



## Third sitting

Wednesday, 8 June 2011, 10.30 a.m.

President: Mr Nkili

### FIRST AND SECOND REPORTS OF THE CREDENTIALS COMMITTEE: SUBMISSION AND NOTING

*Original French:* The PRESIDENT

We shall start with the submission of the first two reports of the Credentials Committee, which are contained in *Provisional Records* Nos 5B and 5C.

Please note that the first report was adopted on 4 June and the second on 6 June at 2 p.m. This means that the reports cannot take account of changes which may have occurred in the situation of the delegations since their adoption. If necessary, these changes will be dealt with in subsequent reports.

The International Labour Conference is simply called upon to note these reports.

*(The reports are noted.)*

### PRESENTATION OF THE REPORT OF THE CHAIRPERSON OF THE GOVERNING BODY

*Original French:* The PRESIDENT

We now turn to the presentation of the report of the Chairperson of the Governing Body to the Conference for the year 2010–11. The report is published in *Provisional Record* No. 1.

I now give the floor to Ambassador Matjila, Chairperson of the Governing Body, to present the report. I will then give the floor to the representatives of the Employers' and Workers' groups and we will open the general discussion on the reports of the Chairperson of the Governing Body and of the Director-General.

Mr MATJILA (*Chairperson of the Governing Body of the International Labour Office*)

It is my pleasure to present to you the report of the Chairperson of the ILO Governing Body for the period 2010–11. This report has been available to you since the opening of the Conference as *Provisional Record* No. 1.

It is not my intention to give you a blow-by-blow account of the work of the Governing Body for this period, as the report itself already contains a succinct account of the work undertaken over the past year. Moreover, I have had the honour of chairing the Governing Body since March, and for the initial period of the mandate, it was held by the Ambassador of Tunisia. The honour fell to me in midterm following a request by the group of African Ambassadors in Geneva to nominate a new candidate from another country in Africa to continue as Chairper-

son of the Governing Body for the remainder of the 2010–11 period.

I shall nevertheless endeavour to highlight the most important points from the entire period covered by the report.

As regards the resolution concerning the recurrent discussion on employment, the Governing Body performed its oversight and guidance mandate with regard to the work of the last session of the Conference with a very full discussion on the follow-up to the adoption of the resolution concerning the recurrent discussion on employment, adopted at the 99th Session of our Conference.

The follow-up is guided by four objectives: (1) strengthening existing areas of work to promote employment; (2) responding to new priorities, especially in the increased scope of work on a pro-employment macroeconomic policy framework, and on trade and investment issues; (3) promoting better coherence between economic, financial, employment and social policies at the national and international levels; and (4) changing work methods towards a more efficient and integrated manner of delivering support.

The Governing Body held a full and rich discussion on the issues, which naturally also included aspects of the Organization's response to the crisis, its continued application of the Declaration on Social Justice for a Fair Globalization, as well as the implementation of the Global Jobs Pact. The Governing Body endorsed the approach proposed by the Office.

*The HIV and AIDS Recommendation, 2010 (No. 200).* You will, of course, recall that the Conference last year adopted the HIV and AIDS Recommendation. The Governing Body reviewed the follow-up action taken by the Office on this instrument and received a report on the Global Action Plan to promote the implementation of the Recommendation. The Governing Body was informed that the Office has prepared a comprehensive workplan based on the Global Action Plan and was in the process of developing a budget to support its full implementation. The Governing Body once again noted that the ILO, through its direct contact with the real actors of the economy and with workplaces throughout the world, was in a unique position to help improve the lives of those living and working while suffering from HIV and AIDS.

*The ILO response to the crisis.* In its discussions on the Organization's response to the crisis, the Governing Body noted that, although recovery has started in some parts of the world economy, it has

varied greatly from sector to sector and from region to region, and it was not providing the job-rich growth sought under the Declaration on Social Justice for a Fair Globalization and the Global Jobs Pact.

Two and a half years down the line from the onset of the crisis, much remains to be done.

Naturally, aspects of the crisis and the ways in which the ILO could best act to alleviate its negative effects were discussed in many different settings of the Governing Body, but a major debate was held by the Governing Body plenary in November 2010. This debate noted and welcomed the strength of the ILO's voice in the G20 arena and the continued recognition of the Global Jobs Pact in the G20 agenda, with support for decent work as part of the recovery programme.

The Governing Body stressed that employment should figure at the heart of recovery as a key macroeconomic objective. It observed with interest the encouraging multilateral cooperation that was being led by the ILO, with the United Nations, the International Monetary Fund, and numerous other organizations. It strongly felt that policy coherence between multilateral institutions should be reinforced. Indeed, it felt that greater emphasis should be placed on policy coherence at national and global levels.

One event of interest for the Governing Body was the visit in November 2010 of His Excellency, Mr Tayeb Louh, Minister of Labour of Algeria, who honoured the Governing Body with a presentation of his country's response to the crisis and, in particular, his Government's strong promotion of social dialogue as a means of managing the effects of the crisis.

In March 2011, following the movements for change taking place in North Africa and the Middle East, the Working Party on the Social Dimension of Globalization held discussions on "Challenges and change in the Arab world" and on "Recovering from the crisis". The Governing Body saw that the demands of the peoples of the Arab nations for dignity, rights, jobs and social justice resonated strongly with the ILO Decent Work Agenda. The Governing Body felt that the ILO should be a key partner for the emerging democracies of the region, and welcomed the initial reallocation of resources to the region announced by the Director-General. It instructed the Office to work more closely with other international partners, as well as the regional and subregional structures, in ensuring that the promotion of decent work and social development were an integral part of a coherent part of the response to the challenges of the regions.

*Governing Body reform.* Over the past two and a half years, the Governing Body has been reviewing its own functioning in response to the need for better governance of our Organization and for an executive body better able to deal with the programmes facing the world of work in the twenty-first century. One of the very important achievements of the Governing Body during this period has been the adoption of the reform package which will come into force for the new Governing Body that was elected on Monday this week. I shall not describe the reform package here – there is a brief description in my report and further documentation is available on the Governing Body website – but I shall just say that the reform is a balanced package that reflects the views of all parties and is in line

with the spirit of the 2008 Declaration on Social Justice for a Fair Globalization. The Governing Body at its session this June will examine the proposals prepared by the Office for the amendment to the Standing Orders of the Governing Body and other relevant texts in order to give effect to the reform package for the functioning of the Governing Body. This will complete the procedure, but the reform package also has a built-in review period to allow such adjustment as may be necessary to be introduced in November 2013.

In passing, I must salute the Chairperson of the Working Party on the Functioning of the Governing Body and the International Labour Conference, Ambassador Farani Azevêdo of Brazil, whose very able guidance of the deliberations of the Working Party has certainly been largely responsible for the success of the reform project. The Working Party has yet to turn its attention to improving the function of the Conference and of regional meetings, so business is ongoing.

*Gender equality* is one of the core values of the ILO and an issue that the Governing Body continues to follow closely this year, following up on the 2009 Conference conclusions on the subject with an update on the use of the Participatory Gender Audit as a tool for assisting progress made towards gender equality. The Governing Body also approved a draft resolution concerning gender equality and the use of language in legal texts of the ILO which will shortly come before the Conference for adoption. The draft resolution is accompanied by an editor's note on gender inclusive language, to be attached to the Constitution of the ILO.

*International labour standards* are of course a critical function of our Organization. The Governing Body paid particularly close attention to the application and promotion of several important instruments. The observance by the Government of the Republic of the Union of Myanmar of the Forced Labour Convention was examined at the November and March sessions, and detailed conclusions were drafted by the Officers of the Governing Body following the discussions.

The Governing Body also received a report on preparations for the entry into force of the Maritime Labour Convention, 2006, and on the Seafarers' Identity Documents Convention (Revised), 2003 (No. 185).

My country, South Africa, was one of the founding members of the ILO and has accompanied the Organization through its long history to reach this remarkable 100th Session of the International Labour Conference. South Africa is grateful to the ILO for much valuable technical assistance over the years, and most recently in the field of strengthening its labour administration, a subject that is included in the agenda for this session. The South African delegation is following the deliberations of the Committee on Labour Administration with great attention. Later this year, South Africa will host the 12th African Regional Meeting in Johannesburg, and I assure you I shall do all I can to make this event a success.

I mention these facts because they bear witness to the very esteem in which South Africa holds the International Labour Organization. It has been an honour for me, and for my country, to hold the chair of the Governing Body, and an honour for me to address this 100th Session of the Conference. Before closing, I wish to thank the Director-General

for his support and guidance and for his strong defence of the principles for which our Organization stands. I also wish to thank my fellow officers, Mr Daniel Funes de Rioja and Sir Roy Trotman, for their experience, wisdom and guidance. Sir Roy, a son of Barbados, the great leader of the Workers, a veteran internationalist, has applied all his energy and wisdom for the benefit of the ILO, and I wish him well in his future endeavours.

I am also most grateful to the secretariat for looking after me so well in the last couple of months.

On behalf of the Government of South Africa, I pledge my country's continued support for the ILO, its principles, its vision and its values.

With these words I submit my report to the Conference and I wish each delegation present here continuing success in your work.

#### **REPORTS OF THE CHAIRPERSON OF THE GOVERNING BODY AND OF THE DIRECTOR-GENERAL: DISCUSSION**

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Mr FUNES DE RIOJA (*Employer Vice-Chairperson of the Governing Body of the International Labour Office*)

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I have to say goodbye to both the Chairperson of the Governing Body and to my opposite number in the Workers' group, Sir Roy Trotman, but I want to stress, personally and on behalf of the Employers' group, all the gratitude for the way in which we have worked together over the years.

It is with much pleasure that I speak to you today in reply to the Director-General's Report to this 100th Session of the International Labour Conference, as both the Executive Vice-President of the International Organisation of Employers and in my capacity as Employer Vice-Chairperson of the Governing Body.

As always, I have read the Director-General's views with interest, but it should come as no surprise to this audience that I have not only common concerns but also some difference with his analysis of the situation and some of the proposals for action, because in fact we are not as pessimistic about the policy responses of the last 30 years. I will try to explain.

This period saw incredible changes in the world, not least in wealth creation and poverty alleviation. The reality is that we live in a world of nation States that are all diverse for different reasons. We are not, and cannot be, the same. That would deny the realities within our own societies due to their different history, religion and belief systems.

As I said in my address on the programme and budget, let me say again on behalf of the Employers' group, that the particular relevance of this Conference is, for sure, because it marks a centenary, but not only for chronological or historical reasons. It is also because we are living in a changed and changing world, and this is our challenge.

This is not only true at the international level but is a reality we all face in our own countries. The issue of job creation is not merely an issue that is linked to problems of social unrest or demand, it is a precondition for peace, development and justice. The ILO has a real role to play in responding to this. That is why the Employers' group reaffirms that the effective promotion of sustainable enterprise in the private sector, particularly among small and medium-sized enterprises, in order to create new jobs is a key to inclusive societies.

In this house, we have the means to help in this process and to create the framework for this action.

Politically speaking, we have the 1998 Declaration on Fundamental Principles and Rights at Work. There is also the 2008 Declaration on Social Justice for a Fair Globalization and the Global Jobs Pact, among others, to guide us in dealing with this challenge, a common challenge that faces us all.

We are working within the multilateral system, and particularly in the G20, to promote this need. It is clear that coordination and coherence are needed, and we support the ILO's efforts to achieve them on a tripartite basis, both within the Governing Body and here at the level of the International Labour Conference.

At the same time, we must also recognize the legitimate role of governments at the national level; they alone are able to undertake the complex balancing involved in matching needs to resources that is an integral part of governing. It is at the national level that the social partners need to continue to work with governments and support the strengthening of democratic means through which a society expresses its desires and aspirations.

Let me turn to our vision of the ILO. We have set this out in a document that we have shared widely, both within the Office and among ILO constituents. It is called *Employers' vision of the ILO*. I will not repeat its contents here, but do commend it to you as providing a clear picture of what the private sector seeks from the ILO.

Let me quote some specific points that are relevant, given the contents of the Director-General's Report.

First, we need an ILO that can be a resource for its constituents, both in terms of fact-based information and data, and strong technical cooperation. The realization of the ILO as a knowledge-based Organization is more important, now and going forward, than ever before.

Second, it needs to be policy-neutral, respecting the responsibility of governments, workers and employers in the national debates that drive development, enterprise creation and employment.

Third, we need an ILO whose methods recognize the reality of the divergences between nation States, not as a problem, but as an ongoing reality. Global governance has its limits and the ILO needs to recognize that within its own work, there is no "one size fits all".

For that reason we need an International Labour Office with in-house experience of the real world of work that can actually help constituents in their own policy development.

We need an ILO that is objective, ready to respond to the needs of its constituents. Much is made of international labour standards, but this is not simply a race for ratification. Instead, it requires a willingness to question its own tools and work to make them fit for purpose in a modern world. If revision is needed, then let that be an open process.

We, as the private sector, need to see our views recognized in the work of the ILO. We need the ILO to want to objectively understand the reality of business.

We need an ILO that can speak in international forums, not as an Office, but as an Organization. We wish to identify with the position of the ILO and to see ourselves reflected in what the ILO can contribute in its engagement with other agencies and the multilateral system. This requires robust involvement in the shaping of the ILO message, and it is my firm hope that the revised Governing Body

structure which we approved last March will facilitate that involvement and commitment.

We need real discussion on key issues facing the world of work; youth unemployment – and unemployment generally – is a key debate. We need to shape ILO gatherings like these to be more responsive to these needs. It will not be until next year that the Conference will consider youth employment. That is not responsive enough, in our view.

We also need to accept the challenge of policy coherence – a debate in which we have already engaged in the G20 process – to build not only our own internal coherence within the ILO, but also our own consensus about how to move forward.

We need to develop more mature relations with one another here. Employers' organizations, workers' organizations and governments are not all the same. How we build maturity into our work will be a key contribution to seeing this maturity reflected at the national level, where the work is actually done.

Finally, a word on the occupied Arab territories. We welcome the report of the high-level mission and express our support for work on the challenges facing employers, workers and governments. Strong social partners are key to this process of engagement as solutions are sought. This is not only for establishing an enduring peace in the region, to which we all aspire, but also to ensure a strong and dynamic private sector which will be equipped with the means to respond to the persistent employment challenges and form the bedrock for social cohesion.

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*Original French:* The PRESIDENT

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Before starting the general discussion on the Reports of the Chairperson of the Governing Body and of the Director-General, I would like to make a statement on behalf of the Officers of the Conference, to remind you of the principles by which we are guided in our debate. These principles were established by the Working Party on the Programme and Structure of the ILO, approved by the Governing Body and communicated to the Conference in 1967. They are set out in paragraphs 54–58 of the Working Party's report and recalled in the Conference Guide, of which you should all have a copy.

The Officers of the Conference draw the attention of delegates to the content of paragraph 58, which states that, to uphold the values of human freedom and dignity enshrined in the ILO Constitution, in periods of acute political tension the Conference must strive towards the fullest possible continued cooperation in pursuit of the Organization's objectives. Every delegate has an obligation to keep these considerations in mind, and the President of the Conference to ensure they are preserved.

It should be recalled that the debates in the International Labour Conference must not encroach on discussions proper to the United Nations Security Council and General Assembly, bodies entrusted by the Charter with responsibility for political decisions in the United Nations system.

The Officers of the Conference are committed to ensuring respect for these principles. I rely on you all to conduct our discussions with the openness and dignity that are appropriate to the highest international body in the realm of social and labour-related matters.

Freedom of speech is a pillar of the International Labour Organization. However, in order to exercise

that right in a spirit of mutual respect, it is essential that all delegates use parliamentary language, respect the accepted procedure, refer only to the items under discussion and avoid raising questions alien to the debate. We must accept a certain amount of discipline if we wish our work to be crowned with success.

Every delegate may exercise the right of reply if he or she feels that his or her government has been challenged. In such cases, before the end of the sitting, delegates must inform the President of that sitting that they wish to exercise this right. To do so, delegates should come up to the podium and present their requests to the Clerk of the Conference; the Clerk will transmit them to the President, who will indicate to the delegation concerned the point at which the right of reply may be exercised.

The reply must refer only to the point under discussion, it must not exceed two minutes, and must be formulated in appropriate, parliamentary language. Lastly, it is not customary in our Organization to allow a right of reply concerning a previous reply.

I would also point out that the time limit for speeches is set by the Standing Orders of the Conference at five minutes. Since we have a very full programme, I am sure that all delegates and ministers participating in the Conference will take this five-minute limit into account in preparing and delivering their speeches. Beyond that time limit, the President will be obliged to call speakers to order or even withdraw the floor from them before they have finished their speeches.

If there are no objections, may I take it that these arrangements meet with the agreement of the Conference?

*(It is so decided.)*

We shall now open the discussion.

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*Original Greek:* Mr KYRITSIS (*Worker, Cyprus*)

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Allow me first to convey the warm greetings of the Cypriot working people, who hope that the results of this Conference can contribute to improving the situation of working people. Within this framework, we consider that the Report of the Director-General to this year's 100th Session of the International Labour Conference will deal mainly with the need to seek a new era, based on social justice.

We note with satisfaction that the Report stressed that the exacerbation of the inequalities caused by globalization, as well as the ruling outlook, led to the crisis – and that this attitude overestimates the capability of the market to self-regulate, downgrades the role of the State and underestimates the value of labour. It has indisputably been proven that the recipes idealizing the neo-liberal model of economic development are failed recipes, precisely because they are fully based on the philosophy that the uncontrolled market can replace social policies and social intervention.

There is therefore a pressing need to find answers that will not be based on the terms of today's globalization but, on the contrary, on a viable, just and sustainable socio-economic development. People, workers, employment and social protection need to be at the centre of all socio-economic policy.

In order to avoid these values becoming a mere wish or declaration, the ILO can and must effectively fulfil its mission based on social solidarity, collective bargaining and social justice. This, how-

ever, presupposes a real break with neo-liberalism and the adoption of policies that will protect the accumulated gain of world society and labour policies, thereby promoting the fair distribution of the wealth produced. Towards this end, the trade union movement has to play a decisive and creative role by being in the frontline of the struggle of the working people and their mobilization against exploitation and social injustice.

More specifically, the international trade union organizations have to play a significant role. The Pancyprian Federation of Labour (PEO), within the ranks of the World Federation of Trade Unions (WFTU), of which it is a founding member, is working for unity and joint action at an international level.

At this point, I am obliged to point out that it is necessary that the ILO respects the many years of WFTU's activity and service, as well as its influence and history. The WFTU was the first trade union organization to become a member of the ILO. It is necessary that the WFTU is treated equally by the ILO and not become the subject of unfavourable discrimination in relation to other organizations.

I would also like to refer to the point made in the Report of the Director-General in relation to the situation of working people in the occupied Arab territories. We express our satisfaction with the intense interest shown in the continued violent violation of the Palestinian people's labour and human rights. We call on the ILO to continue to follow the situation until international law is respected and the labour, social and national rights of the Palestinian working people are fully implemented.

We express our support and solidarity with the people that are asserting democratic rights and freedom. These rights and freedoms are fundamental rights for every person and must be respected. We reject the bloodshed and use of military force against popular uprisings. At the same time, however, we demand the respect of international law, human rights and particularly of the independence and sovereignty of States. Civilians are not protected by bombardments or by the escalation of war. A large part of our own country, Cyprus, is still unfortunately occupied by Turkish troops after 37 years, despite the decisions and resolutions of the United Nations. The wish and demands of Cypriot working people for a solution has repeatedly been expressed in the decisions adopted by the All-Cyprus Trade Union Forum, in which almost all the trade union organizations of our country, both Greek and Turkish Cypriot, participate. The Cypriot working people, Greek Cypriots and Turkish Cypriots, are seeking a bi-zonal, bi-communal, federal solution that will reunify our country, liberate it from the foreign military presence and safeguard all freedom of movement in our country; seeking a solution that will safeguard the right to free choice of an employer, the same terms of employment for all Cypriots, equality in social insurance and social rights – all of this irrespective of national origin, religion, language, colour or gender.

We hope to receive the ILO's assistance and support so that the hour of reunification and dignified work for all will come to Cyprus as soon as possible.

I trust that the deliberations of the Conference will have a successful outcome, and that its results will contribute towards improving working people's living and working conditions throughout the world.

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Mr MUNYES (*Minister for Labour, Kenya*)

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Kenya is pleased to participate in the discussion on the Director-General's Report entitled *A new era of social justice*.

The Report highlights an inefficient global growth pattern that is characterized by socio-economic inequalities which are becoming increasingly unsustainable.

Kenya agrees that the world needs a new era of social justice, inspired by a vision of sustainable development, which can only be attained with clear national agendas and international policy coherence. We require fair and inclusive development that safeguards the dignity and self-respect of the vulnerable and the poor. This requires a fresh commitment by the ILO and its constituents, not only concerning the ratification of Conventions, but also their application.

A new era of social justice requires investigation of the negative impact of structural adjustment policies and free market approaches on the growth of industries, wealth creation and employment in developing countries, in order to find balanced solutions.

History shows that no country has ever become wealthy or generated employment by exporting raw materials and without having a developed industrial sector. By exporting raw materials, developing countries are exporting employment with all its multipliers.

