control over working conditions. As a result, the children had no right to legal and social protection. Child labour was used in excessive and hard conditions which was harmful to the development of the child. The Federation further alleged that not only young people of 15 but also children of 10 years of age were affected by child labour.

In its observation adopted in 1997, the Committee of Experts pointed out that by ratifying the Convention, Ukraine specified a minimum age of 16 years for admission to employment or work. It reminded the Government that under *Article 2, paragraph 1*, of the Convention, no one under the minimum age for admission to employment or work, specified

¹⁵⁵ ILO. Governing Body, Minutes, 329th Session, Geneva, 9–24 March 2017 ([GB.329/PV](#)), pp. 90–91.

upon ratification of the Convention, shall be admitted to employment or work in any occupation, and that the only possible exception was light work, which under *Article 7* of the Convention, may be authorized for children of 13 years of age and above. The Committee requested the Government to supply information on the legislative measures taken to ensure that children working in the informal sector enjoy the protection provided by the Convention. It also asked the Government to continue to provide information on measures taken to eliminate child labour in practice.

The discussion of the application of the Convention on the minimum age took place also at the Conference Committee on the Application of Standards of the 92nd Session of the ILC in June 2004. After hearing information provided by the Government representative, the members of the Conference Committee expressed their views on the issue. The Worker members noted that Ukraine had made progress in the struggle and that emphasis was being placed on four areas, targeting the worst forms of child labour, including child prostitution, working street children and children employed in the rural economy. In many ways Ukraine was demonstrating a considerable degree of good practices. The Worker members believed that members of the Committee would note that it was not a punishment to be on the list of cases for discussion in this Committee. It was possible to supervise and learn from good practices through dialogue, as well as to criticize failures to comply with obligations arising from ratified ILO Conventions. The Ukrainian case might have had elements of both, but that in no way diminished the Committee's duty to recognize progress when it occurred. The Worker members also stated that they had mentioned Convention No. 182 in the context of this case because, in their view, this instrument supplemented Convention No. 138. Only an integrated approach to child labour would succeed.

The Employer members stressed the importance of this case and, like the Worker members, they noted some progress. Nonetheless, it was clear that more needed to be done to put an end to child labour in the country.

In its conclusion, the Committee noted in particular the indication by the Government representative that a technical cooperation programme with ILO/IPEC had recently been launched. The Committee took note that this programme would focus, inter alia, on building the institutional and technical capacity of the Government and social partners to apply Convention No. 138 as well as the Worst Forms of Child Labour Convention 1999, (No. 182). The Committee expressed hope that this technical cooperation programme would address the situation of children below the age of 16 working in the informal sector including by enhancing the capacity of the labour inspectorate in the informal economy. The Committee requested the Government to provide, in its next report to the Committee of Experts, information on the implementation of this technical cooperation programme as well as on the results achieved in eliminating child labour in the informal sector.¹⁵⁶

The situation of children working in the informal and illegal economy, and in particular in illegal coal mines, was the focus of the Committee of Experts in subsequent years.

In its observations adopted in 2007, 2009, 2011 and 2013, the Committee requested the Government to take necessary measures to adapt and strengthen the labour inspection services in the informal and illegal economy, in order to ensure that protection established by the Convention was extended to children working in this sector.

In the observation adopted in 2016, the Committee noted the Government had indicated, in its report, that the State Labour Service of Ukraine (SLS) was formed following the merger of the State Service for Industrial Safety, Occupational Health and Safety and

¹⁵⁶ ILO. International Labour Conference, Record of proceedings, [92nd Session](#), Geneva, 2004, p. 24 part 2/69.

Mining Supervision and the State Labour Inspectorate pursuant to Decision No. 422 of 2014. The SLS developed a draft concept with a view to reforming the occupational health and safety management system, and to increasing its effectiveness. Fundamental to this reform was the constant monitoring of occupational risks, including the employment of minors in high risk jobs. The Committee also noted, from the Government's report submitted under the Labour Inspection Convention, 1947 (No. 81), that the ILO project on "the strengthening of the effectiveness of the labour inspection system and social dialogue mechanisms" was initiated in September 2016. This project aims to create conditions that enable the SLS to develop and implement effective measures to comply with international labour standards, including in the areas of occupational safety and health, and labour inspection in the informal economy.¹⁵⁷

The Committee requested the Government to continue taking measures, including actions within the framework of the abovementioned project, to strengthen labour inspection services in the informal economy.

The Committee of Experts also made comments on the implementation, by Ukraine, of provisions of the Convention concerning: *minimum age for admission to employment or work (Article 2)*, *authorization to perform hazardous work from the age of 16 years and vocational training (Articles 3(3) and 6)*, *determination of light work (Article 7(3))*, *artistic performances (Article 8)*. The Committee requested the Government to take account of the comments in the framework of the adoption of the new Labour Code.

Over the period of monitoring the application of Convention on minimum age (2003–2016), the Committee of Experts made seven observations and five direct requests.¹⁵⁸

Alongside monitoring the application of the Minimum Age Convention, 1973 (No. 138), the Committee of Experts provided observations on the implementation of the Worst Forms of Child Labour Convention, 1999 (No. 182).

As in the case of the Minimum Age Convention the Committee initiated regular supervision of the application of the Worst Forms of Child Labour Convention after receiving the communication dated 23 August 2002 from the Trade Union Federation of Ukraine with comments on the application of the Convention. The Trade Union Federation indicated that there were cases of the use of children for prostitution or pornography in Ukraine and, that this not only concerns young people of 15 years of age but also children of ten years of age. A copy of the communication was forwarded to the Government on 26 October 2002 for comments. In its observation, adopted in 2003, The Committee requested the Government to provide information on measures taken, or envisaged, to prohibit the use, procuring or offering of children under the age of 18 years for prostitution, for the production of pornography or for pornographic performances.

After receiving the first and second reports of the Government, the Committee in 2003 requested it to supply further information on the implementation of specific provisions of the Convention, including:

Sale and trafficking of children (Article 3, clause (a); Use, procuring or offering of a child for prostitution, production of pornography or for pornographic performances (Ar-

¹⁵⁷ Report of the Committee of Experts on the Application of Conventions and Recommendations, [Report III \(Part 1A\)](#), International Labour Conference, 106th Session, Geneva, 2017, p. 482.

¹⁵⁸ The first two direct requests were made in 1997 and 2000 when the application of the Convention was not under close monitoring by the Committee

ticle 3, clause (b)); Programmes of action to eliminate the worst forms of child labour (Article 6); Effective and time-bound measures (Article 7(2)); and International cooperation and assistance (Article 8).

The Committee's observations and direct requests adopted in the following years were concerned with these issues.

While admitting that although the trafficking of children for labour or sexual exploitation as well as the commercial sexual exploitation of children were prohibited by the national legislation, the Committee in its observation (2005) noted that they remained issues of concern in practice. In view of this, the Committee requested the Government to take the necessary measures to ensure that persons who traffic in children for labour or sexual exploitation, or persons who use, procure or offer children for prostitution and pornography were, in practice, prosecuted and that sufficiently effective and dissuasive penalties were imposed.

In its report adopted in 2007, the Committee welcomed the comprehensive measures taken by the Government to prevent and combat the trafficking of children under 18 years, as well as to prosecute child trafficking offenders. The Committee noted with interest that the Government had taken a number of measures to ensure that legislation on trafficking was enforced and persons who traffic in children for labour or sexual exploitation were, in practice, prosecuted.¹⁵⁹

The Committee also noted with interest in the same observation that the Government had taken a number of measures to combat the use, procuring or offering of children under the age of 18 for prostitution and pornography. In particular, the police and Ministry of Internal Affairs (MIA) units collaborated to dismantle networks of individuals and organized criminal groups involved in prostitution and pornography (22 groups discovered in 2005 and 65 in 2006). In addition, in order to prevent the commercial sexual exploitation of children, from 2005 onwards, the police carried out around 2,500 raids and verified the legality of nearly 750 photographic studios, 307 modelling agencies, some 3,000 night clubs, 375 massage parlors and 525 hotels.

According to the Government statement (2013), the measures taken to combat child pornography were becoming more effective. In this regard, since the beginning of 2013, 856 criminal offences were registered involving the import, sale or dissemination of material advocating violence, cruelty or pornography, which led to 201 indictments. The Government also indicated that the police force registered 516 criminal offences involving procurement (section 302 of the Criminal Code) or pimping (section 303 of the Criminal Code). Of those, 281 investigations have led to notices being served to individual suspects, 51 persons had been taken into custody and 178 indictments had been served. The Committee in its observation (2013) strongly encouraged the Government to continue its efforts to eliminate the use, procuring or offering of children under the age of 18 for prostitution, the production of pornography and for pornographic performances.

Apart from the legal and administrative measures taken by the Government in combating child trafficking, in 2013 several awareness raising measures (the use of various media, both national and regional, to inform the public about the new regulatory and legal framework for combating trafficking in persons) had been taken by representatives of the Ministry of Social Policy, as well as by the Ministries of Culture and of Foreign Affairs, the State Employment Service, and the Ukrainian national TV company.

¹⁵⁹ Report of the Committee of Experts on the Application of Conventions and Recommendations, Report III (Part 1A), International Labour Conference, [97th Session](#), Geneva 2008, pp. 333–334.

The Committee also noted that, in order to combat the trafficking of children, including for their sexual exploitation, the police force cooperated with public human rights organizations, including the non-governmental organization La Strada Ukraine. A national hotline telephone number had been set up, in collaboration with this organization, to provide consultation and help for children in need.

With regard to the implementation of Article 6 of the Convention (Programmes of action to eliminate the worst forms of child labour), the Committee noted ILO-IPEC programmes and projects on child trafficking accomplished or were being implemented in the country.¹⁶⁰

Concerning the international cooperation measures on the elimination of child trafficking (Article 8 of the Convention), the Committee noted that the MIA of Ukraine prepared multilateral and bilateral agreements to promote the cooperation of law enforcement bodies in countering human trafficking, especially child trafficking, with the Czech Republic, France, Hungary, Israel, Poland, Romania, Republic of Moldova, Sweden, Turkey, United Kingdom and the former Yugoslav Republic of Macedonia. The Committee also noted the Government's information that Ukraine had established cooperation with Interpol, Europol, and the Regional Centre of the South-East Cooperation Initiative for Cooperation against Transnational Crime, as well as international organizations and law enforcement agencies of other countries.

The Committee in its latest observation (2016) drew the Governments attention to Article 7(2) of the Convention (*Effective and time-bound measures. Clause (a). Preventing the engagement of children in the worst forms of child labour. Access to free basic education*). Based on information from the Report of the United Nations High Commissioner for Human Rights on the situation of human rights in Ukraine of 19 September 2014, the Committee noted that despite the efforts of the Donetsk Department of Education and Science, as well as school administrations, studies were suspended in several towns of the Donetsk region due to the ongoing armed conflict. The Committee expressed its concern at the situation of children who were deprived of education because of the armed conflict and, while acknowledging the difficult situation in the country, urged the Government to take effective and time-bound measures to improve the functioning of the education system in the country and to facilitate access to free basic education for all children, particularly children in areas of armed conflict, and internally displaced children.¹⁶¹

During the period of supervising the application of the Convention No. 182 (2003–2016), the Committee of Experts made seven observations and six direct requests.

Freedom of Association and Protection of the Right to Organize Convention, 1948 (No. 87) (ratification: 14 Sep 1956); Right to Organize and Collective Bargaining Convention, 1949 (No. 98) (ratification: 14 September 1956)

The application of the Convention 87 and Convention 98 is supervised by the Committee of Experts under the regular supervisory procedure, based on the examination of governments' reports and through a special procedure based on complaints concerning freedom

¹⁶⁰ See more on this subject in the section *Prevention and elimination of the worst forms of child labour, including trafficking in children* of this volume.

¹⁶¹ Report of the Committee of Experts on the Application of Conventions and Recommendations, [Report III \(Part 1A\)](#), International Labour Conference, 106th Session, Geneva 2017, p. 348.

of association under the responsibility of the Freedom of Association Committee of the Governing Body of the ILO.¹⁶²

Supervising the Freedom of Association and Protection of the Right to Organize Convention, 1948 (No. 87), the Committee of Experts focused on the observance of the provisions of the Convention dealing with:

Right of Workers and Employers, without distinction whatsoever, to establish and join organizations of their own choosing without previous authorization (Article 2);

Right of Workers' and Employers' organizations to draw up their constitutions and rules, to elect their representatives in full freedom, to organize their administration and activities and to formulate their programmes (Article 3(1));

Right of Workers' and Employers' organizations to organize their administration and activities and to formulate their programmes without interference from the public authorities (Article 3(2));

The acquisition of legal personality by Workers' and Employers' organizations, federations and confederations shall not be made subject to conditions of such a character as to restrict the application of the provisions of Articles 2, 3 and 4 hereof (Article 7).

In its direct request (2006), the Committee noted Article 127 of the Constitution of Ukraine which states that “professional judges shall not belong to trade unions”. Considering that the guarantee of the right of association should apply to all Workers, including public servants, with the sole possible exception of the armed forces and the police, the Committee requested the Government to take the necessary measures to ensure the right of judges to establish organizations of their own choosing to further and defend the interests of their members (Article 2 of the Convention). In its reply, the Government explained that in order to solve this problem and to ensure judges’ right to organize, the Ministry of Social Policy addressed the President of the country on 17 November 2014, as well as the Verkhovna Rada on 15 June 2015, with a request to take into account the observations of the Committee and lift the constitutional restriction. The Committee noted that according to the Government, the Presidential Administration sent a corresponding proposal to the members of the working group on justice and related institutions of the Constitutional Commission for consideration.

In view of the adoption of **the Law of Ukraine on Employers' organizations** (24 May 2001) the Committee, noted Article 3 (1) of the Law, which provided that the bodies of the state authority shall exercise control over economic activities of Employers’ organizations and their associations. In this respect, the Committee recalled that the right of Workers’ and Employers’ organizations to organize their administration without interference by public authorities (Article 3 (2) of the Convention) includes in particular autonomy and financial independence and the protection of the assets and property of these organizations. The Committee requested that the Government repeals this provision of the law.

In its observation made in 2012, the Committee noted with satisfaction the adoption on 22 June 2012 of the Law on Employers' Organizations, their Associations, and the Rights

¹⁶² The Committee on Freedom of Association (CFA) was set up by the ILO in 1951 for the purpose of examining complaints about violations of freedom of association, whether or not the country concerned had ratified the relevant conventions. Complaints may be brought against a member state by employers' and workers' organizations. The CFA is a Governing Body committee, and is composed of an independent chairperson and three representatives each of governments, employers, and workers. If it decides to receive the case, it establishes the facts in dialogue with the government concerned. If it finds that there has been a violation of freedom of association standards or principles, it issues a report through the Governing Body and makes recommendations on how the situation could be remedied. Governments are subsequently requested to report on the implementation of its recommendations.

and Guarantees of their Activities and the Government's indication that this legislation no longer contains provision to that effect.

With regard to the **Act on Trade Unions, their Rights and Safeguards of their Activities**, adopted on 15 September 1999, the Committee indicated that Sections 11 and 16 of the Act were in contradiction with the certain provisions of the Convention.

Thus, Section 11 of the Act provided that in order for a trade union to obtain district or all-Ukrainian status, it should unite more than half the Workers of the same vocation or occupation or should have its organizational units in the majority of administrative territorial units of the same district or in the majority of administrative territorial units of Ukraine.

In this regard, the Committee noted that requirements regarding territorial competence and number of union members should be left for trade unions to determine in their own by-laws, and any legislative provisions that go beyond formal requirements may hinder the establishment and development of organizations and constitute interference contrary to Article 3(2) of the Convention.

The Committee also noted that Section 16 of the Act provided for the compulsory registration of a union, which was carried out by a legalizing body that would verify the correspondence of the status of the union in accordance with the requirements of section 11. In this regard, the Committee recalled that *Article 7* of the Convention provides that the acquisition of legal personality by Workers' organizations shall not be made subject to conditions of such a character as to restrict the application of the provisions of *Articles 2, 3 and 4* thereof.

Sections 11 and 16 of the Act were also challenged in the Constitutional Court of Ukraine and were the object of two complaints which were examined by the Committee on Freedom of Association in the context of case No. 2038 and case No. 2079.¹⁶³ Following these developments, the Committee noted with interest that on 24 October 2000, the Ukrainian Constitutional Court declared unconstitutional certain provisions of sections 8, 11 and 16 of the Act on Trade Unions, their Rights and Safeguards of their Activities.

On 13 December 2001, the Act on Trade Unions was amended, and more particularly Sections 11 and 16, previously commented upon by the Committee of Experts. According to the amendments, the requirement to unite more than half the number of Workers of the same vocation or occupation, in order to obtain a District or the all-Ukrainian status of a given trade union provided for by Section 11, was repealed. The new wording of Section 16 provided that trade unions and confederations of trade unions acquired their legal personality from the moment of their creation. As concerns the procedure of trade union registration, the relevant paragraphs of section 16 remained unchanged.

In June 2003, Section 16 of the Act was amended again. The Committee noted in its observation (2004) that according to the amended Section 16 of the Act, "a trade union acquires the rights of a legal person from the moment of the approval of its statute" and that a legalizing authority confirmed the status of a trade union and no longer had a discretionary power to refuse to legalize a trade union. However, the Committee noted that, according to Section 3 of the Act of Ukraine on the state registration of legal persons and physical persons-entrepreneurs, of 15 May 2003, "the associations of citizens (including trade unions), for which special conditions for state registration have been established under the Act, shall obtain the status of legal person only after their state registration. This must be conducted in

¹⁶³ ILO. *Official Bulletin*, 1999, vol. LXXXII, series B, No1, pp. 125-128; ILO. *Official Bulletin*, 2000, vol. LXXXIII, series B, No3, pp. 164-169.

accordance with the order established by the present Act", and, according to section 87 of the Civil Code of 16 January 2003, an organization acquires its rights of legal personality from the moment of its registration. The Committee noted the contradiction between these pieces of legislation and the Act on Trade Unions. In view of the apparent contradiction in the legislation, the Committee asked the Government to amend its legislation so as to ensure that it guarantees the right of Workers to establish their organizations without previous authorization.

According to the Government's statement, on 19 October 2006, the Act to Amend the Act of Ukraine on the State Registration of Legal Persons and Physical Persons-entrepreneurs should enter into force. Under this Act, the reference to trade unions should have been deleted from Section 3.

With regard to the request of the Committee to amend section 87 of the Civil Code (2003) in order to eliminate the contradiction with section 16 of the Trade Unions Act, as amended in June 2003, the Committee noted the Government's indication that the Ministry of Social Policy has requested the Ministry of Justice to examine this issue pursuant to the Committee's request.

From the very beginning after the adoption of the **Act on the procedure for the settlement of collective labour disputes (conflicts)** (3 March 1998), the Committee indicated in its direct request (1999) that Section 19 of the Act on the procedure of settlement of collective labour disputes, which provided that a decision to declare a strike must be supported by a majority of the Workers or two-thirds of the delegates of a conference, was not in conformity with the Convention (Article 3. Right to organize activities and formulate their programmes in full freedom).

The Committee recalled in this regard that the majority required for a strike ballot should not be such that the exercise of the right to strike becomes very difficult or even impossible in practice. Any such legislative requirements should therefore ensure that account is taken only of the votes cast and the required majority should be fixed at a reasonable level. The Committee requested the Government to take the necessary measures to amend section 19 of the Act on the procedure for the settlement of collective labour disputes accordingly.

The Committee also noted that section 24 of the Act prohibits strikes where the cessation of work creates a threat to the lives and health of people or to the environment, or impedes the prevention of natural calamities, accidents, disasters, epidemics and epizootics or the elimination of their consequences. The Committee recalled that the prohibition of strikes should be restricted to essential services in the strict sense of the term, namely the interruption of which would endanger the life, personal safety or health of whole or part of the population. The Committee asked the Government to confirm in its next report that the reference to threats to the environment in section 24 was limited to cases where such a threat would endanger the life, personal safety or health of the population.

During the next 18 years, no action was taken by the Government to this end.

With regard to its previous request to take the necessary measures to amend section 19 of the Act on the procedure for settlement of collective labour disputes, which provided that a decision to call a strike had to be supported by a majority of the Workers or two-thirds of the delegates of a conference, the Committee in its observation (2016) welcomed the Government's indication that the draft Labour Code would lower this requirement so as to set it at the majority of Workers (delegates) present at the meeting (conference). The Committee noted the Government's indication that the latest version of the draft Labour Code

did not contain provisions dealing with the manner in which the decisions to declare a strike were taken, and strikes were carried out.

Concerning its previous request to list specific categories of public servants whose right to strike was restricted or prohibited, the Committee noted the entry into force of the new Law on Civil Service. According to section 6(2) of the Law, there were three categories of civil servants; that categories A and B appeared to be civil servants who exercised authority in the name of the State, whereas category V comprised “all other civil servants”; and that pursuant to section 10(5) of the Law, civil servants were prohibited from exercising the right to strike. Recalling that the right to strike in the public service may be restricted or even prohibited only for public servants exercising authority in the name of the State, the Committee requested the Government to provide concrete examples of public servants falling into category V.

In its observation adopted in 2010, the Committee requested the Government to provide its opinion on the comments submitted by the Confederation of Free Trade Unions of Ukraine (KVPU) on a new draft Labour Code. The KVPU considered that such legislation, if adopted, would have a negative impact on trade union activities and referred in particular to the issue of representativity. The Committee notes that the National Forum of Trade Unions of Ukraine and the KVPU submitted the same in communications dated 30 April and 8 July 2010, respectively. The Committee noted the Government’s reply thereon. According to the Government, by its decision of 20 May 2008, the Supreme Rada of Ukraine instructed the Committee on Labour and Social Policy to develop further the draft in cooperation with representatives of the Cabinet of the Ministers, All-Ukrainian trade unions and All-Ukrainian Employers’ organizations. To that end, a working group was established on 4 June 2008. The Government also pointed out that as rights of trade unions were governed by the Law on Trade Unions, the draft Labour Code does not reproduce provisions on that matter. With regard to the right of agricultural Workers, the Government indicates that the draft Code would regulate labour relations, including of members of agricultural farms; Law on agricultural farms regulates rights of association and other specific issues. The Committee further notes the Government’s indication in its latest report that a new version of the Code was drafted taking into account ILO advice, which had been discussed by the Committee on labour and social policy and the social partners.

The Committee requested the Government to provide the latest version of the draft Labour Code and encouraged it to continue its cooperation with the Office in this respect, and requested it to provide information on all progress made with regard to the adoption of the Labour Code.

The work on drafting the new Labour Code was also considered by the Committee of Experts with regard to the issue of representativity and collective bargaining rights in the context of the application of the Right to Organize and Collective Bargaining Convention, 1949 (No. 98).

This issue was raised again by the Confederation of Free Trade Unions of Ukraine.

In the communications dated 8 September 2011 and 5 July 2012, the Confederation alleged that the provisions of the Law on Social Dialogue were not in conformity with Convention No. 98.

The Committee in its observance (2012) referred to the conclusions and recommendations of the Committee on Freedom of Association in Case No. 2843 in which the latter examined in detail the provisions of the new legislation and concluded that the set thresholds

and privileges granted to representative organizations were acceptable under the Convention.

During the period of 1991–2016, the Committee also examined the following: (a) the conformity of certain provisions of the Law of 1 July 1993 on Collective Agreements and Contracts with the Convention (Observation, 1996); (b) anti-union discrimination at the Bakarov Coalmine in Krasnodon (Observations, 1998, 1999, 2008); (c) work councils and the right to collective bargaining (Observations, 2010 and 2012).

As mentioned above, the application of Convention No. 87 and Convention No. 98 were also examined by the Freedom of Association Committee through the special procedure for complaints concerning freedom of association.

Under this procedure, ten complaints from Ukraine were submitted in the period between 1991 and 2016: nine complaints were submitted by trade unions and one complaint was submitted by the International Organisation of Employers (IOM), on behalf of the Federation of Employers of Ukraine. The first complaint was lodged on 24 October 1994 and the last one (as of 1 January 2017) on 22 July 2011. All ten cases are closed.

