



## Seventeenth sitting

Wednesday, 15 June 2011, 10 a.m.

President: Mr Nkili

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

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*Original French:* The PRESIDENT

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We will now resume our general discussion on the Reports of the Chairperson of the Governing Body and of the Director-General.

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Mr DE PAYVA (*Worker, Singapore*)

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The Singapore National Trades Union Congress congratulates the ILO on the 100th Session of the International Labour Conference.

In his Report, *A new era of social justice*, the Director-General said, “the Decent Work Agenda and a working ILO tripartism bring the possibility of better, more inclusive growth, of more peace, more equity and rights, less poverty and more stable development in economies, enterprises, workplaces and, ultimately, in society”. The Director-General’s words resonate deeply with the Singapore labour movement.

The Singapore National Trades Union Congress celebrates its 50th year of serving the workers of Singapore this year. At our 50th anniversary, our guest of honour, the founding father of Singapore, Mr Lee Kuan Yew said, “In government, I have never forgotten it is in the interest of workers and their unions that we must strive for growth and development. In other words, growth is meaningless unless it is shared by the workers, shared not only directly in wage increases but indirectly in better homes, better schools, better hospitals, better playing fields, a healthier environment for their families and for their children to grow up.”

Indeed, it must be the responsibility of all governments to put the interests of workers at the heart of all economic and social policies. After all, it is only when workers’ interests are taken care of that nations can achieve social justice and lasting peace, which is also the goal of the ILO.

Tripartism has been a critical competitive advantage for Singapore, which is a result of successful social dialogue between a responsive Government, progressive labour movement and responsible employers, constantly working together as equal partners. The labour movement has supported the Government’s economic policies and the Government has helped to ensure that employers share the fruits of success with labour.

We believe that labour movements all over the world can, and must, play a bigger role to advance the interests of workers and achieve greater social justice in the world of globalization. Unions cannot expect to be taken seriously if they do not make sure that they continue to grow and represent the majority of the working population.

To this end, the Singapore labour movement has been expanding its membership to cover workers of all collars, all ages and all nationalities, which we termed the “All CAN” and we will build on our “All CAN” membership base with a three-generation approach of reaching out to workers of yesterday, today and tomorrow.

To help workers, especially low-waged workers, increase their real income, we will continue to work closely with our social partners to train and retrain our workers, so that they can improve their productivity, earn better wages or obtain the necessary skills to take on better-paying jobs that have been created.

Creating decent jobs and strengthening social protection, especially for the vulnerable groups, such as older workers, casual and contract workers, will continue to remain high priorities in both the labour movement and Singapore.

We also believe that, for unions to remain relevant to workers, we must offer services beyond collective bargaining. Our 12 social enterprises have played an important role to moderate the cost of living and stretch the hard-earned money of workers. We will strengthen our social enterprises so that we can serve the needs of even more workers and Singaporeans.

Colleagues, let us share experiences and cooperate closely so that we can find new and innovative ways to achieve the vision of full and productive employment, and decent work for all.

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Mr DE KROM (*State Secretary of Social Affairs and Employment, Netherlands*)

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It is important that we return here each year, since fundamental labour standards are still not universally upheld. Child labour and forced labour are still widespread; freedom of association and collective bargaining remain out of reach for many. We must, therefore, continue working together to combat such wrongs.

Last year, the Netherlands had the privilege of organizing a conference against child labour, in close cooperation with the ILO. We agreed upon a road-map to end the worst forms of child labour by 2016

– clear, effective and powerful international cooperation at its best.

Social security is on the agenda of this year's Conference. The Netherlands operates a social security system geared towards activation of the individual, a system in which social security is meant only for those who truly need it. We choose not to look at what people cannot do, but at what they can do. Everyone, after all, is able to contribute. This conviction, given practical shape in law and practice, has already proven effective. The reform of our disability legislation in 2006, for example, has caused a 71 per cent decline in the likelihood of becoming dependent on disability benefits. This is possible because we choose to focus on opportunities rather than on obstacles, and we wish to extend this way of thinking – an approach that is both empowering and necessary.

Our socio-economic challenges and opportunities are unique; they require an effective, tailor-made approach. In the future, the Netherlands will have as many as a million job openings – that is, if we do not act now – and this can only be met by stimulating labour. Work is the economic and social engine of Dutch society, and only by fine-tuning can we hope to keep it going, to keep moving forward.

Each government must be able to tackle its own unique reality. This requires international standards that leave governments sufficient flexibility to implement them according to national circumstances. Detailed, universally imposed standards stand in the way of solutions tailored to the needs of individual countries. A different approach to international standards, one that we agree upon in the ILO, is needed. We need to be firm on principles and rights at work, but flexible in the ways to implement them. Such an approach enhances the chance of ratification of standards and thus the chance of overall success.

I argue, therefore, that international labour standards should be better suited to the socio-economic reality we face. Policies need room to respond to new challenges. Current ILO standards were mostly adopted in different times and under different circumstances; those times have changed and we face a much different reality today. We need standards that guide us through the circumstances we face now. We need standards that allow governments of all regions in the world to meet their obligations, and we need standards that will bring us closer to the level playing field we have striven for, and the fairness that goes with it. I am convinced that this can be achieved without lowering protection standards.

It is, and will remain, necessary for us to continue our dialogue, a dialogue that guarantees the necessary protection to workers as well as creating a sustainable business environment and leaving governments sufficient space to design and implement policies that tackle the problems they are faced with. ILO standards should be tailored to meet these requirements at the same time. The Netherlands is ready to meet that challenge.

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*Original Greek: Mr PANAGOPOULOS (Worker, Greece)*

The Greek General Confederation of Labour, at this landmark 100th Session of the International Labour Conference, shares the concerns raised by the Director-General's Report.

We note, in particular, the emphasis on the adverse impact of the "financialization" of the econ-

omy, where the share of profits originating from finance, rather than production, rose from 25 to 42 per cent.

"Poorly governed financial markets", as the Report remarks, are "a major source of inefficient growth. Financial institutions can still make money out of risky operations and shift major losses to governments", which launch austerity measures to address unsustainable deficits, "affecting economic recovery and jobs" – while the gains of financial institutions remain secured.

The Greek case exemplifies this situation. The Greek debt crisis is surely rooted in domestic flaws. It has, however, become uncontrollable due to the destructive drive of finance capital to maximize profits from a \$2.5 trillion lending spree by European banks to what became Europe's most troubled economies: Greece, Ireland, Portugal and Spain.

The EU-IMF exit strategy, rather than Greece, aims to rescue Eurozone banks from the impact of their irresponsible lending. Just like the debt crisis in the developing countries in the 1980s, or the Asian Tigers' crisis in the 1990s, once more we have the trademark IMF bailout, this time together with the EU demands, savage budget cuts and structural reforms regardless of the political and social impact.

In one year of implementation, the shock therapy has failed to put Greece's finances on a sustainable route. It damaged every indicator of the economy, at huge human and social cost. Neither is the Eurozone stabilized. Clearly, without growth there can be no budgetary improvement. On the contrary: unemployment and bankruptcies increase, tax revenue falls and the justified resistance of the people grows.

Unemployment is at unprecedented levels, reaching 42.5 per cent among young people. One out of two young people is unemployed. For the first time in the post-war period, Greece faces an employment crash. The risk to social peace and cohesion is obvious.

The conditionality of the EU-IMF loan mechanism traps Greece in a vicious circle, where austerity breeds recession, followed by harsher austerity, new taxes and deeper recession.

Another austerity package of new taxes, cuts and sell-out privatizations has been announced recently, almost doubling the scope of the existing belt-tightening measures. A new unilateral provision increases the compulsory unemployment contribution in wages universally from 0.5 per cent to 3 per cent. Oddly now, the State's obligation to social protection is passed on to the workers. Nonetheless, the shrinking economy will not allow Greece to pay its debts at the current high interest rates, no matter how hard people are squeezed.

At the frontline of the labour movement in Greece, we struggle to protect workers' income and rights that are the main target of austerity and structural adjustment. We have in a timely fashion brought to the attention of the ILO the permanent, unilateral, disproportionate and socially unfair measures that violate core Conventions ratified by Greece.

We argue that direct or indirect interventions in pay, in the autonomy of collective bargaining or in national wage formation systems cannot be justified by any crisis pretext. Measures should not irreversibly disempower workers and be imposed without

effective social dialogue and adequate social protection, as has been done in Greece.

Ireland and Portugal face similar scenarios: a downward spiral is set in motion across Europe without any provision for social protection, putting the burden on workers. The wide-ranging policy impact transcends Greece and ultimately questions the effectiveness and the validity of the ILO supervisory mechanism.