History also shows that advanced and emerging economies protected and developed their domestic industries' manufacturing base before proceeding to open their markets. The ILO's foremost priority in a new era for social justice ought to be investigating the relationship between free trade approaches and industrial development and employment creation in developing countries.

Kenya shares the conviction that economic and social development and environmental protection are interdependent and mutually reinforcing components of social development.

This principle is enshrined in the 2010 Constitution of Kenya which provides, among other rights, socio-economic rights, rights to remuneration and social protection, in order to ensure an equitable and efficient pattern of economic growth and national cohesion.

In this regard, Kenya is grateful to the ILO for the ongoing technical support to review her Decent Work Country Programme in the context of the new constitutional dispensation that will ensure the realization of these gains.

Kenya shares the view that small enterprises are the main employment machine and the Government is in the process of providing a legislative framework to ensure that the more than 80 per cent of jobs created by the sector are decent, productive and sustainable, to ensure increased access to finance, infrastructure, training and marketing opportunities.

Paragraph 60 points out that rising income inequalities between top and bottom are, on average, higher in developing and emerging economies than in industrialized countries, which is of great concern. Of greater concern to developing economies is the repeated reference throughout the Report to a lack of data or comparable data.

We call on the ILO to intensify efforts to support member States in the developing world in their efforts to collect and maintain the quality data re-

quired for the formulation of evidence-based policies that address rising inequalities, including persistent pay inequalities between men and women.

Paragraph 73 highlights the fact that labour productivity is running ahead of wage increases, including in developing countries. We call for technical support to build the capacity of ILO constituencies to implement productivity-based wages.

Noting the importance of social dialogue in strengthening the link between wages and productivity growth, Kenya has begun a tripartite process to formulate an income and wages policy and strengthen the productivity centre of Kenya.

Kenya shares the conviction that policies should tackle inefficient, jobless and inequitable economic growth at its roots. We must no longer live by the assumption that growth will automatically pave the way for more and better jobs. Economic goals should integrate social and environmental goals and the management of markets as drivers for decent jobs, sustainable development and equality opportunity. Social dialogue and tripartism give the ILO constituency the edge to ensure this balance.

Finally, Kenya notes with appreciation the efforts of the ILO in seeking a solution for the situation of workers in the occupied Arab territories. It is even more gratifying to note that the high-level mission to the occupied Arab territories enjoyed the full cooperation of the parties, a clear indication of the support for the values embodied by the ILO.

We wish to encourage this continued cooperation and commitment for the achievement of peace and tranquillity in the region.

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

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I am pleased to greet you at this annual world gathering which brings us together in tripartite dialogue in order to promote decent work, as we celebrate the 100th Session of this Conference, amid global interest in the role of our Organization in strengthening the social dimension of globalization and anchoring standards of decent work and human dignity. I have the honour to address this Conference on behalf of the Council of Labour Ministers of the member States of the Gulf Cooperation Council (GCC).

I am pleased to convey my greetings to the Director-General of the ILO and to thank him for his continuous efforts in order to promote the principles and goals of this Organization, and for his Report, *A new era of social justice*, as well as his vision in the Report on the ways of improving the world of work and making it more human.

The GCC States, in their efforts to develop their labour market and adopt labour policies that are in line with international labour standards, have already taken positive steps in regard to legislation and standards. An objective observer may note a substantial increase in the number of ratifications of fundamental labour Conventions by our member States, which have more than doubled over the past decade in the context of active promotion of standards and support provided to our countries by the Organization. Our member States have developed their legislation in the field of organization of the labour market to bring it into conformity with international standards.

At the national level, our countries have taken a number of initiatives and measures to develop the

labour market and provide guarantees for the protection of workers' rights and promotion of decent work, as follows:

- The United Arab Emirates has developed new legislation in order to organize the work of private employment agencies, which has helped to improve protection of workers' rights in order to prevent migrant workers from being subjected to any injustice or practices impairing their rights. As part of the promotion of partnerships with labour-sending countries, a workshop has been held in the United Arab Emirates on employment agencies, which adopted a set of general guiding principles as a framework for cooperation between labour-sending countries and GCC States. The United Arab Emirates has also developed new rules for the movement of labour guaranteeing the interests of both sides of industry, promoting labour market flexibility and contributing to improving conditions of work.
- Despite the difficult and exceptional conditions in Bahrain in recent times, that country has continued to maintain unemployment levels within acceptable and safe bounds, that is, no higher than 4 per cent, thanks to government assistance and human resources development projects. In addition, the country's unemployment insurance scheme has become an example for the countries in the region, as recognized by the ILO.
- Saudi Arabia is pursuing its efforts to improve the work environment and relations among the social partners, and many measures have been taken in this regard, including the establishment of a national commission on workers' committees, the adoption of assistance to jobseekers, legislation modernizing the wage protection system, an electronic system allowing automatic access to ministry services, and the creation of companies providing services to workers, all with the aim of improving conditions in the Saudi labour market, manifested in enhanced productivity, leading to a transparent, fair and safe work environment.
- The Sultanate of Oman has adopted programmes enabling the creation of jobs for 50,000 citizens of both sexes, and the minimum wage in the private sector has been increased. In addition, private sector enterprises have taken many steps to improve conditions of work by increasing wages, providing cost of living allowances and laying down rules for promotions, wages, incentives and lifelong training. The Sultanate is currently working with the social partners on draft amendments to the Labour Code.
- In Qatar, the First National Development Strategy for Qatar 2011-16 has been launched, including a "labour market sector strategy" aimed at enhancing human capital and ensuring a better match between labour demand and supply in both the private and public sectors, providing quality training opportunities and increasing the labour market participation of Qatari nationals, while giving attention to migrant workers and improving their working and living conditions. Qatar has also established an Occupational Safety and Health Committee comprised of the tripartite social partners.
- In Kuwait, the new Labour Code, No. 6 of 2010, has been promulgated in accordance with ILO requirements, standards and Conventions. The Code takes into account the fundamental rights

of workers in regard to hours and conditions of work, minimum wage, minimum age of admission to employment, conditions of night work and occupational safety and health, as well as the establishment of trade unions and federations.

We also appreciate the Report of the Director-General on the situation of Arab workers in Palestine and the occupied Arab territories. Technical cooperation for the occupied Arab territories should be strengthened in order to meet the urgent and immediate needs of Palestine, and the necessary programmes should be implemented to improve the situation of the workers and employers in the context of the deteriorating economic situation as a result of the occupation and the arbitrary and destructive measures, as well as the effects of the settlements in terms of wasted resources and confiscation of Arab land. We share the view of the Director-General that the international community must stand ready to help the new State of Palestine when it comes into being.

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*Original Arabic: Mr RAZZOUK (Government, Lebanon)*

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This 100th Session of the International Labour Conference is entitled “Building a future with decent work”, and is aimed at adopting policies, plans and programmes to address the challenges of globalization, which has led to poverty in many countries and increased discrimination, particularly between men and women, as well as reducing employment and raising the unemployment rate, accompanied by a deterioration in the conditions of decent work.

This 100th Session of the Conference is a crucial turning point in the history of the ILO, as it is being held in an extremely complex international context, at a time of slow global economic development and recovery. This is also a time of critical change in our Arab world, which is undergoing the transition to building a fair social and economic future after periods of recession and growing unemployment, with a direct impact on the concept of decent work and a destabilizing effect on the relationship stemming from the tripartite dimension of the structure of the Organization, from which it draws its strength.

What makes this session of the Conference special is the nature, depth and significance of the ideas and projects on the agenda of this session, which raise pressing issues that call for addressing certain matters relating to the functioning of the Organization.

The report of the Chairperson of the Governing Body, which is both concise and comprehensive, gives a detailed account of the main outcomes of previous sessions of the Governing Body.

The Report of the Director-General comments in Part 1 on topics of relevance to labour, workers, human development and decent work, while Part 2 refers to the ILO Declaration on Fundamental Principles and Rights at Work.

We attach the highest importance to the policy of the ILO and its strategic objectives, in particular defining an employment framework, social protection, strengthening social dialogue and the application of standards, principles and fundamental rights at work.

Lebanon is pursuing its unstinting efforts aimed at ratification of Convention No. 87, which is currently being discussed by the social partners in the administration, in particular with regard to public

employees and their right to organize. It should be mentioned that Lebanon has ratified a large number of Conventions. In order to accelerate and intensify the fight against child labour, we have created a special unit for the purpose in the Ministry of Labour, in accordance with Convention No. 182.

As regards decent work for domestic workers, this has been given absolute priority in view of the tens of thousands of domestic workers in Lebanon. We have taken critical steps towards ensuring decent work for these workers, including the following:

1. Lebanon has adopted a standard contract which defines the contractual relationship between the worker and his or her employer in detail, as well as the purposes and the rights and duties of each party. It is currently being circulated and applied throughout the Lebanese Republic;
2. a manual has been published in Arabic and seven other languages, according to the nationalities of the workers, providing advice to domestic workers in regard to their relationship with their employers;
3. a draft law on domestic workers has been prepared and submitted to the legislative branch for discussion, approval and entry into force.

The final draft of these three items is now before an expanded committee comprising the Ministry of Labour and the other ministries concerned, as well as representatives of civil society and international organizations, in cooperation, in particular, with the ILO Office in Beirut.

As regards labour administration and labour inspection, the measures taken by our Government have led to an increase in the number and range of labour inspectors, who include administrative staff, doctors and engineers, thus considerably expanding the scope of labour inspection and enabling the tasks assigned to this department to be carried out.

With regard to the strategic objective of social protection (social security), in accordance with the ILO Declaration on Social Justice for a Fair Globalization, this has been given the highest priority by the Government in its measures to strengthen social protection. Discussions are being held at the national level, involving all the sectors, with a view to enacting a pensions and social protection act and scheme.

Lastly, Lebanon, as a Member of the ILO, respects the principles related to fundamental rights and strengthening these principles, in particular, freedom of association and the effective recognition of the right to collective bargaining; the elimination of all forms of forced or compulsory labour; the effective abolition of child labour; and the elimination of discrimination in respect of employment and occupation.

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*Ms OLIPHANT (Minister of Labour, South Africa)*

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South Africa welcomes the Report of the Director-General, entitled *A new era of social justice*, at this, the 100th Session of the International Labour Conference. The Report provides an extremely sobering overview of the world economy today and the socio-economic injustices it has created. It is time, indeed, for the ILO to take stock and reflect on the future.

The year 2019, when we will celebrate the 100th anniversary of the ILO, must find us solid and grounded. By then, we should have begun to redirect world economic growth, to ensure that it is more just, balanced and equal.

The Director-General's Report correctly points out that if, as the ILO, we do not consolidate our long-established principles and agenda, the world will leave us behind as the global economy takes a new shape and direction. To quote from the Report, "the centre of economic policy-making previously dominated by the G8 countries is now changing with the upsurge of large emerging economies expressed in the new groupings like the G20, the BRIC, the ASEAN+7 and the Global Governance Group".

As you are aware, BRIC is now known as BRICS, with the admission of South Africa into this economic bloc. According to an International Monetary Fund report, BRICS will contribute more than 60 per cent of global growth by 2014. The BRICS bloc also represents nearly half the world population. According to the *The Economist*, six of the world's ten fastest-growing economies in the years 2000–10 are in sub-Saharan Africa. This number is predicted to increase to seven by 2015. These are the new realities that the ILO has to contend with, and it must find the mechanisms to respond to them.

Our past and history, however, continue to haunt us, as the Director-General's Report pointed out once again. Inequality continues to grow throughout the world, high levels of youth unemployment persist, worker exploitation and the growth of casual work are part of reality today, child labour persists in many parts of the world, and workers' wages continue to drive levels of labour productivity and bonuses for those at the top – the list is endless.

We cannot allow our past to hold our future to ransom. We have no choice but to move forward along a different path. Our history has proved that policies of overvaluing the capacities of markets and their ability to self-regulate are false. Undervaluing the role of the State has proved to have been the biggest mistake by governments all over the world, especially in the developed world, which has suffered the most from the free market dogma of the past. In the meantime, as the Director-General puts it, companies remain "too big to fail" and our people "too small to matter". Climate change is here and our lack of respect for the environment means our development agenda has now come full circle. We are paying the price today and our great-grandchildren will continue to do so tomorrow. We must act yesterday, not today or tomorrow. Our people are also restless, they cannot wait any longer. We have seen this happen in many parts of the world where conflicts continue. The path we choose henceforth has to be a path for all: for rich and poor, for developed and developing countries, for men and women, and for all races. This is the path my country chose in 1955, when the people of South Africa gathered together and declared, among other things, that the people shall govern; the people shall share in the country's wealth; all shall enjoy equal rights; there shall be work and security, and there shall be peace and friendship. This is the path we also confirmed in 1996, when we adopted the Constitution of a Free South Africa with one of the clauses in the preamble stating that the Government will be elected based on the will of the people.

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*Original Spanish: Ms SIFUENTES DE HOLGUÍN (Worker, Peru)*

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Since the establishment of democracy in Peru, the principle of non-discrimination at work has been absent from state policies and only half-heartedly

pursued in legislation and in national practice. We find ourselves in a situation polarized by the fight for natural resources and national sovereignty.

There has been very little progress in the recognition of the social and labour rights of women, or in terms of family responsibilities, protection of migrant workers, or of workers affected by AIDS and by disability.

At the beginning of this new decade, the situation of women in the Peruvian labour market is far from having reached the levels of equality established in Peruvian law. Inequality and discrimination are present throughout women's working lives, from entering the labour market until retirement.

It is clear that achieving effective equality of rights for women means radically transforming a society which has generally relegated women to the home and household.

The limitation of women's individual and collective rights, which were in any case very restricted even for the population as a whole, means that 18 years after the adoption of the most recent Constitution there are still important democratic deficits which especially affect women and mean that public authorities and institutions need to constantly promote equal opportunity programmes in all areas of social life and at work.

In Peru, employment and wages are marked by a conspicuous lack of equality for women. According to the National Statistics Office, in 2009, women represented 51 per cent of the total population. On average, men represented 57 per cent of the economically active population, although there is a downward trend, whereas, women on average represent 43 per cent of the labour force. Although unemployment among women is almost double that among men, only 43.9 per cent of women who are of a working age are employed, compared to 68.5 per cent of men, despite the fact that the female urban working population is younger than the male working population.

According to the households survey carried out by the National Statistics Office, 20 per cent of households relied on the income of mothers alone. That means that one in five of all women was a head of household.

Nonetheless, membership of a trade union reduces the gender gap in monthly income. In the private sector, unionized women workers receive, on average, an income that is 90.4 per cent of that of men. In the public sector, although the unionized working population has a lower average income than non-unionized working people, unionized women receive on average 93.7 per cent of the income of men.

This is a feature of the Peruvian economy. The reduction of the gender income gap is associated with lower income among men in work, rather than an improvement in incomes of women workers.

We need to continue efforts to reduce the number of women working and living in poverty or extreme poverty. We need to increase per capita income in households headed by women, recognize non-remunerated domestic work in our national accounts, and we need to increase the number of women in managerial posts. We need to recognize the social function of motherhood and shared parenting. For the CGTP, the absence of policies which create equal opportunities between men and women, in Peruvian society in general and in the

labour sector, is a very negative factor in labour relations.

For the Peruvian people, the challenges are enormous, but there is also a great potential for change. This is our hope, and we hope we will do our utmost to ensure that our fight is not in vain.

We would like to express our solidarity with all the workers of Mexico and throughout Latin America, and with those of Greece and the European Union.

Our Confederation calls for the admission of the WFTU to the Governing Body because it was a founding member of the ILO and is also the trade union confederation of which we all are members.

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Mgr TOMASI (*Apostolic Nuncio, the Holy See*)

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These are critical and challenging times for developed countries, as they are slowly emerging from a financial crisis of unprecedented depth, whose consequences are evident across all sectors of societies.

Old formulae for recovery and economic growth are proving less certain in a globally integrated economic environment and sovereign governments in most instances have not been able to find a formula for economic growth that restores jobs and includes new employment opportunities for the millions who are looking for work.

The enduring high rates of unemployment are accompanied by another critical factor in the current economic condition: the absence of any sustained increase in employment opportunities. The world economy, albeit growing at a steady level, is not able to create a sufficient number of jobs. This is a structural problem that was already identified well before the outbreak of the crisis and was known as jobless growth. We must do our very best to avoid this scenario.

An area of critical concern is the impact of unemployment on young people in different communities across the world. It is somewhat ironic that post-industrial economies, characterized by an ageing population, are not able to create enough meaningful and decent work opportunities to meet the needs and expectations of their young people, who comprise a much smaller percentage of the population.

Youth unemployment has a wider and deeper impact that affects society as a whole. It is well documented that people who are underemployed, who are made redundant or become unemployed early in their working years can easily become demoralized, lose confidence in their abilities and in their employment prospects and find themselves trapped in a spiral of social exclusion.

Uncertainty over working opportunities and conditions, when it becomes endemic, tends to create new forms of psychological instability, giving rise to difficulty in forging coherent life plans, including that of marriage. That leads to a situation of human decline, to say nothing of the waste of social resources.

The second area of vulnerability is constituted by women. Their economic activity is by no means restricted to working for a salary: their unpaid work, which is not included in GDP statistics, contributes in a crucial way to personal, societal and national well-being. If it is true, and not mere rhetoric, that human resources are the most precious among economic resources, the economic role of women should be taken more seriously than it usually is. Hence, supporting women's contribution to eco-

nomical and societal well-being should obviously include affordable childcare facilities, flexible working arrangements, job-sharing, and maternity and parental protection, but it should also require revaluing the "common good" dimension of women's investment in generation; that is, in meaningful and durable relationships which open the new generations to the quest for beauty, for sense, for meaning, which are undoubtedly the most significant drivers of human, economic and societal innovation and progress.

Another group of people calling for special attention is domestic workers, and the ILO is providing a timely response through a new instrument of protection, carefully designed and presented for approval at this Conference.

The adoption of a new Convention on domestic workers is essential, given the persistent exclusion of these workers from even basic labour protection. Domestic workers in many countries are living in miserable conditions and often remain excluded from labour laws and collective bargaining agreements. This endemic exclusion from adequate social protection deprives them of the security that decent work deserves and requires. This is even more problematic given that many of these domestic workers are migrant women who leave their families in order to economically sustain them. They provide care for their employers' children or elderly in exchange for a wage that can improve the material quality of life of their own families, which they can seldom visit. This pattern creates a sort of global care chain which is structurally built on the disruption of basic family relationships for all women involved. The medium- to long-term consequences of such disruption deserve more attention within a "relational" approach to the economic situation of women, as it is well known that families play a crucial role in providing social capital for human and economic development, especially in lower income countries.

In this 100th Session of the International Labour Conference we must reaffirm the importance of a new governance, based on the principles of subsidiarity and tripartism that give the ILO an edge in integrating real-world knowledge about employment and work. In a globally integrated financial system that is characterized by speed, mobility and flexibility, the voice and advocacy of those who protect and promote the rights of workers and the dignity of labour is essential. As Pope Benedict XVI says, "In the global era, the economy is influenced by competitive models tied to cultures that differ greatly among themselves. It also needs just laws and forms of redistribution governed by politics, and what is more, it needs works redolent of the spirit of gift." The challenge is laid out before all actors, public and private, who are charged with ensuring that our burgeoning and mercurial global economic system adheres to fundamental principles of justice which prioritize the needs of the most vulnerable in a way that respects individual and corporate activity within the overarching principle of the global common good.

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*Original Arabic: Mr HAMADEH (Employer, Lebanon)*

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On behalf of the employers of my country, Lebanon, I would first of all like to thank our Organization, which has given us this opportunity to gather together in a tripartite setting to discuss labour issues and the promotion of fundamental principles

and rights at work in order to achieve justice, equality and social and economic peace.

We would also like to thank the Director-General for his Report, which provides a detailed analysis of the problems we face and proposed solutions. We commend the Director-General for his untiring efforts to design social policies that will enable us to achieve social justice and peace.

This year, we are celebrating the 100th anniversary of our International Labour Conference as we embark on a new era born of the sudden and successive changes that have occurred. Despite the difficulties we face in establishing our priorities for the future, we must still do our utmost to secure better working conditions for our workers and our children in order to achieve social prosperity. As the Director-General emphasized in his report, we must recognize that the global political scenario is changing rapidly before our very eyes: the growth of populism in Europe and in the United States, revolt and revolution in the Arab world, doubts about the underlying fundamentals of both the euro and the dollar, a growing self-assurance in Asia and Latin America but with persistent inequality.

As regards the labour market, the global economic crisis continues to have an impact on the situation of millions of people who have lost their jobs or whose standards of living have dropped drastically, or who face the risk of austerity measures that will certainly be applied in the future. As manufacturers and exporters, we are concerned about the current situation, as our needs and objectives are no longer taken into account in government priorities. Political and economic crises, the collapse of regimes and their aftermath may spell the end of our institutions. We therefore ask those concerned: where are we going? If you know, that is bad; if you do not, that is even worse.

We share the view of the Director-General on the role of the ILO in the framework of the Decent Work Agenda to reduce poverty, improve stability and develop the economy. Accordingly, our objectives are as follows:

- implementing sound economic policies;
- increasing investment and creating decent work;
- promoting fair labour markets in which international labour standards are applied;
- putting the financial system at the service of the real economy;
- linking wages to productivity.