The following allegations were submitted to and examined by the Freedom of Association Committee:

1. The Federation of Trade Unions of Ukraine (FPU) alleged that the recently adopted Tax Code violates Conventions Nos 87 and 98. It further alleges a case of interference in the establishment of trade union organizations, as well as cases of harassment of trade union leaders and the attempt by the State to seize the Federation of Trade Unions of Ukraine's (FPU) property (**Case No 2890**; Complaint date: 22 July 2011);
2. The Confederation of Free Trade Unions of Ukraine (KVPU) and the Federation of Trade Unions of Small and Medium Enterprises of Ukraine alleged that the newly adopted Law on Social Dialogue impeded the establishment of Workers' organizations. They further alleged refusal by the Government to legalize KVPU-affiliates and violation of the KVPU's collective bargaining rights (**Case No. 2843**; Complaint date: 22 March 2011);
3. The International Organisation of Employers (IOE), on behalf of the Federation of Employers of Ukraine (FEU) alleged infringement by the Ukrainian authorities of the right of Employers' organizations to draw up their constitutions and to organize their administration without interference by public authorities (**Case No. 2605**; Complaint date: 16 October 2007);
4. The International Confederation of Free Trade Unions (ICFTU), the Confederation of Free Trade Unions of Ukraine (CFTUU) and the Federation of Trade Unions of Ukraine (FPU) alleged interference by the Ukrainian authorities and Employers of various enterprises in trade union internal affairs, dismissals, intimidation, harassment and physical assaults on trade union activists and members, denial of facilities for Workers' representatives and attempts to dissolve trade unions (**Case No. 2388**; Complaint date: 7 October 2004);
5. The Volyn Regional Trade Union Organization of the All-Ukraine Trade Union "Capital/Regions" presented two sets of allegations, namely allegations of a legislative nature related to certain provisions of the Act on Trade Unions, their Rights and Safeguard of their Activities, and allegations of a factual nature related to the denial of legal recognition of trade unions, harassment and intimidation of trade union activists (**Case No. 2079**; Complaint date: 2 February 2000);

6. The All Ukrainian Trade Union Solidarnost presented allegations concerning the administrative decision to cancel a previously granted union registration and the Government's pursuit of this action with a request to the bank to close the union's account, a decision to publish the cancellation in the mass media, regional administration orders to cancel union links and interference in trade union activity by the public prosecutor departments and civil forces (**Case No. 2075**; Complaint date: 17 February 2000);
7. The Free Trade Union's Federation of Ukraine alleged that provisions of sections 11 and 16 of the Act on Trade Unions, their Rights and Safeguard of their Activities were in violation of Convention No. 87 (**Case No. 2038**; Complaint date: 26 February 1999);
8. The Independent Trade Union of Workers of the Ilyichevsk Maritime Commercial Port (NPRP) presented allegations of violations of freedom of association committed by an Employer and the public authorities, namely: (1) the refusal by an Employer to provide a trade union with premises for its conference; (2) pressure by an Employer to force members of the complainant trade union to resign from it; (3) use of the Employer's own funds to set up a young Workers' association which signed a no-strike agreement; (4) a workforce meeting called by the Employer and controlled by management which agreed to a moratorium on strike action, and the establishment by the Employer of a Workers' council; (5) pressure on the complainant trade union aimed at forcing it to enter into a new collective agreement, and threats to have the agreement signed by the management-controlled Workers' council in the event of refusal; (6) court rulings that a planned strike in the port was illegal; (7) various attempts to obstruct the work of the union, such as the seizure of financial records and closure of bank accounts; and (8) pressure on Workers, acts aimed at curtailing freedom of movement, an attempt to abduct the President of the union with the help of the police (**Case No. 2018**; Complaint date: 23 February 1999);
9. The Kharkov Region Trade Union Association alleged a violation of Article 7 of Convention No. 87 by the judicial authority of Ukraine. The violation concerned the refusal by the courts of Ukraine to examine the substance of a claim lodged by the Free Trade Union of the joint-stock company Kharkov Bearing Plant which is a member of the Kharkov Region Trade Union Association (**Case No. 2001**; Complaint date: 25 December 1998);
10. The International Energy and Mines Organization (IEMO) presented a complaint concerning the failure to respect the provisions of an agreement on wage rates and social guarantees, to which the Coal Board of Ukraine and the Republican Council of the Trade Union of Workers of the Coalmining Industry of Ukraine were parties (**Case No. 1807**; Complaint date: 24 October 1994).

Labour Inspection Convention, 1947 (No. 81) (ratification: 10 November 2004)

Labour Inspection (Agriculture) Convention, 1969 (No. 129) (ratification: 10 November 2004)

In 2007, the Committee of Experts began supervising the application by Ukraine of Convention No. 81 and Convention No. 129. During the period between 2007 and 2016, the

Committee made five observations (2009, 2010, 2011, 2013 and 2016) and six direct requests (2007, 2009, 2010, 2011, 2013 and 2016) concerning these two Conventions.¹⁶⁴

The application of the Conventions was also considered by the Conference Committee on the Application of Standards (106th ILC Session, 2017).

The Committee of Experts initiated the close examination of the issues concerning Ukraine's compliance with the obligations under Convention No. 81 and Convention No. 129 in 2009 after receiving a communication by the Federation of Trade Unions of Ukraine (FPU).

In its **observation adopted in 2009**, the Committee noted that the communication, dated 28 September 2009, contained comments on the Law on the fundamental principles of state supervision (monitoring) in the area of economic activity (No. 877-V of 5 April 2007) and the Order of the Cabinet of Ministers (No. 502 of 21 May 2009) on temporary restrictions on state supervision (monitoring) in the area of economic activity for the period until 31 December 2010, supplementing the Law.¹⁶⁵

According to the FPU a number of provisions of these legal acts were not in conformity with the Convention No. 81 and Convention No. 129.

The Committee requested the Government to provide its opinion on the points raised by the trade union, as well as any relevant documentation.

In the **observation adopted in 2010**, the Committee described in detail the trade union's comments on these legal texts and noted the Government's communication of 12 January 2010 replying to the points raised by the union.

In particular, the FPU stated that the Law No. 877-V significantly restricted the rights of state inspectors and their ability to carry out their supervisory functions as a result of the introduction of additional procedures, namely:

- requirement to establish the periodicity of inspection visits to workplaces;
- requirement to obtain specific authorization documents, without which inspection officials may be refused entrance by the Employer;
- inspection visits must be carried out only during working hours;
- notice of a planned visit must be given at least ten days in advance;
- requirement of an order or warrant from the relevant superior authority in case of unscheduled inspections.

Furthermore, Cabinet Order No. 502 provided that scheduled inspections of economic entities shall be temporarily suspended until 31 December 2010, except in the case of entities which, according to the risk assessment criteria approved by the Cabinet of Ministers, were classified as "high-risk" business entities.

According to the union, the provisions of these texts undermine the effectiveness of state labour inspection, in particular inspection activities in connection with the enforcement of legislation regarding occupational safety and health, and the working environment.

¹⁶⁴ In 2007–2013, the Committee of Experts made separate comments on Convention No. 81 and Convention No. 129. In its observations concerning Convention No. 129, the Committee drew the Government's attention to its comments on the application of Convention No. 81 and requested it to provide information on the points raised, in so far as this information also concerns the application of Convention No. 129. Since 2016, the Committee of Experts decided to examine Convention No. 81 and Convention No. 129 in a single comment.

¹⁶⁵ Про основні засади державного нагляду (контролю) у сфері господарської діяльності (No. 877-V від 05.04.2007). Про тимчасові обмеження щодо здійснення заходів державного нагляду (контролю) у сфері господарської діяльності на період до 31 грудня 2010 року. [Постанова Кабінету Міністрів України від 21 травня 2009 р. N. 502](#). Київ.

In reply to the points raised by the union, the Government recognized that several provisions of these legal texts violated the Convention No. 81 and the Convention No. 129.

The Committee noted that, according to the Government, the State Department for Supervision of Labour Legislation had prepared a Bill to amend Act No. 877-V and a draft Cabinet Order to amend Cabinet Order No. 502, but none of these texts have yet been approved by the competent executive authorities.

The Committee requested the Government to take necessary measures in the near future to ensure that law and practice are brought in line with the provisions of Convention No. 81 and Convention No. 129 with regard in particular to the rights and powers of labour inspectors. The Committee also requested the Government to report on the steps taken and the results achieved.

In the **observation adopted in 2011**, the Committee noted that the Government's report contained no information on the issues raised in the Committee's previous comments pursuant to the observations made by the Federation of Trade Unions of Ukraine (FTUU). The Committee recalled that these comments concerned discrepancies between the Conventions and Act No. 877-V concerning the fundamental principles of state supervision (monitoring) in the area of economic activity adopted on 5 April 2007 by the Parliament as well as Order No. 502 concerning temporary restrictions on state supervision (monitoring) in the area of economic activity which was adopted by the Cabinet of Ministers of Ukraine on 21 May 2009.

The Committee requested the Government to indicate the measures taken in order to ensure that Act No. 877-V, which it recognized to be in violation of the provisions of Convention No. 81 and Convention No. 129, are amended with a view to bringing it into conformity with the Conventions. It also requested the Government to clarify whether Order No. 502, which it also recognized to be contrary to Articles 16 and 18 of the Convention No. 81, has ceased to be in force since 1 January 2011, and if that is not the case, to indicate the measures taken in order to repeal it.

In the **observation adopted in 2013**, the Committee noted that the Government indicated that Order No. 502 of May 2009 concerning temporary restrictions on state supervision (monitoring) in the area of economic activity was only applicable until 31 December 2010 and that it did not affect the activities of the State Labour Inspection (SLI).

Further to the Committee's reiterated request to amend Act No. 877-V of 2007 concerning the fundamental principles of state supervision (monitoring) in the area of economic activity, so as to bring it into conformity with Articles 12(1)(a) and (b), 15(c) and 16 of Convention No. 81 and Articles 16(1)(a) and (b), 20(c) and 21 of Convention No. 129 (Restrictions and limitations to labour inspection), the Committee in its **observation adopted in 2016**, welcomed the Government's indication that further to amendments in 2014, Act No. 877-V of 2007 no longer applies to the activities in the area of labour and employment legislation by the SLI.

In its previous comments, the Committee had taken note of the Government's indication that the Ministry of Social Policy was in the process of preparing a draft bill on "State Labour Inspection" which would secure in law the functions and powers of this supervisory body, and ensure conformity with international law. The drafting of the said Bill would be concluded and handed over to the parties concerned for negotiation, by the end of 2010.

Another issue concerning the application of Conventions No. 81 and No. 129 raised by the Committee of Expert was a moratorium introduced on labour inspection.

In the **observation adopted in 2016**, the Committee noted with deep concern the information provided by the Government in its report on the moratorium introduced between January and June 2015 on labour inspections (pursuant to the Concluding Provisions of Act No. 76 VIII of 28 December 2014 on the repeal of several legislative acts), as a result of which there was a significant rise in the number of complaints made to the State Labour Service (SLS) concerning labour law violations.

In this respect, the Committee noted with concern that the number of labour inspections between 2011 and 2014 decreased from 42,323 to 21,015 and that in 2015, only 2,704 labour inspection visits were undertaken. The Committee further noted with concern the information provided by the Government that two Bills have recently passed the first reading in the Parliament of Ukraine, namely Bill No. 2418a of 21 July 2015 and Bill No. 3153 of 18 September 2015, which proposed to place a fresh moratorium on scheduled inspection visits until 31 December 2016 and thereby restrict state oversight and monitoring of labour law.

However, the Committee also notes that an ILO delegation was invited by the Government, in the context of a technical mission to Kyiv in October 2016, to attend a hearing in Parliament on the proposed amendments to the Labour Code, which are supposedly intended to bring the Labour Code into conformity with the principles of the Conventions. In this context, the Committee welcomes the fact that, following the mission, the Government has requested informal opinions in relation to three legislative drafts, including on the procedures and regulations concerning labour inspection in the area of working conditions, occupational safety and health and mining.

Recalling that a moratorium placed on labour inspection is contrary to the principles of the Convention, the Committee urged the Government to ensure that the proposed amendments to the national legal framework are undertaken with the purpose of bringing the national legislation into conformity with the Conventions, and do not introduce restrictions and limitations on labour inspection. The Committee strongly encouraged the Government to continue to avail itself of ILO technical assistance for this purpose.

In the same observation, the Committee noted with interest that the Government requested ILO technical assistance for support in undertaking its labour inspection reforms initiated in 2014. The Committee noted that, as a result of this request made in February 2015, the ILO has, among other technical activities, established a needs assessment of the current structure of the State Labour Service of Ukraine (SLS) in November 2015 (2015 ILO needs assessment).

The Committee also noted the information provided by the Government in its report on the initiation of the ILO project on “The strengthening of the effectiveness of the labour inspection system and social dialogue mechanisms” in September 2016 which aimed at improving the national legal framework as well as compliance mechanisms.

The Committee requested the Government to provide information on the activities undertaken in the framework of technical assistance provided, and the measures taken to strengthen the labour inspection services in relation to the principles of Convention No. 81 and Convention No. 129.

As the Committee noted in its 2016 observation, the labour inspection services continued to be in a process of re-organization initiated in 2014.

In this respect, it took note of the Government’s indication that the new regulations of the SLS were approved by Ministerial Decision No. 96 of 11 February 2015.

Pursuant to these regulations, the SLS became a new central labour inspection authority under the Ministry of Social Policy, merging the State Labour Inspectorate, the State Service of Mining Control and Industrial Safety, and the State Sanitary and Epidemiological Service (occupational health and radiation exposure).

The Government informs that the SLS is responsible for monitoring compliance with labour conditions, social security and occupational safety and health legislation, including in agriculture and mining.

In view of these changes the Committee, in the **direct request adopted in 2016**, requested the Government to provide information on the organization of the SLS throughout its regional structures, and submit an organizational chart of the entire structure of the SLS. The Committee also requested the Government to provide detailed information on: collaboration with Employers and Workers or their organizations concerning labour inspection matters; the status and conditions of service of labour inspectors; the training provided to labour inspectors; the measures taken to improve the budgetary situation of the SLS, and improve the material means and human resources of the services throughout its structures; the progress made with the development of the National Action Plan in the area of OSH, including any measures taken to improve the current system for the notification and recording of occupational accidents and diseases; and any measures taken to provide for the establishment of a register of workplaces liable to inspection, so as to enable it to devise targeted labour inspection plans and include the relevant information in the annual reports of the work of the labour inspection services.

The application of Convention No. 81 and Convention No. 129 by Ukraine was also examined by **the Conference Committee on the Application of Standards** at the 106th Session of the International Labour Conference in June 2017.

The Government submitted written information on the subject. The major part of this information dealt with the Government's reply to direct request adopted by the Committee of Experts in 2016 (see above).

In addition, before the Committee, a Government representative confirmed that, in 2015, at the legislative level, labour inspections in Ukraine had been totally suspended. However, new legislation regulating labour inspection had now been adopted and had entered into force on 1 January 2017. The Government adopted two important pieces of legislation, namely: (i) the Procedure on State Control over Compliance with Labour Laws; and (ii) the Procedure on State Supervision over Compliance with Labour Laws, which entered into force on 16 May 2017. The Government was concerned to promote the effective functioning of the labour inspection services to ensure compliance with legislation on occupational safety and health (OSH), wages and other matters. Labour inspections could be initiated on the basis of several grounds, including: notification of labour law violations; a claim from an individual with whom employment relations were not duly formalized; a court decision; information obtained from State supervision and monitoring bodies, law enforcement agencies and the labour inspectorate; a trade union organization; or state authorities. The new regulations enabled labour inspection services to operate independently, giving them the right to undertake inspections at any hour of the day, in all types of workplaces that use hired labour. A new system had been established to overcome violations. Employers could not be held liable if they had undertaken steps to rectify a violation following the issuing of a compliance notice, except in cases where they had been using undocumented Workers and failed to pay the national minimum wage or did not pay wages on time and in full.

The Government representative welcomed the ILO's technical assistance in reforming the labour inspection services. Labour inspection was now also the responsibility of local

authorities and could be conducted by public inspectors appointed by trade unions. In this context, it was important that labour inspectors received adequate training enabling them to carry out their work in an appropriate manner.

The representatives of Workers, Employers, governments and international trade union organizations took part in the discussion.

The Worker members expressed concern at the establishment of a moratorium on labour inspections from January to June 2015, and the preparation of new texts with a view to the adoption of a further moratorium. A moratorium on inspections was a serious violation of the Convention and sent a particularly negative signal, as it implied that the enforcement of labour legislation was a minor concern. The Worker members thanked the Government for its explanations, which showed its willingness to implement the Conventions, and suggested that it continue to avail itself of technical assistance from the Office within the framework of labour inspection reform. The Worker members were waiting for specific action from the Government to ensure that Employers and Workers were effectively involved in that process.

The Employer members noted with interest the information provided by the Government that new legislation had entered into force in May 2017, which had had an impact on state supervision and labour inspection. The Government was also encouraged to continue to accept technical assistance to ensure that new and any existing legislation reflected the provisions of the Convention, in particular, the requirement that labour inspectors be public officials, independent of changes in Government and any external influences. Reports that the Government had appointed local self-government staff in the role of labour inspectors was noted with concern. The Employer members had noted that the moratorium had now expired and had not been extended. Taking into account the difficult circumstances in the country, they urged the Government to continue to avail itself of ILO technical assistance in order to ensure compliance in law and practice.

The Worker member of Ukraine spoke about a cooperation agreement concluded in 2016 between the trade unions and the State Labour Service (SLS) to complement State inspections with inspections by trade unions. This had been made possible by the adoption of Decision No. 295 in April 2017, which provided that labour inspections could be carried out on the basis of information received from trade unions, as well as individual Workers. At the same time, the Worker member of Ukraine expressed his concern over an attempt to introduce to the Parliament a new Bill to amend several laws to avoid excessive pressure on economic entities, including through labour inspection.

The Employer member of Ukraine noted that the moratorium in 2015 and the temporary restrictions on inspections in 2010 had been imposed to eliminate corruption in numerous government institutions, and did not only concern the State Labour Service (SLS). At that time, the moratorium had been supported by the national Employers' associations and had had a positive effect on business activity: 100,000 workplaces had been created, including many green workplaces, mostly small and medium-sized enterprises. As the moratorium had been brought to an end, there was no violation of the Conventions. However, some violations of the Conventions had occurred with the adoption of recent changes to the national legislation. Act No. 1774 (6 December 2016) amending section 34 of the Local Government Act had empowered local authorities to monitor compliance with labour and employment legislation within their territorial jurisdiction, to conduct inspections and to impose penalties. This was not in conformity with the Conventions: labour inspectors should be public servants, and labour inspection should be conducted under the supervision and

control of a central authority; appropriately qualified technical experts and specialists should be involved in inspections, and labour inspectors should receive continued training.

The Government member of Malta, speaking on behalf of the European Union (EU) and its Member States, as well as Albania, Bosnia and Herzegovina, Georgia, Montenegro, Norway, the former Yugoslav Republic of Macedonia, and Turkey, noted with interest the reform initiated by the Government in 2014 to strengthen labour inspection services, and expressed support to the development of the SLS with an important technical assistance project to be implemented by the ILO. Recalling the considerable drop in the number of inspections and significant rise in number of complaints concerning labour law violations when the moratorium was introduced in 2015, he welcomed the lifting of the moratorium for unplanned inspections and strongly encouraged the Government to seek further modernization of its labour inspection system.

An observer representing the International Trade Union Confederation (ITUC) indicated that recent reforms to the labour inspection system had in fact resulted in the loss of many qualified labour inspectors. Only 3,500 remained to cover 1.2 million enterprises, making it difficult to monitor OSH effectively. Ukraine's mines were the most dangerous in the world from a technical point of view, with deep shafts and high gas concentrations, among other hazards. The limited possibilities for labour inspections and the high level of corruption meant that tens of thousands of miners risked their lives and health every day. The right of labour inspectors to carry out their duties not only in the event of an accident but also with a view to identifying violations proactively, as provided for in ILO Conventions, should finally be restored in law and practice.

The Worker member of the United States noted that the labour inspectorate had to be fully empowered, with a mandate, a budget and the capacity to impose and collect meaningful fines, and corruption had to be addressed. It was vital to resume unannounced workplace inspections and cease current efforts to weaken and suspend inspections in law and in practice simply to present a more "business-friendly" environment.

The Worker member of Sweden, speaking on behalf of the Nordic Trade Unions, indicated that compliance with the requirements of the Conventions on labour inspection was not possible when labour inspections were subject to a moratorium. Ukraine had reportedly imposed the moratorium on labour inspection to increase its competitiveness and attractiveness. However, that was not an acceptable justification for non-compliance with ratified standards. Labour inspection was not just a formality, but an efficient means for ensuring compliance with applicable standards, and thus fair competition, and to secure a safe and healthy work environment. She therefore expected that Ukraine would bring its national legislation into conformity with the Conventions, and that it would not introduce restrictions and limitations on labour inspection.

The Government member of Switzerland recalled that in recent years, and according to available information, the number of labour inspections in Ukraine had decreased. The role of labour inspection was essential in ensuring protection for Workers and the Government was encouraged to ensure the application of labour legislation by means of inspections, in accordance with its obligations under Convention No. 81. Effective and functional inspections contributed not only to decent working conditions, but also to economic development and fair competition among enterprises.

Taking into account the discussion, the Committee called upon the Government of Ukraine to:

- provide detailed information regarding recent legislation enacted on the regulation of the labour inspection system, including providing a copy of the same for analysis and consideration in relation to the application of Conventions No. 81 and No. 129;
- promote effective dialogue with Employers' and Workers' organizations concerning labour inspection matters;
- continue to avail itself of ILO technical assistance in order to strengthen the capacity and resources of the labour inspection system, in particular with regards to the training and capacity building of labour inspectors;
- ensure that the status and conditions of service of labour inspectors guarantee their independence and impartiality in line with the Conventions;
- ensure that other functions entrusted to labour inspectors do not interfere with their primary duties and impact negatively on the quality of labour inspections.

In view of the information provided by the Government about the expiration of the moratorium placed on labour inspection, the Committee calls upon the Government to refrain from imposing any such restrictions on labour inspection in the future.

Over the period from the 1990s to 2017, the Committee of Experts also closely supervised the application by Ukraine of other Conventions, in particular: Employment Policy Convention, 1964 (No. 122), ratified in 1968; Discrimination (Employment and Occupation) Convention, 1958 (No. 111), ratified in 1961; Forced Labour Convention, 1930 (No.29), ratified in 1956; Abolition of Forced Labour Convention, 1957 (No. 105), ratified in 2000.

Financial relations between Ukraine and the ILO since 1991

As of 1991, when Ukraine became an independent State, due to economic problems in the process of transforming society, the country was experienced difficulties in fulfilling its financial obligations arising from its ILO membership. The volume of arrears of contributions was growing and amounted to CHF7,911,805 on 31 December 1999, covering assessed contributions for 1997-1999. The 2000 contribution of CHF618,347 was not paid either.

The quick accumulation of the arrears of contributions was also a result of the revision of the UN scale of assessment for the 1992-1994 period and the appropriate changes in the ILO scales of assessments for 1994 and 1995.

In December 1991, the 46th Session of the General Assembly of the United Nations had adopted a scale of assessments for the contributions of Member States to the regular budget of the United Nations for the years 1992, 1993 and 1994. This scale formed the basis for a draft ILO scale of assessments for the year 1993, which was recommended by the Allocations Committee, endorsed by the Governing Body, and adopted by the 79th (June 1992) Session of the International Labour Conference upon the recommendation of the Finance Committee of Government Representatives. Consequently, based on the proposals made by the Committee on Contributions following its 52nd meeting in June-July 1992 and recommendations made by the Fifth Committee, the General Assembly of the United Nations in December 1992 had approved revisions to the original 1992-94 scale that was applied for 1993 and 1994.

The revisions made to the 1992-94 UN scale by the General Assembly in December 1992 included major changes relating to Member States previously covered by the membership of the former Soviet Union and who became Member States of the UN at the beginning of the 1990s. For Ukraine, the UN rate of assessment was increased from 1.18 (rate in original UN scale of assessment for 1992-1994) to 1.87 (rate in revised UN scale of assessment for 1993 and 1994).¹⁶⁶

Based on the revised UN scale of assessment, the revised ILO scales of assessments defined rates of assessment for Ukraine for 1994 and 1995 at the level of 1.86 and 1.84 respectively.¹⁶⁷ In comparison with the rate of assessment for 1993 (1.17), the rates of assessment for 1994 and 1995 were increased by 0.69 and 0.67 percent respectively.

Below is the summary of payments in respect of the assessed contributions made by Ukraine to the ILO budget for the period of 1991-1999:¹⁶⁸

¹⁶⁶ ILO. International Labour Conference, Record of proceedings, [80th Session](#), Geneva, 1993, pp. 4/11-4/13.

¹⁶⁷ Ibid., p. 4/31;

¹⁶⁸ Record of proceedings, International Labour Conference, [88th Session](#), Geneva, 2000, vol.1, pp. 16/4-16/5.

Date of payment	Amount in Swiss francs	Details of payment
19 June 1991	1 792 636	Part 1991 contribution
13 May 1993	187 993	Part 1991 contribution
11 August 1993	198 185	Part 1991 contribution
7 October 1993	568 964	Part 1991 contribution
18 May 1994	895 839	Balance of 1991 contribution and part 1992 contribution
30 November 1994	5 322 646	Balance of 1992 contribution and part 1993 contribution
8 November 1995	2 278 783	Balance of 1993 contribution and part 1994 contribution
30 May 1996	2 510 981	Part 1994 contribution
31 December 1996	2 454 777	Part 1994 contribution
14 January 1997	2 062 773	Balance of 1994 contribution and part 1995 contribution
24 March 1998	5 959 170	Balance of 1995 contribution and part 1996 contribution
6 January 1999	3 162 703	Balance of 1996 contribution and part 1997 contribution

Because of the large arrears of contributions accumulated at the beginning of 2000, Ukraine was among the States that had arrears of contributions that were equal to or greater than the total of their assessed contributions for the last two years. Given that, Ukraine was losing the right to vote according to paragraph 4 of Article 13 of the Constitution.¹⁶⁹

In May 2000, the Ukrainian Government addressed a letter to the ILO Director-General requesting, under paragraph 4 of Article 13 of the Constitution of the International Labour Organization, permission to vote. The letter stated that “the substantial arrears accumulated by Ukraine were due to reasons beyond its control. They resulted from the outdated system of expenditure apportionment, which during many years was unable to take into account adequately Ukraine’s capacity to pay and deal with its changed economic and financial circumstances. As a result, Ukraine’s contributions due to the ILO budget in 1996-98, were almost three times higher than the amounts corresponding to its capacity to pay.”¹⁷⁰

Given the above, Ukraine proposed to settle its contribution for 2000 (CHF618,347) at the end of the same year and the accumulated arrears of contributions amounting to

¹⁶⁹ Paragraph 4 of article 13 of the Constitution reads: A Member of the Organization which is in arrears in the payment of its financial contribution to the Organization shall have no vote in the Conference, in the Governing Body, in any committee, or in the elections of members of the Governing Body, if the amount of its arrears equals or exceeds the amount of the contributions due from it for the preceding two full years: Provided that the Conference may by a two-thirds majority of the votes cast by the delegates present permit such a Member to vote if it is satisfied that the failure to pay is due to conditions beyond the control of the Member.