Direct and indirect labour costs are not a matter of competence for the European Commission, or for the IMF. Wage determination and the level of bargaining is a matter for the social partners, not for credit-rating agencies.

Ratification of Conventions should be taken seriously by all parties. This, besides Greece, also concerns EU Member States and the IMF who push for harsher adjustments that contravene core ILO standards and principles.

In this light, we welcome the wording and the attention paid to the Greek case in the 2011 Committee of Experts report, as well as the discussion of the matter at the Conference Committee on the Application of Standards, and its conclusions.

Greece's future and the stability of the Eurozone must not be left to the financial markets. It is indeed high time for change.

*(The Conference adjourned at 10.25 a.m.)*

## Eighteenth sitting

Wednesday, 15 June 2011, 11.15 a.m.

President: Mr Nkili

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

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*Original French:* The PRESIDENT

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We will resume our general discussion of the Reports of the Chairperson of the Governing Body and of the Director-General.

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*Original Spanish:* Mr DE LUXAN MELÉNDEZ (*Government, Spain*)

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I offer my warmest greetings to the delegations and participants of this 100th Session of the International Labour Conference. It is important because of the historic anniversary but in particular because of the political, economic and social context in which it is taking place and because of the message that the ILO, through its Director-General, wishes to send to the international world of work.

First of all, I would like to congratulate the Director-General on his Report, *A new era of social justice*, which asks us all to reflect deeply on the reasons, evolution and consequences of the recent global crisis and, more particularly, on what policies are, and will be, needed to build a world with fewer tensions, better justice and strengthened security.

This is the role that the ILO has historically played since its establishment. Today, it is more necessary than ever because we need, also more than ever, policies that combine growth and fair distribution of the benefits of globalization.

I reiterate the commitment of my Government to move forward on the values and objectives that identify and give meaning to this Organization: universal respect for the fundamental principles and rights of work; decent work; eradication of poverty through work; a fair globalization based on employment as the central axis of policies; and the establishment of a Social Protection Floor for the most vulnerable among us.

We all must take note of the need to make changes, in a responsible manner, to the productive model. Growth is necessary, but knowing how to grow and understanding the effects of the distribution of wealth on people are even more important and necessary.

We must all take note of the consequences of putting employment at the core of policy and we must realize that this means we have to change the current growth model to make it socially responsible,

based on economic sustainability, social sustainability and environmental sustainability.

To do that, we must involve all those – governments, social partners and international organizations – involved in policy-making, the majority of whom believe that a lack of adequate regulation and appropriate supervisory systems will have devastating consequences.

It is time to remove from circulation the model of ineffective growth that has accentuated inequality throughout the world over the last 30 years, and to publicly reiterate a commitment to socially responsible reform, with the changes that will benefit all; with decent work to offset indecent levels of income and wealth.

This is why we welcome the discussion that has been taking place at this Conference on labour administration and inspection, the adoption of a Convention and Recommendation on decent work for domestic workers, and the promotion of a global Social Protection Floor. The participation of employers and workers in this task is particularly important.

The quality of employment must become a fundamental point when designing policy. To move forward in this regard, it is vital to recognize and promote social dialogue as a basic tool for the structural transformations that are needed.

Congratulations once again to the Conference on its anniversary; age brings greater respect and greater responsibility.

Congratulations as well to the ILO for its coherence, its perseverance and for continuing to be a point of reference to help all of us remember that decent and responsible work is a right of every citizen of the world and an obligation to which all political and social actors are committed.

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Mr RAYI (*Minister of Labour and Transport Management, Nepal*)

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It is my honour to represent the Government and the people of Nepal at this 100th Session of the International Labour Conference and I would like to convey their hearty greetings to the distinguished delegates here. I would also like to express my appreciation to the Director-General, Mr Juan Somavia, for his exemplary leadership of the Organization in such a challenging and eventful time. We welcome the Director-General's call to commit to a new era of growth with social justice based on sustainable development.

The facts-based analysis of our past efforts and assessment fully substantiates it and makes it all the

more urgent when we continue to be confronted with stark disparities, where the top 60 million people enjoy more than 50 per cent of the world's income. This is further aggravated by the unrestrained development of the financial economy at the cost of the real economy, which has routinely overlooked small and medium-sized enterprises and agriculture in the developing and least developed countries.

Nepal stands at a crucial moment in history. We are engaged in socio-economic transformation, including labour market reforms within the overall framework of a democratic policy after more than a decade of armed conflict. At present the main focus of the Government is to conclude the peace process and have a democratic Constitution written by the Constituent Assembly incorporating the fundamental rights of its people, including the right to decent employment as one of its core principles.

The creation of decent employment for all remains a huge challenge for us at this important juncture in our history. About 400,000 workers enter the labour market annually in Nepal. We need to create more jobs not only for those men and women who lost their employment and livelihoods during the decade of armed conflict but also for a large number of former armed rebels who are waiting to be reintegrated and rehabilitated into mainstream socio-economic activities. In addition, we have the challenge of creating opportunities for a significant number of migrant workers who have returned home because of uneasy situations in the Middle East and North Africa.

The Three-Year Interim Plan places the creation of employment opportunities at its focus and includes, among others, employment-based development activities, investment in employment generation, infrastructure development and broad-based, skill-enhancing vocational training. We are also in the process of implementing a labour market reform programme with the technical cooperation of the ILO. The Government of Nepal has adopted institutional and legal measures to introduce a social security system for formal sector employees.

Nepal welcomes the new standards negotiated in the committee concerning decent work for domestic workers. We call upon the ILO to provide technical and other necessary support in creating the enabling environment for the implementation of the new Convention's ideals, particularly in the least-developed countries that suffer from severe capacity deficiency.

Foreign employment has become a significant source of youth employment. Nepal is actively working to develop safe, productive and decent for-

eign employment. However, decent employment has not been a reality for many of our workers abroad. I would like to call upon the ILO and all tripartite delegates to come together and act in the direction of ensuring and complying with international labour standards.

Last month, we concluded the Fourth UN Conference on the Least Developed Countries by adopting the Istanbul Programme of Action for the next decade. The Istanbul Programme of Action recognizes that the efforts of the past three decades had a limited impact on employment creation and poverty reduction in the LDCs. I call upon the Organization to play an active and constructive role in the implementation of pledges and promises in the areas of investment and employment.

Nepal is a party to the seven fundamental ILO Conventions. We reaffirm our unwavering commitment to the ILO Declaration on Fundamental Principles and Rights at Work. I would like to reiterate the commitment of my Government to the elimination of the worst forms of labour, child labour and unfair labour practice. We consider the ILO an important forum for setting standards and ensuring "humane conditions of labour". We remain committed to a policy of active engagement with the Organization.

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*Original French: The PRESIDENT*

I now give the floor to Mr Matsui, Employers' delegate of Japan, to take his right of reply. I would ask you to limit your comments to two minutes.

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*Mr MATSUI (Employer, Japan)*

I am Hiroyuki Matsui, the substitute delegate of the Japanese Employers.

I would like here some clarification on the speech made by the Thai Workers' delegate yesterday afternoon. I just came into the plenary while he was making a speech. I heard him repeatedly cite names of Japanese companies. I did not know what he was exactly trying to say because I did not have an earphone but it was easy for me to assume that he was criticizing Japanese companies.

First, I would like to know what the President or the Vice-President should have done when any speaker cited names of private companies and criticized them. Second, I would like to know how her speech will be reflected in the *Provisional Record*.

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*Original French: The PRESIDENT*

The secretariat has taken due note and you will have these clarifications at the appropriate moment.

*(The Conference adjourned at 11.35 a.m.)*

## Nineteenth sitting

Wednesday, 15 June 2011, 2.45 p.m.

*President: Mr Nkili*

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

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*Original French: The PRESIDENT*

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We will now resume the discussion of the reports of the Chairperson of the Governing Body and of the Director-General.

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*Original Bulgarian: Mr MLADENOV (Minister of Labour and Social Policy, Bulgaria)*

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The message of the Report, pointing to increasing inequality throughout the world, raises concerns. In the present situation, the conclusion that we need a new era of social justice and respect for the central role of people in policy-making is extremely valid and sound. Solidarity and participation underpin the development of societies and without these we cannot construct effective responses to present and future challenges.

Let me now highlight some of the measures taken by the Bulgarian Government which directly correspond with the findings of the Report. Economic competitiveness, labour productivity and high labour force quality are among our key priorities. To attain these, we strive to achieve coordination of social policy with financial and economic policy and to build active social dialogue. The package of anti-crisis measures, adopted and negotiated with the social partners in April 2010, the tripartite agreement on the parameters of the pension reform, the bilateral agreements on home work and telework regulation and the expanded scope of five sector and branch collective labour contracts are examples of this coordination.