As far as we are concerned, we assure you that we are working to achieve the following strategic objectives:

- as regards employment, we are seeking, through global job-rich growth, to ensure that women and men have more productive and decent jobs, and to develop the skills that enhance the competitiveness of enterprises and increase job opportunities;
- as regards social protection, our goal is to enable more workers to have access to social security benefits, and to provide men and women with equal and fair conditions of work;
- as regards social dialogue, our aim is for employers and workers to have organizations that represent them, that are strong and independent and for labour administrations to apply modern and effective labour legislation;
- as regards fundamental principles and rights at work, we seek to realize the right to organize

and collective bargaining and to eliminate forced labour and child labour.

As employers, we believe that economic recovery, decent work and social welfare require better jobs and wages. However, wages should not outstrip productivity, although there is room for gains and investment.

Accordingly, we will continue our efforts to develop our economy based on productive and decent work.

We need your help; we need help from all of you in order to achieve political and social stability in our region. In particular, we call for the creation of the Palestinian State in order to solve the Palestinian problem.

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*Original French: Mr RAMADAN (Minister of Public Service, Labour and Social Welfare, Central African Republic)*

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The election of His Excellency Mr Nkili to preside over this session of the Conference, with whose skill and rigour we are familiar, is a tribute to all of Africa. We are convinced that he will put his vast experience at the service of our Organization in order to prove himself worthy of the confidence placed in him.

As stated by the Director-General of the ILO in his Report, *A new era of social justice*, this year marks an important moment in the life of our Organization. We shall take this opportunity to step back and reflect on what has been achieved over the course of time and, especially, on the challenges awaiting us and what needs to be done to take them up. More than ever before, our world needs a new era of social justice, based on the ideal of sustainable development. And we must do everything possible to make this a reality.

Our Conference is taking place in a global context, which demands that the future be built on the concept of decent work. The events referred to as the Arab Spring are there to remind us, should we forget, that if we fail to give priority to the strategic objectives of decent work in our policies, then we are sitting on a time bomb that might go off at any time.

Since my country the Central African Republic joined the ILO in 1960, it has taken on board the values promoted by the ILO, and this has undoubtedly contributed to the promotion of social justice, the quest for greater job security and a reduction in tensions. Our main goal in involving in active tripartism is to attain peace, without which no development is possible.

In his general policy statement on 18 May 2011, before the National Assembly, the Prime Minister made a number of commitments to political, economic and social measures to promote sustainable development. Guided by the vision of His Excellency, François Bozizé Yangouvonda, the President of the Republic and Head of State, the Prime Minister has incorporated into his roadmap the guidelines contained in the Poverty Reduction Strategy paper, and has laid specific emphasis on matters of employment, vocational training and social security.

The guidelines call for the revision of legal texts and institutions; the strengthening of the Ministry of Employment's operational capacities and training; the establishment of a system for data collection, as well as the dissemination of data on employment and training; and the creation of a database on employment and vocational training. To this end, revisions have recently been made to the Labour Code

and the Social Security Code, and the Central African Republic has ratified all the fundamental ILO Conventions; this reflects the will of the Government and its social partners to adapt better its legal framework to changes in the labour market.

It is against the backdrop of major reforms that the Government is making preparations for the first National Decent Work Forum, which will help us define and adopt national policy options with respect to employment and vocational training. Given the importance of this Forum, the Government has requested and obtained the support of the UNDP, as well as the technical support of the ILO, in its attempts to promote employment as an instrument to combat poverty. During the Forum, we shall reflect on the existing social security system, since numerous factors have contributed to its deterioration.

The Government has just finalized the restructure of its social security body. We shall do our utmost to ensure that the new National Social Security Fund guarantees better governance, thanks to the tripartite composition of its decision-making bodies.

My Government is aware that no labour administration can adequately meet its objectives, nor carry the weight required, if it does not possess the necessary material and financial means or have qualified and trained staff. Hence, a number of sessions to strengthen the capacities of labour administration and labour inspection staff were organized, thanks to support from the ADMITRA–ILO project. As a result of this, the Government of the Central African Republic today has a methodological guide for labour inspection, and this forms the basis for all our work – thus constituting an important step forward in decent work.

To take on all challenges and promote a new era of social justice, we are aware that we cannot go it alone. This is why we count on an international exchange of experiences and international cooperation.

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*Original Portuguese: Mr PENA COSTA (Employer, Portugal)*

In this, the year of the 100th Session of the International Labour Conference, the ILO must be congratulated on its longevity. As the Director-General says in his Report, *A new era of social justice*: “Moments such as these are important for any institution ... . They allow us pause to think about what has been achieved over the years and more importantly to look forward to the challenges ahead ... .”

As the Report points out, tripartism has offered positive proposals for change that have been widely accepted by the international community and which guide the work of the ILO with its various member States. These proposals include notions of: universal respect for the basic principles and rights at work; fair globalization; sustainable enterprises as the foundation of a productive real economy; and a minimum social protection floor for the most vulnerable.

The agenda for this session of the International Labour Conference covers issues of great importance, and I would like to start by highlighting the Report entitled *Labour administration and labour inspection*.

It cannot be denied that “the context in which labour administration operates has changed fundamentally over the last few decades, prompting public administrations to review their organizations, role and operating models”. In this difficult context, labour administrations must adopt a strategy of

change, driven by good governance, transparency and greater accountability, with particular focus on public employment services, which must cut bureaucracy, increase cooperation with the private employment sector and make appropriate use of existing resources, including through information and communications technologies (ICTs).

We agree that labour administrations must seek closer cooperation with the private sector and act in partnership.

Furthermore, we would like to stress the fact that the future of labour ministries and their influence on major political trends will depend on their ability to maintain fruitful partnerships with organizations of employers and workers and to retain their role as the main vector for, and promoter of, social dialogue within governments.

In this field, it is vital that inspection activities should continue to involve a preventive element, as well as a strongly educational approach to the bodies involved, bringing together prevention and sanctions in a balanced fashion.

Against this background, we welcome the fact that the Report lays out new labour inspection strategies and approaches, combining traditional methods with new technologies, and points to the need for campaigns involving the social partners, the media and special inspectors.

The conclusions of the Report *Social security for social justice and a fair globalization* deserve our support.

We also agree that there is a need to continue to work to ensure that evermore people in the world enjoy a minimum level of social protection. This is obviously a fundamental aspect of ensuring greater cohesion in overall terms, but it is also important with regard to competitiveness in Europe as a whole.

We believe that pensions must be financed through a mixed system – both pay-as-you-go and funded.

The fact that the Report stresses the importance of the involvement of the social partners in the development of sustainable social security systems is very positive. In Portugal, the social partners have been participating in discussions on the main reforms to the social protection system, but they are sidelined when it comes to making a more effective contribution in terms of the management of that system.

Lastly, on the Report *Decent work for domestic workers*, right from the start, the Portuguese employer social partners wholeheartedly supported the work leading to the adoption of a standard-setting instrument for the field of domestic work. We believe that the concept of domestic work must cover the broad range of existing functions, as well as recognizing the role of the various parties involved in the labour relationship in question. We are convinced that the final result of this year’s discussion will definitely contribute to the improvement of labour relations in this area.

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*Ms GUWATUdde KINTU (Government, Uganda)*

This year’s theme, “Building a future with decent work”, is a clarion call to the entire world community to come together to address the employment crisis. Decent employment is a fundamental human right, the essential basis for peace, food security and human development.

The *Global Employment Trends 2011* report forecasts an unemployment rate of 6.1 per cent, equivalent to 203 million persons unemployed. More alarming is unemployment among youth: 78 million young people were jobless in 2010. Unemployment among the youth (aged 15–24) was 12.6 per cent in 2010, which is 2.6 times the adult rate of unemployment. The slow recovery from the global financial crisis perpetuates the persistent inability of the world economy to secure a future with decent work for all youth. The worldwide situation on unemployment signals a threat to political stability and the need to rethink our standard macroeconomic policies to make quality job creation and decent work a central target of macroeconomic policies. Examples of political instability caused by unemployment are vivid in our minds, especially given recent events.

In Uganda, the economy has been growing at an average rate of 7 per cent per year over the last ten years. In an economy where 4.4 million people are employed in the informal sector and a modest 0.6 per cent of the labour force are employed in the formal sector, and where over 390,000 young people join the labour market with limited skills every year, generating sustainable decent employment for all has been a great challenge.

The Government of Uganda has, therefore, taken new strides, which include the launch of a five-year national development plan for 2010. The plan focuses on growth, employment and socio-economic transformation for prosperity for all. Creating an enabling environment for job creation, decent employment opportunities and human capital development is one of the principal areas of focus of the national development plan.

A national employment policy for Uganda on increasing decent employment opportunities and labour productivity for socio-economic transformation was launched on 1 May 2011. The policy was developed after wide consultations.

With regard to the labour force in agriculture, the Government programme on modernization of agriculture is aimed at raising the income of the persons who constitute 80 per cent of the labour force. The programme aims at turning 30,000 farmers into commercial small-scale producers every year. The transformed households act as models within their communities.

Further, a social protection programme was launched last year with two elements: policy formulation and the delivery of social grants to vulnerable households. It is envisaged that this will be the pacesetter for the development of the national social protection framework.

My delegation notes the Global Report under the follow-up to the ILO Declaration on Fundamental Principles and Rights at Work, focusing on the elimination of discrimination in respect of employment and occupation as a basis for furthering the goal of equality and decent work for all.

Globalization makes it difficult for individual countries to resolve their employment problems in isolation. My delegation therefore calls upon the ILO and other development partners to join efforts with national governments to access funding for the implementation of national policies.

In conclusion, I wish to reaffirm the commitment of the Government of the Republic of Uganda to the ILO objectives, the Declaration on Social Justice for a Fair Globalization, and the Decent Work Agenda.

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Mr MAVRIKOS (*Representative, World Federation of Trade Unions*)

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This year, as we meet together to celebrate the 100th Session of the International Labour Conference, there are trade unionists being assassinated in Guatemala, in Colombia and other countries. In the Libyan Arab Jamahiriya, workers and civilians are being killed. In Palestine, workers are suffering from the aggressiveness of Israel. In Greece, Portugal, Ireland, Spain and other countries, labour rights are being banished. In Mexico, 44,000 workers affiliated to the Electrical Workers' Trade Union (SME) continue to be fired. Some days ago in Sri Lanka, a trade unionist was killed and 300 demonstrators were injured. This is the reality.

Two or three years ago, when the new crisis of the financial system emerged, we heard the analyses of several who tried to convince us that we had to put the blame for the crisis on some golden boys. Then, the same analysts tried, and are still trying, to convince us that we must put the blame on the bad Greek workers, or on the bad Portuguese workers – to blame the Spanish people, the Italian citizens, the Irish, the Belgians, etc.

All these analyses have one single goal: to hide the truth from the workers; to hide the fact that the crisis is a deep crisis of the capitalist system and multiplies the inter-imperialist and inter-capitalist rivalries with a view to controlling new markets, reorganizing the borders and controlling countries and wealth-producing resources.

This is the truth. See, for example, the conflicts between the euro and the dollar; the conflicts in North Africa; the barbarity against the people of the Libyan Arab Jamahiriya; the strategy of the United States and NATO for their so-called new Middle East; the foreign interventions against the Syrian Arab Republic.

We, the members and friends of the World Federation of Trade Unions, organized two months ago in Athens, Greece, the 16th World Trade Union Congress, and we discussed all these relevant and critical issues. Eight hundred and twenty eight delegates from 101 countries openly, democratically, and in a militant way, analysed the contradictions in the contemporary world. Given this situation, the trade unions and the workers must – and indeed have the duty – to resist, to struggle, to unite all workers, regardless of political, religious and other differences. All workers belong to the same social class and we must fight together.

Across Europe and around the world, there is anger within the people, there is indignation. There are difficulties and opportunities at the same time. It is a positive sign – all these gatherings of young people mainly through Facebook and the Internet. We are not snobs to any struggle or any movement that comes out into the streets and into the squares. The WFTU calls upon all young people to join trade unions. We have the duty as a class-oriented trade union movement to extend our hand to the new generation and not leave them without assistance.

Here in the ILO, we should hold open, fair and deep debates on these serious, critical and challenging issues. Unfortunately the monopoly that prevails at the administrative level, and the undemocratic exclusion of the WFTU from these bodies, does not allow it.

Also, unfortunately today, when the 100th Session of the Conference is taking place, we still have dis-

crimination against trade union organizations, such as Guatemala, Djibouti and others.

Against these negative phenomena, the trade union officials of the WFTU, its affiliates and friends, other independent trade unionists and other trade unionists who belong to some other international, we have the common duty to take action against them. We have the duty to bring about a trade union movement without corruption, a trade union movement based on principles and values; this is our common duty for all of us.

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*Original French: Mr GUIRO (Worker, Senegal)*

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This session is taking place, for the fourth consecutive year, in a context of crisis and the rise of social movements to reject dictatorships and combat bad governance and unemployment, especially youth unemployment.

The trade union movement of Senegal reiterates its support for, and its solidarity with, all the peoples of the world who are fighting against neoliberal policies which are the source of poverty and increasing social inequality. There are other economic and social choices available to support the growing aspirations of peoples, to create a better world and foster progress, dignity and social justice.

At this point, we would like to note the remarkable work carried out by the International Labour Office, under Mr Somavia's leadership, to promote, disseminate and support the paradigm of decent work in all international organizations and bodies. It is for this reason that our Confederation welcomes the choice, this year, of the key theme of "Building a future with decent work".

Senegal, with financial and technical support from the ILO Subregional Office for the Sahel Region, is in the process of drawing up, on a tripartite basis, a Decent Work Country Programme. This programme will specifically focus on two priorities: the creation of jobs and efforts to strengthen and extend the social protection network. Workers wish to see the Government of Senegal place the Decent Work Country Programme at the heart of the social and economic policies currently being drawn up and, with the support of bilateral and multilateral partners, earmark financial resources to achieve the programme's aims.

With regard to promoting decent work, since 2010, we have targeted the most vulnerable group in society, namely domestic workers. The working class awaits the adoption of a new Convention and a decision on domestic work, to mark the historic nature of this session. Numerous initiatives have been launched to promote decent work. Last May, the National Confederation of Workers of Senegal inaugurated, in the presence of representatives from the International Trade Union Confederation and partners from the Netherlands, an advisory centre for domestic workers. We would like to once again ask the ILO for support to develop the advice centre for domestic workers, on which the hopes of this important group in society rest.

On 20 April 2011, for the first time in Senegal's history, general elections were held to establish the most representative trade union. The results published by the National Electoral Commission confirmed the National Confederation of Workers of Senegal as the most representative trade union in the country. The results of these elections provide a better understanding and facilitate an analysis of the numerous forces which exist in our fragmented

trade union environment. We would like to see efforts to reshape the trade union movement in Senegal, in order to make it more representative and to better address the various concerns of Senegalese workers.

Thanking the workers for their confidence, we would like to once again state and assume our responsibility for improving the procedure for dealing with the legitimate claims of our constituents.

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*Original French: Mr COSTACHE (Employer, Romania)*

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The concept of decent work established by the framers of the ILO Constitution is based on the idea that work is a source of personal dignity, of family stability, of peace in our communities and economic progress – all of which will increase opportunities for our entrepreneurial development and productivity at work.

I would like to assure you, on behalf of the Romanian employers, that we shall do everything in our power to translate this concept into action, so that we can, together with the Government and the workers, make every effort to ensure that our activities are in line with the spirit of ILO Conventions and Recommendations.

Employers in Romania have as their main objective the rapid recovery of jobs lost as a result of the crisis being experienced by our country. Along with our social partners, we are paying close attention to the way in which we can draw up programmes to boost sectors allowing the creation of new jobs.

It is our view that the effects of the economic and financial crisis, with a global reach, could be mitigated or put to an end through coordinated action, that is, at the level of international organizations, with efforts made by national bodies.

The employers' organization urgently requests the Government to take decisive action to become involved in structural investment – directly, but also through public-private partnership.

The economic crisis in Romania has had equally adverse repercussions on the interests of both employers and workers; and this is why the employers have proposed, as one of the main ways to alleviate the effects of the crisis and relaunch economic recovery, economic development on the basis of structural adjustment and private-public partnerships, which are the cornerstone of decent work.

Social peace is one of the objectives that the Romanian social partners have adopted; and we, the employers are aware of the importance of social peace so that we can carry on our business without social conflict.

It is for the reason that we believe that the only tripartite dialogue forum, the Romanian Economic and Social Council, must be more involved in the drafting and elaboration of strategies designed to overcome the crisis, bringing in a wide spectrum of society – such as members of civil society, academics and scientists.

In our efforts to support the social partners in overcoming the effects of the crisis, we should also mention the adoption by the Government of Romania of a new package of social legislation which will regulate and mobilize the workforce. We have also adopted a Labour Code and a law on social dialogue, whose implementation has enabled us to implement more flexible human resource policies.

Employers in Romania fear that it is not only social dialogue and the creation of more flexible labour laws that will make it easier for employers. We

also need tax relief, especially with regard to taxes linked to human resources, as well as stability in our tax code, so that we have more stability in our business.

We would like to ask international financial organizations to draw up a strategy ensuring that banks with branches in Romania apply the same conditions to Romanian investors as those applied to investors in the bank's home country with respect to loans.

We are convinced that all of the discussions, conclusions and recommendations coming out of this Conference will serve as important arguments for all delegations, so that any future work will take into account the principle of decent work.

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Mr RAMBI (*Minister for Labour and Industrial Relations, Papua New Guinea*)

I am humbled by this very important occasion to present my country's response to the Report of the Director-General, *A new era of social justice*, as this Organization surpasses a golden century of formulating significant global policy initiatives that transcend borders and regions. The ongoing challenges of equality at work, which are detailed in this year's Global Report under the follow-up to the ILO Declaration on Fundamental Principles and Rights at Work, are held at heart by Papua New Guinea and, fittingly, they indicate that 100 sessions of continuous dialogue unearth more and more challenges in this ever-evolving world of work.

One hundred sessions is a mark of endurance, commitment, ownership and responsibility to make the world of work a decent place. My country formally joined the ILO in 1976, barely a year after we gained independence in 1975.

Thirty-six sessions on, we have seen steady improvements in our national policies that relate to labour, economics and social aspects of life.

We therefore salute the ILO for its efforts to find the best and a sustainable way forward for decent work to be realized globally.

The challenges of equality at work are indeed real. Papua New Guinea is not isolated from these challenges to promote fair and equal opportunities for its labour force as it strives to obtain decent and productive work in conditions of freedom, equality, security and human dignity amidst the existence of a variety of forms of discrimination.

The demands placed on our existing national laws and practices that govern employment, social security and equality and equity at work during the boom in business activities are immense, which has undoubtedly exposed our citizens to unfair treatment and unacceptable work practices.

In 2010, we relayed to the 99th Session of the Conference that our economy was stable amidst the global jobs crisis; booming foreign investment sustained the national economy against the impact of the jobs crisis. With a more robust and globally recognized economy, Papua New Guinea is going through considerable and progressive development which, to an extent, poses potential challenges to the basic and fundamental rights of its citizens.

This is our challenge, which we are committed to addressing to ensure the balance between economic prosperity and human dignity, and in doing so I am happy to say that Papua New Guinea is moving in the right direction to cushion the visible traits of discrimination on a large scale.

My Government ratified both the Equal Remuneration Convention, 1951 (No. 100), and the Discrimination (Employment and Occupation) Convention, 1958 (No. 111), in 2000 as a commitment to addressing workplace discrimination.

At the national level, labour reforms are being implemented, a notable one being the new industrial relations bill, which will soon be enacted by Parliament and will address new trends and practices in industrial relations in the country.

In collaboration with the ILO Regional Office for Asia and the Pacific, work has begun on an employment act; key aspects of inequality and discrimination in the workplace will be given consideration in the reform process.

On the economic front, we have instituted fair partnerships with international friends that are heavily involved in the development process in my country. My Government's partnership approach has proven successful, with an increase in foreign investment over the last couple of years.

Your vision of sustainable development for social justice is inexplicable. Your focus is socio-economically balanced and outcome driven and your efforts are tireless, which undoubtedly call to action our national commitments.

We are committed to following through this report as a valuable platform to strengthen our course in realizing social justice for Papua New Guinea. As a Government, we are committed to making decent work a reality for Papua New Guinea.

With these remarks I wish you all good luck in the deliberations and decisions of this Conference for the benefit of humanity the world over.

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Mr ATWOLI (*Worker, Kenya*)

I congratulate the Director-General for submitting a well-focused Report, whose relevance and appropriateness cannot be gainsaid.

The Report, *A new era of social justice*, is a wake-up call and a reminder to member States and constituents that we are not yet out of the woods in terms of the effects brought upon us by the inefficient growth model underpinned by the "Washington Consensus" which has been pursued over the last three decades.

The Central Organization of Trade Unions of Kenya (COTU-Kenya) agrees with the Report's thesis, that sustained and concerted action witnessed in the last two years by governments, workers, employers, and regional as well as multilateral institutions, is clearly still needed in order to fully surmount the effects of the crisis.

COTU-Kenya therefore welcomes the Report's calls for a fundamental change involving the building of the foundations of a new growth model encompassing the International Labour Organization's values of equity, inclusiveness, fairness and social justice – in short, a shared growth which places the needs and aspirations of people at the centre of its strategy.