¹⁷⁰ ILO. International Labour Conference, Record of proceedings, [88th Session](#), Geneva, 2000, vol.1, p. 16/3.

CHF7,911,805 to settle, beginning from the year 2000, by payment of 14 equal annual instalments of CHF527,454, and a final instalment of CHF527,449. Ukraine was also determined to settle subsequent years' contributions in the year in which they become due.

The request of Ukraine and its proposals concerning the settlement of arrears of contributions was examined by the Finance Committee of Government Representatives at the 88th Session of the Conference (2000). The Committee supported the request of Ukraine and recommended the adoption by the Conference of the resolution concerning the granting to Ukraine permission to vote under paragraph 4 of Article 13 of the Constitution of the International Labour Organization. The appropriate resolution was adopted by the Conference on 13 June 2000 by 306 votes in favour, with 1 vote against.¹⁷¹

As of 2002, the level of assessment of Ukraine's contributions to the ILO budget was decreased considerably. This was a result of changes in the methodology of assessment employed by the UN. By its Resolution 55/5 of 23 December 2000, the General Assembly adopted the scale of assessments for the contributions of Member States to the regular budget of the United Nations for 2001, 2002 and 2003. The scale of contribution for this period for Ukraine was determined at the level 0.053 per cent. Based on this resolution, the 89th Session of the International Labour Conference adopted a scale of assessments to the budget for the 2002-03 biennium, according to which Ukraine's contribution was defined at the level of 0.052 per cent.¹⁷²

During the next decade, Ukraine paid its contribution in full and respected the arrangement adopted at the 88th Session of the Conference. However, in 2009 Ukraine paid only a part of the total due for the 2009 assessed contribution and the annuity. Contributions outstanding on 31 December 2009 amounted to CHF3,164,719, covering the assessed contributions from 1998-99 and 2009. Only part of the 2009 annuity of CHF527,459 had been paid.

At the 99th Session of the Conference Ukraine again, like in 2000, was in arrears of its financial contributions to the Organization under the terms of Article 13, paragraph 4, of the Constitution and, therefore, it was losing its voting rights.

The Government of Ukraine addressed the ILO its request for permission to vote at the Conference. The letter, signed by the Minister of Labour and Social Policy of Ukraine, Mrs L. Denysova, stated that, at present, unfortunately, Ukraine was not in a position to meet the terms and conditions previously agreed for the payment of the remaining arrears of CHF3,164,719. This was a consequence of Ukraine's difficult financial and economic situation, which had arisen as a result of the global financial and economic crisis. In addition, Ukraine asked the Conference to approve a restructuring of payments in connection with the outstanding arrears (CHF3,164,719) to allow payment in ten instalments, starting in 2012.¹⁷³

The Financial Committee of the Conference examined the request and decided that the failure of Ukraine to pay its arrears was due to conditions beyond its control, in accordance with the provisions of paragraph 4 of Article 31 of the Standing Orders of the Conference. The Committee recommended the adoption by the Conference a resolution concerning the arrears of contributions of Ukraine. The resolution, adopted on 26 June 2010, accepted the arrangement proposed by the Government of Ukraine for the settlement of its arrears of contributions that have accumulated up to and including 31 December 2009, amounting to

¹⁷¹ Ibid., pp. 18/19-18/20.

¹⁷² ILO. International Labour Conference, Record of proceedings, [89th Session](#), Geneva, 2001, p. 11/28.

¹⁷³ ILO. International Labour Conference, Record of proceedings, [99th Session](#), Geneva, 2010, p. 11/3.

CHF3,164,719, by payment, beginning in 2012, of nine annual instalments of CHF316,472 and a final instalment of CHF316,471. The resolution also granted to Ukraine the permission to vote, in accordance with paragraph 4 of Article 13 of the Constitution of the International Labour Organization.¹⁷⁴

Beginning in 2012, Ukraine fulfilled the financial arrangements adopted by the 99th Session of the Conference by paying its arrears of contributions. As on 31 December 2014, Ukraine had to pay CHF2,531,775 amount due for the previous financial periods (1998-99 plus 2009).

The table below summarises the payments of financial contributions by Ukraine to the ILO budget (assessed contributions, contributions received or credited, contributions due) for the period from 1991 to 2018.

¹⁷⁴ Ibid., p. 11/8.

UKRAINE

Payments from 1991 to 2018 in Swiss francs

Year	Assessed Contributions		Contributions received or credited		Contributions due
	%	Amount	Date	Amount	
1991	1.2400	3,585,272	19/06/1991	1,792,636	
			13/05/1993	187,993	
			11/08/1993	198,185	
			07/10/1993	568,964	
			18/05/1994	837,494	
1992	1.2400	3,898,681	credits	28,958	
			18/05/1994	58,345	
			30/11/1994	3,811,378	
1993	1.1700	3,678,594	credits	148,827	
			30/11/1994	1,511,268	
			08/11/1995	2,018,499	
1994	1.8600	6,290,887	08/11/1995	260,284	
			30/05/1996	2,510,981	
			31/12/1996	2,454,777	
			14/01/1997	1,064,845	
1995	1.8400	6,223,243	14/01/1997	997,928	
			24/03/1998	5,225,315	
1996	1.1242	3,778,549	credits	153,726	
			24/03/1998	733,855	
			06/01/1999	2,890,968	
1997	1.0700	3,596,377	06/01/1999	Previous payments	271,735
			14/08/2000	Annuity 2000	527,454
			27/12/2000	Annuity 2001	527,454
			27/12/2000	Part annuity 2002	57,679
			27/12/2000	Balance annuity 2002	469,775
			27/12/2000	Annuity 2003	527,454
			27/12/2000	Part annuity 2004	137,249
			12/11/2004	Balance annuity 2004	390,205
			09/03/2005	Annuity 2005	527,454
			29/03/2006	Annuity 2006	159,918

UKRAINE

Payments from 1991 to 2018 in Swiss francs

Year	Assessed Contributions		Contributions received or credited		Contributions due
	%	Amount	Date	Amount	
1998	1.0700	3,622,780	Credits	41,193	
			29/03/2006	Annuity 2006	367,536
			20/06/2007	Annuity 2007	527,454
			04/08/2008	Annuity 2008	527,454
			30/11/2009	Annuity 2009	176,718
			No annuity in 2010-11		
			02/07/2012	Annuity 2012	316,472
			03/07/2013	Annuity 2013	316,472
			29/05/2015	Annuity 2014	316,472
			06/08/2015	Annuity 2015	316,472
			02/08/2106	Annuity 2015	316,472
			31/05/2017	Annuity 2015	316,472
					83,593
1999	0.2970	1,005,576			
					1,005,576
2000 *	0.1870	668,739	Credits	50,392	
			14/08/2000	Part contribution 2010	74,896
			27/12/2000	Balance contribution 2010	543,451
2001	0.1870	668,739	27/12/2000	Net contribution 2001	668,739
2002	0.0520	199,745	Credits	560	
			27/12/2000	Net contribution 2002	199,185
2003	0.0520	199,745	Credits	56,099	
			27/12/2000	Net contribution 2003	143,646
2004	0.0520	184,509	Credits	37	
			12/11/2004	Net contribution 2004	184,472
2005	0.0390	138,382	Credits	743	
			09/03/2005	Net contribution 2005	137,639
2006	0.0390	144,863	Credits	2	
			29/03/2006	Net contribution 2006	144,861

UKRAINE

Payments from 1991 to 2018 in Swiss francs

Year	Assessed Contributions		Contributions received or credited		Contributions due
	%	Amount	Date	Amount	
2007	0.0390	144,863	Credits	2,264	
			20/06/2007 Part contribution 2007	32,546	
			12/07/2007 Balance contribution 2007	110,053	-
2008	0.0450	177,599	Credits	10,203	
			04/08/2008 Net contribution 2008	167,396	-
2009	0.0450	177,599	Credits	881	
					176,718
2010 **	0.0450	174,958	Credits	160	
			25/10/2010 Net contribution 2010	174,798	-
2011	0.0870	338,252	Credits	1,713	
			02/11/2011 Net contribution 2011	336,539	-
2012	0.0870	314,836	Credits	5	
			02/07/2012 Net contribution 2012	314,831	-
2013	0.0870	314,836	Credits	3,512	
			03/07/2013 Part 2013 contribution	311,034	
			28/11/2013 Balance 2013 contribution	290	-
2014	0.0990	376,792	Credits	102	
			29/05/2015	376,690	-
2015	0.0990	376,792	Credits	274	
			25/11/2015	376,518	-
2016	0.0990	374,973	Credits	273	
			02/08/2016	374,700	-
2017	0.1030	390,123	Credits	214	
			31/05/2017	73,437	
			31/07/2017	316,472	-
Total arrears due					1,265,887

UKRAINE

Payments from 1991 to 2018 in Swiss francs

Year	Assessed Contributions		Contributions received	or credited	Contributions due
	%	Amount	Date	Amount	
2018	0.1030	391,707	Credits	58	391,649
Total Contributions Due					1,657,536

* Ukraine requested a financial arrangement for the settlement of its consolidated arrears which was approved at the 88th Session of the International Labour Conference in June 2000. This financial arrangement lapsed in 2010.

** Ukraine requested a new financial arrangement for the settlement of its consolidated arrears which was approved at the 99th Session of the International Labour Conference in June 2010.

Amounts due for 2018:

Payment of :	Annuity 2018		Balance due
Annuity 2018 :	316,472		316,472
Net contrib 2018 :	391,649		391,649
Total :	708,121		708,121

Chapter 4

Ukrainians in the ILO

During the period from 1954 to 2017, the Ukrainian nationals were represented in the International Labour Office as: Regular Budget ILO Professional category officials (P staff), including technical specialists and linguistic staff members; ILO General category officials (G staff); ILO experts engaged in the ILO technical cooperation projects in the field; and ILO officials employed in the ILO technical development cooperation programmes and projects in Ukraine (local staff).

Professional category staff

Since 1954, Ukraine has been represented at the ILO by 21 officials in the P staff category, out of whom 17 officials have occupied posts of technical specialists in different ILO Departments and four officials occupied linguistic posts.

The first Ukrainian official, Mr Boris Parakhnikov, was appointed to the ILO Secretariat (International Labour Office) in April 1960. This recruitment followed the first historical visit of Mr David A. Morse, ILO Director-General, to Kiev in April 1958. During that visit, the Ukrainian Government officials raised the issue of opening posts with competition for Ukrainian specialists to offer opportunities to work in the ILO.

The recruitment of Ukrainian nationals during the period under review had the following pattern: in the 1960s 4 specialists were recruited; in the 1970s – 6, in the 1980s – 9; and in the 1990s – 4, during the 2000s and onward, there was no recruitment of Ukrainian nationals.

According to the practice established by the Soviet authorities, all Soviet officials, including Ukrainian nationals, recruited by the ILO were allowed to work in the Organization during a limited period of time, despite the fact that some of them were offered employment contracts without limit of time (WLT) by the Office. For this reason, all Ukrainian officials working in the ILO until the 25th December of 1991 (date of the USSR dissolution) had to leave the Organization after 5–6 years of service. They would usually mention in their letters of resignation a “standard” motivation for leaving: “due to personal (family) reasons”. Since December 1991, the conditions of employment of Ukrainian nationals in the ILO have completely changed and they have started working according to the contracts offered to them by the Office.

In sections below are presented professional histories of the ILO officials recruited from Ukraine as well as their responsibilities and contributions to the ILO Work Programmes.

Technical specialists (Professional categories)

Parakhnikov Boris
(Парахніков Борис Семенович)

Appointed: **03.04.1960**

Resigned: **20.01.1965**

Born: 05.01.1930, Kiev, Ukraine.

T.G. Shevchenko Kiev State University (1948–1953); diploma of M.A. in History.

From 1953 to 1960, worked in the “Ukraina” Society, the Association for Cultural Relations with Ukrainians Living Abroad.

In April 1960, Mr Parakhnikov was appointed to the ILO Manpower Division (Employment Section) at the Assistant Member of Division (AMD) post.¹⁷⁵ His duties included: examination, indexing and analysis of documentation on employment related issues in the USSR, Poland, Czechoslovakia, Bulgaria, Hungary, Romania and Yugoslavia; translation from Russian into French of articles, correspondence and experts’ reports; maintenance of the collection of documents kept in the Section.

He also participated in the preparation of summaries and analysis of reports (in accordance with Articles 19 and 22 of the ILO Constitution) on application of the Discrimination (Employment and Occupation) Convention, 1958 (No. 111) and the Recommendation, 1958 (No. 111).

After leaving the ILO Mr Parakhnikov, worked in the Ukrainian Government Security Service.

¹⁷⁵ The AMD post is a professional post which corresponds to P-1 grade in the organizations of the UN system.



Shvetsov Rostislav
(Швецов Ростислав Петрович)

Appointed: **20.08.1963**

Resigned: **31.03.1970**

Born: 01.10.1926, Kiev, Ukraine

Institute of Cinema Engineers (1944–1949); diploma of M.S. in Electrical Engineer.

During the period of 1949–1953, Mr Shvetsov worked as an engineer for testing and adjusting of power-plants and power-system equipment. Later, in 1955–1958, he worked in the Institute of Electrical Engineering (Kiev) as a Research Engineer, participated in the development of new magnetic and semiconductor devices for automation. As of 1958 and up to his appointment to the ILO, he worked as a Chief Engineer in the Institute of Automation (Kiev) and was engaged in the automation of metallurgical processes, development of weighing systems for metallurgy, as well as planning of staff requirement and organization of vocational training on the process of automation.

Mr Shvetsov joined the ILO on 20 August 1963 and began his work in the Industrial Committees Branch (P-2/P-3 post). Firstly, he was associated with the Unit dealing with coal mines, mines other than coal mines and the iron and steel industry. After the reorganization of the ILO, he had taken over the responsibility for the iron and steel industry and mines other than coal mines.

He followed social, economic and technical developments in these branches of industry, analysed the documentary material and extracted whatever was of value with a view of using that information for the preparation of reports for the Industrial Committees, and other ILO publications; he also replied to requests for information from inside and outside users. In particular, he made proposals for the 1967 Programme of Major Meetings regarding a Tripartite Technical Meeting on Mines other than Coal Mines. He participated in the preparation of the Second Tripartite Technical Meeting for Mines other than Coal Mines and partially drafted the General Report for that Meeting. During the Meeting (November 1968), he acted as a Representative of the Secretary-General in the Working Party on the Effect Given to the Conclusions and resolutions at the First Meeting.

Mr Shvetsov also participated in the preparation of the Eight Session of the Iron and Steel Committee (October 1969). He drafted Parts (a) and (b) of the General Report for that Session.

During the 49th Session of the International Labour Conference (June 1965), Mr Shvetsov acted as a Committee Secretary in the Resolutions Committee. On the occasion of the Eight Session of the Metal Trades Committee (December 1965), he assisted the Ukrainian Chairperson of the Subcommittee on International Cooperation, and acted similarly at the Fourth Session of the Governing Body Working Party on the Programme and Structure

of the ILO. In addition, he facilitated liaison between the Secretariat and the Russian-speaking members of the Working Party.

Mr Shvetsov maintained technical liaison with other organizations active in the field of his competence. He represented the Office at the various meetings of the Steel Committee of the Economic Commission for Europe and in its Subcommittees and Working Parties.

Mr Shvetsov drafted a number of book notes on Russian language publications in the field of industries he was responsible for, helped analysing Russian language materials, including Government responses at the Branch, and checked extracts from the Industrial Committee Reports written in Russian. He also revised the Russian version of the draft Recommendation concerning the Status of Teachers within the framework of the Joint ILO-UNESCO project managed by the General Conditions of Work Branch.



Vinokourov Andrey
(Винокуров Андрій Йосипович)

Appointed: **02.09.1964**

Resigned: **06.09.1970**

Born: 17.02.1932, Poltava Region, Ukraine.

T.G. Shevchenko Kiev State University (1948–1953); diploma of M.A. in History.

T.G. Shevchenko Kiev State University; graduated in 1955; diploma of M.A. in International Relations.

After graduating from the Kiev State University, Mr Vinokourov's first job was Interpreter-Translator in the Northern Vietnam on the project of technical assistance. Thereafter, he worked for 3 years at the Ukrainian Society for Friendship and Cultural Relations with Foreign Countries, travelled to other countries with Ukrainian delegations and received foreign delegates in Ukraine. From 1962 to 1964, he worked in the Ministry of Foreign Affairs of Ukraine dealing with social issues and human rights. In addition, he was responsible for collaboration between Ukraine and the International Atomic Energy Agency.

In September 1964, Mr Vinokourov was appointed as a translator in the Editorial and Translation Division of the ILO Editorial and Public Information Department to the P.2/P.3 post. Later in 1965, he was designated as the Planning and Control Officer for the Editorial and Public Information Department. He was responsible for organization and control of the Department's Programme planning under the Department Director's supervision; he was also responsible for drafting the recommendations on materials passing through the ILO Publication Board. In 1969, he was promoted to the P-4 position.

After resigning from the ILO, Mr Vinokourov returned to the Ministry of Foreign Affairs of Ukraine continued working there. For many years, he was a member of the Ukrainian Government delegations to the sessions of the International Labour Conference, the Governing Body and other ILO meetings.



Makhnorylov Vasili
(Махнориллов Василь Петрович)

Appointed: **27.02.1967**

Resigned: **31.03.1970**

Born: 11.05.1926, Soumy Region, Ukraine

Engineering Courses on Time Study, Work Study and Production Planning (1949–1950); Certificate.

Kiev Institute of the National Economy; Kiev, Ukraine (1952–1956); diploma of Higher Education (DipHE) in Economics and Labour Resources Planning;

Diploma of Candidate of Science in Economics and Labour Resources Planning (1962).

University of Birmingham (United Kingdom, 1962–1963); Study of the British Economy (Certificate).

In 1949, Mr Makhnorylov started his working life as an electric welder at the Meat-Packing plant in Kiev (Ukraine). During 1950–1952, he worked as a time study specialist in charge of fixing time and output rates by a stop-watch method and sampling at the Engineering Plant “Bolshevik” (Kiev, Ukraine). After graduation from the Kiev Institute of National Economy in 1956, he returned to the same plant and continued working there as a manager responsible for the supervision of the compiling of production plans, work organization plans and control of their fulfilment. From 1963 to 1967, Mr Makhnorylov worked as a docent in the Kiev Institute of the National Economy.

In February 1967 Mr Makhnorylov was appointed in the Management Development Branch of the ILO Human Resources Department at the P-4 post. He started his work in the Development and Studies Section of the Branch, then he was transferred to the Middle East Desk of the Operations Section, and, again in a few months, he was transferred back to the Development and Studies Section. He was first assigned to do research work in the Development and Studies Section where. participated in the preparation of the general report for the Sixth Session of the Industrial Committee on Work in Plantations (December 1970) and prepared a paper on the ILO’s role in rural development. He also prepared a detailed study on the management component of rural development projects in developing countries. Mr Makhnorylov participated in preparing a Course Programme for the Management Development Centre in Bulgaria.

Working in the Operations Section, Mr Makhnorylov assisted in selecting, interviewing and briefing of experts; preparing fellowship programmes and briefing of fellows; re-editing of Missions’ Progress Reports and commenting on them; preparing job descriptions, drafting minutes and letters, etc.



Kubrakov Nikolai
(Кубраков Микола Петрович)

Appointed: **29.03.1970**

Resigned: **31.10.1976**

Born: 23.11.1927, Astrakhan, Russia

Industrial Technical School (1950–1954); Vladivostok, Russian Federation; diploma of Technician-Metallurgist.

T.G. Shevchenko Kiev State University; Kiev Ukraine (evening studies, 1954–1959); diploma of Higher Education (DipHE), Philologist in Romanic and German Languages and Literature.

In 1954–1959, Mr Kubrakov worked as a Foreman's Assistant at the Machine-Building plant "Krasny Excavator" and was responsible for supervising founders' work in the founding shop (Kiev).

In 1959–1961, he was employed as an Engineer on exchange of scientific and technical information in the State Building Committee of Ukraine (Kiev);

During 1961–1964, Mr Kubrakov lived in Baghdad (Iraq) where he worked as a Senior Interpreter and Translator at the Department of the Iraqi Republican Railways.

From 1964 to 1970 he was a Chief of Unit on Scientific Organization of Labour in the Ukrainian Research and Project Institute on Industrial and Mining Engineering.

In March 1970 Mr Kubrakov was appointed at the P-3 post in the Industrial Committees Branch of the ILO Sectoral Activities Department. One of his main responsibilities was the iron and steel industry. He dealt with social problems arising in the industry; collected information on recent events and kept abreast with the developments taking place in that industry. He prepared a study on technological changes and manpower problems in the iron and steel industry.

Mr Kubrakov participated in the organization and running of the Ninth Session of the Iron and Steel Committee (September 1975). He prepared Part 2 and 3 of the Committee's General Report and participated in the preparation of two technical reports for that Session. Mr Kubrakov acted as an Executive Secretary of the Ninth Session and also served as a Secretary of the Government Group. He drafted the Note of the proceedings of the Ninth Session of the Iron and Steel Committee.

Mr Kubrakov represented the ILO at various meetings of the Steel Committee of the Economic Commission for Europe and prepared a paper on the activities of the ILO in the field of the iron and steel industry.



Chorny Victor
(Чорний Віктор Гаврилович)

Appointed: **10.07.1970**

Resigned: **31.10.1976**

Born: 10.11.1930, Dnipropetrovsk, Ukraine

Metallurgical Institute, Dnipropetrovsk, Ukraine (1948–1953); diploma (M.D.), Metallurgical engineer; Post-graduate course, Kiev, Ukraine (1953–1956); diploma (PhD) in technical sciences; Course of English language attached to the State Pedagogical Institute of Foreign Languages, Kiev, Ukraine (1962–1964); certificate;

Mr Chorny began his working life as an engineer at the “Zaporozstal” plant, Zaporozje, Ukraine (1952–1953). From 1953 to 1958 he worked as an engineer in the Institute of metallphysics of the Ukrainian Academy of Sciences, Kiev; later, Mr Chorny worked as junior and then senior research Worker and head of laboratory in the Institute of metallurgical problems of the Ukrainian Academy of Sciences (1958–1965, 1968–1970), Kiev and the Paton Institute for electric welding of Ukrainian Academy of Sciences (1965–1968), Kiev. Published more than 70 books, booklets, articles and 30 scientific-technical reports in the fields of physical metallurgy, technology of production and treatment of steel and alloys and also in the fields of scientific organization of work and management in science, economics of scientific researches, methodology of teaching and training, etc.

In July 1970 Mr Chorny was appointed in the ILO Management Development Branch of the Human Resources Department at the P-4 position. He was recruited as a replacement for Mr Makhnorylov, another Ukrainian national who was also employed in the Human Resources Department.

Mr Chorny began his work in the Development and Studies Section of the Branch and later in the Operations and Project Monitoring Section where he has assisted on the Asian Desk. As a desk officer he was responsible for briefing and debriefing of experts, representatives of international and national institutions on the ILO management development activities in Asia. He prepared job descriptions and interviewed candidates for field posts. He also prepared technical comments on project documents, study and comments on Country Programmes and carried on the liaison activities with other UN agencies and UNDP. Later on, as a technical cooperation programme and project officer, Mr Chorny was responsible for the Headquarters activities relating to the management development programme in Asia. In this position he was in charge of the preparation of the ILO contribution to the country programming exercises in the management development fields and preparation of proposals for assistance in those fields for Asian countries, as well as an inter-regional programme. He reviewed the Resident Representatives' Management Plans and Draft Country Programme documents. He was also responsible for subcontracting arrangements with consultancy firms and international agencies in the field of management development and vocational training projects in Asia.



Slipchenko Alexandre
(Сліпченко Олександр Сергійович)

Appointed: **09.01.1977**

Resigned: **31.08.1981**

Born: 20.12.1939. Odessa, Ukraine

Kiev State University (1957–1961), diploma (MA) in journalism, economic and social relations and the Higher Diplomatic School, Moscow, USSR (1970–1972, diploma; activities of international economic and social organizations.

Beginning from 1964, Mr. Slipchenko was working in the Ministry of Foreign Affairs of Ukraine as the Second, then First Secretary in the Press Department and the Department of International Economic Organizations. He was an adviser of the Ukrainian delegations at two sessions of ILO Industrial Committees: the Iron and Steel Committee (1969) and the Building, Civil Engineering and Public Works Committee (1971). He was also a member of the Ukrainian delegations at: several sessions of the UN Trade and Development Board, the UN Conference of Plenipotentiaries on a Code of Conduct for liner conferences (1973 and 1974), Trade and Development Conference –UNCTAD-IV (1976) etc.