In order to compensate people with the lowest income, we are planning to increase the minimum wage, as well as to update pensions while taking into account the budget possibilities and without increasing the budget deficit.

In our employment policy, we are focusing as a matter of priority on young people and on the most vulnerable groups, with the aim of ensuring their active integration in the labour market. We have managed to rein in unemployment to acceptable levels – in May, it stood at 8.87 per cent. We are making targeted efforts to address undeclared employment.

At a conference in Sofia organized jointly by the European Foundation for the Improvement of Living and Working Conditions and the International Labour Organization, Bulgaria, Greece and Roma-

nia signed a tripartite agreement on the protection of labour rights. Mass campaigns and checks by inspectors from the General Labour Inspectorate are also under way. The recommendations on the labour market highlighted in the Global Jobs Pact Country Scan for Bulgaria will contribute to the formulation and development of the respective policies at the national level.

We have also launched a real reform of child and family policies, whose main objectives are focused on raising children in a family environment, active social inclusion and protection against exploitation, including against the worst forms of child labour.

Finally, let me convey again my assurance that the ILO, with its values and principles, plays a key role in mobilizing the efforts of national authorities, social partners and international institutions towards achieving decent work and fair globalization – which are values that are needed more than ever in the world today.

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*Ms STØJBERG (Minister for Employment, Denmark)*

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This year, the International Labour Conference meets for its 100th Session, and we are all invited to take part in celebrating that anniversary.

Once again, governments, employers and workers from 183 countries are meeting to set new landmarks; new landmarks in the ILO's common efforts to improve social protection, and to secure fair and decent living and working conditions all over the world. These landmarks are being set in the spirit of tripartism and social dialogue.

Recently, I participated in two other centennial anniversaries in Denmark, where we also celebrated tripartism and social dialogue, namely the anniversaries of both the Danish Labour Court and the Danish Public Conciliation Service. These two institutions are central to our flexible and successful tripartite model, a model built on the concept that the social partners know what challenges the labour market is currently facing. Therefore, they are most suited to the job of finding solutions to these challenges, and adapting to them.

This is why, in Denmark, pay and working conditions are laid down in collective agreements between trade unions and employers' organizations.

Denmark owes a lot of its economic and social progress to the tripartite model. At the same time, we are aware that the spirit of tripartism and social dialogue is the result of many years of hard work.

This is the second time I am participating in the International Labour Conference. This year is special to me, because Denmark has been elected as

one of the titular members of the Governing Body. I would like to thank you for entrusting us with this important position. Denmark is committed to doing its very best.

I would also like to thank the Director-General for his excellent and visionary Report at this year's Conference, and for his efforts to foster collaboration between the ILO and other multilateral institutions, like the International Monetary Fund and the G20, a collaboration that Denmark strongly supports.

The fact that decent work is on the international agenda is a result of this cooperation. It is very important that we maintain our focus on this issue even, or perhaps especially, in times of financial constraints.

The financial crisis has forced countries to make dramatic cuts to their budgets. We all have to choose between essential tasks and services. In times like these, it is even more important that the ILO delivers. We all expect value for money and effectiveness. Therefore, we strongly encourage the ILO to constantly look for ways to improve its work.

Since 2009, efforts have been made to improve the Governing Body. These efforts have been based on consensus among ILO members that improvements are both necessary and possible. The reform package which has recently been agreed is the result of impressive work by the Office and all ILO members.

The main task ahead is to ensure the proper implementation of the reform of the Governing Body. We should not make light of this. It is up to the Office, as well as governments, employers and workers, to do everything possible to ensure that the reforms translate into real improvements, so that the ILO remains relevant and respected.

We are all responsible for making the reform process a success, and we have all a common interest in a strong, relevant and well-functioning ILO, which can contribute to a fair globalization through decent work for all women and men. I can assure you that Denmark will contribute to this important agenda.

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Ms GAWANAS (*Representative African Union*)

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It is an honour and privilege for me on behalf of the African Union to make a statement at this historic 100th Session of the International Labour Conference and bring greetings from His Excellency, Yang Ping, the Chairperson of the African Union Commission. I also want, on behalf of the African Union, to express congratulations to His Excellency Professor Robert Nkili, for assuming the chairmanship of this historic session.

Globalization, coupled with insufficient economic growth, has eroded and is continuing to threaten social cohesion and political stability throughout the world. We cannot but remind ourselves of the developments in the north of our continent, Africa. It is as a result of these realities that the Labour and Social Affairs Commission that was held in Cameroon in April this year met under the theme "Promoting employment for social coercion and inclusive growth". Among many other issues that were discussed at this session, was precisely the question of youth employment, as well as the situation of workers in the informal economy.

This meeting adopted a declaration which will be presented to the forthcoming assembly of Heads of

State and Government to be held in Equatorial Guinea on the theme of accelerating youth empowerment for sustainable development.

I have no doubt that during your many discussions you are addressing the plight of youth and of workers in the informal economy, not to mention the situation of women.

As far as the African Union (AU) is concerned we have continued to promote tripartism, because the Labour and Social Affairs Commission is a tripartite body that has existed for the past 30 years within the structures of the African Union.

At the level of our Heads of State, you will recall that as far back as 2004 they adopted the Ouagadougou plan of action on employment promotion and poverty alleviation, and within the framework of this plan of action we have given prominence to issues of social protection and job creation. They also adopted a programme on upgrading the informal economy, the social policy framework for Africa and a social protection plan for the informal economy and rural workers that was endorsed at the meeting in Yaoundé. This commitment demonstrates Africa's concern for the empowerment and protection of vulnerable and marginalized groups in our societies.

These policy frameworks take into account the specific social protection needs of the working poor, as well as of children, the youth, the elderly and persons with disability, as well as providing family access to services such as clean water, sanitation and health care. We are very mindful of the existence of international instruments, among others the Millennium Development Goals, as well as the ILO Decent Work Agenda, the Global Jobs Pact and the UN Social Protection Floor, and therefore we feel that what we have done at the African Union is reinforcing these international instruments that already exist.

I would like to underline the importance of the proposed Convention and Recommendation on domestic workers which will be adopted at this session. Africa is greatly concerned by the challenge faced by domestic workers, both at home and overseas, where migrant workers are particularly vulnerable to discrimination and unfair working conditions. I would like to congratulate the Africa Group for its leading and active role in the Committee on Domestic Workers.

We continue to deplore the fact that many children are still involved in hazardous work all over the world and we welcomed the celebration of the World Day against Child Labour on 12 June 2011.

Today the world is looking anew at its institutions and engaging in the debate on fair representation of developing and emerging countries in international organizations such as the IMF and the ILO. It also firmly recognizes the social dimension of globalization, thus more effectively integrating the ILO in the work of the G20.

The 16th session of the African Union Executive Council in January 2010 endorsed the resolution on the ratification of the 1986 instrument of amendment of the ILO Constitution. The African Union renews its call for fairer representation of the African region in the ILO by seeking to accelerate ratification of this instrument. It is a call to facilitate and support the modernization and democratization of the ILO, but also to ensure that all regions, in particular Africa, are equitably represented within its governing structures.

I want to conclude by saying that, in the interests of quick and inclusive recovery, the G20 has put forward some policy orientations entailing various commitments, notably with regard to the labour market and social protection. The challenge for Africa is how to work for the effective fulfilment of these commitments in a coordinated and harmonized manner. In order to increase the level and quality of resources for the implementation of labour, employment and social protection policies at all levels, the Labour and Social Affairs Commission plans to work with the African Development Bank to prepare such a coordinated strategy.

I would like to end by saying that we believe in *ubuntu*, which has to do with the spirit of solidarity. It is therefore important for us to extend social protection to those most vulnerable and most marginalized.

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*Original Russian: Mr ISAEV (Worker, Uzbekistan)*

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The Report of the Director-General shows that, today more than ever, we need such ILO values as fundamental principles and rights at work and decent work.

In Uzbekistan, workers in practically all economic sectors enjoy three rights: first, the right to freedom of association; second, the right to bargain collectively; and third, the right to conclude collective agreements.

The aim of the activities of the Trade Unions Federation of Uzbekistan, as one of the most important institutions in civil society, is to protect the professional, socio-economic, spiritual, intellectual and legal interests of workers. Trade unions in Uzbekistan have more than 6,700,000 members, representing 75 per cent of the officially employed population.

Collective agreements are an important mechanism for ensuring social justice. Exercising the right to bargain collectively, trade unions in Uzbekistan seek to conclude collective agreements and treaties.

Currently in Uzbekistan, we have one general agreement, 81 sectoral agreements, 14 regional agreements and more than 100,000 collective agreements at enterprise level.

Collective agreements have been concluded at more than 90 per cent of enterprises that have their own trade union organizations. Every collective agreement is examined carefully by a higher-level trade union body.