While we support the development of a new growth model, we note and concur with the fact noted in the Director-General's Report, that many actors who were active in helping to avert the ramifications of the crisis are beginning to relapse into the old order following positive signs of recovery from the crisis. This will harm efforts to formulate the required change and is unacceptable.

We must all remain committed and sustain the measures agreed by the G20 and in the Global Jobs Pact in order to fully overcome the crisis.

In the same time, and as the International Labour Organization and its constituents continue to urge the real actors of the economy to pursue a balanced growth model based on positive market outcomes for people, COTU–Kenya has noted a relapse into the old order, in which the Kenyan Government, instead of leading by example, is, through its actions, encouraging casualization and outsourcing.

The recruitment of qualified registered teachers as interns, as well as the recruitment of nurses on non-standard contracts by the Government, has been cited by many employers as reason enough to employ or retain employees as casuals, since the Government is doing the same. We want this policy to cease, now, because it is not consistent with the Global Jobs Pact.

COTU–Kenya has been on record as opposing mechanization of enterprises as long as the goal is not greater added value but a reduced labour force with a view to maximizing profits for capital. This is what has been happening in tea plantations in some parts of Kenya. We ask that this practice, too, be curtailed in the interests of developing sustainable enterprises and promoting all-inclusive growth.

In this context, the arrest and subsequent termination of employment of 30 shop stewards who participated in workers' strikes against the introduction of tea plucking machines on tea plantations in October 2010 should be condemned and subject to sanctions because it flouted not only the country's labour laws but also the Constitution, which provides for a right to strike.

Curtailed of workers' freedom of the kind I have noted here is a manifestation of how strongly the old order is entrenched in our system. Countries like Kenya, where we have revised our labour laws and Constitution to entrench workers' rights, will certainly need technical assistance from the Organization in order to build the strong institutions that are essential for the realization of those rights.

COTU–Kenya therefore calls on the International Labour Organization to provide technical assistance to the Government and social partners in order to "fast track" the setting up of such institutions and make their intentions reality.

The new Constitution also provides for the establishment of the Salaries and Remuneration Commission. Although this is a welcome development, the Commission's mandate needs to be defined so as not to encroach on the Union's internationally recognized core mandate of collective bargaining. This is because it is only through deepening of the coverage of collective bargaining arrangements that some balance can be achieved in the way labour and capital are remunerated; evidence has shown that productivity gains far outweigh labour compensation in both developed and developing economies.

With these few remarks, the Central Organization of Trade Unions of Kenya welcomes and endorses the Director-General's Report and, in particular, is rooting for the formulation of a new "efficient" growth path underpinned by balanced growth for both business and labour.

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Mr AHMED (*Worker, Pakistan*)

We fully support the items on the agenda, particularly the adoption of the convention on domestic

workers and the conclusions on social protection and labour administration.

We appreciate the work being carried out by the International Labour Organisation under the able leadership of our Director-General, Mr Juan Somavia, and his good team. We welcome his Report, *A new era of social justice*, which rightly points out that we are facing inequality within and between countries, which is the reason that 3.5 billion people share as much income as 61 million people, 1.4 billion people still live in poverty, and it would take 88 years to achieve a world without extreme poverty. Similarly, gender equality is still far off and it will take 75 years to bridge the gender pay gap. However, the share of profits originating from finance, rather than production, rose from 25 to 42 per cent. This speaks of the need to change the unjust economic order and inequality that exist within and between countries.

We are meeting, at this moment, about the international impact of this, caused by the policies of capitalism, deregulation and privatization pursued by the International Monetary Fund and the World Bank, ignoring fundamental rights. There is also the issue of extremism; our country is fighting as a member of the international alliance in the war on terrorism.

Overcoming these challenges can only be done if there is a fair international economic order and if developing countries can have fair trade and access to the market, knowledge and technology, in order to lift themselves out of poverty and implement the integral decent work changes promulgated by the ILO.

At the frontline of the labour movement in Pakistan, we are struggling to establish an egalitarian society, free from favouritism, and lobbying for team spirit between workers and management in order to raise productivity, increase the welfare of workers and tackle unemployment and poverty. That can only be done by strengthening democratic norms in conformity with the ILO Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), and the ILO Right to Organise and Collective Bargaining Convention, 1949 (No. 98).

On this occasion I must also state my appreciation for the good work being done by the Workers' group, led very ably by Sir Roy Trotman, our Chairperson, which has also honoured me by electing me Vice-Chairperson.

I must also say that, in the budget, wages and pensions have been raised, but this still needs to be done for the private sector. We are also trying to improve the law: the recent amendment to the Constitution has prevented the existence of national organizations. We have raised this issue and we ask the Government to bring the law into conformity with the recommendations of the Committee on Freedom of Association in Case No. 2799.

On this occasion, we fully support the right of the Palestinian people to their independence and right of self-determination. We also support the budget being presented by the Director-General in order to strengthen the work of this Organization.

If social justice is not achieved, it will endanger prosperity. Labour is not a commodity.

I wish this Conference every success in bringing a better tomorrow for the teeming masses and the working class and in providing them social justice, dignity in their work, and decent work.

*(The Conference adjourned at 12.50 p.m.)*

## Fourth sitting

Wednesday, 8 June 2011, 2.35 p.m.

*Presidents: Mr Hernández Sánchez and Mr Lima Godoy*

### REPORTS OF THE CHAIRPERSON OF THE GOVERNING BODY AND OF THE DIRECTOR-GENERAL: DISCUSSION (CONT.)

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*Original Spanish: THE PRESIDENT*

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We will continue the discussion on the reports of the Chairperson of the Governing Body and of the Director-General.

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*Original French: Mr NDIAYE (Minister of Labour and Professional Organizations, Senegal)*

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The items on the agenda of the 100th Session of the Conference concern international standards, social protection, domestic work and labour administration. All these items are of a major interest to the Government of Senegal, which is keen to take up social challenges and to meet social demand.

This session of the International Labour Conference is the perfect time to appreciate the work of the ILO, which has shown its worth in the present context of globalization as a vital force for regulation and for social justice.

This is the time and place to congratulate and pay tribute to the Director-General, Mr Juan Somavia, to whom I transmit the warm regards of His Excellency Abdoulaye Wade, President of the Republic of Senegal. Because of his commitment and in spite of the world crisis, he is working tirelessly to ensure that the ILO will always be able to promote the ideas and values which were the very foundations on which it was built.

I would like to reiterate our country's support for the ILO Declaration on Social Justice for a Fair Globalization adopted in 2008, and for the Global Jobs Pact adopted by the Conference in June 2009, which, being based on the Decent Work Agenda, is the best response to the present economic crisis.

In view of the importance of the issues at stake, our country, in collaboration with the ILO, between 24 and 26 May, 2011, organized a workshop on our Decent Work Country Programme (DWCP). Senegal wishes to adopt social protection and employment as the two principal pillars of the DWCP and aims, with the help of the ILO, to gradually reduce the deficits noted in the four main areas of decent work.

In this connection, I am pleased to note that these issues have been reflected in Senegal's economic and social policy document for the period 2011–15, which is in progress.

With regard to international labour standards, in particular, the fight against child work, Senegal

supports the main objective, which is to achieve universal ratification of the Minimum Age Convention, 1973 (No. 138), and the Worst Forms of Child Labour Convention, 1999 (No. 182), and to achieve the eradication of the worst forms of child labour by 2016.

In conclusion, I would like to reiterate the commitment of Senegal to promoting the ideals and activities of the ILO and to cooperating with the international community in the implementation of the social protection floor initiative launched by the United Nations, so that the effects of the economic and social crisis can be overcome, and social justice and sustainable development may triumph for the benefit of true universal peace.

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*Mr VARELA (Employer, Philippines)*

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Except for a few countries that are still struggling with the aftermath of the most recent global economic turbulence, it can be said with a guarded sense of confidence that the so-called eye of the storm is behind us. The collapse of the soundest economy in the world has been prevented with the timely bailout of troubled financial institutions on Wall Street that are considered by conservative economists as too big to fail.

While there are those who think, and act accordingly, that the regime of normalcy in economic affairs has returned, a sense of concern and alarm is keenly felt in some sectors at the international and regional levels. The International Labour Organization, through its Director-General, expresses apprehension about the shift to the "business as usual" mindset, with all its negative repercussions.

Meanwhile, the pace of globalization goes on unabated as trade barriers are dismantled and business transactions are conducted at electronic speed, and the global economic landscape changes as more economies begin to join the big league. The measure of relative success is the level of GDP.

Undoubtedly, the signs of economic growth are everywhere, but beneath the surface of progress is a most disturbing disparity between the very few who have much and the far too many who have very much less. This is true among countries and also among sectors in any society. Sadly, economic growth is being attained with a high social cost; social justice suffers in the process. We cannot agree more with the Director-General when he wrote in his Report to the 100th Session of the International Labour Conference that the world needs a new era of social justice inspired by a vision of sustainable development.

Social justice is an ideal enshrined in the fundamental law of the Philippines. The Preamble of the Philippine Constitution affirms that it is the solemn obligation of the Filipino people to build a just and humane society. Our Constitution states that the State shall promote social justice in all phases of national development.

Our own understanding of the substance of social justice has been influenced in a large measure by the moral and philosophical thinking of the late Philippine Supreme Court Justice Dr Jose P. Laurel, as contained in one of the decisions that he wrote. Justice Laurel defined social justice as the humanization of laws and the equalization of social and economic forces by the State so that justice in its rational and objectively secular conception may at least be approximated.

There is a growing awareness across a broad social spectrum in the Philippines that economic growth as reflected in GDP is not enough, that growth, to be meaningful, must be equitable and beneficial to all.

It is therefore in this spirit that there is a need to review the underlying assumption behind the philosophy of the free market economy and to redefine the indicators of economic growth to include social and moral dimensions as well. The Wall Street meltdown clearly demonstrated that deregulation unguided by any moral compass could be a very destructive process. There is no such thing as the hidden hand of competition that, by hypothesis, is supposed to be an equalizing force in the free marketplace. Deregulation may unleash creative and productive forces but, left to its own devices, it breeds greed and irresponsibility. The challenge for various economies, regardless of their stage of development, is how to use regulatory mechanisms without frustrating the momentum of private initiative and creativity.

Social justice can and should be made real by involving all stakeholder sectors in the general well-being of the people of a country in collectively looking for pathways towards its translation into action. The practice of tripartism as it operates in the Philippines is a good beginning. However, tripartism should be expanded to embrace a larger area of concern, such as a broad multisectoral consensus in shaping national economic policies.

As a corollary development, we fully agree that the ILO Decent Work Agenda can be instrumental in achieving efficient growth. What concerns us, however, is that the Report correlates inefficient growth with flexible labour markets, associating flexibility with income inequalities and job precariousness. In addition, systematic deregulation is also partly blamed for not contributing to higher levels of investment in the real economy. We are of the opinion that there can be a balance between inclusive and fair labour markets through decent work and an enabling environment for investment in the real economy.

Engaging in a genuine tripartite dialogue on issues affecting incomes, productivity and employment has been proven as an efficient and transparent tool. We likewise agree that stronger institutional linkages between the financial sector and enterprises would help assist in the creation of new businesses and income opportunities.

In conclusion, we agree with the general conclusion of the Report that sound macroeconomic policies, including progressive fiscal policy and multi-

lateral policy coherence which brings about synergy between economic and social goals, would pave the way for real inclusive growth to be a compelling need for a new era of social justice. This is where the values, principles and standards of the ILO, which command wide support from governments, workers and employers, become increasingly important as a reference point in policy discussions across the globe.

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Mr MENSAH (*Minister of Employment and Social Welfare, Ghana*)

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This year's session of the ILO is a very significant one. Not only because it is the centenary session of the world body but, more importantly, it marks a significant chapter in the life of the ILO, when, more than ever before, it is being called upon to lead the way towards an era of social justice.

As articulated by the Director-General in his Report, the time has come for the international community to change the usual way of doing things and chart a new course towards the realization of world growth based on equity and social justice.

Increased inequality owing to inefficiencies in global trade and socio-economic imbalances remain enormous challenges to Africa in her quest to reduce poverty and other factors which continue to perpetuate the continent's marginalization in global affairs.

Ever since the period of the slave trade and the era of colonialism, Africa has faced formidable challenges which have hindered her progress. These include diseases, poverty, a high illiteracy rate, youth unemployment and underdevelopment, which the continent has to surmount to enable it to become an equal player on the global stage. Our enterprises need an even platform on which to operate and expand, in order to enable them to create jobs and offer decent wages and working conditions for workers.

As the Director-General said, social justice cannot be achieved if the world continues to develop in a manner that consciously leaves the developing world behind.

The recent social instability in some countries has confirmed our belief that peace and social cohesion depend on the socio-economic wellbeing of the people, access to decent living standards and the availability of decent work employment opportunities.

While we commend the ILO for its commitment in addressing these issues over the years, we ask the world body to step up its advocacy role, to promote fair and balanced international trade and support Africa's efforts to develop and transform her vulnerable economy for the benefit of her people.

In this regard, it should be pointed out that discussions at the committee level at this Conference brought to the fore the urgent need to support the informal economy, which accounts for over 80 per cent of economic activities in the developing world. Indeed, it is important that we recognize the potential of the huge informal economy in Africa and formulate strategies that will halt its marginalization. The role of labour ministries cannot be underestimated in this regard. Unfortunately, in many developing countries, labour ministries often suffer what I call "budgetary injustice". When governments are compelled to reduce public expenditure, the labour ministry often becomes one of the first casualties.

In conclusion, I want to call on the ILO to step up its advocacy to encourage governments to give labour issues priority in their strategic national development plans.

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*Original Arabic: Ms HAMADY (Minister of the Civil Service, Labour and Administrative Reform, Mauritania)*

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My country, whose report under the Universal Periodic Review was approved by the Human Rights Council in its session last March, has shouldered the responsibility of continuing to lay the foundations of a State governed by the rule of law by guaranteeing all the political and civil liberties. In accordance with the will and programme of President Mohamed Ould Abdel Aziz, my country is pursuing the path to democracy, social justice and human rights, as reflected in the plans and programmes of the Mauritanian Government, which all Mauritanian officials are working to implement.

I would like to say how happy I am to participate in this session, whose tasks include examining the Report of the Director-General of the International Labour Office.

My country's commitment to ILO Conventions and Recommendations is reflected in the following:

- ratification of the fundamental ILO Conventions;
- enactment of the necessary legislation and measures, such as the Act promulgating the Labour Code and the Social Security Act, as well as most of their implementing regulations, including the rules laying down the general conditions for the employment of domestic workers in our country;
- strengthening of the culture of social dialogue through collective bargaining involving all the occupational organizations of the social partners, which is seen as a sure and effective way to achieve the objectives laid down in the programme of the Government of Prime Minister Dr Moulaye Ould Mohamed Laghdaf;
- capacity building of the bodies dealing with employment, social security and occupational medicine in order to make their services more accessible to users. Less than a week from now, 40 labour inspectors will finish their training, thus boosting the human resources of these inspectorates in order to enable them to better carry out their duties of inspection and enforcement of workers' rights.

The establishment of additional labour inspectorates is planned, as well as extension of the services of the National Social Security Fund and the design and implementation by the National Office of Occupational Medicine of a five-year strategy to improve occupational health in our country.

This has enabled us to extend comprehensive coverage in the field of employment and social protection and to introduce trade union plurality in our country. This year, thanks to fruitful cooperation with the ILO, we are about to organize free and transparent trade union elections in order to determine the level of representation of these organizations.

The work of this Conference will certainly enable the examination of a number of issues related to working and living conditions of workers, shaping the international legal instruments in the field of labour to ensure better protection.

Lastly, I would like to convey my heartfelt thanks to the ILO for its efforts to improve conditions in this sector in general, and for the technical assis-

tance it has provided to us in particular. I wish you every success.

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*Original Russian: Mr NADRAHA (Government, Ukraine)*

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More effective social dialogue in Ukraine has furthered the adoption by our Parliament in December 2010 of a law on social dialogue in Ukraine, which has strengthened the role of the social partners in formulating socio-economic policies.

In his annual message to Parliament, the President of Ukraine, Viktor Yanukovich, noted that the globalized world has created unique conditions for social communication, but, at the same time, has exacerbated competition for the right to develop and to ensure decent levels of public well-being.

This year, our goals included the establishment of a comprehensive programme of social policy reform in Ukraine, including initiatives to combat poverty and establish equitable pension and social benefits.

In this post-crisis recovery period, the best type of social protection for a population is decent work and decent wages. A priority area in increasing income is increasing wages. Since 2009, the minimum wage has been increased to match the necessary minimum for subsistence for a citizen able to work.

In May this year, at the invitation of the Government of Ukraine, an ILO mission visited the country to investigate the implementation by Ukraine of the Protection of Wages Convention, 1949 (No. 95). The work of this mission was highly appreciated by the Government of Ukraine, which has, on the basis of the preliminary results of that mission's work, prepared relevant directives.

The Report of the Director-General, *A new era of social justice*, recalls that the best form of social protection is investment in human capital. The efforts of the Government of Ukraine are aimed at ensuring increased employment and reducing unemployment. Means for doing this include state and regional employment programmes, the general agreement between the Government and the social partners, and more than 100 branch and regional agreements. Efforts are also being focused on measures to inform and motivate people to improve professional skills and knowledge throughout their lives.

In order to increase worker capability and improve job placement, a network of government training centres has been opened. These centres are up and running in some ten regions. The level of job placement after participation in these training centres is 86 per cent. Thanks to such programmes, almost 1 million citizens have been able to return to the workforce every year.

In order to improve our legislation, the Government, with the participation of the social partners, has developed a new draft law on employment. We would be grateful to the ILO if it would could examine this draft law and advise us as to its conformity with international legal standards.

In Ukraine, we are seeing positive trends in social development, including through the improvement of the labour market, increasing the level of government social standards and social assistance. The economic and social reforms that have been carried on the initiative of President Yanukovich are creating solid prospects for reforming the social services sector in order to increase the quality of services, and create more employment and improve opportunities for social enterprises. Given the importance of

such programmes, Ukraine is counting on technical assistance from the ILO.

On 27 April 2011 in Ukraine, as part of a national tripartite conference organized with the support of the ILO, a presentation was made on the report *Decent work country profile: Ukraine*. This makes use of some 21 indicators, reflecting the major legal and statistical data and current challenges for the future development of decent work in Ukraine. Today we are already carrying out tripartite work on the decent work programme for 2012–16.

By introducing the President's programme "Ukraine for people", the Government has set itself the goal of creating a State in which decent work prevails.

I would like to take this opportunity to express, on behalf of the Government of Ukraine, our appreciation to the ILO for its broad technical support in solving problems and transforming social and labour relations, and I would like to reaffirm our commitment to continued collaboration on promoting decent work in the Ukraine.

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Mr BENYDIN (*Worker, Mauritius*)

It is very reassuring that the 100th Session of the International Labour Conference is centred on the theme "Building a future with decent work".

At a time when workers worldwide are working under constant pressure and stress and the spectre of precarious employment and job losses is gaining ground, it is a necessity that no stone is left unturned to further promote the Decent Work Agenda, and in particular the adoption of a convention on domestic workers. The ongoing efforts and stands to meet the strategic objective of social protection to move workers out of poverty are also priority issues which are highly commended.

In Mauritius, the Decent Work Country Programme for the period 2011–13 will soon be signed by the tripartite constituents and we note that, on its side, the Government has included a national employment policy in its programme. As a result of these two projects, the trade union movement is looking forward to more action and focus on social dialogue and the enforcement of regulations and laws to prevent abuses and discrimination at the workplace.

It is the unanimous view of all trade unions in Mauritius that the two recent labour laws need profound amendments and changes, as they do not effectively provide safety nets and protection against unfair dismissal, including victimization against trade union leaders, and a number of issues pertaining to working conditions, namely hours of work, unemployment benefits, severance allowances and portable pensions.

It is unacceptable that in a democratic society like Mauritius a public corporation fired a female trade union leader on the basis of allegations that she was responsible for circulating an anonymous letter against the top management. We therefore opine that immediate amendments should be brought to circumvent abuses and arbitrary decisions on the part of employers. The legislation as it stands now allows workers to be laid off without justification. Trade unions are insisting that a proper body should be provided to determine whether lay-offs or dismissals on economic grounds are justified.

For workers to eke out a decent living, the trade union movement is demanding a national minimum wage. To this effect, we are grateful to the ILO and

the Bureau for Workers' Activities (ACTRAV) for the assistance provided to us quite recently for a research study by a consultant from the University of Mauritius on a minimum wage policy. Trade unions have made proposals for a national minimum wage that should not be less than 15,000 rupees.

The national tripartite forum, set up administratively last year as a mechanism for the promotion of social dialogue to address various issues, namely salary compensation, occupational safety and health, labour and industrial relations, employment creation, and skills and training, is still at an embryonic stage and, as such, all efforts should be undertaken to ensure its effective functioning.

It is unfortunate that, in November last year, the Government did not allow effective collective bargaining to take place during the discussions for the payment of a salary compensation to allow workers to recoup a loss in purchasing power. In fact, a mere pittance of around US\$6 was imposed and workers continue to bear the brunt of rising prices and a high cost of living. This is not in accordance with the Decent Work Agenda.