In January 1977, Mr Slipchenko was appointed in the ILO at the position of an assistant-editor for the quarterly *Social and Labour Bulletin*, published by the Office in English, French and Spanish. The Bulletin reviewed world-wide trends and developments in the area of employment and social policy, including labour legislation, employment and social security policies, incomes policy and pay, industrial relations, equality of opportunity, conditions of work, occupational safety and health and migration. As the assistant-editor, Mr Slipchenko drafted articles for the Bulletin and assisted English and French language editors in editing articles, verification of data, processing of the Bulletin, proof reading, etc. He also scanned numerous periodicals, reports, official publications in various languages with special attention to Eastern European sources and selecting subjects and collecting information to be reported on in the Bulletin.

After resigning from the ILO, Mr Slipchenko was continuing his diplomatic career in the Ukrainian Ministry of Foreign Affairs: First Secretary, Counsellor (1981–1986); Deputy Chairperson/Executive Secretary, National Commission of Ukraine for UNESCO (1986–1991); Permanent delegate of Ukraine to UNESCO; Chargé d'affaires of Ukraine in France, Paris (1991–1992); Ambassador of Ukraine to Switzerland, Bern and Permanent Representative to the UN European Office, Geneva (1993–1997); Director, Directorate of Europe and the Americas (1997–1998); Ambassador of Ukraine to Sweden, Denmark and Norway (1999–2002); Ambassador of Ukraine to Israel (2003–2004); consultant until his retirement in 2007. Since then he was involved in public interest activities, teaching (in Diplomatic Academy of Ukraine) and writing. He published several books on the history of diplomacy and memoirs.



Prokopenko Joseph
(Прокопенко Йосип Іванович)

Appointed: **01 June 1975**

Resigned: **16 June 1981**

Appointed: **02 June 1985**

Retired: **21 May 1999**

Born: 03.04.1939, Lugansk, Ukraine

Mr Prokopenko graduated from the Kharkov Aviation Institute, Ukraine (1956–1961, diploma (MD) in aviation design and engineering) From 1964 to 1966 he had studied the industrial economics, production planning and management in the Institute of Economics, Kiev, by correspondence, and had obtained the second Master degree in economics

In 1969 he had joined the National Academy of Science, The Department of International Economics, Kiev, for the post graduate studies (PhD) in international economics and management, and was awarded by PhD diploma in 1971, one year before the official term.

For his contribution into research and publications as well as teaching in the several business schools and institutions as a visiting professor, he was awarded by second PhD in Management Development by the International Management Centres, UK, 1999. The PhD (Honoris cause) he had been awarded by Estonian Business School, Tallinn, 2002;

In 1961 Mr Prokopenko worked as a researcher in the aerodynamics. From 1962 to 1964 he was an aviation designer in the Antonov Aviation Designing Bureau, Kiev. From 1964 to 1969 he was working for the youth developing programmes as a programme manager for the Kiev region dealing with education and training, job placement, youth social activities

In the period from 1971 to 1975 Mr Prokopenko worked in the National Academy of Science, the Department of International Economics, Kiev, as a researcher in international economics and management. He was also an adviser to the Foreign Ministry of Ukraine in international economics policies. In this capacity, as a member of Ukrainian delegation, he undertook a mission to the UNCTAD conference in Geneva.

From 1981 to 1985, between two ILO work periods, he had again worked for the National Academy of Science in the Department of International Economics as a senior researcher and the project manager. During this time, he had prepared a few publications, provided advisory services to government agencies and companies, lectured and participated in the national and international scientific conferences and meetings, managed research projects. He had also as an ILO expert had went on short-term assignments, including three missions for the Asian Productivity Organization (APO) and The International Turin Training Centre

In June 1975 Mr Prokopenko was appointed to the ILO Enterprise and Management Development Branch as senior researcher and consultant(P-3), dealing with competitiveness

and productivity improvement, institutions development, improving public administration, institutional capacity building. He took part in projects design, support and evaluations, prepared publications, was a research team-leader, and provided management and institution building consulting to the ILO constituency. In 1978 he had been promoted to P-4 position. He resigned from the ILO in June 1981.

In June 1985 Mr Prokopenko was re-appointed to the ILO.

From 1985 to 1999 he had work as the Senior Researcher and Consultant; Head of the Research and Programme Development Section for the same Branch (P-5). The main areas of activities were enterprise and management development, competitiveness and productivity improvement, institutions development, improving public administration, institutional capacity building, projects design and evaluation, privatization and enterprise restructuring. He had also dealt with developing plans and budgets, needs assessment, developing of projects ideas, assessing best practices in management and enterprise development, management consulting and advisory services to governments, Employers' organizations and NGOs.

An important part of his activities was also training, writing publications, leading the international teams of authors, project design, support and evaluation, to serve as a keynote speaker on international conferences and seminars.

Mr Prokopenko had periodically served as a visiting professor and or guest speaker to lecture in different management development centres, business schools and universities (Switzerland, Italy, Russia, Poland, Czech Republic, Slovenia, Slovakia, Singapore, Sweden, Hungary, India, Ukraine, Mauritius, South Africa, Vietnam, UK, etc.). Conducted a number of seminars, workshops and training programmes and advisory services in more than fifty countries, was leader of international teams of authors and researchers.

During these two terms, he has been on around 100 missions for the ILO, UNDP, World Bank and other international organizations and visited more than 130 countries. During his work with the ILO, he had authored and edited more than 120 publications in all major languages on economics, management, human recourse development, knowledge management, research methods, training and development etc.

Mr Prokopenko is a member of a number of Professional Societies. He is the Academician Ukrainian Academy of Economic Sciences; Fellow of the World Academy of Productivities (USA); Academician of the International Academy of Corporate Management; Member of Advisory Board of the Estonian Business School; Member of Editorial Board and International Advisory Board of the Management Learning Journal (1992 – 1999, UK).

He has also listed in the Dictionary of International biography – 22 Ed. (Cambridge), 19 Who is Who in the World, 11th and 12th editions, (USA), 1991–1994; and in Who is Who United Nations and Related Agencies.

After the retirement from the ILO in 1999, Mr Prokopenko had worked as an independent management and enterprise development consultant. The main professional interests were in economics and enterprise restructuring, privatization, globalization, productivity and quality improvement, management training and development, action learning and learning organizations, change management and company transformations, management consulting, public administration, human resource management and development, economic and industrial policies, country and enterprise competitive strategies. During this period have

done research, consulting and training and lecturing assignments for the ILO, World Bank, UNDP, European Union, International Turin Centre, ILO, SIDA, European Training Foundation, Asian Productivity Organization, governments, companies, and business schools and management development institutions.

Mr Prokopenko was systematically invited as a visiting professor or guest speaker to lecture in different management development centers, business schools and universities (Switzerland, Italy, Russia, Poland, Czech Republic, Slovenia, Slovakia, Singapore, Sweden, Hungary, India, Iraq, Iran, Libya, Ukraine, Mauritius, South Africa, Vietnam, UK, etc.). Conducted a number of seminars, workshops and training programs and advisory services in more than fifty countries, was leader of international teams of authors and researchers.

Also, he had been visiting professor to International Management Institute and Management Business Institute (Kiev), Management Business School (Moscow), Estonian Business School (Tallinn), conducted a 5-day program on public administration for the Ministry of Labour, Bulgaria, and a few missions to International Turin Centre (Italy). He was also on mission to Ukraine for the EU Training Foundation as a keynote speaker and consultant on management development and training needs evaluation. Besides, he had provided consultancy services and training to a number NGOs and public and private institutions and companies on enterprise restructuring, change management, productivity improvement, leadership development, and total quality management in different countries.

After leaving the ILO, Mr Prokopenko had published a number of books and studies, including: *Competition: an Agenda for 21 Century* (2000); *Enhancing enterprise competitiveness through Productivity Improvement Programmes* (2001); Co-author of the *Management Consulting. A Guide for Profession*; translated into Japanese and Russian (2004); *The Impact of Globalisation on the Role and Functions of Governments*, (2003). *New Trends in Global Business Environment and Their Impact on the Roles and Functions of Governments*, Turin, 2003; *National and international productivity promotion organizations; evolution and experience*, Ankara, 2004; *National Productivity Organizations: International comparisons of trends and developments*, Yerevan, 2006; *Flexible management development system – the key to organizational effectiveness*. (2006); *Knowledge management in companies* (2007). He has prepared also several research papers on management development, education and training, developing institutional mechanisms for professional development and change management (Armenia, Serbia, Ukraine, and Georgia... 2006–2008)

Main publications

Modular Programme for Supervisory Development (5 volumes, 1981);

Productivity Improvement in Developing Countries (1978);

Productivity Management: a Practical Handbook (1987), translated in more than ten languages;

Diagnosing Management and Development and Training Needs (1989);

Management Implication of Structural Adjustment (1989);

Higher Productivity Through Better Management (1990);

Entrepreneurship Development in Public Enterprises (1991);

Human Resource Management in Economies in Transition (1992);

Management Consulting Focused on Productivity (1994);

Management for Privatisation: Lessons from Experience (1995);

Productivity and Quality Management: a Modular Programme (2 volumes, 1996), translated in Russian, and Farsi;

Human Resource development: The response to Change. UNIDO, 1996;

Personnel Management in a Social Market Economy (1997);

Globalisation, Alliances and Networking: A Strategy for Competitiveness and Productivity (1997);

Internal Management Consulting: Building In-house Competencies for Sustainable Improvements (1997);

Globalisation, Competitiveness and Productivity Strategies (1997);

Privatisation: Lessons from Russia and China (1998);

Management Development: a Guide for the Profession (1998);

Productivity Promotion Organizations: Evolution and Experience (1999).



Galka Nikolai
(Галка Микола)

Appointed: **04.09.1981**

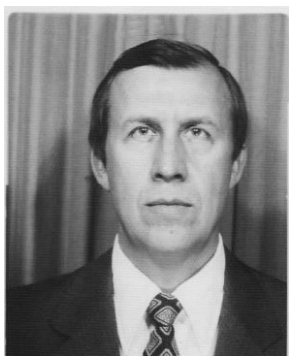
Resigned: **30.09.1985**

Born: 25.07.1943, Kirovograd, Ukraine.

Mr, Galka graduated from the Kiev State University (1965–1970), diploma (MD) in international relations and foreign language and the Mining Technical College, Krivoi Rog, Ukraine (1961.1964), diploma in mining engineering.

After graduation from the Kiev State University, Mr Galka spent one year (1970–1971) in Egypt in a job as an interpreter and translator. During the period from 1971 to 1978 he worked as a staff member of the foreign relations department of the Kiev State University, maintaining correspondence with universities in Europe; and as a high school deputy director. Between 1978 and 1980 he was an instructor in the Russian language for American diplomatic personnel in Kiev. From 1980 to 1981 he was working for a Ukrainian society in Kiev (“Ukraina” Society) where he was responsible for a programme of cultural relations for Ukrainians living abroad. He arranged tours to the Ukraine for Ukrainians living abroad as well as tours for Ukrainians who wished to travel to other countries.

Mr Galka was appointed to the ILO in September 1981 at the position of an assistant-editor for the quarterly *Social and Labour Bulletin* (P-3 level). He replaced at this position of Mr Slipchenko who was also Ukrainian national. Mr Galka drafted articles for the Bulletin, scanned periodicals, journals, reports and other sources in Russian, Ukrainian, Polish and English and suggested to the chief editor topics to be reported upon in the Bulletin.



Stepanov Oleg
(Степанов Олег Александрович)

Appointed: **27.11.1982**

Resigned: **31.07.1988**

Born: 26.10.1943, Usha, Ivanovo Region, Russia.

Mr Stepanov graduated from the Dnipropetrovsk Metallurgical Institute, Ukraine (1961–1967); diploma (M.D.) in iron metallurgy; Ph.D. degree in metallurgy (1971); Columbia University, New York, USA; scientific research in extractive metallurgy (1975–1976)

In the period from 1970 to 1982 Mr Stepanov worked in the Metallurgical Institute in Dnipropetrovsk, first, as a junior researcher, then as a senior researcher and later, from 1976 as an associate-professor and deputy head of department. His research work was concerned with thermodynamics and kinetics of iron metallurgy processes. As the associate-professor he was responsible for all kinds of instruction, management and coordination of researches in iron metallurgy processes, advisory and expertise activities in his field of competence.

Mr Stepanov joined the ILO in 1982 when he was appointed as an Iron and Steel Specialist (P-4) in the Manufacturing Industries Branch of the Sectoral Activities Department. He was in charge of conducting research, preparing studies, reports and technical contributions regarding the social and labour problems of the iron and steel industry.

Mr Stepanov took active part in organising the 11th Session of the Iron and Steel Committee (December 1986). He prepared the General Report for the Session and served as its Executive Secretary. He also provided the advice and assistance to the authors of the two technical reports for the Session.

Mr Stepanov represented the ILO at the various meetings held by the EEC, UNIDO, UNEP and other international organizations. In particular, he prepared a report “The ILO and training in the iron and steel industry” for the Swedish Iron and Steel Symposium (1983), an ILO contribution for the 54th Session of the ECE Steel Committee (1986), concerning activities of the Office in the field of iron and steel industry and the ILO contribution “Labour and social effects of technological changes in the iron and steel industry” for the workshop on Management and Technology Life Cycle organised by the International Institute for Applied Systems Analysis (IIASA) and held in Sofia (Bulgaria) in 1987.

Mr Stepanov maintained technical relations and arranged exchange of information with organizations and institutions concerned with activities in the iron and steel industry (ECE, UNIDO, UNEP, OECD, CMEA, etc.)

Publications

Stepanov Oleg A. Labour and social effects of restructuring in the iron steel industry. International Labour Office, Geneva, ILO, 1986. 104 p.

Stepanov Oleg A. Productivity, employment, and working and living conditions in the iron and steel industry. Geneva, ILO, 1988. 76 p. (Sectoral activities programme, working paper, v.15).



Tchaban Anatoli
(Чабан Анатолій Степанович)

Appointed: **01.04.1982**

Retired: **28.02.2002**

Born: 30.11.1941, the Poltava Region, Ukraine.

Graduated from the Forestry Technical College, Poltava Region, Ukraine; diploma in Forestry (1955–1959); Ukrainian Agrarian University, Kyiv; diploma (M.D.) in Electrical engineering (1963–1968); Foreign Trade Academy, Moscow, USSR Faculty of International Economics; diploma in International Economic Cooperation (1978–1981);

Before joining the ILO, A. Tchaban worked, from 1968 to 1982, in the State Committee for Vocational Education and Training of Ukraine as a Senior Specialist, Chief of Unit, Deputy Chief of Department. He was responsible for planning, organizing and monitoring of vocational education and training for various sectors of economy.

In April 1982, Mr Tchaban was appointed as a Vocational Training Officer (P.3) in the Vocational Training Branch of the Training Department of the ILO. He was responsible for technical backstopping of vocational training projects and promotion of technical cooperation in the Asian Region.

In June 1986, Mr Tchaban was transferred to ILO Africa Regional Office in Addis Ababa (Ethiopia) as a Regional Vocational Training Adviser for seven English-speaking countries in East Africa (Ethiopia, Somalia, Uganda, Kenya, Tanzania, Mauritius and Seychelles) with a promotion to the P.5 level. Later, he was assigned three more countries in North Africa: Egypt, Libya and Sudan; and then, following the re-assignment of regional advisers in Africa, instead of the North Africa, Mr Tchaban's area of activity was extended to five countries in West Africa: Nigeria, Ghana, Liberia, Sierra Leone and Gambia. In August 1988, he was transferred to the ILO Area Office in Lusaka, Zambia in order to enabling better team work with the Regional Adviser for Southern Africa.

In November 1991, he was transferred to the ILO Headquarters in Geneva as a Vocational Training Coordinator in the Vocational Training Branch of the Training Department at the P.4 level. He was responsible for coordination of ILO vocational training activities in 17 African countries.

In 1996, following the re-organization of ILO technical departments, he was appointed to the position of Specialist in Training Systems within the Training Policies and Systems Branch of the Employment and Training Department. He was dealing with research on flexibility of training delivery, establishment of an International Network of Modular Training Providers and coordination of its activity, preparation of

the Network Information Bulletin and maintaining the Network Database. He also continued providing advisory services to the Member States and implementation of project design, development and evaluation missions (Kyrgyzstan, Sudan, Belarus, Ukraine, Zimbabwe, etc.). Specifically, he developed a project for establishing, based on the ILO methodology, flexible training programmes for the unemployed in Ukraine. The project was financed jointly by the Swiss government and UNDP. It was implemented, mainly, by national staff and it had gone through three phases, until 2005.

In January 2000, Mr Tchaban was promoted to P.5 grade and to the position of Senior Technical Specialist in the Skills Development Department of the Employment Sector. He conducted research on competency-based training and establishing new national qualifications frameworks based on the experiences of Australia, Chile, Mexico, New Zealand, South Africa, United Kingdom, etc. He also designed and monitored the implementation of an ILO pilot project on the introduction of competency approach to workforce training and development of competency standards in Ukraine. He contributed to the organization, in 2000, of a Sub-regional (European Union accession countries: Bulgaria, Czech Republic, Hungary, Estonia, Latvia, Lithuania, Malta, Romania, Slovak Republic and Turkey) tripartite seminar on workforce re-training in Kyiv, as well as to the International (Commonwealth of Independent States) conference "Module-2001" in Kharkiv, Ukraine.

Mr. Tchaban participated in a number of international technical meetings on training issues organized by UNESCO, OECD, European Training Foundation (ETF), European Institution for Vocational Education and Training (CEDEFOP), International Vocational Education and Training Association (IVETA), based in the USA, etc. In 2001, he was elected a Member of the IVETA Editorial Board of the International Journal of Vocational Education and Training, the University of Tennessee, USA.

From December 2001 to February 2002, Mr Tchaban worked as a consultant in the Skills Development Department of the ILO. He participated in the development and implementation of the strategic framework on the Department's technical cooperation activity, as well as on modernization of related ILO products and knowledge base, design and promotion of the ILO operational activities in vocational training and skill development.

After retirement in 2002, Mr Tchaban was engaged by the International Training Centre of the ILO (Turin, Italy) for conducting a two-week instructor training workshop in Albania within a fellowship programme "Modules of Employable Skills (MES) training approach of the ILO" under the project for redeployment of redundant public employees. He also undertook a number of consultancy missions to Ukraine, on behalf of the ILO and the European Union, in connection with introduction of competency standards for the workforce training, development of modular learning packages in English language, participation in a UNDP/Swiss Development Cooperation Agency conference on experiences of the technical cooperation project "Introduction of flexible vocational training programmes for the unemployed", and strengthening Regional VET (Vocational Education and Training) Management in Ukraine.

Publications

Towards more flexibility in training. A review of some experiences in rationalizing the provision of vocational qualifications. Employment and Training Papers series, ILO Geneva, 1999.

Using industry-based competency standards for improving the quality and appropriateness of training and career development of individuals. International Journal of Vocational Education and Training of the International Vocational Education and Training Association, the University of Tennessee, USA, 2001.

New strategy of vocational training and preparation of skilled labour. Vocational and Technical Education magazine of the Ministry of Education and Science and the Academy of Pedagogical Science, Ukraine, 2001.

Enhancement of work competence: the leading current trend in training of skilled labour. The Materials of the Scientific and Practical Conference on Modular Training. The Ukrainian Engineering and Pedagogical Academy, Kharkiv, Ukraine, 1999.

Removing of "qualifications barriers" on the way of professional development. The Materials of the Scientific and Practical Conference on Modular Training. The Ukrainian Engineering and Pedagogical Academy, Kharkiv, Ukraine, 2001.

The ILO's Modules of Employable Skills (MES) training approach and its use for workforce retraining. Materials of Sub-Regional (EU accession countries) Tripartite Seminar on Workforce Retraining. Ukraine, 2000.



Egorov Alexander

(Егоров Олександр Юрійович)

Appointed: **July 1982**

Resigned: **July 1987**

Appointed: **01.11.1991**

Retired: **31.05.2017**

Born: 11.05.1955, Kiev, Ukraine.

Candidate of Sciences (History), 1982; Diploma with merits from the Diplomatic Academy of the Ministry of Foreign Affairs of the USSR, Moscow, 1987–89; Diploma with merits from T.G. Shevchenko Kiev State University, Faculty of International Relations and International Law, 1972–77.

Prior to joining the ILO: former Director of the Institute for International Cooperation and Research, Ministry of Foreign Affairs of Ukraine; former General Director, International Computer Club, Moscow; former junior research fellow, Institute for social and economic problems of foreign countries, Academy of Sciences of Ukraine.

Career international civil servant in the ILO: Legal Specialist, Senior Legal Specialist, Coordinator of Social Security Standards, Head of Social Security Unit of the Department of International Labour Standards; ILO observer in the European Committee of Social Rights, ILO representative to the Governmental Committee of the European Social Charter and the European Code of Social Security, Council of Europe; author of numerous ILO reports on legal and social policy issues.

Main publications

General Editor of *The Right to Social Security in the Constitutions of the World: Broadening the moral and legal space for social justice* (in 10 volumes);

General Editor of *ILO Country Reference Monographs: the state of application of the provisions for social security of the international treaties on social rights* (in 50 volumes).



Prensilevich Grigorij
(Прензилович Григорій Михайлович)

Appointed: **28.09.1985**

Retired: **31.10.2010**

Born: 28.10.1950, the Kiev region, Ukraine.

Graduated from Kiev State Institute of Culture (1968–1972), Kiev, Ukraine; diploma in Library Science.

From 1972 to 1973, Mr Prensilevich worked as a Librarian in a District Library in the Cherkassy Region of Ukraine. During the period from 1974 to 1980, he worked in the State Republican Library of Ukraine (National Library), firstly as a Senior Librarian and then a Chief of Section. In 1980, he was promoted to the position of a Deputy Chief of the Library Inspection, attached to the Ministry of Culture of Ukraine. At this position he was responsible for the improvement of coordination of libraries belonging to different Ministries, Government Agencies and trade unions.

In 1982, Mr Prensilevich was appointed a Deputy Director for Research of the State Republican Library of Ukraine. Staying in that position until 1985, he was in charge of research and publishing activities of the Library. In addition, served also as a Member of the Inter-Agency Council on Librarianship attached to the Ministry of Culture of Ukraine.

Mr Prensilevich began his career in the ILO in September 1985, following his appointment to the post of System Coordinator Assistant (P-2 grade) in the ILO Library. He was responsible for elaborating a manual and instruction materials for users of the Library computerised system; a guide to Computer Output Microfiche (COM) for the ILO Library databases, etc. He was also responsible for the reorganization of the Library statistical collection and a quick information collection (INFOQUICK).

In 1988, Mr Prensilevich was appointed to the position of Information Services Librarian. He was responsible for the supervision of the loans service and contributed participated to the implementation of a new loans system (the barcodes system). He also indexed and drafted abstracts of in-coming documents for the International Labour Documentation – a monthly current-awareness bulletin produced by the ILO Library.

In 1990, Mr Prensilevich moved to the position of the Reference and Technical Services Librarian. His main responsibilities were: carrying out retrieval of information according to requests from the ILO officials, ILO Regional and Area Offices and outside users by searching ILO and external databases; cataloguing ILO publications according to the Machine-Readable Cataloguing (MARC) standards by using OCLC network; indexing and abstracting without revision materials of greater complexity in printed format, audiovisual, and CD ROM format for inclusion in the LABORDOC database and in International Labour Documentation; revising the work of less experienced cataloguers and indexers;

producing cataloguing-in publication (CIP) data for publications issued by the ILO; providing training to documentalists from constituent and partner organizations, library school students and others in the use of LABORDOC and information handling techniques; providing briefings to the ILO officials working in the ILO field offices.

In March 1998, Mr. Prensilevich was promoted to P-3 grade and, following the restructuring of the ILO Library in July 1998, he became in charge of training less experienced indexers, revising the work of all indexers and cataloguers before the records were finalised for searching in the LABORDOC; producing CIP data for ILO publications; selecting materials for the Library collections and evaluating collections to assess their quality in accordance with collection and retention policies.

In May 2001, Mr Prensilevich was promoted to P-4 grade and appointed to the position of the Library and Information Management Senior Officer.

During the period 2003–2010, Mr Prensilevich occupied the position of a Senior Information Management Librarian. He was in charge of managing the work of the Indexing Unit. His responsibilities included ensuring timely indexing of in-coming materials, supervising work of the indexers, monitoring work of the external collaborators and approving payments for the work submitted by them; revising work of all indexers and cataloguers and providing guidance to indexers; selecting materials for the library collections; assigning metadata to documents for the ILO Global Jobs Crisis Observatory. In this period, Mr Prensilevich participated in ILO knowledge sharing activities by revising and updating the ILO Thesaurus and ILO Taxonomy; created a scheme for the ILO's Yellow Pages and for the ILO's skills mapping exercising, and designed a taxonomy for the Internal Governance Documents System (IGDS), which is currently in use in the ILO. Prior to his retirement from the ILO in 2010, Mr Prensilevich was promoted to P-5 level.

After retirement, during 2011–2013, Mr Prensilevich worked as the ILO external collaborator, indexing documents for the ILO Library database Labordoc. At the same time, he worked with his colleagues on a project entitled “Ukraine and the ILO” documenting the history of relationship between Ukraine and the ILO since 1954.



Chernyshev Igor
(Чернишев Ігор Володимирович)

Appointed: **01.11.1986**

Retired: **31.01.2012**

Born: 14 January 1952, Kiev, Ukraine.