In Uzbekistan, in accordance with the Holidays with Pay Convention, 1936 (No. 52), in 2010 more than 20,000 collective agreements provided for basic extended and additional holidays for workers, which more than 30 per cent of workers belonging to trade unions made use of.

In accordance with the Maternity Protection Convention (Revised), 1952 (No. 103), some collective agreements provide for extended paid maternity leave beyond the statutory period and material assistance for mothers on leave to care for a two- or three-year-old child.

Thanks to the collective agreements, every year more than 50,000 children from lone-parent families receive textbooks and study materials.

Every year, under collective agreements, 1,500 students from low-income families benefit from full or part payment of tuition fees and receive grants from trade unions.

More than 80 per cent of collective agreements include provisions on obtaining prior agreement

from trade unions before enterprises can dismiss workers, which protects more than 4.5 million workers from illegal dismissal.

Trade unions continuously monitor the creation of new jobs. In the first three months of 2011 alone, the trade unions studied a sample of new jobs created at 118 enterprises across the country.

Trade unions strive to ensure that employers rigorously apply standards for minimum pay and increase the tariffs they pay to the wage fund.

As is noted in the Report of the Director-General, social dialogue and collective agreements contain wage inequality.

Trade unions and minimum wages serve to reduce the pay gap between men and women, providing for gender equality in this sphere.

In conclusion, allow me to express the hope that the ideals of equality and justice will remain the paradigm for all activities within the International Labour Organization.

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

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In his presentation of his Report, the Director-General calls for us to establish a new era of social justice and to introduce an economic model based on such irrefutable premises as freedom, dignity, security, equality, the responsibility of the various social partners, and the fair and appropriate development of public policies. We could not agree more.

The Report refers to the growing frustration and anger of people about the unfair distribution of income and the ever-increasing difficulty of ensuring respect for the most fundamental rights, rights that every human being should enjoy. The Report also describes the need for the ILO to take a more active role in the changes required at the global level to achieve this long-awaited growth model based on greater social justice, for which four actions are proposed: leadership, expertise, dialogue and cooperation. We will make your words our own, Director-General.

We must make our Organization stronger. We need to be more proactive in our fight to implement a model that will make it possible for us to achieve true equality among all the social partners, to develop public policies based on tripartite social dialogue, and to respect the fundamental principles enshrined in the Conventions discussed and approved here.

The ILO is the international forum for the discussion of the most relevant aspects of the world of work, decent work, sustainable enterprises, freedom of association, private property, free enterprise, and it is also the body that is called on to ensure that the standards and Conventions agreed and approved by all member States are actually implemented. There is no point sitting here tirelessly engaging in social dialogue if it is then not respected.

In my country, for example, there is no true social dialogue. There is no respect for freedom of association or freedom of the press. Private property is violated and there is a permanent atmosphere of intimidation against sectors that are not in line with the Government. Trade unionists, trade union officials, workers, businessmen, students – all are under pressure and subjected to legal proceedings simply for declaring their legitimate right to protest in order to try to claim the basic rights that are being undermined. If we attack private enterprise, if we put ob-



stacles in the way of its development, how are we going to create more and better stable and decent jobs? Without sustainable private enterprise, there can be no human development. Cutting off and harassing the corporate sector, as is the case in my country, closes the door to achieving the social justice to which the Director-General aspires. Leadership, expertise, dialogue and cooperation are the way forward in order for this Organization to help realize an economic model with greater social justice that includes criteria for decent work, sustainable enterprises and social dialogue; all this in the framework of freedom of expression, freedom of initiative, equality and respect for all the social partners.

We would like to thank the Governing Body, the Director-General and the ILO for the efforts they have put into arranging for a high-level mission to visit my country to look into the complaints we are repeatedly lodging in respect of the harassment and destruction of private enterprise in Venezuela, which fly in the face of the good practices that we preach in this House.

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*Original French: Mr VENTURINI (Representative, International Association of Economic and Social Councils and similar Institutions)*

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I am the Secretary-General of the International Association of Economic and Social Councils (IAESC), which brings together some 70 members around the world.

The IAESC supports the conclusions, analysis and work carried out by the Committee for the Recurrent Discussion on Social Protection.

On that note, we believe that civil society has an essential role to play at the international level in promoting the issue of social protection, in parallel with that of employment, as a fundamental priority for governmental policy and global regulatory systems.

Efficient governance is key to the success of programmes to strengthen employment and social protection.

Access to education, knowledge, information, decent work and health is a fundamental requirement for democratic processes and human rights. It is this requirement that underpins the work of economic and social councils.

The contribution of economic and social councils to the strengthening and expansion of social protection systems aims to align with the expectations of international bodies, including those of the ILO, in the areas of defending decent work and the Global Jobs Pact, while playing a major role in processes to promote social protection at the universal level.

In this context, the economic and social councils and the IAESC recently organized, in partnership with the ILO, several international conferences on the role of economic and social councils as promoters of decent work and the Global Jobs Pact. With regard to Africa, for example, a solemn declaration was adopted in Cotonou in December 2010, and the Dakar conference in April 2011 drew up a roadmap for implementation of the Decent Work Country

Programmes by African economic and social councils.

Along the same lines, at its next international conference in Rome in July 2011, the IAESC will focus on the role of economic and social councils in the new global economic, social and environmental governance.

Economic and social councils can make an important and useful contribution because they are assemblies that work to get to the heart of issues and find consensus among representatives of organized civil society, beginning with workers' and employers' organizations, as well as social and civil organizations.

These institutions represent social democracy, which, through social and civil dialogue, can help executive and legislative authorities to define balanced measures and reforms that meet with the approval of civil society.

In addition to the efforts currently being deployed, economic and social councils must become more involved in the drafting and implementation of policies and strategies on social protection.

In this regard, coordinated action must be planned, in particular for combating poverty through legal and effective access to public services on the basis of fair distribution of economic growth; consolidating social investment in new generations on the basis of family and child policies that offer effective protection against economic, social and other risks; integrating persons with disabilities and the elderly into society while guaranteeing their interests; and the modernization of pension systems.

The contribution of economic and social councils to the implementation of a Social Protection Floor should primarily be directed at creating and strengthening employment and labour protection conditions.

This covers a very broad field of activity, including medium- to long-term growth strategies and exploring new approaches to job creation, ways of expanding social coverage and the conditions for providing job opportunities for disadvantaged social groups.

The main aim is to ensure that national development strategies are driven by the need to strike a balance between promoting growth and fighting poverty, while providing a guaranteed minimum level of social protection.

This means examining the possibility of drafting a global charter setting out minimum rights for social protection, in line with the ILO's Social Protection Floor, that could be incorporated into the next review of the Millennium Development Goals, in 2015, and could establish specific evaluation indicators, similar to human development indicators.

On all of these issues, the IAESC, with its network of around 70 economic and social councils all over the world, is ready to work alongside and in partnership with the ILO and to strive for concrete and tangible results.

*(The Conference adjourned at 3.25 p.m.)*

## Twentieth sitting

Wednesday, 15 June 2011, 4.55 p.m.

*Presidents: Mr Hossu and Mr Hernández Sánchez*

### THIRD REPORT OF THE CREDENTIALS COMMITTEE: SUBMISSION AND NOTING, AND APPROVAL OF THE COMMITTEE'S PROPOSALS

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*Original French:* The PRESIDENT

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The first item on the agenda of this sitting is the presentation of the third report of the Credentials Committee, which was published in *Provisional Record* No. 5D.

I invite the Officers of the Committee to take their places on the podium: Mr. Vokouma, Chairperson; Ms Horvatić, for the Employers; and Mr Veyrier, for the Workers. I now give the floor to Ambassador Vokouma to present the report.

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*Original French:* Mr VOKOUMA (*Government, Burkina Faso, Chairperson of the Credentials Committee*)

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I am honoured to submit to the Conference the third report of the Credentials Committee, contained in *Provisional Record* No. 5D. It sets out a summary of the Committee's activities since its last report.

The work of the Credentials Committee helps to preserve and consolidate the very basis of the International Labour Organization; in other words, its tripartism. Indeed, in order for the International Labour Conference to correctly reflect the character of the ILO, it is essential that the Employers' and Workers' delegates are truly representative of the employers and workers in their countries.

This is why article 3, paragraph 5 of the ILO Constitution states that Members must nominate non-Government delegates and advisers in agreement with the industrial organizations which are most representative of employers or workpeople in their respective countries.

It is essential to ensure, through dialogue and consensus, that Employer and Worker representatives are chosen freely, that they are truly representative, and that they are able to participate on an equal footing in the work of the highest decision-making bodies of the ILO.