Stress, pressure, harassment and bullying at the place of work are on the rise and have become regular issues which should be addressed urgently by labour administration and inspection. Bullying is affecting the physical and mental health of workers; rudeness, exclusive supervision, intimidation, and pressure to work longer hours are among the worst types of behaviour reported to trade unions. The recent death of a senior public officer on an alleged case of harassment has caused a controversy in Mauritius and an enquiry into the matter is ongoing.

These are the growing challenges and problems that workers are confronted with. We look forward to the support of the ILO in dealing with these issues so that social justice prevails at all times.

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Ms MPARIWA (*Minister of Labour and Social Services, Zimbabwe*)

From the outset, I wish to express Zimbabwe's appreciation for the articulate and very precise Report of the Director-General entitled *A new era for social justice*. The report clearly shows that inequalities continue to be seen both in the world of work and in the world in general. For my delegation and, indeed, for all Zimbabweans, the Report could not have come at a more opportune time as we endeavour to work towards equality in all spheres of our lives.

Zimbabwe has ratified the core Conventions of the International Labour Organization that seek to promote equality and eliminate discrimination in respect of employment and labour. Having done so, my country has enacted provisions that seek to give effect to these Conventions, as set out in chapter 28.01 of the Labour Act. Several policies, including the National Gender Policy and the National Employment Policy Framework, have been adopted by Cabinet, to promote equality among the men and women of Zimbabwe.

The Report of the Director-General touches on issues relating to unemployment which have continued to hamper development efforts across the world. Zimbabwe is among the many developing countries of the world that have to grapple with the effects of high unemployment. Pursuant to the adoption of the Zimbabwe National Employment Policy Framework by Cabinet in 2010, Government and the social partners have gone further to estab-

lish the National Employment Forum, whose mandate is to provide a platform for all key stakeholders to debate, share ideas and formulate concrete strategies for employment creation.

In addition, Zimbabwe has worked diligently in promoting decent work, having been one of the first countries in Africa to have developed a Decent Work Country Programme in 2005. To date, Government and social partners have established a National Steering Committee to monitor and evaluate the work of the tripartite constituents in the implementation of the agreed national priorities.

On this note, I wish to commend the enthusiasm, dedication and willingness to engage that has been shown by our partners. Indeed, as a country working towards the revival of our economy, the support of the social partners has been instrumental to our efforts thus far, and for this I salute their resolute determination and hope for continued collaboration in future.

The Report of the Director-General illustrates, in an exemplary and excellent manner, the realities of the inequalities that continue to exist despite calls by the ILO for a more decent globalization with a strong social dimension. We have noted from the Report that wages continue to lag behind labour productivity growth the world over. It is disturbing to note that, across the world, productivity levels have risen, while the same cannot be said of wages. It is this worrying state of affairs that has necessitated discussions in my country on how best Government and the social partners can address the inequalities in wages. The issues have been proposed for discussion within our social dialogue structures which should inform the development of a national incomes policy.

The Report shows that inequalities in wage work continue and, in the case of sub-Saharan Africa, the differences between men and women are quite pronounced, with male wage and salaried workers accounting for 20 per cent of the working age population and female wage and salaried workers accounting for just 10 per cent. Furthermore, the report graphically shows that a paltry percentage of women in sub-Saharan Africa are employers, as compared to their male counterparts. As a result, more women are found in the categories of unpaid family work as compared to men. Surely, such inequalities continue to pose challenges to the ILO's principles and values of equality and opportunity for men and women.

With regard to social protection, the Report correctly points out that social protection is an investment in people and a tool for redistribution. In this regard, my delegation welcomes the recurrent discussion on the strategic objective of social protection. Our active participation in this Committee is clear testament to the resolve of my Government and the social partners to work together to address the challenges of coverage, adequacy and funding, which continue to be experienced in rendering social protection to our people.

In closing, Zimbabwe will continue to advocate greater equality in international economic and social institutions and decision-making structures. We recognize the importance of the ILO in ensuring policy coherence with the multinational institutions, and urge the inclusive engagement of all member States, big and small, in defining the coherence, as well as making it work.

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*Original French: Mrs AWASSI ATSIMADJA (Employer, Gabon)*

The Director-General's Report, *Equality at work: The continuing challenge* has been presented to us. This Global Report under the follow-up to the ILO Declaration on Fundamental Principles and Rights at Work consists of four main parts.

It covers a large number of topics and I shall concentrate on the concept of discrimination, the role of employers in the formation of employers' organizations and enterprises that are sustainable, productive and offer a non-discriminatory environment, and the need for capacity-building of African employers in promoting the role of women who, as the Global Report says, are one of the groups in our society that most suffers various forms of discrimination, including those covered by the Discrimination (Employment and Occupation) Convention, 1958 (No. 111), and the Equal Remuneration Convention, 1951 (No. 100).

In the executive summary of the Report, on page ix in the French version, it discusses the global crisis and says that discrimination occurs as a result of actions by employers. I do not share that view.

I think that, in such an important institutional report, a statement like this is not productive, because this document will be used by the tripartite constituents as a reference and this prejudices the employers and is, in itself, a form of discrimination.

There are two concepts in the Report that I would like to highlight: direct discrimination and indirect discrimination. I would like to introduce the concept of invisible discrimination. For example, in *Provisional Record No. 5B* of this Session, *Reports on credentials – First report of the Credentials Committee*, under the heading "Accredited delegates and advisers" it says "With regard to the resolutions concerning the participation of women in ILO meetings, 131 of the 650 accredited titular delegates are women, representing 20.2 per cent of accredited titular delegates . . . . Furthermore, 689 of the 2,293 (30 per cent) that are accredited to the Conference are women. A total of 820 women have been accredited to the Conference, which is 27.9 per cent of total delegates and technical advisers against 27.7 per cent last year. The Committee notes with regret that the overall participation of women in the Conference has again not achieved the target the United Nations set in 1990 of increasing the proportion of women in decision- and policy-making bodies to at least 30 per cent, even though this participation has slightly increased this year."

This report from the Credentials Committee shows clearly that most women are not taken into account in a fair way in accreditations to the Conference. With regards to employers' organizations in Africa, my continent, I see this oversight as a form of invisible discrimination. It may be caused by women themselves, who are not aware of their rights and their potential, and perhaps do not put themselves forward because of their family responsibilities, etc. In addition, both men and women hold them back from taking up the expert positions or responsibilities in employers' organizations and/or enterprises that are members of these African organizations which would allow more women to take part in the Conference.

One possible solution would be the ILO and the Bureau for Employers' Activities (ACT/EMP), together with the International Organisation of Employers and the International Programme on the

Elimination of Child Labour, acting within the strategic framework of the ILO and the Decent Work Country Programmes in which employers must invest alongside government and the workers, building the capacity of employers' organizations and their members. This capacity-building would allow employers' organizations to map out in a precise way the under-used potential of women in their organizations and beyond. Databases of this kind would increase the return on investment with regard to well-educated women who remain underemployed. An increased return on investment would, without any shadow of a doubt, improve profitability, productivity and therefore the added value in African employers' organizations, and that would have a positive effect on our member organizations, which are our priority.

The Confederation of Gabonese Employers, under the leadership of Mr Henri-Claude Oyima, has increased the number of its female vice-presidents and the number of its female resources officers, one of which I have been for many years. We have also just elected a female secretary general.

I would like to welcome the new tripartite members of the ILO Governing Body and also thank all my Employer colleagues who have appointed me as a substitute member. The last six years as a deputy member of the Governing Body have been a productive experience that I shall remember for the rest of my life.

Finally, the Report recalls, and I quote: "The elimination of discrimination at work has been a cornerstone of the ILO's mandate since its inception in 1919. Its paramount importance is echoed in the 1944 Declaration of Philadelphia, the 1998 ILO Declaration on Fundamental Principles and Rights at Work, the 2008 ILO Declaration on Social Justice for a Fair Globalization, and the 2009 ILO Global Jobs Pact." Female African employers must embrace this approach to sustainable enterprise and decent work, including in SMEs. They should continue the dialogue to increase their professional visibility through training and expressing their ambitions in their respective employers' organizations at the sectoral, national, subregional, regional, Pan-African and international levels.

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Mr HAKUYU (*Government, Zambia*)

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My statement focuses on three issues, namely: decent work for domestic workers; labour administration and inspection; and social protection.

Zambia has been implementing a Decent Work Country Programme since 2007. The action areas of the programme have included drawing up and reviewing policies and laws to enhance the Decent Work Agenda.

Until this year, our labour legislation did not cover domestic workers. The Government and the social partners recognized this omission as incompatible with the decent work policy.

In January of this year, a law was passed on the minimum wage, minimum age and hours of work for domestic workers. It is therefore commendable, timely and appropriate that we have, at this Conference, not only reports that provide further insight into how to address the complex task of promoting decent work for domestic workers, but also a special committee to examine the matter in greater detail, and recommend possible courses of action for the Conference to adopt.

Due to increased economic activity in my country, our labour inspection system has faced challenges such as inadequate coverage of workplaces, an inadequate exchange of information between social partners for organizing appropriate interventions to improve safety and health in the workplace, and inadequate educational programmes for workers and employers. My delegation would like to see the ILO focus more on strengthening social dialogue and increasing the capacity of our labour administration institutions, including efforts to strengthen research and the functions of social partners.

We welcome the Director-General's Report on the theme of "A new era of social justice"; we share the belief that countries can achieve efficient growth through a policy mix that emphasizes sound macro-economic policies and a high level of investment and the creation of decent work through sustainable enterprises in the real economy. Our efforts as a country have led to the adoption of a five-year National Development Plan, focusing on sustained economic growth and poverty reduction and aimed at enhancing decent work and achieving accelerated economic growth. The Government has also approved a development policy for micro and small enterprises, to address challenges faced by operators in the informal sector.

In a bid to increase social protection coverage for vulnerable groups, the Government has taken a number of measures, including efforts to expand the social cash transfer programme for incapacitated households from five districts to ten; the introduction of a child grant programme for poor households with children under five years of age; and exploring the creation of a possible national social pension scheme.

My delegation has every hope that this session of the Conference will adopt positions that clearly highlight the actions needed in important areas on our agenda.

Lastly, allow me to thank the ILO member States that supported Zambia's candidature for election as a regular member of the ILO Governing Body, representing the southern Africa region. We pledge that we will do our best to represent our collective interests, and promote closer collaboration between our region and the ILO.

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*Original French: Mr TRENCHÉV (Worker, Bulgaria)*

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At this 100th Session of the Conference, the ILO's member States once again show their commitment to improving tripartite consultation mechanisms and discussing the major issues in accordance with the Organization's fundamental instruments.

The Global Jobs Pact, adopted at the 98th Session of the International Labour Conference, is proof that the ILO, the oldest international organization and one which stands out owing to its nature, has been able to formulate a direct response to the challenges posed by the economic and financial crisis.

Over the last year, the world has slowly and painstakingly begun to emerge from the crisis but, unfortunately, Bulgaria is still very much affected. Employees have suffered the most, with 20 per cent of workers losing their jobs and incomes stagnating. The Bulgarian Government has failed to face up to the challenges created by such a serious crisis. Owing to a lack of experience and financial management expertise, the 2010 budget had to be revised and spending on the most crucial social systems had to be slashed.

Trade union organizations in Bulgaria have prepared and put forward to the Government a package of anti-crisis measures which favour employment, households, as well as industry and, above all, entrepreneurs. We sincerely regret the fact that our Government has been unable to implement around 80 per cent of those measures.

Given the current considerable difficulties with which we are faced, the Government, together with the social partners, requested the technical assistance of the ILO in carrying out a complete and thorough analysis of its macroeconomic performance, as well as of employment, incomes and social policies under the Global Jobs Pact.

In the light of the analysis carried out by the Bulgarian trade union confederations and the analyses of the ILO, it is clear that what is required is a policy based on coherence which must channel efforts and bring about the necessary conditions for sustainable economic growth based on employment.

I am pleased to be able to inform you that the analysis and the anti-crisis package of measures that was proposed by the Bulgarian trade unions were warmly welcomed by the General Secretary of the International Trade Union Confederation (ITUC).

Bulgaria has become one of the ten pilot countries (and the only European state) to be involved in the new approach adopted by the ILO, the International Monetary Fund (IMF) and the ITUC. This approach consists of joint efforts to combat poverty, unemployment and the restriction of social rights.

I should also like to express my disappointment with regard to the passive policy of the Bulgarian Government concerning the ratification of ILO Conventions which are of great importance to Bulgaria, such as the Workers' Representatives Convention, 1971 (No. 135), the Collective Bargaining Convention, 1981 (No. 154), and the Termination of Employment Convention, 1982 (No. 158).

I should also like to inform you that the representative trade union organizations have already concluded two very important agreements with the employers' organizations on home work and teleworking, but we have not yet reached a consensus on an agreement on temporary employment agencies.

The Government has frozen the incomes and pensions of public sector workers, from 2010 up until the end of its term. Practically speaking, the Government does not have an appropriate income policy. Currently, 60 per cent of households are living in poverty, Bulgarians have the lowest salaries and pensions in Europe and the first five months of 2011 saw the inflation rate rise alarmingly.

The situation in the country has become explosive. It is with great sorrow that I must highlight that we have only been able to use 10 per cent of Community Funds. Bulgarian employers continue to neglect the quality of human resources. They are focusing on increasing investments and believe that additional training is not useful.

The Government continues, for its part, to pursue a strategy to attract foreign investment. It is keeping taxes and wages low. It does not realize that investors also need good and effective administrative services, free of corruption. Since the most recent Government came to power, the social dialogue has been developed with varying degrees of success. In 2009 and 2010, when the financial crisis was at its worst, we lent the Government all of our support, making available our potential, expertise and all of

our political experience. In 2011, there was a breakdown in communications.

In conclusion, I should like to wish the International Labour Conference every success and I hope that solutions will be found to the issues which arise.

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*Original Spanish: Mr CENTENO (Employer, Ecuador)*

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It has been four years since Mandate Eight was issued, eliminating and prohibiting the outsourcing of labour intermediation and any form of precariousness affecting labour relations in the activities of employers, promoting direct and bilateral labour relations between worker and employer, along with other standards introduced by the National Assembly at the request of the Government of Ecuador. Now is the right time to analyse the consequences, standards and goals arising from that mandate and the other legal provisions. Has Mandate Eight achieved its goal? The employer/worker relationship must be based on a legal framework that is clear, certain and appropriate for both parties, as well as for the State. Such a situation would bring about increased productivity, a fall in the number of disputes and would, above all, ensure that the nightmare of all governments, mass unemployment, did not come to pass.

Despite the years of political efforts and the various attempts to improve the laws in Ecuador, a legal quagmire persists, marked by gaping contradictions and legal shortcomings which give rise to legal uncertainty. This uncertainty, in turn, dissuades domestic and foreign investors from investing in Ecuador owing to understandable concerns regarding the lack of clear regulations that might allow them to measure the risks, calculate potential profit and, above all, grant the workers stability.

The Labour Code is out-of-date and consists of obsolete laws and a legal framework which is not applicable to modern-day Ecuador. A new consensus must be reached, with the participation of the productive sectors, employers, creators and generators of the employment that our country so desperately needs. It is not possible to operate in a situation in which a given legal disagreement or dispute, not only in the field of labour but also in other important areas, can give rise to two or three different opinions or interpretations.

Such legal shortcomings will always lead to dissatisfaction among the workers, who will seek to resolve alleged failings on the part of the employers by making demands of all kinds, in some cases with seven figure financial aspirations in mind. Actions of this kind, married to the poor administration of justice, create an environment marked by a permanent unease which naturally blocks the development of productivity in Ecuador.

There is an urgent need to introduce a State policy aimed at repealing laws which are out-of-date, obsolete, contradictory, inapplicable, leave room for doubt, or, in the worst cases, may be applied in a flexible fashion to accommodate needs at the time, along with interpretations which have been updated (not always with the best intentions).

Modern states have clear legislation, with flexible procedures which are easy to apply. Ecuador must examine good examples that will allow us to develop economically and socially.

Such countries do not have rigid legal frameworks like that created by Mandate Eight in Ecuador, for example. The modern world requires labour flexi-

bility which allows for dynamism in relations and productivity, with appropriate controls which allow for its fair application to the benefit of both parties.

Once recruitment of workers by the hour was phased out, many workers for whom that system was a source and form of work that met their needs, such as students or individuals who required additional work alongside their main jobs, lost that opportunity and, in some cases, also lost their jobs.

As to the sector that I represent, construction, we have shown the authorities that, under the legal framework in force, it is not possible to adjust the models or types of contract which currently exist to our reality and to our daily work. This is also the case in many other sectors, such as floriculture, agriculture, aquaculture and many other areas of great importance to the national economy.

Employers in the construction sector must comply with the legal standards, as well as meeting the costs of all the procedures and processes we have to go through.

However, it is not just the lack of an appropriate system that poses a problem. There is also the issue of recruitment when there is no work, or when we do not have contracts, for example. It is not possible to keep on a large number of workers who are only going to be used at certain stages in the construction process.

Another important and delicate issue we face when trying, as we always do, to comply with the law, is that of the legal obligation in force to ensure that 4 per cent of the workers recruited are persons living with disabilities. We, in our sector, consider the inclusion of such individuals to be of the utmost importance and aim to comply with this requirement whenever the type of work being carried out allows for that. However, we must also comply with occupational health and safety regulations.

Under current legislation, out of 6,000 workers, 40 must be persons living with disabilities. Should those individuals living with disabilities be unable to carry out construction work, they may be assigned to administrative duties.

We want to comply with the law, but, as employers, we are responsible with regard to risk in the workplace and have to guarantee our workers the best possible working environment, occupational safety, and the necessary protection, as well as providing equipment, machinery and installations that are in good working order. We are furthermore responsible for general risk prevention. Laws imposed in ignorance of the situation on the ground run the risks of being inapplicable, even more so if they are accompanied by the threat of a large fine which also renders them unfair.

All of those involved in the field of construction must be provided with training. Furthermore, the National Council for Occupational Instruction and Training and the Ecuadorian Occupational Training Service (SECAP), which can provide the specialized training needed by all workers, must be strengthened.

We, as representatives of the Chamber of Construction of Guayaquil and the Ecuadorian Federation of Chambers of Construction, have created the Ecuadorian Institute of Construction in order to disseminate technical expertise applicable to the sector among the workers. Alongside effective legislation, there is also a need for timeliness and efficiency. There is a high turnover in the construction sector and it takes too long to register workers and draw

up contracts. In some cases, workers have come to the end of the period for which they were recruited before the authorities have even finished registering them.

The social security system also needs to be modernized and adapted to the needs of the sector, in order to bring all the new forms of recruitment applicable to construction into line with reality and to allow them to be registered in the social security system.

Finally, by putting in place an appropriate legal framework, along with legal security and timely justice, we will achieve ever greater productivity and harmonious labour relations.

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Mr RACHMAN (*Employer, Indonesia*)

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The theme chosen for this year's session of the Conference, "Building a future with decent work", is the main concern of Indonesia's Association of Employers (APINDO). APINDO pays considerable attention to the following four basic rights at the workplace: freedom of association, the right to unite, the prohibition of discrimination and the use of underage workers. On every occasion and at every opportunity that is given to us, these four basic rights are our main concern in making new policies, and in determining our actions to promote the prosperity of the workers and the continuity of our business.

APINDO, in making its policy, emphasizes decent work and job quality; and, in ensuring it attains these, APINDO makes the greatest effort to promote foreign investments and hence foster the continuity of economic development.

APINDO, together with the Government and union workers, is trying to create a climate conducive to work by encouraging the national tripartite partners to promote labour regulations that might bring about job creation and national prosperity based on work productivity, so that Indonesia will be able to prepare itself in facing future challenges.

APINDO is doing its utmost to enhance workers' competencies by establishing an APINDO Training Centre, whose mission is to be the centre of excellence in developing human resources in Indonesia.

An improvement in the quality of Indonesian workers is not only contingent upon labour regulations reform but also upon the implementation of competence development strategies, whether through the formal or informal approach. This competence development requires attention from all parties. APINDO is trying to support the expansion of the vocational high school system to fulfil the market demand for ready-to-use manpower. The informal approach will be conducted by means of the small and medium-sized businesses involvement programme. Through these approaches, we can compete in national and international labour markets with a competitive product quality and competitive price.

APINDO will consistently and continuously encourage its members to improve the quality of human resources. This might imply improving the quality of internal human resources quality or corporate social responsibility (CSR) for the community, by carrying out the education and competence improvement programme. In this case, the output hopefully will replace the "70:30" policy with a market-based approach to determine the right composition of our vocational high schools and the general high schools, and promote a stronger relation-

ship with the employer-to-be. This is an effort to promote the nation's prosperity.

APINDO is encouraging the Government to improve the quality of education, to increase workers' competences and skills and, together with the Government, to actualize the idea of job creation based on request and business competition; as well as to encourage the informal sector to support the national economy.

Such conditions can be translated into reality if all of us work together within a structured and measurable programme with a clear target.

We conclude by saying that this 100th Session of the Conference will provide a learning effort, opportunity and support for paving the way for decent work and bringing prosperity to all workers in the world.