T.G. Shevchenko Kiev State University, (1972–1977), M.A. in International Economics (Diploma with Merit);

T.G. Shevchenko Kiev State University (1972–1977), English and Japanese Interpretation and Translation, M.A. Diploma with Merit.

From August 1978 to October 1986, Mr Igor Chernyshev worked as a Senior Statistician, and then as a Deputy Head, of the Statistical Information Division in the Central Statistical Office of Ukraine.

Mr Chernyshev joined the ILO as a Statistician (P3 level) on 1 November 1986. He started his international professional career in the Employment and Unemployment Statistics Unit of the ILO Department of Information and Statistics where, from November 1986 to January 1999, he was responsible for the implementation of the ILO-Comparable Annual Employment and Unemployment Estimates Programme: developmental work on the ILO method of adjusting national employment and unemployment statistics to arrive at the ILO-comparable annual estimates; wrote a pioneering methodological article on the ILO-comparable programme published in the *ILO Bulletin of Labour Statistics*; wrote a manual *ILO-comparable annual employment and unemployment estimates: A technical guide*.

From 1991 to 2001, Mr Chernyshev was put in charge of a global *ILO Technical Cooperation Programme on Restructuring of Labour Statistics Systems in Transition Economies of Central and Eastern Europe and Newly Independent States* (countries of the Former USSR) – 26 countries in total.

In the context of the commemoration of the ILO's 75th anniversary, and to summarise results of a five-year process of restructuring of labour statistics in transition economies, Mr Chernyshev initiated, organised and contributed to the *ILO International Conference: Restructuring of Labour Statistics in Transition Countries: First Results and Emerging Challenges* held in September 1994 in Minsk.

Towards the end of the above major assignment, Igor Chernyshev initiated, compiled and edited the ILO manual *Labour Statistics for Market Economies: Challenges and Solutions in the Transition Economies of Central and Eastern Europe and the Former Soviet Union* (later translated and published in Russian). To document the challenges, procedures and accomplishments of the *ILO Technical Cooperation Programme on Restructuring of Labour Statistics Systems in Transition Economies of Central and Eastern Europe and Newly Independent States*, he wrote a comprehensive ILO manual *Statistics for Emerging*

Labour Markets in Transition Economies: A Technical Guide on Sources, Methods, Classifications and Policies (later largely revised, updated, translated and published in Russian and Ukrainian).

Jointly with the ILO Socio-Economic Security Programme team, he started the developmental and piloting work on the methodology, testing and implementation of the *Enterprise Labour Flexibility and Security Surveys* (ELFS) in selected countries.

Mr Chernyshev was engaged in the preparation and implementation of Child labour Surveys in Georgia, Romania and Ukraine and served as a focal point for the development of *ILO Guidelines on the Dissemination Practices for Labour Statistics*, endorsed by the 16th International Conference of Labour Statisticians.

Taking into account the above volume of work, tasks accomplished and results achieved, Mr Chernyshev was promoted to a position of Senior Statistician (P4 level).

From February 1999 to February 2002, he worked as a Project Area Coordinator in the ILO Bureau of Statistics, in which capacity he was, *inter alia*, in charge of developing (a) the ILO framework for comparison and reconciliation of employment and unemployment data from different sources; and (b) a new approach to the estimation of annual labour resources in Ukraine through the integration of data from different sources, etc.

In March 2002, Igor Chernyshev was transferred to the *Statistical Development and Analysis Group of the ILO Policy Integration Department*, where he worked as a Senior Statistician until December 2005, and was given the following responsibilities:

- Working together with other four group members, he contributed to the development of a comprehensive methodology for measuring decent work (DW) with statistical indicators. This work resulted in the publication of a pioneering ILO flagship methodological guide translated into French, Spanish and Chinese languages.
- Directing, planning, managing and implementing in-depth statistical studies and analytical work geared towards development of international recommendations/guidelines on new approaches and methods of measuring DW with statistical indicators.
- Also, within the framework of the above activity, he was directing, planning, preparing and supervising the implementation of LFS-based Modular Decent Work Surveys (MDWS) as part of statistical programmes of national statistical offices of selected countries
- Mr Chernyshev took the lead in the inter-Departmental and inter-agency activity on measuring the quality of employment, closely related with the decent work paradigm and its measurement framework. He was put in charge of the UNECE Task Force (TF) on the Measurement of the Quality of Employment Work (ILO being one of the lead members of the TF).

In January 2006, Mr Igor Chernyshev was transferred to the *Methodology and Analysis Unit of the ILO Bureau of Statistics*, where he worked as a Senior Statistician until May 2009.

He was given a special responsibility to organise and direct the Bureau's work on the statistics-oriented initiatives geared towards a joint biennial programme of collaboration between the ILO Bureau of Statistics and the World Tourism Organization (UNWTO) Department of Statistics and Tourism Satellite Accounts, endorsed in the *Memorandum of Understanding between the ILO and the UNWTO*. To meet the programme goals, Mr

Chernyshev drafted the pioneering recommendations on the measurement of employment in the tourism industries included for the first time as Chapter 7 in the revised *UNWTO International Recommendations for Tourism Statistics 2008* (IRTS 2008).

Mr Chernyshev was responsible for the preparation of the 18th International Conference of Labour Statisticians (ICLS) – the major ILO Conference in the field of Labour Statistics and served as the Assistant Secretary-General of the Conference.

Given personal achievements and important contribution to the development of international labour statistics, Mr Chernyshev was upgraded to a position of a Senior Labour Statistician (P5 level) and appointed Head of Yearly Indicators Team, Decent Work Data Production Unit of the ILO Department of Statistics, where he worked from June 2009 to 31 January 2012.

He was directing and supervising the work of the Yearly Indicators Group on data and metadata collection and dissemination of agreed variables through relevant questionnaires, publications and other vehicles of data collection and dissemination.

During his work in the ILO, Mr Igor Chernyshev was responsible for several large scale *technical cooperation programmes* in the field of labour statistics: directed the planning, organization/initiation and execution of technical projects, including formulation and presentation of project proposals and fund-raising activities with potential donors.

Mr Chernyshev supervised the Departmental work on the preparation of reports on the application of *Labour Statistics Convention, 1985 (No. 160)* by ILO Member States.

He was decorated with the *ILO Long and Dedicated Service Recognition Award* (2012) and the *Honorary Statistician of Ukraine* (2012), an award of the State Statistics Service of Ukraine. He is also listed in the Directory of International Biography “*Marquis Who is who in Science and Technology*”, 2006–2007: Section of Statistics (Washington D.C., USA, 2007).

After leaving the ILO, Mr Igor Chernyshev continued his professional activity as an independent consultant on labour statistics and worked on technical cooperation projects implemented by ILO, UNWTO and other organizations, as well as carried out a number of individual advisory missions.

At present, Mr Igor Chernyshev is Vice-President of the *Green Jobs and Sustainable Development International Centre* (independent non-profit association located in Geneva).

Publications

Mr Igor Chernyshev is the author and co-author of 11 manuals and reference books as well as 67 articles and conference papers.

Selected publications:

Labour Statistics for a Market Economy: Challenges and Solutions in the Transition Countries of Central and Eastern Europe and the Former Soviet Union (Ed.). Central European University Press. London, 1994;

Russian edition. Moscow, 1996.

Statistics for Emerging Labour Markets in Transition Economies: A technical guide on sources, methods, classifications and policies. Macmillan Press Ltd. London 1997 and St. Martin's Press, Inc., New York, 1997;

Russian edition revised and extended; Kiev 1999;

Ukrainian edition revised, updated and extended; Kiev 2000.

Enterprise labour flexibility and security surveys (ELFS): A training manual with a CD companion. ILO, Geneva 2006;

Sources and Methods: Labour Statistics - Employment in the Tourism Industries (Special Edition). International Labour Office, World Tourism Organization. Madrid 2008;

Decent Work Indicators for Asia and the Pacific: A Guidebook for Policy-makers and Researchers. ILO Regional Office in Bangkok. Bangkok 2008;

Measuring employment in the tourism industries: Guide with best practices. World Tourism Organization and International Labour Organization, Madrid 2014.



Petrachkov Alexandre
(Петрачков Олександр Михайлович)

Appointed: **11.11.1991**

Born: 10.07.1957, Kiev, Ukraine.

Kiev State Shevchenko University (1979–1982), postgraduate studies in international economic relations; diploma of Candidate of Science; Kiev State Shevchenko University (1974–1979), graduate studies in international economic relations; diploma of Higher Education (DipHE)

Professional activities before joining the ILO: Kiev State Shevchenko University, Assistant Lecturer, Senior Lecturer, Docent (1983–1991)

Work and career in the ILO: Financial Services Department, Chief of Unit, Chief of Section (1991–2009); ILO Programme on HIV/AIDS and the World of Work, Senior Administrator (2010 to present).



Kostrytsya Vasyl
(Костриця Василь Іванович)

Appointed: **1 June 1996**

Retired: **28 February 2013**

Born: 14.01.1949, Zhytomyr Region, Ukraine.

Kiev State Pedagogical Institute of Foreign Languages (1966–1971), diploma (M.A.) in foreign languages; Academy of Social Sciences (1982–1984), Moscow, diploma in political economy and social psychology.

Before joining the ILO worked as a Department Deputy Head in the Ukrainian Republican Council of Trade Unions (1984–1990) and the President of the Federation of Trade Unions of Workers of Cooperatives and Other Forms of Business in Ukraine (1990–1996).

In June 1996 Mr Kostrytsya was appointed as the ILO National Correspondent and later upgraded to the ILO National Coordinator in Ukraine. During 1996–2013, Mr Kostrytsya took part in the preparation and implementation of 30 technical cooperation projects in close collaboration with the Ministry of Labour and Social Policy, the State Employment Service, the State Committee on Statistics and other ministries and state agencies, trade unions and Employers' organizations of Ukraine.

In particular, Mr Kostrytsya was directly involved in the implementation of the following projects: Social Integration of People with Disabilities through Accessibility to Employment (2008 – 2011); Promotion of the Creation of a Vocational Rehabilitation System for Disabled Persons (1998–2004); HIV/AIDS and the World of Work (2001–2013); National Programme for the Prevention and Elimination of the Worst Forms of Child Labour (2001–2010); Developing a Social Budget Model in Ukraine (1998–2000).

After retirement from the ILO, Mr Kostrytsya is working as Professor at the Department of Personnel Management and Labour Economics, Ukrainian State Employment Service Training Institute (Kyiv).



Savchuk Sergiy
(Савчук Сергій Петрович)

Appointed: **1 March 2013**

Born: 29.03.1972, Vinnytsia, Ukraine.

Before the appointment as the ILO National coordinator in Ukraine on 1 March 2013, Mr Savchuk worked as the National Coordinator and Programme Manager on a number of ILO projects in Ukraine (2001–2012).

Linguistic staff (Professional categories)

Koviazin Sergei
(Ковязін Сергій Борисович)

Appointed: **11.12.1970**

Resigned: **31.01.1974**

Born: 15.01.1940, Kremenchough, Poltava Region, Ukraine.

Graduated from T.G. Shevchenko Kiev State University, Kiev Ukraine (1963); diploma of M.A. in international relations; a study course at the International Institute of Labour Studies (ILO), 1970 (April–June)

After graduating from the Kiev State University, Mr Koviazin worked for the period of three years (1963–1966) as a translator and a secretary-interpreter at the construction of the High Aswan Dam (Alexandria, the United Arab Republic). From 1966 to 1968 he worked as a lecturer in the Kiev State University. In the period between 1968 and 1970 Mr Koviazin worked as a second secretary in the International organizations department of the Ministry of Foreign Affairs of Ukraine. He was in charge of the preparation of information and materials for Ukrainian delegations participating in the ILO meetings. Mr Koviazin served as an adviser to the Ukrainian Government delegations at the 52nd and 53rd Sessions of the International Labour Conference (1968, 1969).

In December 1970 Mr Koviazin was appointed to the ILO as a translator (P-2/P-3 level) in the Russian language unit of the Editorial and Translation Branch within the ILO Editorial and Document Services Department. He translated into Russian of English and French texts including in particular reports prepared for the International Labour Conference, the Second European Regional Conference (January 1974), the 12th International Conference of Labour Statisticians (October 1973) and other ILO meetings. He served as a member of the Conference secretariat at the 57th Session of the International Labour Conference (June 1972) in charge of the translation of official texts, resolutions, speeches and other material.

After resigning from the ILO Mr Koviazin worked as a Deputy Chief of the Department for International Relations of Ukrainian Republican Council of Trade Unions and later, as a Chief of Department of International Relations of the Ministry of Labour of Ukraine.



Goudima Boris
(Гудима Борис Миколайович)

Appointed: **09.07.1975**

Resigned: **26.06.1980**

Born: 29.12.1941, Primorskii region, the Russian Federation.

Graduated from T.G. Shevchenko Kiev State University (1963–1969), diploma M.A. in Foreign Languages and International Relations.

During 1967–68, he worked as a translator and interpreter in the United Arab Republic; in the period 1969–1971 he worked as a teacher of theory and practice of translation in the Kiev State University. From 1971 and up to his appointment in the ILO, Mr Goudima worked as a senior translator (translating from English into Russian and vice-versa; translating from French into Russian, editing, reviewing judicial texts, etc) of the Department of Humanitarian Sciences, Academy of Sciences of Ukraine.

In 1975 Mr Goudima was appointed to the ILO as a translator in the Editorial and Documents Services Department (P-3 level). He translated into Russian texts drafted in English and French, including mainly reports and documents for the International Labour Conference and other ILO meetings; and assistance in revision and editorial work. He also participated in terminology work carried out by the Russian language group. In particular, he had a major share in the establishment of the Russian version of a Glossary of terms used in vocational rehabilitation prepared by the Vocational Rehabilitation Branch of the ILO.

After resigning from the ILO, Mr. Goudima worked in the Ministry of Foreign Affairs of Ukraine: Permanent Mission of Ukraine to the UN, (1984–89); Chief, International Organizations Department (1989–1994); Deputy Chief, Permanent Mission of Ukraine to the UN (1994–1996); Deputy Minister of Foreign Affairs of Ukraine (1996–1998); Representative of Ukraine to the EU (1998–2000); Ambassador of Ukraine to Italy (2000–2004). Holds diplomatic rank of Ambassador Extraordinary and Plenipotentiary. Retired in 2006.



Samovalov Valery
(Самовалов Валерій Олександрович)

Appointed: **05.07.1980**

Resigned: **31.07.1984**

Born: 20.04.1947, Kiev, Ukraine.

Graduated from T.G. Shevchenko Kiev State University (1966–1972), diploma of M.A. in Philology, French language.

From 1972 to 1974, Mr Samovalov worked as an interpreter and translator attached to a group of the Soviet experts involved in developing assistance to Algeria. In 1974–1977 he worked as a chief of information office in the Centre of Metrology and Standardization of Ukraine, Kiev. During 1977–1980 Mr Samovalov worked in a secondary school as a French language teacher.

Mr Samovalov was recruited by the ILO in July 1980 as a Russian-language translator in the Russian Language Unit of the Translation and Meetings Branch. He was responsible for the translation of French and English texts, mainly reports and documents prepared for the International Labour Conference and other ILO meetings.



Kondrachov Anatoli
(Кондрашов Анатолій Іванович)

Appointed: **05.11.1983**

Resigned: **10.11.1987**

Born: 11.10.1948, Orenburg, the Russian Federation.

Mr Kondrachov graduated from the Kiev Linguistic University in 1971 (MA in foreign languages), and Kiev Trade Academy in 1991 (MA in economics).

During the period between 1971-1977 and 1980-1983 Mr Kondrachov worked in the Ukrainian Scientific-Research Institute of Scientific and Technical Information as a senior engineer and later as a junior scientific researcher, senior scientific researcher and a deputy chief of the department. In 1977-1980 he worked as an interpreter and translator attached to a group of the Soviet experts rendering technical assistance to the SONAREM Company (Algeria).

Mr Kondrachov was appointed to the ILO as a translator in the Russian language unit of the Translation and Meetings Branch within the Editorial and Document Services Department. He translated into Russian texts drafted in English and French, including reports for the International Labour Conference and other ILO meetings as well as other ILO official documents. Mr Kondrachov contributed to the translation, in particular, reports for the 73rd, 74th and 75th Sessions of the ILO Conference, the Programme and Budget proposals for 1988- 89. He also contributed to the terminology work carried out on an ongoing basis by the Russian language unit.

After resigning from the ILO in 1987, Mr Kondrachov was recruited by the United Nations Office at Geneva (UNOG) as a Deputy Chief of Purchase and Transportation Section (P-4 level) and promoted to a Chief of that Section (P-5 level) being responsible for planning, organizing and supervising the United Nation's Office at Geneva centralized procurement, contracting, storekeeping, business travel and transportation services.

As of 2004 Mr Kondrachov was promoted to the post of a Director Central Support Services (D-1 level) of UNOG. He was involved in the implementation and coordination of various projects including the Security Strengthening Project and Strategic Heritage Plan (renovation of the UNOG buildings). He worked in UNOG until his retirement in October 2010.

General service staff

Soroka Galina
(Сорока Галина Василівна)

Appointed: **03.08.1985**
Resigned: **02.08.1987**

Born: 22.07.1938, Kiev, Ukraine.

Prior to joining the ILO, Mrs Soroka worked as a typist in the Ukrainian Council of Trade Unions.

In the ILO, Ms Soroka worked as an Audio-Typist in the Printing and Typing Branch of the Editorial and Document Services Department

ILO Ukrainian experts

Since entering the ILO, Ukraine had three experts working in various technical co-operation programmes of the organization.

Mr Stepanenko Pavel
(**Степаненко Павло Олександрович**)

Born: 12.05.1926, Zaporizhia Region, Ukraine.

Mr Stepanenko, Lecturer-Instructor in the School of Mechanisation of Agriculture in the Zaporzhia Region, was recruited to the ILO in 1962 as an expert to assist the Government of Yugoslavia to train vocational training instructors in accelerated and on-the job training of Workers.

During the period of April-October 1962, being attached to the Instructor Training Centre for the Agricultural Machinery, Mr Stepanenko advised and assisted the Principal of the Centre in the preparation of lesson schedules and instruction sheets on training of instructors in techniques of the efficient training of Workers. The training was taking place in the training centres and through on-the-job training sessions with particular emphasis on tractor driving, its daily maintenance and repairs, as well as use and maintenance of all agricultural and harvesting machinery, and equipment. He also assisted the Yugoslav Senior Instructors in organising and carrying out their first instructor training courses.

Mr Shkourkin Nikolay
(**Шкуркін Микола Іванович**)

Born: 01.06.1940. Gorlovka, Donetsk Region, Ukraine.

Mr Shkourkin, a teacher and then Director of the Vocational Technical School in town of Gorlovka (Ukraine) was employed as an ILO expert in training of instructors ("training of the trainers") on the UNDP/ILO Project "National Vocational Training Programme", Accra, Ghana (1975-1978). His duties included: selection of suitable candidates and preparation of entrance qualification for the training courses for instructors at the National Vocational Training Institute of Ghana; development of relevant course material on teaching and demonstration techniques; development of the national certification system for vocational and industrial instructors in collaboration with the Department of Standards, Certification and Trade Testing of Ghana; training of national counterparts and other teaching staff in the use of modern teaching techniques.

In the period between July 1981 and December 1984, Mr Shkourkin also worked as an ILO adviser in the In-Plant and Training Apprenticeship Programme in Nigeria. He was responsible for advising the Industrial Training Fund of Nigeria in all matters related to the development of training programmes in the areas of in-plant and apprenticeship training. He also introduced the Modules of Employable Skill (MES) system and advised industry, government departments and training organizations on the best methods to be used in implementing this system.

Mr Lantoukh-Liachtchenko Albert
(Лантух-Лященко Альберт Іванович)

Born: 14.05. 1934, Uman, Cherkasy Region, Ukraine)

From 1968–1971, Mr Lantoukh-Liachtchenko, a senior university Professor at the Kiev National Transport University, worked as an ILO expert in lecturing at training courses on designing and construction of bridges in the Institut Polytechnique de Conakry, Guinea, and from 1975–1977, in L'Ecole Nationale d'Ingénieurs de Tunis, Belveder, Tunis.

During 1984–1985, Prof. Lantoukh-Liachtchenko worked as expert and consultant on road and bridges construction on the ILO-UNDP project in Vientiane, the Lao PDR

(LAO/79/035). He assisted in upgrading the curriculum of the School for Building Technicians and compiled a teaching aid “Lexique des terms usuels dans les travaux publics” in four languages: Lao, English, French and Russian.

From 1986–1987, Mr Lantoukh-Liachtchenko also worked as a Training Instructor during the implementation of another ILO-UNDP project in Lao PDR (LAO/79/029).

Ukrainian officials employed under the ILO technical cooperation programme

Recruitment of the Ukrainian nationals under the ILO technical cooperation contracts began in 1997 after establishing in June 1996 a position of the ILO National Correspondent in Ukraine, later upgraded to the ILO National Coordinator in Ukraine. During the period between 1997 and 2016, thirteen Ukrainians were employed by the ILO within the framework of its technical cooperation projects carried out in Ukraine.

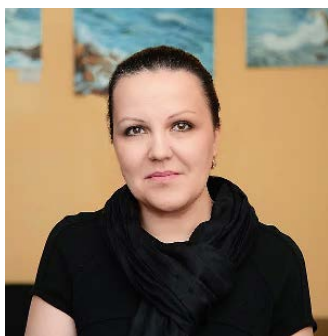
Below is presented a brief information on Ukrainian nationals and their involvement in the implementation of the ILO projects in Ukraine.



Holubkova Iryna
(Голубкова Ірина Володимирівна)

Born: 17.03.1984, Sumy Region, Ukraine

Assistant to the ILO National Coordinator in Ukraine and National Project Assistant (2006–2012).



Holyuk Inna
(Голюк Інна Леонідівна)

Born: 09.04.1978, Chernihiv Region, Ukraine

Assistant on the ILO project “Addressing HIV stigma and discrimination to protect women and men workers from unacceptable forms of work in Ukraine” (as of 2016).



Zarko Nadiya
(Зарко Надія Іванівна)

Born: 20.07.1956, Kyiv region, Ukraine

National Coordinator of the ILO technical cooperation project “Ukraine: Promoting Fundamental Principles and Rights at Work” (2001–2005).



Lytvyn Sophia
(Литвин Софія Іванівна)

Born: 01.10.1976, Kyiv Region, Ukraine

Assistant to the ILO National Correspondent in Ukraine (1999–2003);

Assistant Coordinator of the projects dealing with labour migration and prevention of trafficking in human beings (2003–2005)

National Coordinator (for Ukraine) of the ILO project “Employment, Vocational Training Opportunities and Migration Policy Measures to Prevent and Reduce Trafficking in women in Albania, Moldova and Ukraine” (2003–2008)

National Coordinator of the ILO project “Technical Support in Labour Inspection and Social Dialogue” (as of 2016).



Lukanina Hanna
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Bibliography

Pre-membership period (1920–1953)

Application of the Ukrainian Republic for admission to the League of Nations = Demande d'admission dans la Société des Nations de la République ukrainienne. Avec la préface de Roman Smal Stotski. Paris: Association ukrainienne pour la Société des Nations, [1930]. v, 25, 25 p.

Aspaturian, Vernon V., *The Union Republics in Soviet Diplomacy: a study of Soviet federalism in the service of Soviet foreign policy*. Genève: Librairie E. Droz, 1960. (Publication de l'Institut Universitaire de Haute Etudes Internationales: No. 36).

Bagnall-Bull E., *The Ukraine: the granary of Europe*. London: Cornwall Gardens, [1920]. 16 p.; fold. map. (Issued for private circulation).

BIT/ILO, Constitution et règlements de l'Organisation internationale du travail: édition de la conférence. Bureau international du Travail = Constitution and standing orders of the International Labour Organization: Conference edition, International Labour Office. Genève: BIT, 1936. 52 p.

Choulguine, A., La Société des Nations et les réfugiés ukrainiens: lettre ouverte de M. Alexandre Choulguine à M. le docteur Fridtjof Nansen. Paris: Editions du Haut Conseil des émigrés ukrainiens, 1929?

Choulguine, A., Ukraine et le cauchemar rouge; les massacres en Ukraine [par] Alexandre Choulguine. Paris: J. Tallandier, [1927]. 222 p.

Choulguine, A., L'Ukraine, la Russie et les Puissances de l'Entente; exposé politique de l'ex-ministre Ukrainien des Affaires Étrangères Alexandre Choulguine. Berne, 1918. 57 p.

Correspondence between the Chairman of the Council of Ministers of the USSR and the Presidents of the USA and the Prime Ministers of Great Britain during the Great Patriotic War of 1941–1945, Vol. 2: Correspondence with Franklin D. Roosevelt and Harry S. Truman (August 1941–December 1945). Moscow, Progress Publishers, 1977. 291 p.

Documents of the United Nations Conference on International Organization, San Francisco, 1945. London: New York: United Nations information organizations, 1945–1955. 22 v.

Finer, H., *The United Nations Economic and Social Council*. Washington, D.C.: World peace foundation, 1946.

L'Importance économique de l'Ukraine; recueil des matériaux et statistiques concernant les questions économiques et financiers de l'Ukraine. Bruxelles: [Impr. A. Breuer], 1920. 215 p.