During this session of the Conference, the workload has again been fairly heavy because 22 cases were examined by the Committee. The number of participants in the Conference reached a record level, with more than 4,500 members of delegations registered.

The Committee was informed of 17 objections with regard to the credentials of delegates or their advisers. It also received four complaints regarding

failure to pay the accommodation and travel expenses of delegates or technical advisers.

Furthermore, the Committee was able to examine a complaint in application of its new mandate, adopted by the Conference last year, alleging that a technical adviser accredited to the Workers' delegation was prevented from taking part in the Conference because of an omission by the Government concerned.

It has held 16 meetings and five hearings.

I would like to draw the Conference's attention to two cases for which we have suggested that the follow-up measures adopted at the last Conference be renewed. These are Djibouti and Myanmar. Last year, the Conference asked each of these countries to submit two reports: an interim report submitted to the Director-General of the International Labour Office at the end of 2010 and a detailed report sent at the time of submitting credentials to the Conference.

The Committee deeply regrets that these two States have failed to present the reports in the time and manner specified by the Conference. Nevertheless, they have agreed to discussions with the Committee.

As regards Djibouti, the information communicated to the Credentials Committee during the Conference has not made it possible to dispel the doubt about the situation of trade unions in Djibouti.

As regards Myanmar, the Committee has taken note that a process is under way to draft new legislation, but it considered that this must not be a pretext for preventing independent workers' organizations from being established or for preventing those already in existence from operating.

In both cases, I would like to draw your attention to paragraphs 41 and 77 of our third report and I ask you to adopt the strengthened follow-up measures contained in it.

Various objections that we have received concern the fact that it is the Governments that have decided upon the composition of the Workers' or Employers' delegations because the representative organizations were unable to reach an agreement.

Governments are obliged to make sure that the delegations are truly representative and appointed in common agreement with the most representative employers' and workers' organizations.

But it is also important that employers' and workers' organizations make every possible effort to reach agreement and to provide the Governments with the information they need to make a decision. If they do not, it is up to the Governments to ap-

point the delegations, using a transparent, objective and verifiable procedure.

With regard to complaints on failure to pay the travel and accommodation expenses of Workers' and Employers' delegates, financial difficulties were again alleged by certain members. As it has emphasized, the Committee understands that the global economic crisis has added to the financial burden of sending a full tripartite delegation to the Conference.

However, although the financial crisis has affected governments, it has had even more serious consequences for the social partners and their ability to pay their expenses. Governments, therefore, cannot use this reason to justify a failure to fulfil their obligation of paying the expenses of a complete tripartite delegation.

The Committee furthermore points out the ILO plays a major role in seeking a solution to the crisis, which makes a complete tripartite presence in these decision-making bodies all the more important.

Turning to objections and complaints, the Committee and its secretariat have had very little time to receive and examine these objections and complaints. It is essential, therefore, that they are submitted as early as possible and they are fully documented.

To examine them correctly, the Committee must have all the information it needs and the substance of the problem must be clearly explained. It is also essential that Governments respond rapidly and fully to complaints when requested to do so by the Committee.

Furthermore, I would like to remind you that, in order to be effective, the Committee's deliberations must be confidential from start to finish. Any attempt to provide the Committee with additional information must be made through official channels and not through a member of the Committee or its secretariat.

The Committee is aware that the filing of an objection or a complaint and the examination of them by the Committee may have serious consequences for the member States and social partners concerned.

The Committee therefore takes its work very seriously and endeavours to provide effective solutions to objections and complaints. In order to do so it relies, above all, on the cooperation of the governments, employers and workers.

This year, aside from objections and complaints, the Committee has also dealt with a more general issue: the tripartite imbalance that is observed within certain delegations.

I would like to make it clear that we are talking about the number of technical advisers that accompany the delegates of the three parts of the delegation. This number directly affects the ability of the Employers' and Workers' delegates to participate in the work of the Conference on an equal basis as the Government delegates.

For 46 years now, the Credentials Committee has noted imbalances between the number of Government, Employer and Worker technical advisers at each session of the Conference.

The Governing Body was informed of this issue in March 2010, but the Committee has decided to contribute to its consideration of it by asking the Governments concerned at this session for information on the possible reasons for the imbalances in their delegations.

It has written to 17 Governments and has received replies from 13 of them. The majority of these replies concern the particular role played in the delegations by the diplomats of the permanent missions based in Geneva. A summary of the replies received appears in paragraph 132 of the report.

The Committee feels that the response of the Governments to its request shows that most of them are aware of the issue of tripartite imbalance within delegations, and that they are prepared to remedy it.

However, as it has also received some unsatisfactory replies, the Committee wishes to renew its request to the Governing Body, through the Conference, to continue its consideration of the issue, including considering the possibility of extending the Committee's powers to cover specific allegations based on an imbalance between the three sections of a delegation.

To conclude, I would like to address my very warm thanks to my colleagues Lidija Horvatić, Employer member from Croatia, and Yves Veyrier, Worker member from France, for the spirit of cooperation and consensus that marked our discussions this year.

I would also like to thank Tilmann Geckeler, the representative of the Secretary-General, and the other members of the secretariat of the Committee for their commitment and valuable support.

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*Original French: The PRESIDENT*

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The Credentials Committee has adopted its third report unanimously, and the Conference is simply called upon to note it and to approve the proposals contained in paragraphs 41 and 77.

*(The third report is noted.)*

*(The proposals are approved.)*

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*Original French: Government Delegate (Djibouti)*

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The Government of Djibouti thanks the Chairperson of the Credentials Committee of the International Labour Conference, and its members, for the presentation of the Report. However, I would like to make some comments and observations.

The Government deplores the fact that its desire to cooperate has not been sufficiently stressed in item 36, paragraph 6 of the Report. The Report notes that no reply was received from the Government with regard to Case No. 2753. In that regard, the Government confirms that the reply to Case No. 2753 was officially communicated in writing to the Committee on Freedom of Association. As proof of the Government's good will, a copy of the document was forwarded to the distinguished members of the Credentials Committee at the time of the hearing concerning the Government of Djibouti, during the examination of credentials.

Furthermore, the Government is of the opinion that it has respected the appointment of workers' representatives and has conducted adequate consultations with legitimate and representative trade unions, as was humbly demonstrated in the Government's written replies to the questions raised by the Credentials Committee.

The Government of Djibouti congratulates the Committee on having implicitly recognized that these organizations have made dubious, vague allegations, not supported by any documents.

I would like to refer to the status of the Union of Djibouti Workers (UDT) member Hassan Hared, whose name appears on the list of the International

Trade Union Confederation (ITUC) representatives, allegedly as the UDT Secretary for International Relations. However, he has ceased any trade union activity and is currently in the process of applying for refugee status in Switzerland. Nevertheless, he appears to have a non-governmental organization (NGO) badge and is on the ITUC list.

Mr Farah Abdillahi Miguil, the alleged First Deputy Secretary-General of the UDT, has no trade union mandate, as far as we know, and runs his own business.

With regard to Mr Souleiman, who also features on the list as a trade union delegate and the third Deputy Secretary-General, he is, to our knowledge, living abroad in Belgium. Therefore, contrary to the allegations contained in the report of the Credentials Committee, the Government is scrupulously implementing the recommendations resulting from the direct contacts mission in January 2008, and is working to create the right conditions for real social dialogue. That is all I have to say.

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*Original French: The PRESIDENT*

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I draw your attention to the fact that there is normally no discussion on this point, nor do any speakers take the floor. The Conference has taken note of what you have said on this subject. I would like to thank all the members of the Committee.

#### **REPORT OF THE COMMITTEE ON DOMESTIC WORKERS: SUBMISSION, DISCUSSION AND APPROVAL**

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*Original French: The PRESIDENT*

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We now examine the report of the Committee on Domestic Workers. This report, the proposed Convention and Recommendation concerning decent work for domestic workers, and the resolution concerning efforts to make decent work a reality for domestic workers worldwide were published in the *Provisional Record* No. 15.

I invite the Officers of the Committee to come up to the podium: Chairperson, Mr Cacadac; Employer Vice-Chairperson, Mr Mackay; Worker Vice-Chairperson, Ms Yacob; Reporter, Ms Escorel de Moraes.

First, I give the floor to Ms Escorel de Moraes to present the report.

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*Ms ESCOREL DE MORAES (Government, Brazil; Reporter of the Committee on Domestic Workers)*

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I have the honour to present to the Conference the Report of the Committee on Domestic Workers. In introducing the Report and the proposed Convention and Recommendation, I would like to give you a short overview of our work in the Committee.

This report and the proposed instruments are the results of the Committee's hard work over the past two weeks. We held 17 formal sittings, including four evening sittings, several group meetings and a meeting of the Drafting Committee.