We have high hopes that, with the abovementioned strategic steps, investments will flow into Indonesia and bring prosperity, not only to the people of Indonesia but also to a larger trade community.

APINDO, together with the Government and the union workers, will cooperate in creating harmonious industrial relations in order to increase working opportunities, a better work environment and a climate conducive to investments through an active participation in Indonesia's development towards a brighter future.

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MR RØNNEST (*Employer, Denmark*)

I am speaking on behalf of the Employer delegates from the Nordic countries, namely Denmark, Finland, Iceland, Norway and Sweden.

The goals and aspirations of the Decent Work Agenda can only be realized if we recognize that they concern real people and their lives.

If we want to improve living conditions and give people opportunities to prosper, policies will have to be put in place that establish the right framework for stakeholders, including small, medium-sized and large private businesses.

People and businesses both respond to incentives rather than the aspirations or intentions of politicians, whether at national or international level. In a recently published biography of Ann Dunham, President Obama's mother, she is quoted by a friend as saying: "Don't conclude before you understand. After you understand, don't judge."

This is certainly a wise observation, equally applicable to individuals and big or small organizations. Don't conclude before you understand. After you understand, don't judge. I am afraid this has not always been the case in the ILO. It should be, not only because it is right but also because it will make the ILO much more effective in achieving its objectives.

In order to understand before we conclude, we have to recognize and accept that change has taken place, and will continue to take place, and that traditional remedies and instruments are no longer effective, acceptable or relevant.

The last 20 years in particular have seen dramatic changes: massive technological innovations have changed every industry and sector, as well as people's lifestyles; liberalized economies have opened up markets and presented major opportunities for reducing poverty.

We need a clear and concise indication of what the ILO can offer, in terms of advice and assistance, to solve the problems we are facing. The ILO has a

unique position and very specific responsibilities unlike those of any other organization. I believe that while this gives the ILO many opportunities to influence and shape developments, we will also carry a heavy burden of responsibility if we fail to fulfil our role.

The ILO can play its part by providing the right business environment for enterprises, namely one which makes it possible for companies to invest, produce, grow and create jobs.

It is necessary to recognize the role of the private sector, if we are to have job-rich growth or, for that matter, sustainable growth at all. Jobs are not created automatically. Policies will have to support growth by modernizing labour markets and social security systems, and by increasing employability.

In each country, the Government remains the only legitimate actor competent to undertake the social and political balancing work required to give effect to the policy needs of society. We do not all share the same history, religion or development status. There is no "one-size-fits-all" solution. We need to avoid the generalities of policy responses so common in this organization.

To fulfil its mission, the ILO's role has to involve assisting countries in creating jobs, wealth and social security for all – and in that order, as without jobs there is no wealth and no social security.

The ILO has to offer policy advice to all, create solutions based on facts and solid analysis, and avoid ideological wishful thinking.

The ILO has to be truly tripartite. It cannot be successful if it does not fully consider the views of all its constituents.

It must be a true "knowledge organization", rather than simply an organization which gives its own opinion. It needs to understand more and judge less.

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Mr FOLLO (*Worker, Ethiopia*)

The Confederation of Ethiopian Trade Unions is one of the tripartite partners of the ILO in Ethiopia; it is the vanguard and the sole national trade union that has been formed to ensure the well-being of Ethiopian workers. It strives for the ratification and implementation of ILO Conventions and standards in Ethiopia. Ethiopia has ratified about 22 ILO Conventions, including eight core Conventions, but there are problems implementing them. In order to solve this problem, the Confederation of Ethiopian Trade Unions is doing its best through the tripartite forum.

The Government has launched the new, promising five-year growth and transformational plan and it is committed to supporting micro- and small-scale industries to create an environment conducive to implementing the Global Jobs Pact and the Decent Work Country Programme.

The five-year growth and transformational plan of the Ethiopian Government includes many projects, such as railways and hydropower construction, and it also has a huge potential for generating decent jobs.

Furthermore, the Ethiopian Government is working to provide basic social protection for the working community. This includes the introduction of social health insurance for all workers and the expansion of the pension scheme to workers employed in the public and private sectors.

The Confederation of Ethiopian Trade Unions has a national mission to improve the living standards and security of its members during their working

life and beyond. Owing to a lack of adequate financial education and opportunities to access finance, workers accumulate very few assets during their working lives and they live in difficult financial situations.

We appreciate the initiative of the ILO social finance programme in helping Ethiopian workers understand the value of savings, borrowing for useful and productive purposes, and micro-insurance. We would like to see the continuation of this programme through financial literacy education and access to finance.

For the first time, we feel that we can benefit from the ILO in a real and practical way that will improve the livelihoods of workers and we hope to see the urgent continuation of the work started by the social finance programme.

This has been made possible by the full support of the ILO Regional Director for Africa, Mr Charles Dan, for which I wish to thank him, on behalf of all Ethiopian workers, and urge him to continue this very essential programme. I also want to thank the ILO headquarters for their overall support and I call on the ILO to further strengthen its financial and technical support.

*(Mr Lima Godoy takes the Chair.)*

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Ms GHANI (*Government, Afghanistan*)

The Decent Work Country Programme (DWCP) for Afghanistan was launched after consultation with the tripartite partners on priority areas. It has three key priorities, in addition to the cross-cutting themes of social dialogue and gender equality. These three priorities are: promoting productive employment through labour market information and skills development; promoting and applying international labour standards with a focus on ratifying ILO core Conventions and strengthening labour inspection machinery; and having strong, representative employers' and workers' organizations that contribute to a national policy formulation and better industrial relations.

The DWCP has a number of key outcomes. These include building capacity for generating and analysing labour market information; increasing training and employment opportunities for women and men; building an environment conducive to micro and small enterprises; and enhancing the economic empowerment of vulnerable groups.

Other aims include strengthening employment policy; applying international labour standards; improving labour administration at both national and subnational levels; boosting Afghanistan's ability to develop social security policies and the capacity of employers' and workers' organizations to take part in national policy formulation; and establishing mechanisms for social dialogue and industrial relations. We do hope that the technical and financial assistance of the ILO, as well as the partner countries and donor countries, will contribute towards a better implementation of this programme in the country.

Our Ministry, the Ministry of Labour, Social Affairs, Martyrs and Disabled (MoLSAMD), started reforming the country many years ago, and recently it embarked on reforming the pensions system in the country by reviewing new pension legislations and digitizing the pension system to better serve the pensioners.

One of the biggest achievements of the past year was the Kabul International Conference, following on from the London Conference – of which some of you might be aware. At this Conference, the implementation of the Afghan National Development Strategy (ANDS) was discussed and prioritized. The facilitation of decent work for all was one of the main themes of the Conference.

We have recently been able to hold tripartite workshops and various sessions to enhance the capacity of workers' and employers' organizations in labour-related areas. The discussions were very successful and came up with priorities, and currently a Committee is working on these back home in Kabul.

Last year, Afghanistan ratified Conventions Nos 182, 138, 144 and 159, and it is working on the proper implementation of these Conventions. We are also considering the ratification of Conventions Nos 29, 81, 122 and 181 and will duly report on these.

Under the Decent Work Country Programme, the Labour Administration project is going to be implemented with the technical cooperation of the ILO. This project will help in strengthening the country's labour administration. A revision of the labour law to ensure it complies with international labour standards will also be undertaken under this project.

The establishment of employment service centres and a labour market information analysis unit are other priorities of our Ministry.

Another priority for the Ministry concerns the skills required for competency to find employment; through its national skills development programme, the Ministry has therefore been providing training to the underemployed and unemployed. These include men; women; youth; school dropouts left without any education; ex-combatants; chronically poor women; internal disabled and returnees. They are being provided with market-driven vocational entrepreneurship skills with a view to finding decent employment.

The Ministry is also considering the establishment of a labour institute in the country, and we expect technical cooperation from the ILO in establishing such an institute.

Unemployment is still one of the biggest social problems of Afghanistan, which in many cases has resulted in destabilizing security.

In conclusion, I would like to thank the ILO and the community for helping us through this phase of reconstruction in the country, and I would particularly like to thank the ILO Senior Coordinator who is currently working in Afghanistan, Hervé Berger, for his cooperation with the Government.

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*Original Russian: Mr PETRIASHVILI (Worker, Georgia)*

The global economic crisis, and the events and succession of revolutions which have taken place in different countries, have once again confirmed that the path to a society of well-being, democracy and greater independence depends on the quality of democracy. The foundation of civil society is the middle class, that is, free people employed in decent work. At a time when the economic crisis is still being felt, the creation of decent jobs has become one of the most important undertakings of today. At a time when the poor are getting poorer and the rich are getting richer, I hope that the ILO, as it has so often done in the past, will again take steps to pro-

tect the rights of working people and to ensure social harmony and balance through the participation of all stakeholders.

The feeling of economic and social instability weighs heavily on today's Georgia. Despite the forthright conclusions of the ILO's Committee of Experts and the recommendations of the Committee on Freedom of Association, the conclusions of the government committee responsible for the European Social Charter and the preliminary conclusions of the European Commission, Georgia has still not amended its Labour Code, which gives employers unlimited unilateral powers, while workers only have obligations and severely limited freedom of association. The Labour Code promotes discrimination, including discrimination on the basis of union affiliation, and gives employers the possibility of dismissing workers without the slightest warning or explanation.

As a result of the support and assistance provided by the ILO in 2009, Georgia created a tripartite commission for social partnership. There were high hopes and expectations that this could further develop a culture of social dialogue in Georgia and help social partners in resolving the existing confrontation in negotiations, while promoting collective bargaining at all levels throughout the country.

Unfortunately, the tripartite commission for social partnership has still not become an effective body invested with decision-making authority. In May last year, at the meeting of the tripartite commission, in which high-level representatives of the ILO participated, the Georgian Government promised that within the tripartite commission a package of very modest amendments to the Labour Code would be developed.

This promise has still not been kept. Instead of aligning the current Labour Code of Georgia with international labour Conventions, the Government of Georgia has continued its crude interference in the activities of independent unions. As a result of concerted action by different government bodies, two of the largest organizations – affiliates of the Georgian Trade Union Confederation, namely, the Free Union of Teachers and the Railway Workers' Union – have been paralysed and face imminent collapse. Union members continue to be threatened with dismissal, and experience intimidation, persecution and blackmail from employers. Other organizations, also affiliated to the Confederation, have shared a similar fate. This has been the case with unions representing workers in agriculture, healthcare, training and social protection.

Despite the Labour Code currently in force and the neoliberal government policies, the Association of Trade Unions has tried to stay true to its policies and, using all legal avenues, to protect the legal interests and rights of workers. The Labour Code still establishes medieval standards of labour, and a single government employment programme is lacking. The poverty level is 28 per cent, and health protection is still out of reach for most of the population. The number of work-related accidents is increasing catastrophically. People are still being persecuted for their union affiliation. Labour inspections have ceased. The right of collective negotiations has been limited, as has right of association and the right to strike.

Against the backdrop of such a harsh existence, at a time when the Georgian State is seriously threatened by external dangers and risks, this Government

must honour obligations that it has undertaken. It must ensure social harmony and the participation of different public groups in socio-economic processes. It has an obligation to promote the creation of new jobs in order to prevent the marginalization of different groups in society, and to prevent social conflicts and upheavals.

Many countries are faced with a daily GDP per capita of less than one dollar, while the world faces such challenges as global warming, environmental pollution, the nuclear reactor disaster in Fukushima, and other disasters, as well as unemployment and related issues. At such a time, governments, including that of Georgia, should not divert the attention of their people to just ensuring bare subsistence. They need to implement effective economic reforms and ensure an equitable distribution of wealth, so that the global challenges facing humanity can be solved through the combined efforts of the world community and with the involvement of every citizen on our planet.

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Mr JENNINGS (*Representative, Union Network International*)

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On behalf of Uni Global Union, the global union for services and the knowledge economy, we welcome the Director-General's call for a new era of social justice at this centenary session of the International Labour Conference.

However, we also need a new era of business responsibility. Three years after the financial crash, it is back to business as usual: CEO bonuses are up; cynical hedge funds are ratcheting up market pressure on Governments to abandon needy citizens; there is rating agency complicity; there are record profits; wages are down; bankers have been bailed out by people who have lost jobs, lost their schools, hospital beds, welfare and rights; the International Monetary Fund and the European Central Bank are squeezing the life out of the workers; the European Union is now attempting to choke collective bargaining.

The Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), and the Right to Organise and Collective Bargaining Convention, 1949 (No. 98), are on the chopping board of austerity cuts. Greece is turning its back on ILO standards and stonewalling an ILO mission. Ireland, where they had to face crisis, but recovered, is implementing a cut in minimum wages.

We are angry because no one individual is being held to account. Not even the US\$500 million fine on Goldman Sachs, the so-called "God's bankers", made a dent in their bonus pool. United States private equity companies demand no controls on their bonuses. To us, globalization means "winner takes all".

We, at Uni Global Union, are on the front line of a new world of work, a new services labour market, a new services workforce and a new workplace, stripped of dignity and based on precarious work. We are working every day to organize people. Our aim is to change the rules of the game, to bring in a new era of responsibility. Too many in the business world consider themselves to be untouchable. We expect better of multinationals.

In Colombia, knowing full well that workers are not free from fear, as assassinations continue while business piles on the misery with union-busting, two-tier contracts, we look forward to continuing discussions between our affiliates and the Vice-President of the country. We expect better in Paki-

stan, where Pakistan Telecoms dismissed 300 people and suspended 200 others for taking industrial action. We support the complaint being made.

We expect better of T-Mobile in Germany, with workers on the board in Germany yet contesting a union election in New York. How ironic that the day that Chancellor Merkel is being received in the White House rose garden, T-Mobile USA is employing union busters in New York.

We expect better of DHL Deutsche Post, with workers on the board in Germany, yet using lie detectors to root out union sympathizers.

We expect better of IKEA, with workers on the board in Sweden, yet refusing to play by those rules with regard to suppliers. There are common standards for IKEA flat-packs and meatballs and double standards for workers.

We expect better of TeliaSonera. It has workers on the board in Sweden, yet in Lithuania their local boss tweeted "finally begin discussions on the futility of trade unions and selfishness with this disease must be fought at the state level".

We need a breakthrough for a new era of corporate responsibility.

It can be done. Last week, we signed a global agreement with Banco do Brazil in Brasilia, which has 120,000 staff. This makes more than 40 global agreements that we negotiated covering more than 10 million workers.

We have proposed the same for Wal-Mart, union buster No. 1 in America. They have launched an African safari by purchasing South Africa's Massmart, which has interests throughout Africa. Wal-Mart must respect the right to organize, to negotiate everywhere and we demand a global agreement to secure this.

We want the ILO to raise its game to ensure an era of corporate responsibility. A multinationals' helpdesk is a small, baby step. We have new human rights' guidelines at the Organization for Economic Co-operation and Development (OECD); we expect Ruggie guidelines on business and human rights.

We want more resources and a higher profile given to the push for global agreements. Why not make this the theme of a future ILO Conference?

It is a centenary year this year. It is a centenary at IBM. Their gift to staff involved putting 140,000 on freelance contracts.

It is the 100th anniversary of the Triangle factory fire in New York in which 62 young women lost their lives. One witness said at the time, "We never went out the front door; we went out the back door one by one. The door opened inward".

At this 100th Session of the International Labour Conference, it is time for workers to always be able to enter through the front door with dignity and decent work. Let us be inspired by the Arab Spring. There is a new generation demanding justice, democracy and decent work. We are committed to growing unions there, working with young people, working with young women, to build new structures.

The ILO needs to make sure those core labour standards are respected throughout the region. From the first ILO Convention until today, the quest for peace lies at the heart of the ILO.

Uni Global Union's most recent congress was held in Nagasaki. I am a Peace Ambassador for Nagasaki. Our call is for peace with social justice, in a world free of nuclear weapons.

It is time for the ILO to deliver social justice and responsibility every day, everywhere and for everyone.

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*Original Spanish: Mr NAVARRO (Worker, Cuba)*

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We appreciate that the ILO continues to express its concerns and to take steps towards finding objective and lasting solutions to the serious situation that the world is in today as a consequence of the complex, difficult and comprehensive crisis in the prevailing capitalist system. This shows the failure of this system, which stems from the large centres of financial and political power which, in a brutal offensive over the last few years, have increased inequalities and generated higher rates of unemployment, bringing deeper injustice whose main victims are workers and their families and, to an even greater extent, young people, whose unemployment rates are even higher than those of adults.

To make this situation even more threatening and dangerous, irresponsible governments, ostensibly in order to defend human rights and their populations, decide to go to war, brutally bombing civilian targets in countries where they massacre populations, kill women and children and threaten military occupation. Those who act in this way have very little to say about social justice and peace.

We have seen that, while Europe declared 2010 as European Year for Combating Poverty and Social Exclusion, the cruel reality was in fact that hundreds of thousands of workers took to the streets to show their dissatisfaction with increases in unemployment, salary reductions and harsh cuts in public spending.

These realities demonstrate that the prevailing model has failed. This is why workers and their trade unions must play a more active role, in order to overcome the difficulties that continue to widen the gap between social classes.

We refuse to try to find solutions to this crisis through conciliation with representatives of large organizations that would impose their solutions on us through adjustment plans that are full of restrictions, wage control, attacks on social security and other brutal measures which affect, above all, workers and their families.

In this context, it is shocking to learn that some 80 per cent of the world's population lacks access to social security systems. This is why it is our view that the ILO should play a more active role and demand that those without the political will to change this situation must do so. If we want a future with truly fair and sustainable societies, we must ensure that the protocol of our international bodies does not take precedence over the interests of workers and the general population.

Latin America has not escaped this crisis unscathed. Nevertheless, its effects have been mitigated through the political will of a number of Latin American governments. Cubans are also suffering the effects of the crisis, which has resulted in great difficulties in getting our supplies, on top of our work to recover from the damage that was caused both by the onslaught of three hurricanes and the severe drought. These are all added to the consequences of the cruel blockade which for 50 years has been imposed on our country and has been maintained and, in some respects, even increased, despite an apparently conciliatory discourse and promises from the new administration, whose real

behaviour corresponds more to the methods of its predecessors than to its campaign promises.

In Cuba, despite what I have already said, we are trying to find solutions through a wide-ranging and inclusive social dialogue involving participation not only from social actors but also all workers and the general population. We have enacted a new bill on social security which provides for new benefits and increases the number of pensions paid out, covering new sectors of the population.

Through this dialogue, with the participation of more than 8 million persons, we have carried out consultations with the people to introduce measures arising from the updating of our economic model, with the aim of overcoming the effects of the crisis and making our society fairer and more sustainable.

We would like to express our willingness to continue working and collaborating with the ILO, not without reiterating, in the most respectful way possible, our call to contemplate within this house, the multi-faceted reality of the international labour movement, which comprises different trade union trends and movements. The hegemony of one is to the detriment of the other and it creates visible differences and negative effects within the ILO.

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Ms MUGO (*Employer, Kenya*)

The Federation of Kenya Employers welcomes the Report of the Director-General, *A new era of social justice*, issued during the 100th Session of the International Labour Conference.

The Report undertakes a critical review of the growth policies and patterns of the last 30 years and largely proposes that the solution lies in the adoption of the Decent Work Agenda. There is no one-size-fits-all solution, as the specific situation in each country must be considered when setting development priorities.

The vision of sustainable development for social change rings true in the Kenyan context, where the challenge of youth unemployment and the credibility of public policies and institutions is an ever-shifting mirage.

Kenya has some 16 million skilled youth who are frustrated because there are no jobs available; ironically, there is also an apparent skills mismatch, or gap, as graduates coming out of universities generally lack skills that meet the requirements of employers. This skills mismatch contributes to increased unemployment and a growing sense of desperation. The ILO needs to help enterprises become more effective and productive through education, skills development and training programmes focused on the skills needed for the evolving economic and social conditions of the twenty-first century.

A further key theme emphasized in the Report is the capacity of the ILO tripartite constituents to facilitate change collectively. Tripartism can be strengthened by governments playing a balancing role and creating an enabling environment that encourages effective joint contributions from the social partners to national policy formulation and implementation. Respect for tripartism and social dialogue must be prioritized to bring about balanced approaches to complex societal problems. It is time to avoid the blame game and show responsible leadership that respects the role of all the social partners.

The Report indicates that six of the world's fastest-growing economies are found in sub-Saharan

Africa, yet unemployment, informalization and poverty are on the increase. Social partners can work together to find acceptable solutions to labour market issues that meet the criteria of fairness and economic realism, in order to bring about meaningful development.

Kenya has shown a commitment to change by passing a new Constitution in 2010, which brought significant changes, including to the courts, and an expanded Bill of Rights. A greater level of responsibility on the part of the population, including the social partners, is required in the exercise of these rights. The Government should take the lead to control inflation and its causes by finding ways of making life cheaper for ordinary people. In this regard, the push for higher wages without increased productivity leads directly to increased inflation. Efforts should be made to build a closer relationship between productivity gains and wage increases. The next step is to establish a way of measuring productivity to support wage determination. Governments can advance social justice by reducing corruption to ensure that public funds go towards development. Corruption has a negative impact on the cost of doing business and the quality of goods and services provided; the tripartite partners have a key role to play in rooting out the cancer of corruption from the economies in the world.