Jenks, C. Wilfred. [Relation between membership of the League of Nations and membership of the International Labour Organization](#) in *British year book of international law*, 1935, 80–83. (HIS-35/16)

Jenks, C. Wilfred. [Universality and ideology in the ILO: an address at the Graduate Institute of International Studies](#), Geneva, 27 October 1969. Geneva, ILO, 1969. 24 p.

Joukovsky, A., *Histoire de l'Ukraine*. Preface d'Alain Besancon. Paris: Editions du Dauphin, 1993. vi, 288 p.

Kordouba, M., *Le territoire et la population de l'Ukraine: contribution géographique et statistique*. Berne: Suter, 1919. 111 p.

Magosci, P. R., *History of Ukraine: Lands and its people*. Second revised ed. Toronto: University of Toronto Press, 2012.

Memoire sur l'indépendance de l'Ukraine présente à la Conférence de la Paix par délégation de la République Ukrainienne. Paris, 1919. 125 p. The League of Nations Archives, 1919, section No. 28, Dossier No. 1046, Document No. 1046.

L'Problème de l'Europe orientale: par un journaliste ukrainien. La Haye: Bureau Ukrainien de Presse, Laan copen van Cattenburch 36, 1919. 31 p.

Rudnitsky, S., *The Ukraine and the Ukrainians*; with three explanatory maps; translated from the German by Jacob Wittmer Hartmann. Jersey City, N. J.: The Ukrainian National Council, 1915. iv, 35 p.; fold. map.

Sawczuk, K., *The Ukraine in the United Nations Organization. Study in Soviet foreign policy, 1944–1950*. NY, London, 1975 (Eastern European Monographs, No. IX).

Sembratovytych, R., *Le tsarisme et l'Ukraine*, par Romain Sembratovytych, avec préface de Bjørnstjerne Bjørnson. Paris: E. Cornély et cie, 1907. 3 p. 1, ii, 55, [1] p.; fold. map. (Cet ouvrage a été publié en allemand, sous le titre: « Zarentum im Kampfe mit der Zivilisation ... en 1905, sans préface de M. Bjørnstjerne Bjørnson » – Note signed: Yaroslaff Fedortchouk).

Shafarenko, I., *The natural resources, industry, exports and imports of the Ukraine*. London: the Ukrainian Press Bureau, 1920. 21 p. (Ukrainian problems, No. 2).

Shotwell, James T. (ed), *The origins of the International Labor Organization in two volumes*. Vol. 1: History; Vol. 2: Documents. New York: Columbia University Press, 1934.

Société des Nations/League of Nations, Demande d'admission dans la Société des Nations de la République ukrainienne. Memorandum du Secrétaire Général = Application of the Ukrainian Republic for admission to the League of Nations. Memorandum by the Secretary-General; Société des Nations = League of Nations; 20 Novembre 1920 (Document de l'Assemblée 88; 20/48/88).

Subtelny, O., *Ukraine. A history*. Toronto: University of Toronto Press, 1988.

Thomas, A., *Bolchevisme ou socialisme?* Paris: Berger-Levrault, 1919. 16 p.

Ukraine on the road to freedom: selection of articles, reprints, and communications concerning the Ukrainian people in Europe. New York City, 1919. 80 p. (Published by the Ukrainian National Committee of the U. S.)

Ukraine: résumé historique et politique de la situation actuelle en Ukraine; avec 5 annexes et une carte géographique. La Haye: Bureau Ukrainien de Presse, Daendelsstraat 9, 1919. xvi, 19 p.

Головченко, В., Україна – держава-співзасновник ООН.– *Вісник Українського національного університету. Міжнародні відносини*. 2012, 38/39, с.12-19.

Сорока, Д. И., *Историческая ретроспектива взаимодействия Украины и Организации Объединенных Наций*. – *Наукові праці історичного факультету Запорізького національного університету*, 2013, вип. XXXVII, с.157-162.

Entry of the Ukrainian SSR into the ILO and the relationship between Ukraine and the ILO in the Soviet period, 1954–1991.

Alcock, A., *History of the International Labour Organization*. London: the Macmillan Press Ltd, 1971. 184 p.

Bordadyn, A. F., *MOT i Rossiia*. Moskva, 1999. 102 p. (Institut truda Ministerstva truda i sotsial'nogo razvitiia Rossiiskoi Federatsii).

Bordadyn, A.F., *Mezhdunarodnaia organizatsiia truda (MOT): retrospektiva vzaimootnoshenii s SSR*. Moskva, 1992. 50 p. (Nauchno-issledovatel'skii institut truda Ministerstva truda i zaniatosti naselenuia Rossiiskoi Federatsii).

Bordadyn, A.F., *Mezhdunarodnaia organizatsiia truda i ee problemy. – Sotsialisticheskii Trud*, Moskva, 12 (1), Jan 1967, pp.20, 26. [Microfilm].

Downs, M.C., *A Study of Soviet participation in the International Labour Organization with emphasis on the period 1960–1964*: a dissertation submitted to the Graduate School of the University of Notre Dame in partial fulfilment of the requirements for the degree of Doctor of Philosophy. Notre Dame, Indiana, Department of Government and International Studies, 1971. I-XVI, 449 p.

Fernbach, Alfred P., *Soviet coexistence strategy: a case study of experience in the International Labour Organization*. Washington, D.C.: Public Affairs Press, 1960. iii-v, 63 p.

Fessard, G., « Lutte de classes à L'Organisation Internationale du Travail ». in: *Etudes*, 93e année, tome 304. Paris, 1960, p. 41–59.

Ghebali, Victor-Yves. *The International Labour Organization: a case study on the evolution of U.N. specialized agencies*. Dordrecht: Martinus Nijhoff, 1988. 291 p. (International organization and the evolution of world society, No. 39); (Graduate Institute of International Studies (Geneva, Switzerland); Società italiana per l'organizzazione internazionale, Roma).

Green, L. C., *The International Labour Organization under pressure*. [London]: Stevens & sons, [1957], pp. 56–84. (Reprinted from Current legal problems, 1957).

Hislop, Robert Innes. *The United States and the Soviet Union in the International Labor Organization*. A Thesis submitted to the Faculty of the Graduate School of the University of Colorado in partial fulfilment of the requirements for the degree Doctor of Philosophy; Department of Economics. University of Colorado, 1961. 352 p. (This book is an authorized reprint of the original edition, produced by microfilm-xerography by University Microfilms, Inc., Ann Arbor, Michigan, 1963)

The International Labor Organization: an objective summary of the history, organization and operation of the International Labor Organization, together with the arguments, pro and con, regarding continued United States participation in this agency. New York: New York Chamber of Commerce, 1956. 21 p.

Jacobson, H. K., *The USSR and ILO*. Cambridge, Mass., 1960. 26 p. (Offprint from: International Organization, 14(3), 1960, 402).

ILO, Declaration concerning the Policy of Apartheid of the Republic of South Africa and ILO Programme for the Elimination of "Apartheid" in Labour Matters in the Republic of South Africa. International Labour Organization. Geneva: ILO, 1964.

ILO, Trade union situation in the U.S.S.R., report of a mission from the International Labour Office. Geneva, ILO, 1960. 136 p.

Kostin, L. A., *Mezhdunarodnaia organizatsiia truda*. Moskva: Ekzamen, 2002. 415 p.

Myrdal, H-G., *The ILO in the cross-fire: would it survive the social clause? – International labour standards and economic interdependence*. Edit by Werner Sengenberger and Duncan Cambell. Geneva, International Institute of Labour Studies, 1994. pp. 339–356.

Osakwe, C., *The Participation of the Soviet Union in the Universal International Organizations: a political and legal analysis of Soviet strategies and aspirations inside ILO, UNESCO and WHO*. Leiden: A.W. Sijthoff International Publishing Company, 1972. XVI, 194 p.

Osieke, Ebere, *Constitutional law and practice in the International Labour Organization*. Dordrecht: Martinus Nijhoff, 1985. xxi, 266 p.

Report of the Committee on Freedom of Employers' and Workers' Organizations. Appendix II. Monographs relating to States Members of the Organization. Supplement / ILO. Governing Body; [GB 131/7/8](#); Appendix II (Supplement); 131st Session, Geneva, 6–10 March 1956).

Spezializovani ustanovy systemy OON; Za redakzieiu prof. doc. Istor. Nauk V.C. Bruza. Kyiv: Lybid', 1995. 116 p.

Ul'ianova, N. M., *Uchast' Ukrainskoi RSR v Mizhnarodnii Organizatsii Pratsi*. Kyiv, Vydavnytstvo Akademii Nauk Ukrain'skoi RSR, 1957. 27 p. (Offprint from: Narysy z istorii derzhavy i prava Ukrain'skoi RSR).

Ul'ianova, N. M., *Mizhnarodna Organizatsiia Pratsi ta ii Konventsii*. Kyiv: Naukova Dumka, 1964. 112 p.

Waline, Pierre, « La crise de l'Organisation internationale du Travail » in : *Revue des deux mondes*. Paris. No. 15 (1er août 1959), 1959.

Waline, Pierre, *Au B.I.T : coexistence pacifique ou combative?* Paris : s.n., [1960?]

Waline, Pierre, « Le tripartisme de l'OIT » in : *Revue syndicale Suisse*, 1969, Vol.61 (7–8), pp. 200–205.

Cooperation between Ukraine and the ILO after 1991

[Active partnership policy](#). Director-General's announcement; No. 505, 04.08.1993.

[Analytical report: on a situation analysis of the gender equality problem at work in Ukraine \(summary\)](#)/ILO DWT and Country Office for Eastern Europe and Central Asia; National Academy of Sciences of Ukraine. Kyiv: ILO, 2005. 29 p.

Anker, Richard et al. “[Measuring decent work with statistical indicators. \[Special topic:\] Measuring decent work](#)” in *International labour review*. Geneva: International Labour Office. Vol. 142, No. 2, p. 147–178.

[Assessment of the social security system in Ukraine 2008–09: crisis response and future reforms](#)/International Labour Organization, ILO Decent Work Technical Support Team and Country Office for Central and Eastern Europe = [Оцінка системи соціального забезпечення в Україні у 2008–2009: Відповідь на кризу та майбутні реформи/Міжнародне бюро праці](#). Budapest: ILO, 2010. 57 p.

Beleva, I., *Independent evaluation of the ILO's country programme to Ukraine: 2000–2006*. Geneva: ILO, 2007. 85 p.

Casale, Giuseppe (ed), *Social dialogue in Central and Eastern Europe*. International Labour Office, Central and Eastern Europe. Budapest: ILO-CEET, 1999. 343 p.

Chepurko, G., *Gender equality in the labour market in Ukraine*. ILO Decent Work Technical Support Team and Country Office for Central and Eastern Europe. Kyiv: ILO, 2010. vii, 50 p.

Chernyshev, Igor, “Improving labour statistics in Ukraine through the integration of employment and unemployment data from different sources”, in Bulletin of labour statistics = Bulletin des statistiques du travail = Boletín de estadísticas del trabajo. Geneva: International Labour Office. No. 4 (2001), p. xi-xxxv.

Chernyshev, Igor, “Labour market information system: scope, components, design”, in *Statistics in transition: Journal of the Polish Statistical Association*. Warszawa. Vol. 3, No. 3 (June 1998), p. 469–481.

Chernyshev, Igor, *Socio-economic security and decent work in Ukraine: a comparative view and statistical findings*. International Labour Office, Policy Integration Department, Statistical Development and Analysis Group. Geneva: ILO, 2006. v, 69 p. (Working paper: No. 76).

Chernyshev, Igor, *Statistics for emerging labour markets in transition economies : a technical guide on sources, methods, classifications and policies*. New York: St. Martin's Press, 1997. xv, 171 p.

Chernyshev, Igor. “Towards refinement of the Ukrainian labour market information system”, in *Statistics in transition: Journal of the Polish Statistical Association*. Warszawa. Vol. 3, No. 5 (Dec. 1998), p. 825–838.

Commander, Simon et al., *Informal employment dynamics in Ukraine: an analytical model of informality in transition economies. Informality across the global economy: subsistence, evasion and avoidance*. Geneva: ILO, 2013. p. 445–467. (International labour review. Geneva: International Labour Office, Vol. 152, No. 3–4 (2013))

Corbanese, Valli, *Gender mainstreaming in the public employment service in Ukraine: trainers' guide*. International Labour Office, ILO Decent Work Technical Support Team and Country Office for Central and Eastern Europe. Kyiv: ILO, 2011. 103 p.

Corbanese, Valli, *Gender mainstreaming in the public employment service in Ukraine: user's guide*. International Labour Office, ILO Decent Work Technical Support Team and Country Office for Central and Eastern Europe. Kiev: ILO, 2011. 61 p.

Corbanese, Valli and Gianni Rosas, *Shaping the trade union agenda on employment and labour market policies: final report on the Subregional Trade Union Seminar*. International Labour Office, Subregional Office for Central and Eastern Europe. Budapest: ILO, 2007. 30 p.

Dürr, W., *Introduction of flexible training programmes for the unemployed : summary of project evaluation report*. [Employment and Training Dept., Technical Cooperation Team, International Labour Office]. Geneva: ILO, 1998. 4 leaves.

FitzRoy, F et al., *Employee ownership in privatization: lessons from Central and Eastern Europe*. ILO Central and Eastern European Team, ILO Action Programme for Privatization, Restructuring and Economic Democracy. Geneva: ILO, 1998. x, 46 p.

Grisewood, Christina, *Steps to the elimination of child labour in Central and Eastern Europe: emerging good practices and lessons learned: documented by the agencies that implemented them with the support of ILO-IPEC*. International Labour Office, International Programme on the Elimination of Child Labour. Geneva: ILO, 2007. 71 p.

Human Rights Watch. 2003. *Women's Work: Discrimination Against Women in the Ukrainian Labour Force*. Report, HRW Index No. D 1505.

ILO, *Access to and effects of social protection on workers living with HIV and their households: an analytical report*. Geneva, 2014. 117 p.

ILO-CEET, *Collective bargaining and the law in central and Eastern Europe: some comparative issues*. Budapest, 1997. iii, 34 p.

ILO, *Combatting worst forms of child labour, including trafficking in Ukraine 2001-2009*. [electronic resource] = Протидія найгіршим формам дитячої праці та торгівлі дітьми в Україні 2001-2009 / International Labour Office, ILO DWT and Country Office for Central and Eastern Europe, International Programme on the Elimination of Child Labour (IPEC). Kyiv: ILO, 2012. 12 p.

ILO, Committee of Experts on the Application of Conventions and Recommendations (CEACR): internal handbook /International Labour Office, International Labour Standards Department. Rev. ed. 2012. Geneva: ILO, 2012. iv, 15 p.

ILO declaration project in Ukraine: information and fact sheet / International Labour Organization, Technical cooperation project "Ukraine: promoting fundamental principles and rights at work". Kyiv: ILO, 1995.

ILO Decent Work Country Programmes: a guidebook. Version 2. Geneva: ILO, 2008. 34 p.

ILO, *Decent work country profile: Ukraine*, International Labour Office, ILO/EC Project "Monitoring and Assessing Progress on Decent Work" (MAP). Second ed. Geneva: ILO, 2013. xiii, 64 p.

ILO, *Employment policies and programmes in central and Eastern Europe*. ILO Employment Strategies Branch; International Conference On Employment Policies And Programmes In Central And Eastern Europe (1994: Budapest, Hungary). Geneva, 1997. xi, 220 p.

ILO, *Employment needs assessment and employability of internally displaced persons in Ukraine: summary of survey findings and recommendations*. ILO Decent Work Technical Support Team and Country Office for Central and Eastern Europe. Budapest: ILO, 2016. xv, 68 p. = *Оцінка потреб та можливостей зайнятості внутрішньо переміщених осіб в Україні: узагальнення результатів дослідження та рекомендації* / Група технічної підтримки з питань гідної праці та Бюро МОП для країн Центральної та Східної Європи. - Будапешт, МОП, 2016. 75 с.

ILO, *Ensuring social security benefits for Ukrainian migrant workers: policy development and future challenges*. ILO Decent Work Technical Support Team and Country Office for Central and Eastern Europe = Гарантування виплат соціального забезпечення українським працівникам-мігрантам : Розробка політики та майбутні виклики / Група технічної підтримки з питань гідної праці та Бюро МОП для країн Центральної та Східної Європи. Kyiv: ILO, 2012. viii, 43 p.

ILO, *Evaluations: independent evaluation of the ILO country programme of support to Ukraine: 2000–2006*. International Labour Office, Governing Body, 300th Session, Geneva, Nov.2007; Programme, Financial and Administrative Committee. Geneva: ILO, 2007. 11 p. [GB.300/PFA/13/4\(&Corr.\)](#)

ILO, *Good practices and challenges on the Maternity Protection Convention, 2000 (No. 183) and the Workers with Family Responsibilities Convention, 1981 (No. 156): a comparative study*. International Labour Office, Bureau for Gender Equality. Geneva: ILO, 2012. iv, 243 p. ([Working paper](#); v. 2 / 2012)

ILO, [Handbook of procedures relating to international labour Conventions and Recommendations](#). International Labour Standards Department. Rev. ed. 2012. Geneva: ILO, 2012. vi, 70 p.

ILO, *The ILO at work in Central and Eastern Europe 2009–2014*. International Labour Organization, ILO Decent Work Technical Support Team and Country Office for Central and Eastern Europe. Budapest: ILO, 2015. 40 p.

ILO, *Informal labour relations in Ukraine = неформальні трудові відносини в Україні : assessment of the status = оцінка стану*. International Labour Office, Technical Cooperation Project Ukraine: Promoting Fundamental Principles and Rights At Work. Київ: ILO, 2003. 38 p.

ILO, *Managing a national programme against trafficking in human beings: addressing the labour market dimensions (Albania, Moldova, Romania and Ukraine), Turin, 21–23 January 2004: final report*. International Labour Office, Special Action Programme to Combat Forced Labour (SAP-FL), International Training Centre of the ILO, International Labour Standards and Human Rights Programme. Turin: ILO, 2004. 56 p.

ILO, *National training and knowledge-sharing workshop on measuring and monitoring progress on decent work: workshop report*. Lviv, Ukraine, 24–25 September 2012. Lviv, Geneva: ILO, October 2012. 40 p. (ILO/EC Project “Monitoring and assessing progress on decent work” (MAP))

ILO, *National tripartite conference on employment policy in Ukraine*, Kyiv, October 14-15, 1996. Ministry of Labour and Social Policy of Ukraine, International Labour Office. Kyiv, 1997. 171 p.

ILO, *National tripartite conference on social dialogue and tripartism in Ukraine: challenges and perspectives*; Kyiv, April 2-3, 1996. Kyiv, 1996. 187 p.

ILO, *Project evaluation for UKR/96/00: introduction of flexible vocational training programmes for the unemployed, from 18 to 25 June 1998*. Geneva: ILO, 1998. 1v.

ILO, *Promoting economic diversity in Ukraine: the role of the business enabling environment, skills policies and export promotion*. International Labour Office = [Сприяння економічній диверсифікації в Україні: роль середовища, сприятливого для бізнесу, політики забезпечення кваліфікованими кадрами та стимулювання експорту](#). Budapest: ILO, 2010. 37 p.

ILO, *Regional training and knowledge-sharing workshop on measuring and monitoring progress on decent work: workshop report*. Kiev, Ukraine, 27–28 September 2012. Kiev, Geneva: ILO, October 2012. 55 p. (ILO/EC Project “Monitoring and assessing progress on decent work” (MAP)).

ILO, *Report on the regional workshop for employers' organisations on strategies against trafficking and forced labour*. Kyiv, Ukraine, 21–22 May 2008.

ILO, *Safety and health at work: hopes and challenges in development cooperation: the example of an EU-ILO joint project "Improving safety and health at work through a decent work agenda"* / International Labour Office, Programme on Safety and Health at Work and the Environment (SafeWork). Geneva: ILO, 2013. 23 p.

ILO, *Seventy-fifth anniversary of the ILO. The Standard-setting activities of the International Labour Organization: the present and the future*. – International Labour Conference, 81st Session, 1994, Report III (Part 4A), Report of the Committee of Experts on the Application of Conventions and Recommendations, pp. 8–20.

ILO, *Trade union experiences in safety and health at the workplace in Ukraine: a report of an ILO survey*. International Labour Office, Central and Eastern European Team. Budapest: ILO, 2000. iv, 115 p.

ILO, Tripartite national consultation workshop for Ukraine on decent work indicators and decent work country profile: September 2009; workshop report / International Labour Office; ILO Country Office for Ukraine; ILO/EC Project "Monitoring and Assessing Progress on Decent Work (MAP). Kiev: ILO, 2012.

ILO, *Worst forms of child labour (WFCL) in Central and Eastern Europe: background information*. International Labour Office, International Programme on the Elimination of Child Labour (IPEC), Project of Technical assistance against the labour and Sexual Exploitation of Children, including Trafficking in countries of Central and Eastern Europe (PROTECT CEE). Geneva, ILO, [2006]. 4 p.

Improving safety and health at work through a decent work agenda.[DVD] : an ILO-EU joint project /International Labour Office, Programme on Safety and Health at Work and the Environment (SafeWork), European Union. Geneva: ILO-EU, 2013.

Kane, J., *Child trafficking – The people involved: a synthesis of findings from Albania, Moldova, Romania and Ukraine*. International Labour Organization, International Programme on the Elimination of Child Labour (IPEC). Geneva: ILO, 2005. x, 90 p.

Keune, Maarten, *Regional development and employment policy: lessons from Central and Eastern Europe*. ILO Central and Eastern European Team; ILO Action Programme for Privatization, Restructuring and Economic Democracy. Geneva: ILO, 1998. xi, 193 p.

Kiryan, Tetyana, van der Linden, Mariska N.J., *Trafficking of migrant workers from Ukraine: issues of labour and sexual exploitation*. International Labour Office, InFocus Programme on Promoting the Declaration on Fundamental Principles and Rights at Work, Special Action Programme to Combat Forced Labour. Geneva: ILO, 2005. xi, 59 p.

Kulikov, G. T., *Impact of the financial and economic crisis on wages, income distribution and the tax system* / Gennadii T. Kulikov, Viktoriia V. Blyzniuk; International Labour Organization; ILO Decent Work Technical Support Team and Country Office for Central and Eastern Europe = Вплив фінансової та економічної кризи: заробітна плата, розподіл прибутку і податкова система / Куліков Геннадій Тимофійович, Близнюк Вікторія Валеріївна ; Група технічної підтримки з питань гідної праці та Бюро МОП для країн Центральної та Східної Європи. Budapest: ILO, 2010. 28 p.

Kupets, Olga, *Gender mainstreaming at the labour market of Ukraine and role of the Public Employment Service*. International Labour Office, ILO Decent Work Technical Support Team and Country Office for Central and Eastern Europe. Kyiv: ILO, 2010. 72 p.

Kupets, Olga, *International mobility of Ukrainian teaching and research professionals*. ILO Decent Work Technical Support Team and Country Office for Central and Eastern Europe (DWT/CO-Budapest). Budapest: ILO, 2013. 129 p.

Libanova, Ella, *Decent Work Country Report: Ukraine*. Ukrainian Centre for Youth Reform, Geneva: ILO, March 2008. 51 p.

Libanova, Ella. *Labour market transitions of young women and men in Ukraine* / Ella Libanova, Aleksandr Cymbal, Larysa Lisogor, Iryna Marchenko and Oleg Iarosh ; International Labour Office, Youth Employment Programme, Employment Policy Department. Geneva: ILO, 2014. 80 p.

Mansfield, Bob, *Proposals for the design and implementation of a system for the validation of informal learning to support the process of managed migration: options for Ukraine* / Bob Mansfield, Nancî Downey; ILO Decent Work Technical Support Team and Country Office for Central and Eastern Europe (DWT/CO-Budapest). Budapest: ILO, 2013.

Martin, John, *Meta analysis of lessons learned and good practices arising from nine Decent Work Country Programme evaluations*. International Labour Office, Evaluation Unit. Geneva: ILO, 2011. xiv, 79 p.

Moreno-Fontes Chammartin, Gloria and Fernando Cantú-Bazaldúa, *Identification of potential for increasing employment and productive investment in Albania, Moldova and Ukraine based on remittances*. International Labour Office, Social Protection Sector, International Migration Programme. Geneva: ILO, 2005. v, 115 p.

National programme for the prevention and elimination of the worst forms of child labour in Ukraine: final evaluation. April 2006.

Nešporová, Alena, *Employment and labour market policies in transition economies*. Employment and Labour Market Policies Branch, Employment and Training Department, International Labour Office. Geneva: ILO, 1999. vii, 105 p.

Popa, Ana, *Research and analysis of vacancies and skills needs in the European Union, in the Republic of Moldova and Ukraine* / Ana Popa, Rodion Kolyshko, Natalia Popova, Francesco Panzica; International Labour Organization, Decent Work Technical Support Team and Country Office for Central and Eastern Europe. Budapest: ILO, 2013. 126 p.

Rapid assessment for trafficking in children for labour and sexual exploitation in Ukraine / Prepared by the Centre of Social Expertise of the Institute of Sociology, National Academy of Sciences, Ukraine, under technical supervision of FAFO Institute for Applied International Studies, Norway, for the International Programme on the Elimination of Child labour (IPEC) of the International Labour Organization (ILO), Project of Technical assistance against the Labour and Sexual Exploitation of Children, including Trafficking in countries of Central and Eastern Europe (PROTECT CEE). Kyiv: ILO, 2003. vi, 51 p.