Our work was characterized by our common determination to adopt a draft Convention and a draft Recommendation that can actually improve the employment and living conditions of domestic workers across the globe.

For far too long domestic workers have been completely or partially excluded from the labour protection afforded to other workers. For far too long they have been denied dignity and respect.

The Committee has sought to respond, to the best of its ability, to the huge expectations that its work

has generated among domestic workers, the ILO's own constituency and society at large. The Committee on Domestic Workers was faced with a formidable task. I believe we should all be proud, both of the result we have achieved and how we achieved it. We succeeded in completing the reading of the texts of the proposed Convention and supplementing Recommendation in their entirety. This was a very ambitious task considering the length of the proposed instruments, the complexity of the range of issues they cover, and the fact that last year, due to time constraints, the Committee did not have the opportunity to examine in any detail the conclusions concerning a possible Recommendation.

Sometimes it was difficult to find consensus on where to strike the balance between minimum protection for this category of workers, and flexibility in its implementation. Equally challenging at times, was agreeing on wording that could accommodate the different legal regimes and socio-economic realities across the world. Despite these difficulties, however, the Committee on Domestic Workers has consistently shown constructive engagement and firm determination to reach a consensus and come up with a robust instrument for the promotion and protection of decent work for domestic workers.

We used the limited time at our disposal in an efficient manner. From the onset, we agreed not to reopen the discussions on issues on which the Committee achieved consensus last year, such as the definition and the scope of the instruments, and the fact that domestic workers must enjoy all the fundamental principles and rights at work, as well as other human rights, and to concentrate instead on the unresolved questions.

Another shared goal was ensuring that adequate attention was devoted to the discussion of the proposed Recommendation. I do not need to elaborate on how important it is to count on a strong Recommendation, capable of providing clear practical guidance on how to give effect to the obligations laid down in the Convention. I believe we have managed to attain this crucial objective.

I am very pleased to acknowledge that a decisive factor in permitting this Committee to accomplish its work was our Chairperson. Whenever we embarked on lengthy and circular discussions, our capable Chairperson invited us to pause, and rely on caucus work as the more effective way of seeking understanding of our different positions and achieving a compromise on particularly contentious issues. Informal consultations and negotiations in parallel, or in between plenary sittings, enabled us to overcome many hurdles in a timely fashion.

My thanks therefore go to our Chairperson, Mr Hans Cacadac, and to the two Vice-Chairpersons, Mr Mackay and Ms Yacob, who were all motivated by the common commitment to making decent work a reality for millions of domestic workers across the world.

The Government members were also major players in arriving at a successful conclusion of our work. I thank them for their engagement and constructive input.

I would also like to acknowledge the valuable contributions of the Secretariat to the production of this report and throughout the whole process. Their competence, dedication and genuine motivation have been a tremendous asset to our work.

Before turning to the content of the Report, allow me to say a few words on the substantive provisions of the proposed Convention and Recommendation.

The provisions on working hours, safety and health and enforcement mechanisms generated a lively debate within the Committee and reflect a compromise between different views. The corresponding provisions are crafted in a very careful manner, so as not to generate new obligations where the national law and practice does not already provide for such protection for other categories of workers in the country, while allowing for flexibility in implementation. The need to ensure that domestic workers enjoy fair terms of employment, as well as decent working conditions and their right to privacy was also recognized, along with the importance of protecting the right to privacy of the household members.

The proposed Convention addresses the specific requirements of young domestic workers and strengthens their protection through the setting of a minimum age for domestic workers, in line with the Minimum Age Convention, 1973 (No. 138), and the Worst Forms of Child Labour Convention, 1999 (No. 182), and by ensuring that domestic work should not deprive them of compulsory schooling, or interfere with their future education or vocational training.

Live-in domestic workers constitute another group which requires special attention. The draft instruments address the specific circumstances of live-in workers in several ways, including by providing for measures aimed at spelling out the minimum requirements in respect of accommodation and meals, protecting the confidentiality of their personal data, and by protecting these workers from possible violence or endless working days.

Similarly, the proposed texts pay particular attention to the vulnerability of migrant workers, for instance, by providing for measures to ensure that they receive a written employment contract or job offer before travelling to the country of employment.

However, getting back to the Report before us. The report comprises four sections, the introduction containing opening statements where the Employer and Worker members regional groups, namely Africa, Asia-Pacific (ASPAG), the Group of Latin American and Caribbean States (GRULAC), the group of Industrialized Market Economies (IMEC), the Gulf Cooperation Council (GCC) and the European Union (EU), as well as 27 governments and four non-governmental organizations, gave their overall views regarding the proposed instruments.

This is followed by a section on the consideration of the proposed instruments which records, in summary fashion, the discussion on 263 amendments submitted by a large cross-section of delegates, as well as a large number of sub-amendments. Then there is a section containing the text of the proposed Convention and Recommendation as adopted by the Committee on Domestic Workers.

The fourth and last section includes the resolution on efforts to make decent work a reality for domestic workers worldwide. It invites the Governing Body of the International Labour Office to: request the Director-General to consider, subject to the availability of resources, of course, cost-effective measures to promote the widespread ratification of the Convention and the effective implementation of the Convention and Recommendation; support the

sharing of knowledge, information and good practices on domestic work; and promote capacity building of ILO constituents in this domain and encourage cooperation with regard to the promotion of decent work for domestic workers between the ILO and other international organizations.

As the basis for this work, the Committee had before it the Office text of the proposed Convention and Recommendation. The proposed Convention contained 19 Articles in total, while the Recommendation contained 23 Paragraphs. The proposed instruments, as discussed and amended by the Committee on Domestic Workers and finalized by the Drafting Committee on 11 June, contained 19 articles and 26 paragraphs, respectively.

The Drafting Committee aligned the French and English texts, the two authentic linguistic versions. The Spanish text was also adjusted at the same time.

I would like to draw your attention to the fact that, in accordance with the Committee's instruction, there is a deliberate discrepancy between the French and the English texts in respect of the wording used to define "domestic worker" in Article 1(b) of the Convention in order to ensure a gender-sensitive language, considering that the overwhelming majority of the domestic workforce comprises women.

I take this opportunity to thank the members of the Drafting Committee for their hard work, Mr Daniel Lacroix, Government member from Canada, assisted by Mr Carlos Chocano Burga, Government member of Peru, Mr John Kloosterman, Employer member from the United States, assisted by Mr Gilles Touchette, Employer adviser and member, Canada, and Ms Toni Moore, Worker adviser and substitute delegate from Barbados, assisted by Ms Carole Gingras, Worker member, Canada.

With this, I would now present the Report of the Committee on Domestic Workers, together with the proposed instruments, to the International Labour Conference for adoption.

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*Original French: The PRESIDENT*

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I now give the floor to the Employer Vice-Chairperson, Mr Mackay.

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*Mr MACKAY (Employer, New Zealand; Employer Vice-Chairperson of the Committee on Domestic Workers)*

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When this Committee completed its consideration of the proposed Convention last week, there was applause from various parts of the room, particularly from those involved in domestic work and supporting domestic workers.

We understood the reason for that applause; it signified recognition of the moment when issues facing domestic workers were acknowledged at the international level. It was a moment of considerable emotion for many, and understandably so. This is reflected in the proposed instruments, much of which is aspirational; a heartfelt goal; or declaration of intent.

We also stated at the beginning of our work a fortnight ago that our watchwords are pragmatism and realism. In our view, international instruments need to be crafted by the head rather than the heart. This is and has been the perspective of the Employers' group throughout the process leading to today.

Last year, the Employers' group noted that the proposed Convention and Recommendation had been constructed in unusual circumstances, given that there is an almost total absence of directly representative employers' and union organizations and

many governments have had no direct connection with the issue of domestic workers.

Domestic work is a global issue but it is far from being the same issue in all countries. For some, it is a measurably significant component of the national economy, and for others it barely exists.

The issue of domestic work impacts on countries, indeed whole regions, in very different ways; none more so than in significant sending and receiving countries. The scale of domestic work in some situations can affect whole economies, while in others the impact is not discernable. These widely varying impacts place employers in a somewhat unusual position. Even now, the issue of domestic work is a work in progress. Much needs to be done at the national and international levels; it is work that deserves to be supported. The Convention and Recommendation are but a start.

At the same time, the Employers must emphasize that the instruments we have before us and their contents are not the most important issue, far from it. What is important is what is done.

A Convention and Recommendation, if adopted, remain no more than pieces of paper without a national commitment to take action, and ratification is no more than an exchange of pieces of paper without actions being taken.

Creating and ratifying standards will not, by themselves, advance the rights and interests of any employees unless governments, employers and workers actually deliver on their commitments at the national level. This is the pragmatic and realistic message we wish to convey.