Employers and trade unions must consistently work together to lobby governments for change, based on an agreed and justified agenda. Every time workers and employers work together, they get results, because they influence the economy – the Government is often inclined to act in their favour. Every time unions spend energy and time vilifying employers from public podiums and in other forums, for all manner of ills, they dilute their power to influence change. They also open avenues for weakening the collective influence of the social partners on desired policy changes in our society.

In conclusion, the ILO should assist governments in strengthening labour market institutions, formulating appropriate labour legislation and reforming existing laws to promote labour-market flexibility and responses to changing demands in the business environment.

The facilitation of wealth and job creation should be made a priority by promoting regulations and policies conducive to the creation of sustainable enterprises and a culture of entrepreneurship that is the basis for innovation, development and economic growth.

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Mr RAMME (*Representative, International Confederation of Executive Staff*)

Although the ILO represents an important achievement for all workers, a lot remains to be done to ensure decent working conditions worldwide. However, the ILO is also important for many companies, because it provides them with guidelines and best practice. We should not forget that the world faces a serious challenge with regard to social justice, and it is up to all of us to find the right answer to this problem.

Managers, as part of the staff, are on the workers' side in labour relations. They are the bridge-builders within companies and the institutions. They are a part of the workers' side and they can communicate on an equal footing with the employer. The employers need the managers to get their wishes enforced. The workers need to trust the managers who

have a great deal of responsibility for members of their teams. This is why managers also have a right to create their own independent associations and unions. However, this universal right is currently not respected in every country, and although managers have, on average, better working conditions than other workers, we would still like to ask the International Labour Office to ensure that the right of all groups of workers to create their own associations, and thus give a voice to their group, is respected.

Ladies and gentlemen, we will face greater challenges in the future. The world community has to feed, and provide decent living and working conditions for a fast-growing world population. Only if all countries collaborate more, and if we use technological solutions in a responsible and sustainable way, will we be able to handle this growth. The advantages of free markets will have to be better combined with fair, just and social framework conditions.

We, as associations of management staff and unions worldwide, have a responsibility to collaborate in efforts to form one world, with opportunities to participate for everybody. This will include intensifying our focus on social justice in all aspects of working life, and beyond. In this respect, we support the work of the President, and that of the International Labour Office, in the future.

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Mr YUSON (*Representative, Building and Wood Workers' International*)

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On behalf of the Building and Wood Workers' International, I come to you to report a growing trend in the industrial practices of major multinational companies that are threatening the very existence of core international labour standards which we, here at the ILO, have agreed to adhere to and honour.

More than 300 wood workers in Danville, Virginia, United States of America, who work at Swedwood, part of the industrial group of IKEA, have been trying to exercise their fundamental right to form a trade union since 2008. IKEA is the world's largest retailer of furniture and Swedwood is a manufacturing company that produces wood-based furniture exclusively for IKEA.

Building and Wood Workers' International and IKEA have signed an international framework agreement which included a provision that IKEA will allow its workers from across the supply chain to freely join trade unions. Despite our efforts to engage in a dialogue with IKEA for over 1,000 days now, unfortunately, the company has consistently refused to recognize the trade union. Instead, Swedwood has implemented a systematic anti-union strategy, utilizing the services of an infamous union-busting firm.

Workers who have expressed support for the trade union have been terminated without just cause. Workers who have been insured at work have been unable to receive workers' compensation. The company has implied that it would close the plant if a union is formed during a time of economic crisis. A number of workers have already filed complaints of racism and discrimination. These anti-union, anti-worker practices contravene our global agreement with IKEA but, more importantly, they are violations of the ILO Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87).

IKEA is well known in Sweden for its good social, environmental and industrial practices, but in the United States of America, it has implemented a contradictory policy. It appears that IKEA has a dual personality, with two sets of labour standards: one that projects a good image at home and another that practices bad labour policies in other countries. The management has publicly stated that there is no need for a union at the Danville plant as it complies with the IKEA code of conduct. When has the IKEA code of conduct replaced the ILO Convention? Is the ILO going to accept this growing trend and practice by global companies? Are we at the ILO going to accept that global companies should implement two sets of labour standards?

There is also another company with a dual personality: the Swiss-based company Holcim, whose workers went on strike in India for over a month protesting at the non-compliance of the high court ruling on the regularization of contract workers. The contract workers, who make up the majority of the 1,200 workers, are paid far less than the regular workers, without benefits, even though they are doing the same core work. Holcim has failed to comply with this ruling. Holcim has publicly stated that it will respect an environmental and social standard through its code of conduct. Has Holcim's code of conduct replaced the ILO core labour standard?

I would like to believe here, at the ILO, that we are still advocating one set of international labour standards. If we are true to maintaining this vision and goal then we need to stop these multinational companies administering two labour practices. For the sake of wood workers in Danville and the workers in India, we need to ensure that multinational companies show one true face rather than a split personality.

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*Original Spanish: Mr GÓMEZ (Worker, Colombia)*

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In congratulating you and the vice-presidents on your election, we also express our wishes for the success of this 100th Session of the Conference, in the light of the ILO's tripartism and its great contributions to peace and democracy in most of the world.

Having examined carefully the Report submitted by the Director-General of the ILO, Mr Juan Somavia, it is striking how he refers to the urgent need to implement in practice every form of decent work in order to build a different world in which peace will be the fruit of justice.

Striving for decent work should not be just another campaign; decent work should be synonymous with freedom, with stable employment, decent wages, work that brings social security, and decent living conditions for workers and their families. If there is decent work then there must be quality of life and it should lead to gender equality and the elimination of child labour, opportunities for young people, and a policy for decent work which helps us to develop a more just and fair society in which all of us enjoy equal opportunities.

Within the context of this 100th Session of the Conference, it is of vital importance to share concerns about the problems that union movements have been facing throughout the world, in terms of job losses and decent work. In Colombia, what we find today in abundance is unemployment; a growing informal sector; precarious work; hiring through the intermediary of work cooperatives, with short-term contracts and service orders. We must remem-

ber the serious repercussions all of this has on the quality of life of the population.

I would like to mention once again our concerns at the persistence of behaviour that has resulted in the deaths of trade unionists, dismissals of people because they have dared to form a union, and in many places the denial of collective bargaining rights, creating a climate of uncertainty. We should keep in mind the fact that in Colombia, the right to strike has practically disappeared.

However, despite what I have just said, we should also remember that, thanks to the solidarity of the international trade union movement and the help of the ILO, we have made progress in terms of freedom of association which can be seen in a number of developments.

A decree was passed granting public sector workers the right to collective bargaining. This decree was agreed with state workers through their national federations affiliated with the CGT, the CUT and the CTC.

An intense campaign was conducted by the Attorney-General to encourage union membership.

A document was signed by the Government, employers and workers, setting out the following points: the creation of the Ministry of Labour with the ILO's technical assistance; the appointment of 95 judicial investigators to accompany the 19 labour inspectors investigating the deaths of union members; the appointment of 480 labour inspectors, of whom 100 will be responsible for combating labour outsourcing arrangements promoted by certain work cooperatives; amendments to the Labour Code to punish with imprisonment any violations of freedom of association (the law has been passed during the present session of the Conference); measures to encourage ILO technical cooperation and advice on all labour matters; introduction of a law providing for severe fines for cooperatives that practise indirect hiring; ratification of the tripartite agreement signed by the Government, employers and workers in June 2006; adoption of the recommendations of the High-level Mission; expansion of the protection programme for trade unionists; and efforts to improve social dialogue.

Although we have not solved all our problems, the advances that have been made are the best proof that the path of social dialogue, consultation and tripartism, is the best one.

The Colombian working class is doing all it can to ensure respect for the rights to life, collective bargaining, union membership and the right to strike.

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Mr HARRIS (*Representative, Education International*)

The unions are pillars of democracy. States that do not recognize fundamental labour standards, such as the right to organize and the right to bargain collectively, allow a democratic deficit to emerge which, simply put, will backfire over time.

Across the Arab countries and Africa today, legitimate aspirations voiced through independent labour movements bring opportunities for empowerment, equity, dignity and democracy.

Education International remains, however, deeply concerned about recent developments in many places, including in the United States and Europe, where social dialogue is receding. Budgetary constraints are being used to justify anti-union measures. When democratic freedoms become cost items, we may soon find ourselves all together at the bottom of a deep, dark pit. The threats to social

cohesion in our countries are real and we ignore them at our peril.

Multiple crises – financial, food, energy and climatic – have set back progress towards the Millennium Development Goals and the Decent Work Agenda. Without sound policy, resources and opportunities for people to participate in their own development through independent unions, many hundreds of millions will remain trapped in grinding poverty and indignity.

The world needs a new era of social justice. Resourcing of quality public services for education and health and social protection is the way to break vicious circles of poverty and injustice. Quality education is the basis of democracy, precisely because young people from all backgrounds, from working families, from minorities, the immigrants, have a chance through education to acquire the core competencies and values that they will need for success in life.

Education empowers. Investing in people is smart strategy. Nations that want to build a sustainable recovery must invest in primary and secondary education, in vocational education and training to up-skill workers, in early childhood education, in higher education and research, and in quality teachers' education programmes.

All the key global institutions agree with this, but there is an enormous gap between words and action. We therefore place special importance on the ILO's sectoral activities, which can help to close that gap. The sectoral dimension of the ILO's work must be strengthened as part of the Organization's strategic contribution, which enables unions, employers and governments to confront their visions, their analyses and their strategies. One way forward is through global dialogue forums. Soon we hope to see the completion of the ILO Human Resource Toolkit of good practices for the teaching profession. That will be a practical tool for public and private employers and unions.

Education International will continue to work closely with the ILO, notably on the elimination of child labour; and we must step up work on youth unemployment, on skills and training, on lifelong learning, building on the basis of Education for All.

The empowerment of women and girls is critically important. We support efforts to mainstream gender issues, acting against discrimination in the labour market, combating violence against women, addressing gender pay gaps and gender stereotypes, and promoting equity for women and girls in employment and education.

The proposed Convention and Recommendation on decent work for domestic workers will have a positive impact on women and child labourers. Challenges still lie ahead for ratification and implementation, but based on the willingness of the ILO's tripartite partners to adopt these instruments, we are optimistic.

Promoting equality applies to all citizens, and includes minorities and vulnerable groups: all have a right to dignity.

Education International welcomes the discussions on the strengthening of labour administration and labour inspection systems; these are important. In our sectors, we see from the report by the Joint ILO-UNESCO Committee of Experts on the Application of Recommendations concerning Teaching Personnel (CEART) that conditions are declining

and we are facing de-professionalization on a major scale.

In many countries, core labour standards are far from fully applied for the teaching profession, and that was made abundantly clear in the last report. We are willing to play our part as partners and we are calling on employers and governments to do the same.

Education International supports the ILO's continued assertion of the strategic importance of the Decent Work Agenda and the social dimension of globalization, and we strongly support the ILO's role at the G20.

At the same time, all ILO constituents have to do a much better job to implement and respect the commitments achieved here through tripartite dialogue. It is time to "bell the cat" over the game of blocking dialogue at the Commission on the Application of Standards. Governments and employers should stop this game. It does not serve the ILO; it does not serve people. Take Colombia: 50 teacher unionists killed over the last 30 months. The trend now is to put resources before rights. The Government says it will clean up the financial situation and then do what it can to implement rights. No, that is not acceptable. For nigh on 100 years, the ILO has been based on the principle that rights at work form part of the fabric of society. Rights are the very essence of this great institution. That is the basis for us coming together and that should never be forgotten.

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*Original Spanish: Mr SERRANO (Worker, Ecuador)*

On behalf of the organized workers of Ecuador, I welcome the Report of the Director-General, *A new era of social justice*, on the importance of sustainable development in social justice, the new world era, and the values and policies of the ILO as a model of efficient growth and prospects for the future.

Once again, the ILO, through the Report of the Director-General, deals with a number of important issues to be tackled with a high sense of responsibility by government, worker and employer delegates: we have to meet the challenge of creating a solid basis for implementing sustainable social justice that improves the living conditions of those in society who are currently excluded, marginalized and living in appalling poverty. Overcoming the current situation involves improving the distribution of wealth generated by workers, preserving world peace and ensuring that social justice is not just a meaningless expression.

As the Director-General emphasizes in his Report, sustainable development for social justice must ensure that the needs of people are met, that the environment is protected and that there is social equality. These concepts must be taken into account by major powers and multinational companies, and they should commit themselves to combating policies and activities that destroy ecosystems and cause wars, killing innocent children, women and elderly people in pursuit of natural resources.

In Latin America, we see the continuing destruction of ecosystems by mining, the destruction of forests and the pollution of the environment and, at the same time, we see the continued existence of systems that exploit workers who, in most countries, have no social protection, low salaries and pitiful pensions. Indeed, in some countries, including Colombia, we see trade unionists murdered be-

cause they continue to fight for the interests of workers and the people.

In Ecuador, the workers enthusiastically supported the Government in its commitment to defending national sovereignty, making substantial changes to social and structural systems, and improving the living conditions of workers and the people. The arrival of socialism in the twenty-first century proclaimed the people's revolution of popular democratic and progressive forces. More than four years have elapsed since then and the socio-economic and political indicators show how far we are from achieving those goals. The following indicators will show this: we have an active population of 5 million people; 50 per cent of them are under-employed and 7 per cent are unemployed. Economic growth during that period was, on average, 3.3 per cent, which is lower than the regional average, and took place in contradiction of the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), and the Right to Organise and Collective Bargaining Convention, 1949 (No. 98). Standards are applied that affect the fundamental rights of workers, such as the right to collective bargaining, freedom of association, salaries, and a stable labour market. In the public sector, collective agreements and freedom of association have been almost eliminated. Social security covers only 17 per cent of a population of 14 million – among the lowest in Latin America. Social protest, indigenous leaders, journalists, student leaders and fighters for social equality have been criminalized, prosecuted by the government and imprisoned. Violence and social insecurity have increased and most political parties have been eliminated and their leaders have been incorporated into the current regime. Many of those leaders are linked to parties of the right, which the regime said it was going to combat.

The Ecuadorian Confederation of Free Trade Union Organizations (CEOSL), which is the union I represent, welcomes enthusiastically the proposals of the ILO that governments, workers and employers must commit themselves to active and responsible support. The ILO cannot allow its officials to continue excluding and marginalizing the trade unions that do not agree with it, which is what happened to CEOSL, with regard to officials from the Latin American region over the last three years. This violated the Constitution of the ILO, its principles and objectives, and was contrary to the policies of the Governing Body and the Director-General, therefore promoting a policy of exclusion, marginalization and, in some cases, persecution of our union.

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*Original Spanish: Mr ANDRADE SOLÍS (Workers' delegate, Panama)*

It is a great honour to take the floor at this historic 100th Session of the International Labour Conference, an event which brings us together under the slogan "*Building a future with decent work*".

I wish to draw your attention to the difficult situation facing Panamanian workers. It will soon be the first anniversary of the massacre of Bocas Del Toro, where the humble people of that province fell victim to a savage and cowardly action because of their struggle against the disgraceful Bill No. 30, better known as the *Ley Chorizo*, a union-busting piece of legislation which infringes on the right to strike, disavowing collective agreements and other rights

acquired by the workers. Fortunately, after a long day of fighting, the law was repealed but at an extremely high cost to the people. The Government, in an attempt to downplay the effects of their criminal action, acknowledge the deaths of only two people, Antonio Smith and Virgilio Castillo. However, a commission appointed by that very same Government established that there were four deaths. Other reports, including the report of the Office of the Ombudsman, put the number at more than ten, half of the victims being children and almost all of them indigenous people. There were more than 500 people wounded, and 70 people were blinded, either totally or partially, having been hit in the face by buckshot, despite the fact that international and human rights conventions prohibit the use of this type of ammunition at public demonstrations. There were also hundreds of arrests of individuals who, even today, live under the threat of fraudulent investigations, a tactic which has also been employed against a large number of trade union leaders, who have been subjected to persecution, arrest and death threats.

More recently, another wave of repression was launched against indigenous peoples in their fight against open pit mining projects in their districts. Less than two years into his term of office, Ricardo Martinelli has caused more deaths, injuries and imprisonments among the workers than occurred in the preceding 22 years of supposedly democratic government.

In line with the policies of earlier governments, the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), of the ILO is constantly violated. Whole sectors of workers are denied the right to organize. All of their requests for legal personality are turned down: there is no unionization in Panama for public civil servants, for the banking sector, in the free zone of Colon, in education, the port sector, call centres and other sectors. Workers employed on the Canal cannot strike, despite the fact that this right is enshrined in the Constitution.

In some institutions, a reign of terror and of persecution has been established which targets trade union leaders, as is the case at the Social Security Fund where our comrades Gabriel Pascual and Juan Samaniego were dismissed because they took a stand against the arbitrary actions of the administration and its attempts to bankrupt the institution so that it could be privatized.

We have also seen other attempts to rig the trials of the members of our executive committee at the Social Security Fund.

More recently, in the education sector there was a fierce campaign of persecution which led to the dismissal of a number of teachers' representatives. The aim is to destroy teachers' organizations which oppose a last-minute plan that has been cobbled together to completely overhaul our curriculum which is trying to find solutions to the deplorable state of our schools.

The Government insists on criminalizing social protest through legislation such as Law No. 14, or the *Ley Carcelazo*, an attempt to allow the authorities to imprison anyone who dares to demonstrate in the streets in defence of their own rights. There are other laws as well, such as the one allowing wire-tapping, the *Ley del Pinchazo*. More recently, thanks to WikiLeaks, we learned that our last two

presidents, Martín Torrijos and Ricardo Martinelli, tapped the telephone lines of trade union leaders.

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*Original Spanish: Mr LARA (Worker, Honduras)*

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The ILO has played a decisive role in providing an environment of relative peace, particularly in our less developed countries, but unfortunately it has not managed to convince other sectors, whose fundamental objectives concern economics, and not the social and living conditions and rights of workers.

The Report submitted to us by the Director-General shows that major progress has been made by the ILO and clearly states that the only way of overcoming the crisis is through consultation and not by loading the crisis on to the backs of the workers.

Dialogue may be the best approach for a solution to the economic crisis, but it must be open and sincere. It must be done in a spirit of equity and it must not put economic costs before social costs, as that is damaging to the lives of workers' families.

The ILO should not cause a reduction in labour rights through the deregulation of laws, privatization, and the application of neoliberal policies that damage the fragile savings of workers.

I would also like to say, and denounce at the same time, the situation that is currently being faced by workers and the people of Honduras after the coup d'état, which took place in June 2009. This event led to even more violations of human rights against social and union leaders, human rights defenders, independent journalists, etc. It also brought about a brutal increase in the repression of public demonstrations.

Added to this, a series of laws has been approved by the State authorities that directly affect workers, freedom of association and collective bargaining. The temporary labour law undermines rights acquired by workers, such as the right to social security, the right to social benefits, and the right to maternity leave, and constitutes a tremendous risk for the existence of trade union organizations and collective bargaining, because these workers are not permanent employees, which is a requirement for setting up a trade union.

I would also like to denounce the attempt to reform the welfare state of Honduras, which has seriously affected the workers covered under this system.

Further, I would like to denounce the relentless violations against the judiciary, as a result of its efforts to defend public schooling and the welfare system.

I condemn the discriminatory and destructive attitude of the large majority of the private sector against social organizations in Honduras, which is combined with a campaign to discredit people's organizations and representatives, carried out by the media working for powerful groups.

Another flagrant violation of the law in force that is happening now in Honduras is the failure to pay the minimum salary established by executive decree in 2009. Employers publicly recognize that 64 per cent of companies do not comply with the legally established minimum salary. Obviously, this situation means that other sectors break the law with regard to other rights covered by different laws.

We call on the ILO to continue the campaign for decent work because there is a very precarious situation in my country and we need the ILO to be behind the demand for full employment that will

guarantee better conditions for workers throughout the world.

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Mr SANDRASEKERA (*Worker, Sri Lanka*)

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I would like to precede my speech with some good news I have received from my country.

Just two days ago, the Ceylon Workers' Congress (CWC), the union I come from, along with the Lanka Jathika Estate Workers' Union, which I represent here, and the Joint Plantation Trade Union Centre, concluded a collective agreement with the regional plantation companies represented by the Director-General of the Employers' Federation. This gave a percentage increase of 35 per cent of minimum wages and 23 per cent increase in the take-home pay of plantation workers, affecting about 1 million workers in my country.

The 100th Session of the International Labour Conference this year is taking place at a time in the history of mankind when countries have had to face man-made upheavals such as the global financial crisis and unprecedented natural disasters that have set back the development process of developing countries and had a considerable impact on some of the developed economies in the world as well.

Whilst the reconstruction of damage to property and the loss of life are being gradually addressed, we see the phenomenon of the global economic crisis continuing to be a discernible silhouette having a devastating impact on the lifestyles of people directly affected – and the people indirectly affected in all parts of the world, barring only a few countries.

In a statement to the Spring Meetings of the IMF and the World Bank in Washington on 16 and 17 April 2011, the Global Unions highlighted that the current period of economic recovery, which the international financial institutions (IFIs) often refer to as sluggish, uneven or multi-speed, appears particularly lopsided in comparison with the rebound of corporate profits and banking bonuses to the continued high rates of unemployment and underemployment and the failure of wages to keep up with productivity growth.