Rehabilitating a nation: after Chernobyl and other disasters, Ukraine embarks on the road to recovery, in *World of work: the magazine of the ILO*. Geneva: ILO. No. 38 (Jan–Feb. 2001), pp. 10–12.

Renshaw, G., *Achieving full employment in the transition economies*. Employment Sector, International Labour Office. Geneva, 2000. 34 p.

Report of the VCT@work Campaign, Ukraine, Cherkassy region, 2015. Kyiv: ILO, 2015.

Report on the methodology, organization and results of a modular sample survey on labour migration in Ukraine / International Labour Organization, Decent Work Technical

Support Team and Country Office for Central and Eastern Europe (DWT/CO-Budapest). – Budapest: ILO, 2013. 96 p.

Rice, Annie and Paula Repo, *Health and safety at the workplace : trade union experiences in Central and Eastern Europe: a report of an ILO survey in Bulgaria, Czech Republic, Estonia, Hungary, Lithuania, Russian Federation, Slovakia and Ukraine*. ILO CEET Central and Eastern European Team, International Labour Office. Budapest: ILO-CEET, 2000. xvii, 157 p.

Social budgeting in Ukraine. Report of a Joint Task Force in collaboration with the International Labour Organization, the World Bank and the United Nations Development Programme in Ukraine. Geneva: ILO, 1999. ix, 62 p.

Social inclusion of people with disabilities through access to employment: from theory to practice; social inclusion of people with disabilities through access to employment project 2008–2011; report / ILO; UNDP; State Employment Service of Ukraine. Kyiv: UNDP, December 2011. 51 p.

The socio-economic impact of HIV/AIDS in Ukraine. International Labour Office, Programme on HIV/AIDS and the World of Work, Deutsche Gesellschaft für Technische Zusammenarbeit (GTZ) GmbH. Geneva: ILOAIDS-GTZ, 2004. 20 p. (Research paper; v 1).

Standing, G., Zsoldos, L., *Coping with insecurity: The Ukrainian People's Security Survey*. ILO; InFocus Programme on Socio-Economic Security. Geneva: ILO, 2001. 50 p.

Standing, G., Zsoldos, L., *Labour market crisis in Ukrainian industry: the 1995 ULFS*. International Labour Office, Employment Department. Geneva: ILO, 1995. 77 p.

Standing, G., Zsoldos, L., *Worker insecurities in Ukrainian industry: the 1999 ULFS*. ILO; InFocus Programme on Socio-Economic Security. Geneva: ILO, 2000. 51 p.

Study of HIV-related stigma and discrimination among health care workers and towards patients in Ukraine: summary report. Centre of Social Expertise of the Institute of Sociology of the National Academy of Sciences of Ukraine ; International Labour Organization ; Joint United Nations Programme on HIV/AIDS (UNAIDS). Kiev: ILO, 2012. 20 p.

Sub-Regional (EU Accession Countries) Tripartite Technical Seminar on Workforce Retraining: report of proceedings. Ministry of Labour and Social Policy of Ukraine; International Labour Office, United Nations Development Programme; [prepared by UNDP/ILO Project UKR/99/006 "Introduction of flexible vocational training programmes for the unemployed"; responsible for the issue A. Tchaban, V. Kostrytsya, V. Plokhi]. Kyiv: Ministry of Labour and Social Policy of Ukraine, 2000. 129, [11] p.

Technical cooperation in statistics with Ukraine : a report on the Joint Meeting of the Steering Committee and the Ministry of Statistics that took place in Kiev on May 20–21 1997 = Технічне співробітництво з Україною у сфері статистики : звіт про спільне засідання, організоване керівним комітетом з питань технічного співробітництва у сфері статистики з країнами колишнього Радянського Союзу та міністерством статистики України / Steering Committee on the Coordination of Technical Assistance in Statistics to the Countries of the former Soviet Union. [Kyiv]: Steering Committee, 1997. 99, 120 p.

Technical cooperation project: elimination of human trafficking from Ukraine through labour market based measures; report, November 2006–February 2009. ILO; International Centre for Migration Policy Development. Kyiv, February 2009. 54 p.

Technical cooperation project: employment, vocational training opportunities and migration policy measures to prevent and reduce trafficking in women in Albania, Moldova and Ukraine: Ukraine, October 2003–October 2008. International Labour Office; Irish Aid, Department of Foreign Affairs. Geneva: ILO, 2008. 79 p.

Trade unions of the world. 2016. 7th ed. London: International Centre for Trade Union Rights, 2016.

Trafficking in children for labour and sexual exploitation in the Balkans and Ukraine: manual for rapid assessment / Prepared by Fafo Institute for Applied International Studies, International Labour Office, International Programme on the Elimination of Child Labour (IPEC), Project of Technical assistance against the Labour and Sexual Exploitation of Children, including Trafficking in countries of Central and Eastern Europe (PROTECT CEE). Geneva: ILO, 2003. v, 107 p.

Ukraine: child labour data country brief. International Labour Office, International Programme on the Elimination of Child Labour (IPEC). Geneva: ILO, 2008. 8 p.

Ukraine: country employment policy review. International Labour Office, Employment and Labour Market Policies Branch, Central and Eastern European Team. Budapest, ILO, 1999. 91 p.

Ukraine country report [electronic resource]: ENPI 08-14 Black Sea labour market reviews: working document. European Training Foundation. Turin: ETF, 2009. 157 p.

Ukraine: Decent work country programme 2006–2007.

Ukraine: Decent work country programme document 2008–2010.

Ukraine: Decent work country programme document 2012–2015.

Ukraine: Decent work country programme 2016–2019.

Ukraine: employment, social protection, and social spending in the transition to a market economy. Washington: IBRD, 1993. vii, 230 p. (IBRD-11176-UA)

Ukraine. National review of implementation of the Beijing Declaration and Platform for Action (1995) and the outcomes of the twenty-third special Session of the General Assembly (2000) in the context of the twentieth anniversary of the Fourth World Conference on Women and the adoption of the Beijing Declaration and Platform for Action (2015). April 2014.

ILO, *Ukraine social budget model: user's manual.* International Labour Office, Central and Eastern European Team. Geneva, ILO; Budapest: CEET, 1999. 26 p.

Ukrainian challenge: reforming labour market and social policy. Budapest: Central European University Press, 1995. xx, 318 p.

Vakhitova, Ganna, *The relations between education and migration in Ukraine* / Ganna Vakhitova, Tom Coupe; International Labour Organization, ILO Decent Work Technical Support Team and Country Office for Central and Eastern Europe (DWT/CO-Budapest). Budapest: ILO, 2013. 107 p.

Vakhitova, Ganna. *Private employment agencies in Ukraine.* ILO Decent Work Technical Support Team and Country Office for Central and Eastern Europe. Budapest: ILO, 2013. 58 p.

Vaughan-Whitehead, Daniel (ed), *Reforming wage policy in central and Eastern Europe*. Budapest, 1995. 378 p. (Prepared for the International Symposium "Wages, Efficiency and Social Cohesion: Towards a Negotiated Wage Policy in Central and Eastern Europe", Budapest, 29 Nov.–1 Dec. 1995).

The VET system in the Ukraine: recent changes, challenges and reform needs. National Observatory of Ukraine; European Training Foundation. [Kyiv]: National Observatory of Ukraine, 1997. 82 p. (National observatory stocktaking report: working report).

Voigt, Birgit et al., *Report on capitalization of the experiences of the government of Ukraine, UNDP and ILO Project "Introduction of flexible vocational training programmes for the unemployed" in Ukraine*. Kyiv, 2005. 14 p.

Zarko, Nadiya, *Legal framework and existing practices of collective bargaining in Ukraine*. ILO DWT and Country Office for Central and Eastern Europe. Kyiv: ILO, 2012. 56 p.

Annexes

Annex 1

Ukraine and the ILO: chronology

1920 April 14 – – December 16	Application of Ukraine for admission to the League of Nations/ILO.
1924	The Statistical Department of the Ukraine proposed to send the Office all its previous publications and its Monthly Bulletin. The proposal was accepted, and publications were regularly exchanged.
1933	The memorandum on working conditions in the U.S.S.R. submitted by the Ukrainian L.N. Society.
1943 July	Memorandum of Ukrainian Cultural Society (Detroit, Mich., USA) regarding the future of Ukraine in the post-war settlement in Europe sent to the ILO (Montreal, Canada).
1954 May, 12	Ukraine became a Member of the International Labour Organization in virtue of article 1, paragraph 3, of the Constitution of the International Labour Organization.
1956 July	Letters from a group of Ukrainian political prisoners about the plight and persecution of Ukrainian political prisoners in the Mordovia slave labour compound in the Soviet Union, transmitted to the ILO by the Supreme Ukrainian Liberation Council (New York).
1956 August, 10	Ratification of: the Forced Labour Convention, 1930 (No. 29), the Equal Remuneration Convention, 1951 (No. 100), the Forty-Hour Week Convention, 1935 (No. 47).
1956 September, 14	Ratification of: the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), the Right of Association (Agriculture) Convention, 1921 (No. 11), the Right to Organise and Collective Bargaining Convention, 1949 (No. 98), Medical Examination of Young Persons (Industry) Convention, 1946 (No. 77), Night Work of Young Persons (Non-Industrial Occupations) Convention, 1946 (No. 79), the Night Work of Young Persons (Industry) Convention (Revised), 1948 (No. 90), the Medical Examination of Young Persons (Non-Industrial Occupations) Convention, 1946 (No. 78), the Medical Examination of Young Persons (Sea) Convention, 1921 (No. 16), the Maternity Protection Convention (Revised), 1952 (No. 103), the Minimum Age (Agriculture) Convention, 1921 (No. 10) (Automatic denunciation 03 May 1979 by C138),

	the Minimum Age (Trimmers and Stokers) Convention, 1921 (No. 15) (Automatic denunciation 03 May 1979 by C138), the Holidays with Pay Convention, 1936 (No. 52) (Automatic Denunciation 25 Oct 2001 by C132), the Minimum Age (Sea) Convention (Revised), 1936 (No. 58) (Automatic denunciation 03 May 1979 by C138), the Minimum Age (Industry) Convention (Revised), 1937 (No. 59) (Automatic denunciation 03 May by C138), the Minimum Age (Non-Industrial Employment) Convention (Revised), 1937 (No. 60) (Automatic denunciation 03 May by C138).
1958 April, 6–8	Official visit of Mr David A. Morse, the ILO Director-General, to Ukraine on the invitation of the Ukrainian Government.
1959 November	Ukraine was elected as a member of two industrial committees: the Coal Mines Committee and the Iron and Steel Committee (the 143rd Session of the GB, 17–20 November 1959).
1961 August, 4	Ratification of: the Underground Work (Women) Convention, 1935 (No. 45), the Protection of Wages Convention, 1949 (No. 95), the Discrimination (Employment and Occupation) Convention, 1958 (No. 111), the Minimum Age (Fishermen) Convention, 1959 (No. 112) (Automatic denunciation 03 May 1979 by C138).
1963 June, 14	Ukraine was elected as a government deputy member to the Governing Body of the International Labour Office for the period 1963–66 at the 47th Session of the International Labour Conference.
1965 March	Ukraine was elected as member of the following four industrial committee: Coal Mines Committee; Iron and Steel Committee; Metal Trade Committee; Building, Civil Engineering and Public Works Committee (the 161st Session of the GB, Geneva, 1–5 March 1965).
1968 June, 19	Ratification of: the Weekly Rest (Industry) Convention, 1921 (No. 14), the Weekly Rest (Commerce and Offices) Convention, 1957 (No. 106), the Radiation Protection Convention, 1960 (No. 115), the Hygiene (Commerce and Offices) Convention, 1964 (No. 120), the Employment Policy Convention, 1964 (No. 122).
1970 June, 17	Ratification of : the Accommodation of Crews (Fishermen) Convention, 1966 (No. 126), the Medical Examination of Young Persons (Underground Work) Convention, 1965 (No. 124), the Minimum Age (Underground Work) Convention, 1965 (No. 123) (Automatic denunciation 03 May 1979 by C138), the Guarding of Machinery Convention, 1963 (No. 119), the Final Articles Revision Convention, 1961 (No. 116),

	the Medical Examination (Fishermen) Convention, 1959 (No. 113), the Seafarers' Identity Documents Convention, 1958 (No. 108), the Accommodation of Crews Convention (Revised), 1949 (No. 92), the Medical Examination (Seafarers) Convention, 1946 (No. 73), the Certification of Ships' Cooks Convention, 1946 (No. 69), the Protection against Accidents (Dockers) Convention (Revised), 1932 (No. 32), the Marking of Weight (Packages Transported by Vessels) Convention, 1929 (No. 27), the Repatriation of Seamen Convention, 1926 (No. 23).
1970 November	Ukraine was elected as member of the following five committees: Inland Transport Committee; Coal Mines Committee; Iron and Steel Committee; Metal Trade Committee; Building, Civil Engineering and Public Works Committee (181st Session of the GB, 17–20 November 1970).
1972 June 16	Ukraine was elected as a government deputy member to the Governing Body of the International Labour Office for the period 1972–75 at the 57th Session of the International Labour Conference.
1972 August	Letter from Senator Paul Yuzyk (Canada), the Chairperson of the World Congress of Free Ukrainians, Commission of Human Rights to the Governing Body Committee on Freedom of Association concerning the recent illegal arrests of Ukrainian intellectuals in the Soviet Union and pending trials and also concerning the facts of violation of basic human rights in the Ukrainian SSR.
1976 November	Renewed the membership in the following five industrial committees: Inland Transport Committee; Coal Mines Committee; Iron and Steel Committee; Metal Trade Committee; Building, Civil Engineering and Public Works Committee (the 201st Session of the GB, 16–19 November 1976).
1979 May, 3	Ratification of: the Minimum Age Convention, 1973 (No. 138), the Human Resources Development Convention, 1975 (No. 142), the Nursing Personnel Convention, 1977 (No. 149).
1981 June 11	Ukraine was elected as a government deputy member to the Governing Body of the International Labour Office for the period 1981–84 at the 67th Session of the International Labour Conference.
1982 November	Renewed the membership in the following five industrial committees: Inland Transport Committee; Coal Mines Committee; Iron and Steel Committee; Metal Trade Committee; Building, Civil Engineering and Public Works Committee (the 221st Session of the GB, 16–19 November 1982).
1984 June 14	Ukraine was elected as a government member to the Governing Body of the International Labour Office for the period 1984–87 at the 70th Session of the International Labour Conference.

1984 October, 2–10	ILO/AUCCTU inter-regional seminar on manpower forecasting and planning (Lviv, Ukraine).
1990 November	Ukraine was elected as a member the following six industrial committees: Inland Transport Committee; Coal Mines Committee; Iron and Steel Committee; Metal Trade Committee; Building, Civil Engineering and Public Works Committee; Food and Drink Industries Committee (the 248th Session of the GB, 12–16 November 1990).
1991 August, 15	Ratification of the Labour Statistics Convention, 1985 (No. 160).
1993 February, 3	Letter of the Prime Minister of Ukraine Mr L.D. Kouchma to the ILO Director –General, Mr M. Hansenne about a long –term cooperation programme between the ILO and the Ukrainian Government authorities and workers’ and employers’ organizations.
1993 August, 24	Ratification of the Accommodation of Crews (Supplementary Provisions) Convention, 1970 (No. 133).
1994 March, 17	Ratification of the Merchant Shipping (Minimum Standards) Convention, 1976 (No. 147).
1994 May, 16	Ratification of: the Unemployment Convention, 1919 (No. 2), the Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144), the Collective Bargaining Convention, 1981 (No. 154), the Termination of Employment Convention, 1982 (No. 158).
1994 September, 26–27	International conference on “Reforming Labour Market and Social Policy in Ukraine” organized by the Ministry of Labour of Ukraine, the ILO and the UN (Kiev).
1996 June 10	Ukraine was elected as a government deputy member to the Governing Body of the International Labour Office for the period 1996–99 at the 83rd Session of the International Labour Conference.
1996 October, 15–16	National Tripartite Conference on Employment Policy in Ukraine (Kyiv, Ukraine).
1998 June 7–8	Ukraine was elected as a government deputy member to the Governing Body of the International Labour Office for the period 1999–2002 at the 87th Session of the International Labour Conference.
1998 October, 23	Cooperation programme between the ILO and Ukraine “Active Partnership Policy. Country Objectives for Ukraine” was signed by the ILO, the Government of Ukraine and social partners.
2000 April, 11	Ratification of the Workers with Family Responsibilities Convention, 1981 (No. 156).

2000 October, 23–27	Sub-Regional (EU Accession Countries) Tripartite Technical Seminar on Workforce Retraining (Kyiv, Ukraine).
2000 December, 14	Ratification of: the Abolition of Forced Labour Convention, 1957 (No. 105), the Worst Forms of Child Labour Convention, 1999 (No. 182).
2001 October, 25	Ratification of the Holidays with Pay Convention (Revised), 1970 (No. 132).
2003 March, 7	Ratification of the Paid Educational Leave Convention, 1974 (No. 140).
2003 May, 15	Ratification of the Vocational Rehabilitation and Employment (Disabled Persons) Convention, 1983 (No. 159).
2003 September, 3	Ratification of the Workers' Representatives Convention, 1971 (No. 135).
2004 November, 10	Ratification of: the Labour Inspection Convention, 1947 (No. 81), the Labour Inspection (Agriculture) Convention, 1969 (No. 129), the Labour Administration Convention, 1978 (No. 150).
2006 March, 1	Ratification of the Minimum Wage Fixing Convention, 1970 (No. 131) and the Protection of Workers' Claims (Employer's Insolvency) Convention, 1992 (No. 173).
2006 March, 3	Signed “Decent Work Country Programme for Ukraine 2006–2007”.
2008 June, 9	Ratification of the Hours of Work and Rest Periods (Road Transport) Convention, 1979 (No. 153).
2008 June, 8	Signed “Ukraine. Decent Work Country Programme Document 2008–2010”.
2009 September	Tripartite national consultation workshop for Ukraine on decent work indicators and decent work country profile (Kiev, Ukraine).
2009 December, 1	Ratification of the Safety and Health in Agriculture Convention, 2001 (No. 184).
2010 June, 17	Ratification of the Occupational Cancer Convention, 1974 (No. 139) and the Occupational Health Services Convention, 1985 (No. 161)
2011 April 27	National Tripartite Conference: Launch of the Decent Work country profile and media conference (Kyiv, Ukraine).
2011	Ratification of:

June, 15	the Prevention of Major Industrial Accidents Convention, 1993 (No. 174) and the Safety and Health in Mines Convention, 1995 (No. 176).
2012 January, 4	Ratification of the Occupational Safety and Health Convention, 1981 (No. 155).
2012 June, 12	Signed “Ukraine. Decent Work Country Programme Document 2012–2015”.
2012 September, 24–25	National Training and Knowledge-Sharing Workshop on Measuring and Monitoring Progress on Decent Work (Lviv, Ukraine).
2012 September, 27–28	Regional Training and Knowledge-Sharing Workshop on Measuring and Monitoring Progress on Decent Work (Kyiv, Ukraine).
2014 24 June	Conference ‘Decent work for the migrant workers’ (Kyiv, Ukraine).
2014 8–9 December	Workshop of the Confederation of Free Trade Unions of Ukraine on the Role of Trade Unions in the Protection of Migrant Domestic Workers (Kyiv, Ukraine).
2014 December 23	Policy Round Table and Research Discussion on Migrant Domestic Workers in Ukraine-Poland Corridor (Kyiv, Ukraine).

Annex 2

ILO projects, accomplished or under implementation, in Ukraine

Improving Occupational Safety and Health in the Mining Industry of Ukraine

Project symbol: UKR/16/01/CAN

Time frame: March 6, 2017 – March 31, 2020

Office: DWT/CO-Budapest

Total budget: \$296,098

Development Partner: Canada, Human Resources and Social Development Canada

Addressing HIV stigma and discrimination to protect women and men workers from unacceptable forms of work in Ukraine

Project symbol: UKR/16/50/SWE

Time frame: May 1, 2016 – December 31, 2017

Office: DWT/CO-Budapest

Total budget: \$147,363

Development Partner: Sweden, Swedish International Development Cooperation Agency

Technical support on labour inspection and social dialogue

Project symbol: UKR/16/01/RBS

Time frame: January 1, 2016 – March 31, 2018

Office: DWT/CO-Budapest

Total budget: \$300,000

Development Partner: Core voluntary funds (RBSA)

Support to the Labour Inspection Reform in Ukraine

Project symbol: UKR/14/01/POL

Time frame: December 1, 2014 – December 31, 2015

Office: DWT/CO-Budapest

Total budget: \$13,507

Development Partner: Poland, Ministry of Foreign Affairs

Promoting decent work opportunities for Roma Youth in Central and Eastern Europe

Project symbol: RER/14/05/ISR
 Time frame: 1 February 2015 – 31 December 2016
 Office: DWT/CO-Budapest
 Total budget: \$150,000
 Development Partner: Government of Israel
 Countries: Poland, Slovakia, Slovenia, Estonia, Latvia, Lithuania, Moldova, Republic of, Ukraine, Albania, Bulgaria, Bosnia and Herzegovina, Croatia, Czech Republic, Hungary, Macedonia, The Former Yugoslav Republic of, Serbia, Montenegro, Kosovo

Support constituents and UN partners in preparing short and medium term responses in the areas of employment

Project symbol: UKR/14/01/RBS
 Time frame: January 1, 2014 – December 31, 2015
 Office: DWT/CO-Budapest
 Total budget: \$356,278
 Development Partner: Core voluntary funds (RBSA)

Employment-friendly crisis recovery in Ukraine

Project symbol: UKR/14/01/RBS
 Time frame: October 1, 2014 – September 30, 2015
 Office: DWT/CO-Budapest
 Total budget:
 Development Partner: Core voluntary funds (RBSA)

Improved functioning of social dialogue institutions

Project symbol: MDA/14/01/RBS
 Time frame: July 2014 – September 2015
 Office: DWT/CO-Budapest
 Total budget: Core voluntary funds (RBSA)
 Countries: Albania, Bosnia and Herzegovina, the former Yugoslav Republic of Macedonia, Moldova, Montenegro, Serbia and Ukraine

Support the elaboration of guidance on roles and challenges of SPF in the context of recovery from the economic crisis in Central and Eastern Europe

Project symbol: SBU/14/02/RBS
 Time frame: January 1, 2014 – December 31, 2016
 Office: DWT/CO-Budapest
 Total budget: \$326,896
 Development Partner: Core voluntary funds (RBSA)

Global Action Programme on Migrant Domestic Workers and their Families

Project symbol: GLO/12/28/EEC
 Time frame: February 2013 – July 2016
 Office: ILO
 Total budget: EUR 4,375,000.00
 Development Partners: European Commission; Office of the High Commissioner for Human Rights (OHCHR); UN Women; International Domestic Worker Network (IDWN); International Trade Union Confederation (ITUC); Confederation of Indonesia Prosperity Trade Union (KSBSI).
 Countries: Concentrating on ten countries through five main migration corridors consisting of Ukraine-Poland, Zimbabwe-South Africa, Indonesia-Malaysia, Nepal-Lebanon, and Paraguay-Argentina

Country and global programmes respond effectively to HIV and AIDS in the world of work including social protection coverage in informal sector

Project symbol: GLO/12/63/NOR
 Time frame: June 1, 2012 – March 31, 2014
 Office: ILO-AIDS
 Total budget: \$1,977,591(for three countries)
 Development Partner: Norway, Ministry of Foreign Affairs
 Countries: Ghana Ukraine Zimbabwe

Support to strengthen the labour inspection systems in Ukraine and Bosnia&Herzegovina in line with international labour standards

Project symbol: SBU/12/06/RBS
 Time frame: January 1, 2012 – December 31, 2013
 Office: DWT/CO-Budapest
 Total budget: \$89,791 (for two countries)
 Development Partner: Core voluntary funds (RBSA)

Support to strengthen institutional capacity of workers' organizations to react on the implementation of international labour standards in national legislation and practices

Project symbol: SBU/12/05/RBS
 Time frame: January 1, 2012 – December 31, 2013
 Office: DWT/CO-Budapest
 Total budget: \$77,494
 Development Partner: Core voluntary funds (RBSA)

Support to Strengthen Institutional Capacity of Employers' Organizations

Project symbol: SBU/12/03/RBS
 Time frame: January 1, 2012 – December 31, 2013
 Office: DWT/CO-Budapest
 Total budget: \$84,139
 Development Partner: Core voluntary funds (RBSA)

The World of Work effectively responds to HIV and AIDS through Recommendation 200 with emphasis on social protection

Project symbol: GLO/12/63/NOR
 Time frame: 1 January – 31 December 2011
 Office: ILO
 Total budget: \$998,000
 Development Partner: Norway, The Ministry of Foreign Affairs
 Countries: Global, Zambia, Zimbabwe, Rwanda, Burundi, Cameroon, Chad, Congo, Democratic Republic of the, Ghana, Kenya, South Africa, Côte d'Ivoire, Guatemala, Haiti, Jamaica, Lao People's Democratic Republic, Sri Lanka, Thailand, China, Indonesia, Tajikistan, Ukraine

Effective Governance of Labour Migration and its Skills Dimensions

Project symbol: RER/09/04/EEC
 Time frame: March 1, 2011 – December 31, 2013
 Office: DWT/CO-Budapest
 Total budget: EUR 1,884,376 (for two countries)
 Development Partner: EU
 Countries: Moldova, Ukraine