There are some significant positives arising from our work; we have been able to deal with a range of potentially very difficult issues quite well, based on the willingness of the Employers, Workers and various Governments to work together.

I would like to highlight occupational safety and health and employment agencies as potentially very difficult issues, which we were able to successfully navigate as a result of our willingness to work together.

Critically, Article 18 requires governments to consult with the most representative organizations of employers and workers before taking any action in respect of the Convention and, by definition, the Recommendation. This is very important to the success of any measures taken under the new standard, and to our efforts generally.

We all agree on the importance of bringing domestic work into the mainstream, and responding to serious human rights concerns. All employers agree that there are opportunities to do better by domestic workers and the households and families for whom they work.

But no draft instrument crafted through compromise is a perfect outcome for all parties. There are some issues that remain difficult, in particular Article 10 on hours of work. At the end of this, we remain concerned that our efforts in areas such as hours of work, overtime, and the recognition of periods of passive work – such as standby, as hours of work – may cause some countries difficulties and reduce the chances of ratification.

Some employers have also remarked on the overall length and prescriptiveness of the end product. Such concerns are important, because they reflect the situation of those back home who will be responsible for implementing the documents purely in light of what they say.

The Employers have maintained across the two years of this Committee, and have particularly emphasized in the last fortnight, that we would assess whatever was proposed to us, in its final form, on its final merits.

Today, employers maintain a range of strongly held perspectives on the package generated by our work in this Committee and its appropriateness to their national circumstances. We understand that this is true of some governments, too. We can only urge everyone to make their decision on supporting these instruments after a careful analysis of what is written in them. Employers will be doing this before tomorrow's vote.

At the end of this process, the Employers in the Committee are proud to have been a part of bringing an often hidden area of work more into the open. We think we can collectively be very proud to have canvassed considerable issues in regulating what we continue to maintain is a unique area of work, which raises unique issues for workers, the families that employ them, and governments. We would like to particularly emphasize this point: our work here affects us not just as employers and workers; it also potentially affects the householders and parents in our community.

It is governments that must take the next steps with regard to this issue; regulators and social partners must do better by domestic workers while not discouraging their employment or diminishing the benefits that domestic work delivers to communities and economies.

Ratification is not an end in itself: to deliberate on the enthusiasm and commitment, to do better in this area and to maintain momentum, real gains need to be delivered on the ground, not just on paper.

Irrespective of the outcome of tomorrow's vote, the Employers stand ready to work with governments to address concerns on domestic workers. We all now have the benefit of a two-year discussion and considerable international research to build on. In other words, having recognized the issues here, we should simply get on with the job, with or without new instruments. If it was important enough to bring to the ILO, it is important enough to deal with anyway.

We also wish to note that the Committee agreed that the final provisions of the Convention are an issue that should not be left to the Office when finalizing such instruments. The Employers' motion to consider this issue was designed to raise awareness of the value of the coming into force and denunciation provisions when encouraging ratification of important instruments. We were encouraged that all concerned recognized that this issue should be taken up by the Governing Body and we look forward to these discussions.

Before closing, I wish to pay tribute to our Chairperson, Hans Cacadac from the Philippines. His quiet but firm leadership, coming into a partially completed discussion, has been critical to the success of this Committee in delivering an outcome we can consider and which we hope can make a real contribution in some countries, despite its limitations. I, and all my Employer colleagues, wish to pass on our warm and genuine appreciation for a job very well done.

I also want to thank my counterpart, Halimah Jacob, her Workers' group and the workers' team from ACTRAV and ITUC. Their willingness to engage pragmatically and constructively with the issue

was highly appreciated by their Employer colleagues. Government colleagues, too, have also been vital to this process and their pragmatism was truly appreciated. It falls, now, upon them to take the results back to their own countries and to work towards implementing them, to the extent possible, in their particular circumstances.

Also, of course, we want to thank Manuela Tomei and her colleagues from the ILO Office, they have been the glue that made this process run smoothly. We know how much happens outside the direct view of the Committee, and for your collective dedication and perseverance, we thank you.

Finally, I wish to thank those who sat with me: the members of the Employers' group in this Committee, who worked firstly with Kamran Rahman, and then with me, during the two years of our discussion. Their input and engagement on this topic from a variety of national and organizational perspectives has made this a genuine pleasure, notwithstanding the late nights, voluminous paper and complex negotiations. Our capacity to engage with a new area of work, not historically associated with employers' organizations, is the result of their support and input.

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Ms MOORE (*Worker, Barbados; speaking on behalf of the Worker Vice-Chairperson of the Committee on Domestic Workers*)

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I would like to begin by reiterating, on behalf of the Workers' group, our very special thanks to all those who made it possible for us to be present here today, at what will be remembered as a historic landmark moment in the work of this House, and in the lives of domestic workers throughout the world.

In particular, we wish to have recorded our special thanks to our Chairperson who, with tremendous competence and well-placed humour, led our Committee's work at this 100th Session of the International Labour Conference to its completion.

We also wish to express our thanks to the Governments, Employers and the staff of the ILO for ensuring that we can propose for adoption instruments that make us all proud of our hard work during the past two years. To our interpreters, technicians, researchers, we thank you all.

In the first discussion of this agenda item during the 99th Session, the Employers' group fought against what the Workers' group and many Governments supported, a Convention supported by a Recommendation.

This year, under the exceptional leadership of Mr Paul Mackay and the secretariat of the Employers' group, it was evident that their stated commitment to pragmatism and realism also led them to accept that domestic workers have, until now, remained invisible and generally unprotected.

On a personal note, I wish to commend our Vice-Chair, Ms Halimah Yacob, who has provided outstanding leadership for the Workers' group over the last two years. She had to leave early to fulfil a family obligation, but today I feel honoured that Ms Yacob, the secretariat of the Workers' group and, of course, my Committee colleagues have asked me to present this work on their behalf.

Recalling the start of our discussions on the Report entitled *Decent work for domestic workers*, there was widespread consensus that such a discussion was long overdue, since the call for a standard to protect domestic workers had been issued as far back as 1965.

Also evident to us was the fact that our task was not going to be easy and that the discussion before us would be very complex and had the potential to be highly emotive.

Those assessments were all accurate. However, we can be proud that, as a result of constructive dialogue, determined work and a strong spirit of cooperation, today we are all winners.

We are all winners because, with your adoption of this Report and positive vote for the instruments which are before us, we will have recognized our very important historic mission of making decent work for all not merely a slogan, but a truly inclusive agenda, including for domestic workers.

Also, given that women, and young women in particular, are the majority of domestic workers worldwide, we are happy that our work for the last two years aligns with the focus of this House to pursue enabling measures and proactive solutions to reduce the gender deficit.

The instruments before us are robust, practical and human and they hold tremendous potential for bringing domestic workers out of the shadows. They give faces to these workers who have been invisible for so long, barely even counted in the statistics until recently and they provide for domestic workers to be streamlined into the Decent Work Agenda.

The Convention requests that member States take measures to promote the fundamental principles and rights at work. We have given particular attention to the application 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), as these are the enabling rights that set the stage for the achievement of other rights and improved conditions.

Freedom of association and collective bargaining are fundamental for domestic workers' stability in employment, and therefore provide progress out of poverty for their families. They will finally be entitled to the same kind of lives and livelihoods that are available to other workers and their families within our societies.

In terms of employment conditions, the proposed instruments provide for working time protection and the extension of minimum wage coverage to domestic workers where, within member States, such coverage exists. Provision is also made for rest periods and written employment contracts. In the case of migrant domestic workers, contracts should be issued before the worker leaves the country of recruitment to work in another country. However, it is important to recognize that this provision is qualified in a way that allows for freedom of movement where bilateral, regional or multilateral agreements are in place.

During our discussions, some concern was raised regarding the inclusion of an article that would protect domestic workers who are recruited and placed by private agencies against abusive practices. This concern was raised primarily against the backdrop of evidence that the Private Employment Agencies Convention, 1997 (No. 181), has not yet been widely ratified.

However, again through constructive dialogue, consensus was reached and we are happy with the resulting text which reflects language with which all three sides are comfortable.



The Convention affords domestic workers social protection by putting in place measures to preserve their safety and health. It recognizes that “each domestic worker is entitled to a safe and healthy working environment”. Provision is also made for millions of female domestic workers worldwide who, at present, are not entitled to maternity leave. Now they will benefit from the same provisions as other workers within their countries. Thus, the instruments provide for the social integration of domestic workers.

The Workers’ group is pleased that we have agreed on the inclusion of monitoring mechanisms through labour inspections. These provisions recognize the need to respect the privacy of households. We were able during our discussions to cite many country examples where such labour inspection systems already exist, so as to help ensure that domestic workers are afforded their rights.