According to the Global Unions, the IFIs have a responsibility for promoting the adoption of recovery programmes with a new, more equitable and sustainable growth and development model.

Strong efforts are necessary for implementing internationally coordinated re-regulation of the financial sector, and extending debt relief and grants to low-income countries beset by new surges of goods and fuel prices.

The Global unions urged the international bodies and member States to take coordinated action in areas where no substantial progress had taken place. This would cover: the rules and procedures for breaking up “too-big-to-fall” financial institutions; strong control over non-bank shadow financial economy hedge funds and private equity firms; regulations for “ring fencing” risky investment banking activities from other banking operations; elimination of taxes and regulatory havens; reining in bonuses and other irresponsible and excessive financial sector remuneration plans; strict regulation over credit rating agencies; protection against predatory lending; and support for financial service that serve the real economy such as cooperative banking, mutual insurance and public financial services.

If heed is given to these valuable and viable suggestions, the whole financial scenario will begin to take another more equitable dimension.

It redounds to the credit of the Director-General of the Office and the Governing Body for focusing at this Conference on the most vulnerable group of workers who hitherto have been bereft of a social protective umbrella.

The placement on the Conference agenda of an item on domestic workers highlights the awakening conscience of society to introduce certain measures that would treat this category of workers as human beings, working and living under decent conditions.

The agreement by the tripartite constituents of the ILO to adopt an international labour standard relating to domestic workers must receive universal support, as they visibly and invisibly contribute their blood and sweat to keep afloat the living standards of society as a whole, particularly in the sending countries.

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Mr WARDA (*Representative, International Federation of Chemical, Energy, Mine and General Workers' Unions*)

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On behalf of the International Federation of Chemical, Energy, Mine and General Workers' Unions (ICEM), I would like to express my satisfaction that this Conference is focusing its activity on a wide spectrum of important issues in various key fields, such as the ILO Declaration on Fundamental Principles and Rights at Work, decent work for domestic workers and social security.

I appreciate the Report of the Director-General, and that a sectoral approach to the implementation of the Tripartite Declaration of Principles concerning Multinational Enterprises is considered a priority measure by the Governing Body. Given that the newly revised OECD guidelines and the Guiding Principles on Business and Human Rights: Implementing the United Nations “Protect, Respect and Remedy” Framework are to be approved by the UN Human Rights Council next week, I believe that discrimination and repression against precarious workers in subcontracted workplaces and supply chains must be carefully monitored.

We were shocked to hear that Swiss-based cement multinational, Holcim, seems not to respect freedom of association for irregular workers in India. Holcim India filed unsubstantiated cases of theft against the union leaders of the Pragatisheel Cement Shramik Sangh when they formed a trade union and demanded collective bargaining. This is an attempt to crush the union at a time when it is engaged in a battle in the High Court and Supreme Court in a case involving the Holcim-ACC unit at Jamul, and has also raised the dispute of the illegal retrenchment of 80 of its members in the Holcim-Ambuja unit. We demand that such prosecution, which is an example of union-busting and practices that are illegal under Indian labour law, stops and the management negotiate with the union with regard to its justified demands, failing which we will be forced to take action under international law. It is deplorable that Mr Chandrashekhar Sahu, the Labour Minister of the State of Chhattisgarh of India, who is present at this session of the Conference, refused to meet the 250 Holcim workers who had walked long distances to appeal to him to ensure that basic trade union rights were observed.

We urge the Government of India to look into the appeal by irregular workers for equal treatment and fair wages. We call again on Holcim Global to en-

sure that their subsidiary companies in India guarantee the equal rights of contract workers, and fully respect local legislation. We urge Holcim to initiate a dialogue with the trade union in India, in order to achieve a mutually acceptable solution to this situation. And in general, we expect the ILO to critically follow up a trend towards precarious employment relationships that is undermining the effectiveness of the Right to Organise and Collective Bargaining Convention, 1949 (No. 98), and the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), for workers all around the globe.

As General Secretary of the Global Union Federation, representing the absolute majority of mine-workers in the world and with over 60 national mining affiliates, I am here again to make an urgent appeal to save the lives of mine workers. Too many mine workers have died or have been seriously injured, and workers continue to be killed every day.

The ICEM is proud of its long association with the ILO. We worked laboriously and unflinchingly with Governments and employers to ensure that a new global standard was established for mining laws and regulations, and we launched a campaign to promote the ratification of the Safety and Health in Mines Convention, 1995 (No. 176), in all corners of the globe. We believe our efforts have made a difference, but we have not done enough.

Without a doubt, globalization has created challenges that we cannot ignore. While it is good that the rapid growth of economies like China, India and others creates new opportunities for social progress, we also need to look at the other side of the coin: for many of our members, there is growing job insecurity and pressure on workloads.

The ICEM has become involved in Case No. 2774, submitted to the ILO by the Mexican union, Sindicato Unico de Trabajadores de la Empresa Industria Vidriera del Potosi S.A. de C.V (SUTEIVP), regarding violations of trade union rights. The union represents workers employed by Industria Vidriera del Potosi SA, a manufacturer of glass bottles used to bottle Mexico's famous Corona beer. In early 2008, the company summarily dismissed hundreds of workers covered by a collective bargaining agreement, including members of the executive committee of the union. The company then entered into "negotiations" with a "union" that they invited in to create a substandard agreement, and to act as a shield to keep out the real union. Such practices are common in Mexico, and are known as employer protection contracts. The sham union and its corrupt leadership are generally invisible – often unknown to the workers.

Finally, I would like to express our sincere gratitude to the ILO Office and its staff for all the support extended towards our campaign to promote the ratification of the Safety and Health in Mines Convention, 1995 (No. 176), and the programme of social dialogue, the sectoral forum and the global forum.

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*Original Spanish: Ms QUENTA JUCUMARI (Workers' adviser and substitute delegate, the Plurinational State of Bolivia)*

I am speaking on behalf of the Bolivian workers. I am also the Executive Secretary of the National Federation of Domestic Workers of Bolivia.

I would like to talk to you today about working time, a fundamental part of labour law that gives rise to all workers' rights. Working time is defined

as the time during which the worker is in the service and at the disposal of the employer to carry out a stipulated amount of work. There can be no over-running the working time enshrined in international and ILO Conventions and related standards and comparative labour law.

In Bolivia, the General Labour Act of 1942 established that the working day cannot exceed eight hours and that the working week cannot exceed 48 hours. It was established later on that women and young people under 18 years of age cannot work more than 48 hours a week.

This is one of the major achievements of our workers. It was a significant advance concerning working time but it is still insufficient because there are countries where the working week for women may not be longer than 36 hours.

Working time is a key part of labour law, in the light of which working time is the time during which the worker works to create value for which he or she is paid.

This achievement is threatened by globalization and neo liberalism in an attempt to obliterate this key institution from the minds of workers so that we become part of the productive process, which is deemed to be all that counts. The modern watchword is "more production for more pay".

Labour relations have been diminished, since the worker has to work longer than the stipulated working day in order to achieve higher pay, with a negative effect on his health, family relations, personal development and social involvement. Therefore, Bolivia proclaims that it is necessary that the whole world should understand that we must reclaim our key institution and that we are taking up the torch of the martyrs of Chicago for a working day of no more than eight hours and a working week of no more than 40 hours.

Since 1942, this right has been extended to women in Bolivia but there is, so far, no recognition of this right for domestic workers in the country. We too are workers and we are fighting for this historic achievement to become a reality for all workers in our country.

It is crucial to understand that a society with poor labour relations is an unproductive society. Working conditions which require more production for more pay amount to labour exploitation of a kind which infringes the right to a fair working day.

We therefore welcome the struggle to regain the eight-hour working day as the major source of all other workers' rights.

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Ms SULISTRI (*Worker, Indonesia*)

We welcome the Report of the Director-General, *Equality at work: The continuing challenge*, which was submitted to this Conference.

Although Indonesia has ratified the ILO Discrimination (Employment and Occupation) Convention, 1958 (No. 111), discrimination is still practised and takes place in many forms.

In Indonesia, out of a workforce of 116 million, 107 million workers are absorbed into the labour market and 74 million, most of them women, work in informal activities.

In Indonesia, jobs for women in the informal sector are characterized by low pay, bad working conditions and low security of employment. Most of these women are not covered or protected by unemployment and social security schemes.

In the formal sector, women account for two-thirds of the workforce in major industries in Indonesia such as textiles, electronics and food processing. In these types of industries, young female workers mostly work on a contract-based system. Contract and outsourced workers receive lower salaries, even though they perform the same type of work for the same hours as their permanent worker counterparts. Furthermore, they are prohibited from joining trade unions.

Discrimination on the grounds of age and marital status also exists. For productivity reasons, companies prefer women aged between 18 and 24 years who are unmarried. It is very common that, when such young women get married and become pregnant, they are transferred into subcontracting work or forced to leave companies without proper compensation.

It is also well known that, if a man and a woman start working in a factory at the same time, the man will usually receive more training and will be promoted, while the woman remains in the same job. Women have a higher job turnover than men; they are subject to more frequent hiring, firing and relocation from one job to another. Weak labour inspection and corruption resulting from the misuse of decentralization contribute to the abovementioned problems.

To address these challenges, we consider that some important key points and measures should be taken immediately by the Indonesian Government.

First, on social protection: the National Social Security System Law was passed in 2004 but has not been implemented, owing to a lack of departmental coordination and political commitment by the Government. We hope that the Government will not continue delaying its implementation and will immediately reform the existing social security institution into a public institution supervised by a tripartite body, as mandated by the law.

Second, on labour inspection: weak labour inspection has been a long-standing issue in Indonesia since it introduced regional decentralization some years ago. We urge the Indonesian Government to take the necessary steps and actions to improve and modernize the labour inspection system according to the ILO Labour Inspection Convention, 1947 (No. 81), which has been ratified by Indonesia. We, the Indonesian trade unions, are ready to support the Government in strengthening the labour inspection system.

Indonesia was among the first countries to sign the ILO Global Jobs Pact; the Indonesian Job Pact was signed by the tripartite partners in April this year. This Pact is very important for realizing the Decent Work Country Programme, improving industrial relations, providing more job opportunities and protecting vulnerable workers in Indonesia. We call on the ILO to continue its ongoing efforts by deepening collaboration with the Indonesian tripartite constituents, in particular to enhance union capacity-building to carry out the Indonesian Job Pact.

In response to the discrimination issues, in particular with regard to young female workers in Indonesia, my organization, the Indonesian Prosperity Trade Union Confederation, works together with the International Trade Union Confederation on the decision for life programme. This programme aims to promote work-life balance and to organize young female workers so that they know their rights and to encourage them to join trade unions.

Current Indonesian economic progress and the Indonesian role in various international forums, such as the chairmanship of the Association of Southeast Asian Nations (ASEAN), active membership of Asia—Pacific Cooperation (APEC) and membership of the G20 are very important. Indonesia should show its good leadership to realize its global commitment toward better labour protection and economic sustainability. Trade unions are ready to support and work together with the Indonesian Government to take a leading role in promoting, protecting and achieving decent work for all workers.

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Ms LE BLANC (*Worker, Trinidad and Tobago*)

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I am the General Secretary of the National Union of Domestic Employees, which is a registered trade union in Trinidad and Tobago. I am here speaking on behalf of the Workers' delegation of my country. I am also the Caribbean Regional Coordinator for the International Domestic Workers' Network.

The proposed Convention concerning decent work for domestic workers is so very important because it has only come about after decades of struggling to get a rightful place for domestic workers in the world of work. To go back home without a Convention would be a huge failure. So, too would going back home with a weak one which provides inadequate protection for domestic workers across the world. Domestic workers must be recognized as workers and their status brought into line with that of all other workers. In particular, we need provisions which make the words "decent work" mean something for live-in domestic workers. They often have no stipulated hours of work and must always be on call, especially where they are hired to provide services such as childcare, or care for the aged, the sick or the disabled.

It has been disappointing to hear the contributions to the discussions from some of our social partners.

Some just do not seem to understand that employers cannot just expect their domestic workers to be on call at any time of the day or night for no extra pay, and that this is simply inhuman and unjust.

They say it is necessary in case a sick or elderly person falls out of bed in the middle of the night, for example. But I doubt that many domestic workers would turn away and do nothing. It is not just about our duties as employees but about us as human beings, with a conscience, just like anyone else. Why would we need legislation for such a situation?

Meanwhile, where there is someone who is long-term sick or disabled, the answer is not to have just one domestic worker who is endlessly available, but to have a night nurse to take over for the night shift, with a proper contract too. This is a "decent work" solution in this case.

But let us now turn the situation on its head. Who is looking out for the health, as well as safety, of domestic workers? All over the world, this question has so far barely been taken into account.

In my country, as in many others, domestic workers are not covered under the Occupational Safety and Health Act. For example, domestic workers in Trinidad and Tobago who contract diseases from taking care of the sick have no rights to the benefits that other workers have. Even when they are injured, they are not covered under the Occupational Safety and Health Act, or the Workmen's Compensation Act.

One of our domestic workers in Trinidad told us how she took care of a sick household member. She was unaware that that person had tuberculosis. Eventually she contracted it herself, though none of the other household members did. She had protected them and become ill in the process, but she received no compensation.

Domestic workers also handle many chemicals used for cleaning and laundry. They daily use sharp objects such as knives. They often lift heavy loads, including mattresses and furniture to clean and turn around, or indeed household members who are sick, elderly or disabled. But where are the training programmes in the safe handling of chemicals, sharp objects or heavy loads that are specifically for work in the home? Sexual harassment is another major problem, leading to increased levels of HIV/AIDS, sexually-transmitted diseases and unwanted pregnancies.

A domestic worker reported to us that, after she was sexually harassed by a relative in the household, she complained to the head of the household and was instantly dismissed. But in Trinidad and Tobago a domestic worker has no recourse under the law for unfair dismissal.

These are just some of the “decent work” deficits that domestic workers around the world face, and that is why we need a strong Convention that is ratified and implemented without delay.

Yes, we do have laws in Trinidad and Tobago that apply to domestic workers, but the main problem is enforcement.

So, when we get this new Convention, we will step up our efforts and work even harder to root out all the inequities that domestic workers have to face daily.

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Mr MONSOR (*Worker, Malaysia*)

Migrant workers’ struggles are ever increasing around the globe. Statistics show that out of 13.5 million migrants in the Asian region, 35 per cent move to Malaysia to seek for better conditions, which still remain deplorable.

There is no minimum wage in Asia, including Malaysia. I would like to extend my hand to my sister from Indonesia. There is a likelihood that countries will choose to ignore the Convention and a big task ahead of the ILO will be to get the Government to rectify this. After the ratification, appropriate legislation needs to be put into place so that the Convention will be meaningful and not just a beautiful piece of ratified Convention.

Speaking on behalf of the Malaysian Workers’ delegates on the Convention concerning decent work for domestic workers, the Malaysian Trades Union Congress (MTUC) is in full support of the binding Convention and we trust this will come into being this year. Twelve years of struggle for a minimum wage and other social protection, my two brothers still sitting here, still active, the Government’s positive discussion with stakeholders to support the reform of the labour law to amend the Employment Act, the Trade Union Act, and the Industrial Relations Act – all this is a positive signal for the millions suffering from insecurity, injustice and indignity, all of which is a human rights process.

I join the previous speaker in congratulating the ILO for its efforts in striving to attain decent work for all. We believe that a binding Convention and a guideline will effectively give domestic workers the

recognition that they are entitled to have the same rights to decent work as any other workers.

I appeal to all delegates to support the global effort. As delegates we are responsible to see the Convention through, and let it resoundingly reject the slavery of domestic workers. The support of all such historical decisions for millions of workers will be a source of pride and inspiration for the generations to come.

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*Original Spanish: Mr ESPARZA FLORES (Representative, Trade Unions International of Workers in Energy)*

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It is a source of deep satisfaction, but also an enormous responsibility to stand before this international Organization in order to denounce the abuses being perpetrated by the Government of my country against its democratic and independent trade unions and against the working class as a whole.

It is with shame and regret that I say loud and clear that in Mexico, a State governed by the rule of law, there is no respect for human rights, much less labour rights. Today they are trying to bury international Conventions such as those of this Organization that my country has signed.

Today, the workers in Mexico are being subjected to an anti-labour policy that is jeopardizing collective agreements and trade union autonomy. The members of the Mexican Electrical Workers’ Union (SME) have suffered one of the greatest blows in the history of our country and of the world, with the unjustified lay-off of 44,000 electrical workers and the publication of an administrative decree which did not comply with Mexican law. This was done with the aim of handing over the entire national electrical sector to foreign businesses and doing away with a collective labour agreement and a democratic and independent trade union. The facts are there for all to see: they fire us and hire subcontracting companies that thrive on the use of workers who are not covered by social security – one of the subjects being discussed by this 100th Session of the International Labour Conference.

What is now happening in our country and many countries in Latin America is the result of the recommendations of the World Bank and the International Monetary Fund, which put on a good show in this Conference, but in fact claim that it is we – people with decent jobs earned by hard-won historic gains – who have to pay for the financial and economic crisis they have brought about. A clear example of the failure of this economic policy imposed for over 30 years may be seen in my country, where over 1,000 public enterprises have been privatized according to the same arguments (to create more and more jobs), with disastrous results today: 60 million Mexicans have been thrown into poverty, 8 million young persons do not have access to education, much less a job, and 22 million of my fellow countrymen have migrated to other countries in search of livelihoods for their families. Mexico is now one of the most heavily indebted and violent countries in the world, with the least economic growth, although we have the richest men in the world in Mexico.

How can we speak of social justice when this capitalist economic policy is being pursued, with disastrous results for millions of human beings? We, democratic workers’ confederations and the trade unions, are not a problem – we are part of the solution. The ILO should open this debate to include us. This Organization should be pluralistic

and inclusive in its decision-making processes, and we therefore tell all the fraternal organizations in the world that the SME has kept up its resistance movement for over 19 months because we want our right to decent work to be respected.

In our country, we cannot wait for the judicial bodies to handle our demands, because they are subordinate to the oligarchy that governs the country today. That is why we had to come to this Organization in November 2009 in order to present a complaint against the Mexican Government for violation of Conventions Nos 87 and 98, under which we are protected as members of this Organization. Nineteen months without wages, for more than 16,500 workers who refused to accept the crumbs offered by the Government to give up our right to decent work. Our resources as a trade union were seized, and the people of Mexico have been shown that the arguments used to extinguish our livelihood were false and legally unfounded; this was an act of fraud and discrimination against us, because the activity and work is still being carried out.

We denounce to the international community the fact that we electrical workers are now suffering a war of extermination; we have been killed and blacklisted so that we cannot get a job anywhere in the country; 12 of our comrades who took part in demonstrations and acts of resistance have been unfairly imprisoned without evidence, one of them being Miguel Márquez Ríos, a trade union leader who has been held in a penitentiary in the State of Puebla for over eight months.

We therefore ask for international solidarity to call on the Government of Mexico to comply with Conventions Nos 87, 98 and 155. Today our country is trying to legalize outsourcing. We therefore repeat that our struggle will continue until we obtain justice.

We salute your support and solidarity on behalf of many workers and our families who are in the resistance movement, and of the over 20,000 retirees who are also involved in this heroic struggle in our country.

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*Original Spanish: The PRESIDENT*

I note that there is a request for the floor. What is the reason for the request?

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*Original Spanish: A Government representative of Mexico*

Thank you. My reason for taking the floor is to exercise the right of reply to the speaker who preceded me.

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*Original Spanish: The PRESIDENT*

In accordance with the regulations, you may have the floor for two minutes, but only in reference to the statement in question.

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*Original Spanish: A Government representative of Mexico*

Representing the Government of Mexico, and after what the speaker before me said, I would like to say that what he said does not correspond to national reality.

The reasons for closing down *Luz y Fuerza del Centro* were operating and financial inefficiencies, as has been said many times before, but the former workers' rights were at all times safeguarded and respected according to national legislation, as were their collective labour agreement and the principles of freedom of association. An example of this is the fact that 28,742 former workers of the company received compensation far higher than that established by the law, and the pension entitlements of retired workers for life was also guaranteed.

The Supreme Court of Justice in Mexico, the highest court of justice in my country, determined that the order to close down the company did not contravene the Constitution or the provisions of the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87).

I would also like to point out that 22,859 former workers either already have jobs, are retired, are in the process of being hired, or are receiving some type of support through the national employment service, such as training grants, funding for franchises, housing credits, and expanded medical insurance coverage for ex-employees and their families. In the framework of the dialogue that is characteristic of the Government of Mexico, very high-level discussion forums were established involving members of the Mexican electricians' union in order to hear their concerns and reach agreement, and these also involved representatives of the legislative branch. The Government of Mexico is not acting against any union, particularly not against the electricians' union. This organization today has legal, legitimate and credible representation vis-à-vis third parties, which enables it to safeguard the rights of its members and those of the union itself.

I want to emphasize that Mexico respects the freedom and autonomy of unions and other fundamental workers' rights, both individual and collective, as enshrined in our legislation, and also the unions' own internal rules, and in accordance with the standards and principles of the ILO.

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*Original Spanish: The PRESIDENT*

I would remind delegates that at the ILO, there is no right of reply to a previous reply.

*(The Conference adjourned at 6 p.m.)*