Improving Collective Bargaining and Labour Law Compliance in Ukraine

Project symbol: UKR/11/01/CAN
 Time frame: March 31, 2011 – December 31, 2012
 Office: DWT/CO-Budapest
 Total budget: \$306,745
 Development Partners: Canada, Human Resources and Social Development Canada, International Labour Affairs

Support to social dialogue at national and local level in Ukraine

Project symbol: UKR/10/01/RBS
 Time frame: January 1, 2010 – August 31, 2012
 Office: DWT/CO-Budapest
 Total budget: \$97,394
 Development Partner: Core voluntary funds (RBSA)

ILO Programme in the 2010–2011 UNAIDS United Budget and Workplan

Project symbol: INT/09/09/UNA
 Time frame: 2 December 2009 – 31 December 2011
 Office: ILO/AIDS
 Total budget: \$88,416
 Development Partner: UNAIDS

Monitoring and Assessing Progress on Decent Work (MAP)

Project symbol:

Time frame: 1 February 2009 – 1 January 2013

Office: INTEGRATION, ILO Department of Statistics, ILO's International Training Centre in Turin

Total budget:

Development Partner: European Union

Gender equality in the world of work in Ukraine

Project symbol: UKR/08/02/EEC

Time frame: August 13, 2008 – August 12, 2011

Office: DWT/CO-Budapest

Total budget: \$1,430,984

Development Partner: European Commission, Europe Aid

Social inclusion of people with disabilities through access to employment

Project symbol: UKR/08/02/EEC

Time frame: September 2008 – December 2011

Office: DWT/CO-Budapest

Total budget: \$1,430,984

Development Partners: UNDP, ILO

Strengthening Social Dialogue in Ukraine

Project symbol: UKR/08/50/FLA

Time frame: August 1, 2008 – May 31, 2010

Office: ITC-TURIN

Total budget: \$206,600

Development Partners: Belgium, Government of Flanders, Ministry of Foreign Affairs

Consolidating the legal and institutional foundations of social dialogue

Project symbol: UKR/07/51/FRG
 Time frame: January 21, 2008 – December 31, 2009
 Office: DWT/CO-Budapest
 Total budget: \$266,247
 Development Partner: Germany, Federal Ministry for Economic Cooperation and Development

Reinforcing the institutional basis of social dialogue in Ukraine

Project symbol: UKR/07/50/POL
 Time frame: November 1, 2007 – November 1, 2008
 Office: DWT/CO-Budapest
 Total budget: \$33,835
 Development Partner: Poland, Ministry of Labour and Social Policy

Strengthening social dialogue

Project symbol: UKR/05/50/FLA
 Time frame: March 1, 2006 – March 1, 2008
 Office: ITC-TURIN
 Total budget: \$188,826
 Development Partners: Belgium, Government of Flanders, Ministry of Foreign Affairs

Consolidating the Legal and Institutional Foundations of Social Dialogue in Ukraine

Project symbol: UKR/05/02/FRG
 Time frame: January 1, 2006 – December 31, 2008
 Office: DWT/CO-Budapest
 Total budget: \$828,103
 Development Partner: Germany, Federal Ministry for Economic Cooperation and Development

Social dialogue in the civil service

Project symbol: RB01.4493

Time frame: 2006 – 2007

Office: SECTOR

Total budget: \$40,000

Development Partners:

Ukraine: promoting fundamental principles and rights at work

Project symbol: UKR/01/51/USA

Time frame: August 2001 – May 2006

Office: DECLARATION

Total budget: \$2,300,140

Development Partner: US Department of Labor

Promotion of the creation of a vocational rehabilitation system for disabled persons

Project symbol: RB project

Time frame: 2001

Office: EUROPE, IFP, SKILLS

Total budget: \$100,000

Decent work Statistical indicators Ukraine

Project symbol: RBTC project

Time frame: 2003 – 2004

Office: INTEGRATION

Total budget: \$35,000

Elimination of human trafficking from Moldova and Ukraine through labour market-based measures

Project symbol: RER/06/04/EEC

Time frame: November 2006 – February 2009

Office: ILO's Special Action Programme to combat Forced Labour (SAP-FL); SRO-Budapest

Total budget: EUR 748,492

Development Partners: EU

Employment, vocational training opportunities and migration policy measures to prevent and reduce trafficking in women in Albania, Moldova and Ukraine

Project symbol: RER/02/11/IRL; RER/05/04/IRL

Time frame: Phase I: October 2003 – December 2005; Phase II: January 2006 – March 2008

Office: SRO-/Budapest; MIGRANT

Total budget: EUR 1,400,000 (for three countries)

Development Partner: Development Cooperation Ireland (DCI)

Development of model of local cooperation system for local authorities, employers, trade unions and NGOs as well as private sector involvement to strengthen national response to the HIV/AIDS epidemics in Ukraine

Project symbol: ILO/UNAIDS/RAF

Time frame: 2007

Office: ILO/AIDS

Total budget: \$75,000

Improvement of the model of socio-economic impact of HIV/AIDS in Ukraine and its publication

Project symbol: INT/02/45/GTZ

Time frame: 2007

Office: ILO/AIDS

Total budget: \$10,000

Development Partner: German Technical Cooperation Agency (GTZ)

Implementing HI/AIDS workplace policies and programmes (activities in the education sector of Ukraine)

Project symbol: INT/02/45/GTZ

Time frame: 2006

Office: ILO/AIDS

Total budget: \$65,000

Development Partner: German Technical Cooperation Agency (GTZ)

Implementing HI/AIDS workplace policies and programmes (development of the model of socio-economic impact of HIV/AIDS in Ukraine)

Project symbol: INT/02/45/GTZ
 Time frame: 2005
 Office: ILO/AIDS
 Total budget: \$10,000
 Development Partner: German Technical Cooperation Agency (GTZ)

Catalytic activities in the world of work (HIV/AIDS)

Project symbol: UKR/03/01/UN
 Time frame: 2003–2004
 Office: ILO/AIDS
 Total budget: \$51,676

Support development of national social expenditures model

Project symbol: UKR/99/02/IBR
 Time frame: 1999–2003
 Office: SOC/SEC
 Total budget:
 Development Partners:

Measuring poverty: development of socio-economic security indicators in Ukraine

Project symbol: UKR/99/011; UKR/02(006; UKR/37/327/D01/11
 Time frame: 1999–2004
 Office: IFP/SES
 Total budget: \$392,000

Introduction of flexible vocational training programmes for the unemployed

Project symbol: UKR/96/006; UKR/99/006-007; UKR/002/006
 Time frame: 1997–2005
 Office: SKILLS
 Total budget: \$1,600,000
 Development Partners: UNDP; Government of Switzerland

Trafficking and other worst forms of child labour in Central and Eastern Europe (PROTECT-CEE Phase II)

Project symbol: RER/06/P50/USA; RER/09/51/FRG

Time frame: September 2006 – December 2009

Office: ILO/IPEC

Total budget: \$3,500,000 (USA) + \$534,850 (Germany) for 6 countries

Development Partners: US Department of Labor, Germany

Countries: Albania, Bulgaria, Kosovo, Moldova, Romania and Ukraine

Combating trafficking in children for labour and sexual exploitation in the Balkans and Ukraine (PROTECT Phase I)

Project symbol: RER/03/50P/USA

Time frame: 2003–2006

Office: ILO/IPEC

Total budget: \$1,500,000 (USA); EUR 600,000 (Germany) for 6 countries

Development Partners: US Department of Labor, Germany

Countries: Albania, Bulgaria, Kosovo, Moldova, Romania and Ukraine

National programme for the prevention and elimination of the worst forms of child labour in Ukraine

Project symbol: RER/01/50/USA

Time frame: 2001–2006

Office: ILO/IPEC

Total budget: \$1,127,980

Development Partner: US Department of Labor

Statistical information on Monitoring Programme on Child Labour (SIMPOC) in Ukraine

Project symbol: UKR/97/12/072

Time frame: 1999–2001

Office: ILO/IPEC

Total budget: \$46,894

Development Partners:

Reporting on the state of the nation's working children

Project symbol: UKR/P09073443071

Time frame: 1999–2000

Office: ILO/IPEC

Total budget: \$179,686

Development Partners:

Annex 3

ILO publications translated and produced in Ukrainian¹⁷⁶

- Abella, M.I. Направлення працівників за кордон. Посібник для країн з низьким та середнім рівнем доходів / М Маноло І. Абелла, Марія Алсестіс Аблера-Мангахас; Міжнародне Бюро Праці. Київ: Міленіум, 2004. 124 с.
- [Азбука прав працюючих жінок і гендерної рівності](#). International Labour Office. Женева: МБП, 2010.
- Arrigo G. Glossary of employment and industrial relations terms [English – Ukrainian] = Глосарій термінів зайнятості та соціально-трудова відносин / Gianni Arrigo, Giuseppe Casale; International Labour Office, Central and Eastern European Team. Budapest: International Labour Office, Central and Eastern European Team, 1998. 59, 66 p.
- Барб'є, Жан-Поль. [Партнерство державних та приватних структур у сфери послуг з працевлаштування: цільова програма з працевлаштування](#). Жан-Поль Барб'є; Елен Хансен Самородов, Александр. International Labour Office. Женева: МБП, 2003.
- Биковець В. [Діяльність роботодавців та їхніх об'єднань у попередженні нерегульованої зовнішньої трудової міграції, протидії торгівлі людьми та ліквідації дитячої праці](#). В. Биковець; Р Курінько; Д Маршавін; International Labour Office. Київ: МБП, 2007.
- Вахітова, Ганна. [Зв'язок між освітою та міграцією в Україні](#). Ganna Vakhitova; Tom Coupe; International Labour Office. ILO DWT and Country Office for Central and Eastern Europe. Budapest: ILO, 2013.
- Вахітова, Ганна. [Приватні агенції зайнятості в Україні](#). Ganna Vakhitova; International Labour Office; ILO DWT and Country Office for Central and Eastern Europe. Budapest: ILO, 2013.
- [Вдосконалюй свій бізнес: основи: закупівлі: посібник для діючих підприємств](#). International Labour Office. Київ: МБП, 2010.
- [Вдосконалюй свій бізнес: основи: бухгалтерський облік: посібник для діючих підприємств](#). International Labour Office. Київ: МБП, 2010.
- [Вдосконалюй свій бізнес: основи: маркетинг: посібник для діючих підприємств](#). International Labour Office. Київ: МБП, 2010.
- [Вдосконалюй свій бізнес: основи: люди та продуктивність: посібник для діючих підприємств](#). International Labour Office. Київ: МБП, 2010.
- [Вдосконалюй свій бізнес: основи: контроль товарно-матеріальних запасів: посібник для діючих підприємств](#). International Labour Office. Київ: МБП, 2010.
- [Вихід з кризи: Глобальний пакт про робочі місця](#). International Labour Conference (98th: 2009: Geneva, Switzerland). Kiev: ILO, 2010.

¹⁷⁶ The list is not exhaustive.

Гендерна рівність та гідна праця: вибрані конвенції та рекомендації МОП з питань гендерної рівності. International Labour Office. Женева: МБП, 2009.

Геть перешкоди: на вірному шляху до рівності. International Labour Office. Женева: МБП, 2008.

Гінарару, Агнешка. Від заборони дискримінації до сприяння рівності: посібник для тренерів. Agneshka. Ginararu; International Labour Office. Київ: МБП, 2010.

Гінарару, Агнешка. Комплексний гендерний підхід у колективних переговорах: посібник для тренерів. Agneshka Ginararu; International Labour Office. Київ: МБП, 2010.

Дослідження стигми і дискримінації, пов'язаних з віл-статусом, серед медичних працівників і по відношенню до пацієнтів в Україні: заключний звіт. International Labour Office. ILO DWT and Country Office for Central and Eastern Europe.; Joint United Nations Programme on HIV/AIDS. Київ: МБП, 2012.

Дослідження стигми і дискримінації, пов'язаних з віл-статусом, серед медичних працівників і по відношенню до пацієнтів в Україні: коротка версія звіту. International Labour Office. ILO DWT and Country Office for Central and Eastern Europe; Joint United Nation Programme on HIV/AIDS. Київ: МБП, 2012.

Доступність та ефективність соціального захисту в Україні для працівників, які живуть з ВІЛ, та членів їх сімей. ILO DWT and Country Office for Central and Eastern Europe. Kyiv: ILO, 2014.

Дотримання принципу рівного ставлення та недискримінації на робочому місці у державному та приватному секторах України: посібник для роботодавців. Р.М. Kurinko; International Labour Office. Київ: МБП, 2010.

Запобігання поширенню ВІЛ, захист прав людини у сфері праці: проект ЮНЕЙДС/МОП "Скорочення стигми і дискримінації пов'язаної з ВІЛ, шляхом впровадження політики і практики на робочих місцях у галузі охорони здоров'я в Україні. International Labour Office; Joint United Nations Programme on HIV/AIDS. Женева: МБП, 2012.

Заробітна плата в Україні. International Labour Office. Київ: МБП, 2013.

Звіт проекту "Скорочення стигми і дискримінації, пов'язаних з ВІЛ, шляхом впровадження політики і практики на робочих місцях у галузі охорони здоров'я в Україні". International Labour Office. Joint United Nations Programme on HIV/AIDS. Київ: МБП, 2012.

Звіт щодо методології, організації проведення та результатів модульного вибіркового обстеження з питань трудової мірації в Україні. International Labour Organization; ILO Decent Work Technical Support Team and Country Office for Central and Eastern Europe; International Labour Organization. Budapest: ILO, 2013.

Звітність з питань дитячої праці / Практичний посібник. Міжнародне Бюро Праці, Міжнародний навчальний центр МБП. Турин: МБП, 2006. 59 с. Інспекція праці: введення в професію. Richthofen, von Wolfgang; International Labour Office. Женева: МБП, 2003.

Інспекція праці та гендерна рівність: Навчальний посібник. ILO DWT and Country Office for Central and Eastern Europe. Київ: МБП, 2011.

- Інструментарій інспекторів праці: Типова правозастосовна політика, Навчально-практичний посібник, кодекс етичної поведінки / Анні Райс; Міжнародне бюро праці. Київ: МБП, 2006. ix, 87 с.
- Informal labour relations in Ukraine = Неформальні трудові відносини в Україні: assessment of the status = оцінка стану. International Labour Office. Київ: МБП, 2003.
- Казес С. Нешпорова А. Ринки праці у перехідний період: урівноваження гнучкості та захищеності в Центральній та Східній Європі / Sandrine Cazes and Alena Nesporova; International Labour Office. Женева: МБП, 2004. 182 с.
- Комплексний гендерний підхід у системі інспекції праці в Україні. Joan Palet i Vilaró; ILO DWT and Country Office for Central and Eastern Europe. Київ: МБП, 2011.
- Комплексний гендерний підхід на ринку праці України та роль державної служби зайнятості. Olga Kupets; ILO DWT and Country Office for Central and Eastern Europe. Київ: МБП, 2011.
- Комплексний гендерний підхід у державній службі зайнятості України: навчальний посібник. Valli Corbanese; ILO DWT and Country Office for Central and Eastern Europe. Київ: МБП, 2011.
- Комплексний гендерний підхід у державній службі зайнятості України: посібник для тренера. Valli Corbanese; ILO DWT and Country Office for Central and Eastern Europe. Київ: МБП, 2011.
- Конвенції Міжнародної організації праці з безпеки праці та здоров'я на робочих місцях. Київ: МБП, 2011. 53 с.
- Конвенції та рекомендації, ухвалені Міжнародною організацією праці в 2х томах; т. I: 1919-1964; т. II: 1965-1999. Женева: МБП, 2008. 2 т.
- Конвенції та рекомендації, ухвалені Міжнародною організацією праці. т. III: 2000–2007. Женева: МБП, 2008. 326 с.
- Координація систем соціального забезпечення країн Південної і Східної Європи, що не входять до складу ЄС: Правовий аналіз
ILO DWT and Country Office for Central and Eastern Europe. Будапешт: МБП, 2013.
- Координація соціального забезпечення: комплексний посібник для України. Група технічної підтримки з питань гідної праці та Бюро МОП для країн Центральної та Східної Європи. Київ: МБП, 2012. viii, 288 р.
- Курінко Р.М. Кращі практики нарівні підприємств щодо дотримання принципів рівних можливостей та недискримінації на робочому місці у державному та приватному секторах України: результати дослідження. R.M. Kurinko; International Labour Office. Київ: МБП, 2010.
- Лібанова, Елла. Перехід на ринок праці молоді України. Ella Libanova; Aleksandr Cymbal; Larysa Lisogor; Iryna Marchenko; Oleg Iarosh; International Labour Office. Employment Policy Department. Женева: МБП, 2014.
- Linden, Mariska N.J. van der. Торгівля людьми і примусова праця: контроль за процесом вербування трудових мігрантів: навчальний посібник. Mariska N.J. van der Linden; ILO Special Action Programme to Combat Forced Labour. Женева: МБП, 2006.

- Мансфилд, Боб. [Пропозиції щодо розроблення та впровадження системи визнання неформального навчання у контексті регулювання трудової міграції: можливі варіанти для України](#). Боб. Мансфилд; Ненсі Дауні; International Labour Office; ILO DWT and Country Office for Central and Eastern Europe. Будапешт: МБП, 2013.
- [Міжнародна мобільність українських педагогів і науковців](#). International Labour Organization; ILO DWT and Country Office for Central and Eastern Europe.; International Labour Organization. Будапешт: МОП, 2013.
- [Молодіжна зайнятість: подолання гендерних бар'єрів для молодих жінок і чоловіків](#). International Labour Office. Женева: МБП, 2008.
- Навчальна програма МНЦ МОП «Розбудова сучасних і ефективних систем інспекції праці». Міжнародна Бюро Праці. Женева: МБП, 2012.
- Незадекларована праця в Україні. Міжнародна Бюро Праці. Київ: МБП, 2013.
- Попа, Ана. [Дослідження та аналіз вакансій і потреб у кваліфікованих кадрах у країнах ЄС, Республіці Молдова та в Україні](#). Ана Попа; Rodion Kolyshko; Natalia Popova; Francesco Panzica; International Labour Office.; ILO DWT and Country Office for Central and Eastern Europe. Budapest : ILO, 2013.
- [Оцінка потреб та можливостей зайнятості внутрішньо переміщених осіб в Україні: узагальнення результатів дослідження та рекомендації](#). Група технічної підтримки з питань гідної праці та Бюро МОП для країн Центральної та Східної Європи. Будапешт, МОП, 2016. [Попередження стигми та дискримінації у зв'язку з ВІЛ по відношенню до медичних закладів: керівництво для тренерів і матеріали для учасників тренінгів](#). International Labour Office. Joint United Nations Programme on HIV/AIDS. Київ: МБП, 2012.
- [Посібник із комплексного гендерного підходу до протидії ВІЛ та СНІДу на робочих місцях](#) / Група технічної підтримки з питань гідної праці та Бюро МОП для країн Центральної та Східної Європи. Київ: МБП, 2012. xi, 46 с.
- Права та обов'язки у сфері праці. International Labour Office. Київ: МБП, 2013?
- [Працевлаштування шукачів роботи з інвалідністю: Складові ефективних послуг](#). Barbara. Murray; Robert Heron; International Labour Office. Бангкок: МБП, 2009.
- [Працююча молодь: поради для молоді, 5 способів забезпечення власної безпеки](#) / Міжнародне бюро праці. Женева: МБП, 2009?
- [Програма МОП з ВІЛ/СНІДу та сфери праці: запобігання поширенню ВІЛ, захист прав людини у сфері праці](#). International Labour Office. Joint United Nations Programme on HIV/AIDS. Женева: МБП, 2012.
- [Професійні навички та підприємництво: подолання технологічного та гендерного розриву](#). International Labour Office. Женева: МБП, 2011.
- [Профіль Гідної Праці в Україні](#). International Labour Office. Женева: МБП, 2011.
- [Рекомендація 2010 р. щодо ВІЛ/СНІДу та сфери праці \(No. 200\)](#). International Labour Office. Київ: МБП, 2010.
- Рівність жінок і чоловіків у світі праці в Україні: інструментарій для державних інституцій. International Labour Organization. ILO DWT and Country Office for Central and Eastern Europe; International Labour Organization. Київ: МБП, 2012. (1 CD ROM).

- Рівність жінок і чоловіків у світі праці в Україні: інструментарій для профспілок. International Labour Organization. ILO DWT and Country Office for Central and Eastern Europe.; International Labour Organization. Київ: МБП, 2012. (1 CD ROM).
- Рівність жінок і чоловіків у світі праці в Україні: інструментарій для роботодавців. International Labour Organization. ILO DWT and Country Office for Central and Eastern Europe; International Labour Organization. Київ: МБП, 2012. (1 CD ROM)
- Робота з молоддю: поради для власників малих підприємств в Україні. Міжнародне Бюро Праці. Женева: МБП, 2008. 31 с.
- Робочий час в Україні. International Labour Office. Київ: МБП, 2013?
- Соціальний діалог у сфері праці: право голосу та можливість вибору для жінок і чоловіків. International Labour Office. Женева: МБП, 2009.
- Спільні керівні принципи ВООЗ/МОП/ЮНЕЙДС щодо покращення доступу медичних працівників до послуг із профілактики ВІЛ і туберкульозу, лікування, догляду і підтримки: керівництво до практичних дій. International Labour Office; ILO DWT and Country Office for Central and Eastern Europe; World Health Organization. Joint United Nations Programme on HIV/AIDS; Interim Commission of the World Health Organization. Женева: МБП, 2011.
- Стратегія Міжнародної організації праці. Соціальне забезпечення для всіх: розбудова мінімальних рівнів соціального захисту та всеосяжних систем соціального забезпечення: узагальнений виклад / Міжнародна організація праці, Бюро МОП для країн Центральної та Східної Європи. Будапешт: МБП, 2013. 78 с.
- У пошуках гідної праці – права трудових мігрантів. Посібник для профспілок. International Labour Office. Geneva: МБП, 2008.
- Управління соціальним забезпеченням: практичний посібник для членів правління установ соціального забезпечення в Центральній та Східній Європі / Міжнародне Бюро Праці, Субрегіональне Бюро для країн Центральної та Східної Європи. Будапешт: МБП, 2005. 192 с.
- Херон, Роберт. Аналіз робочих завдань і роботи: Керівні принципи визначення робочих завдань для людей з інвалідністю / Роберт Херон; Департамент професійного навчання Міжнародне бюро праці. Женева: МБП, 2009. 42 с.
- Херон, Роберт. Допомога людям з інвалідністю у знаходженні роботи: Практичний посібник. Robert. Heron; Barbara Murray; International Labour Office. Бангкок: МБП, 2009.
- Чепурко, Гульбаршин. Гендерна рівність у світі праці в Україні. Gulbarshyn. Chepurko; International Labour Office. ILO DWT and Country Office for Central and Eastern Europe. Київ: МБП, 2010.
- Чернишев І. В. Статистика для нових ринків праці в країнах з перехідною економікою: технічний посібник з джерел, методів, класифікації та політики / І. В. Чернишов за участю Г. Стендінга; Міжнародне Бюро Праці. Українське видання, переглянуте та доповнене. Київ: НДІ статистики Держкомстату України, 2000. 282 с.
- Шиша, Марі-Терез. Сприяння рівності: гендерно нейтральне оцінювання робіт щодо рівної оплати: поетапний посібник / Марі Тереза Шиша; Міжнародне бюро праці, Програма зі сприяння Декларації основних принципів та прав у світі праці. Женева: МБП, 2009. 104 с.

Annex 4

Permanent Representatives of Ukraine to the United Nations Office and the international organizations in Geneva

Egorov Yuri (Єгоров Юрій Євгенійович)	1969–1972
Grichtchenko Yvan (Грищенко Іван Філімонович)	1972–1978
Batiuk Victor (Батюк Віктор Гаврилович)	1978–1984
Ozadovski Andrei (Озадовський Андрій Андрійович)	1985–1992
Slipchenko Alexander (Сліпченко Олександр Сергійович)	1992–1996
Maimeskul Nikolai (Маймескул Микола Іванович)	1996–2000
Skuratovskii Mykhailo (Скуратовський Михайло Васильович)	2000–2003
Belashov Volodymyr (Белашов Володимир Євгенович)	2004–2005
Bersheda Yevgeny (Бершеда Євгеній Романович)	2005–2007
Maimeskul Nikolai (Маймескул Микола Іванович)	2008–2013
Klymenko Yuri (Клименко Юрій Аркадійович)	06.01.2014–

About the authors

Mr. Grigorij Prensilevich, graduated from Kiev State Institute of Culture (1968-1972), Ukraine, holds diploma in Library Science. He is a former ILO official, where he worked in the ILO Library (1985-2010). After retirement in 2010, Mr Prensilevich has been working on a project “The relationship between Ukraine and the ILO: history and present”. This initiative is dedicated to the upcoming celebration of the ILO’s 100th anniversary (1919-2019).

Mr. Igor Chernyshev, graduated from T.G. Shevchenko Kiev State University, (1972-1977), Ukraine, holds Master’s degree in International Economics and PhD degree in Economics. He is a former ILO official, where he worked in the Department of Statistics (1986-2012). After retirement in 2012, Mr Chernyshev has been working on a project “The relationship between Ukraine and the ILO: history and present”. This initiative is dedicated to the upcoming celebration of the ILO’s 100th anniversary (1919-2019).