Throughout our discussions, we agreed with the Employers’ group and several Governments that, while the instruments had to be practical, we had also to avoid making the Convention too prescriptive. With this in mind, consensus was reached that certain measures, for instance those related to social protection, could be applied progressively, as long as there is social dialogue.

In our view those allowances do not weaken the text, but rather take into account the particular realities and diverse situations in different member States. The Workers’ group is also pleased to support the resolution which was proposed by the European Union and which envisages a key role for the ILO in promoting the widespread ratification of the Convention and the effective implementation of the Recommendation. It also calls on the ILO to promote capacity building to ensure decent work for domestic workers.

Therefore, adoption or ratification of these instruments need not be a response to the question of “should we” or “why”; but more appropriately to the questions “how” and “when”. Yes, we understand that, for some countries, reforms may be necessary before ratification and implementation become possible, but in the meantime, why not give the ILO these instruments to facilitate the vision of social justice which we all share?

Also, as you decide how to vote tomorrow, the Workers’ group calls your attention to the fact that many of us here within this group are also employers of domestic workers. Many of us could not lead the lives we do, including being here, without the labour of someone in our own home. Many of us have already committed ourselves to implementing decent work within our own homes. We recognize the need to bring human dignity to a category of workers whose valuable contributions build households, communities and societies.

Throughout our discussions, there has been a shared view that achieving decent work for domestic workers is the main route to lifting them out of poverty and empowering their economic and social potential. We therefore see the adoption of these instruments as an important step in achieving social justice, since it represents a positive investment in millions of families, workplaces and communities.

We have laid a solid foundation with these proposed instruments but the work, as you have heard before, is far from over. The Workers’ group knows that, once we have handed these instruments over to the ILO tomorrow, our next task will be to ensure

that national laws, regulations and collective agreements build on the consensus we have reached. What is more, these instruments only set minimum standards. So, we look forward to building upon them, through constructive dialogue, in the way that we have seen work during the past two weeks within our Committee.

There is a saying that “the time is always right to do the thing that is right”. Now is the time to ensure that we adopt these instruments and assist this House in advancing its vision of decent work for all. We therefore recommend that, tomorrow, we mark history for the ILO and the millions of domestic workers throughout the world. Dignity delayed must not become dignity denied.

The millions of domestic workers throughout the world are counting on us. Because of this, and with your vote tomorrow, we will bring the curtain down on this 100th Session of the International Labour Conference with a majority vote that declares to the world that we believe in the ILO, that we are prepared to “walk the talk” as we stand for what is right. Let us show that the pride we share is part of an exercise that demonstrates our commitment to human dignity, to social justice and to decent work for all.

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Mr CACDAC (*Government, Philippines; Chairperson of the Committee on Domestic Workers*)

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I have the honour, in my capacity as the Chairperson of the Committee on Domestic Workers, to present to you some observations on the proceedings of the Committee.

Two weeks ago, we started our discussion in the Committee on Domestic Workers and the Committee’s work has now concluded.

“Historic” is a word which has been repeatedly used in our deliberations. The over 53 million domestic workers across the globe are perhaps the last category of workers who have not yet fully tasted the fruit of social struggles and workers’ mobilization during, and after, the Industrial Revolution.

This is the first time that the International Labour Conference has discussed the adoption of new international labour standards aimed at affording domestic workers the respect and rights that other workers take for granted. However, the ILO first raised the issue of domestic workers back in the 1930s. I could therefore think of no better way to celebrate the 100th anniversary of the International Labour Conference.

The proposed Convention and Recommendation offer guidance on, among other issues, limiting the practice of “payment in kind,” address the matter of food and accommodation for live-in domestic workers, and call upon member States to guarantee decent working hours and sufficient hours of rest, while allowing sufficient flexibility to permit progressive implementation. Although these instruments cover all domestic workers, special measures have been devised to protect those workers who, because of their young age, nationality or live-in status, may be exposed to additional risks, in comparison to their peers.

The proposed instruments provide that domestic workers, like any other workers, are entitled to a minimum level of protection under labour legislation. At the same time, they recognize the specific context in which domestic work takes place, namely the home, and address this specificity by, for example, striking a balance between the workers’ right to



protection and the household members' right to privacy.

The enormous level of interest in this standard-setting activity, both within and outside of the ILO, reflects the timeliness and topical relevance of this discussion. Ms Bachelet, Executive Director of UN Women, in her address to the Committee on Domestic Workers last Monday, stressed the significance of these proposed instruments for advancing gender equality in the world of work. Domestic workers comprise mainly of women and girls who, to a large extent, work on an informal basis. Decent work for domestic workers, Ms Bachelet said, means contributing towards their transition from informal to formal work.

The commitment to improving the living and working conditions of domestic workers acquires an even greater significance in the current economic downturn. It reflects a genuine concern of the ILO tripartite constituency, namely steps to protect the most vulnerable categories of workers, or those who are already marginalized and least equipped to face the consequences of the economic recession. In particular, it is very heartening for me to see that there is no difference between sending and receiving countries with regard to their commitment to achieving the common goal of protecting domestic workers.

Recent efforts and initiatives in many countries and in various regions show that promoting decent work for domestic workers is not only a moral obligation, but also a desirable and viable goal.

These past two weeks have been very tough: we held a total of 18 sittings, including several evening sittings. We all worked long hours, and we worked with passion. Discussions have been lively, frank, insightful, and challenging at times. However, despite some differences in our views, Employer, Worker and Government members have maintained intact their commitment to delivering better living and working conditions for domestic workers.

We managed to complete the discussion of the 19 Articles of the proposed Convention and the 23 Paragraphs of the proposed Recommendation, and dealt with over 260 amendments received by the Committee. We grappled with complex concepts and the intricacies of different national legal regimes. As a whole, it has been a learning experience for us.

We have managed to remain focused on our goal, working together to promote decent work for domestic workers. I believe that the Committee managed to accomplish what many delegates stressed in their opening remarks – new standards on domestic work that are both robust and flexible, that guarantee minimum protection to domestic workers, while allowing for widespread ratification and continuous improvements in domestic workers' working and living conditions.

I also believe that the Committee's resolve to devote adequate time to discussing the text of the proposed Recommendation has paid off. The proposed Recommendation does indeed provide practical and realistic guidance to ensure that coverage is real, rather than a commitment on a piece of paper. Among other things, the proposed Recommendation calls on member States to cooperate at bilateral, regional and global levels, with a view to enhancing protection for domestic workers.

I have been touched by the determination of our over 200 participants to complete the work at hand,

and their commitment to a meaningful outcome. I have been impressed by the knowledge of the labour inspectors and policy-level officials, from around 90 countries, who participated in the Committee. We have learned a great deal about pioneering legislative and policy initiatives that have made a difference to the daily lives of domestic workers in various countries.

We owe the results of our endeavours to the determination and competence of many individuals – the Vice-Chairpersons of the Committee: Mr MacKay for the Employers and Ms Yacob for the Workers. They gave a strong voice to their respective groups, and I highly appreciated their professionalism, motivation and resolve to achieve an outcome with which all parties could feel comfortable.

Other important contributions were made by the Rapporteur, the members of the Drafting Committee and speakers for the regional groups that played a key role in this year's discussions, thus allowing for a faster progress in our deliberations.

I would like to highlight the active participation and insightful contributions of the Government members. They worked tirelessly, both during and outside the sittings.

The principles of social dialogue are reflected in the results achieved in the Committee on Domestic Workers.

I would also like to thank the Office for the long hours and hard work it put into this Committee. Ms Tomei and her team have been most wonderful and effective, and have managed, in spite of sleepless nights, to support the Committee in this historic challenge with skill, grace and good humour. I would also like to express my appreciation for Ms Pralong's most effective coordination of the secretariat.

I am therefore very honoured to be able to present to you the outcome of the Committee's deliberations.

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*Ms WITBOOI (Worker, South Africa)*

I am Myrtle Witbooi, currently the General Secretary of the South African Domestic Service and Allied Workers Union. Today, I am speaking on behalf of the South African Workers' delegation. I also represent the International Domestic Workers' Network, which includes many trade unions of domestic workers around the world.

In taking the floor, I extend my appreciation to the Congress of South African Trade Unions and the ILO for providing opportunities for domestic workers to be directly involved in the historic discussions on decent work for domestic workers over these past years.

It is my distinct honour to address you today, as we close the 100th Session of the International Labour Conference. I have personally devoted 30 years of my life to organizing domestic workers in South Africa. Throughout these years of struggle, I would not have imagined that we would be here today, preparing to vote on an international Convention for domestic workers.

To all of us present here, I want to say that I firmly believe that we are on the threshold of a new beginning for domestic workers in the world, by setting international labour standards that will be a benchmark for decent work and for social equality. For the last 24 months, we have worked hard to reach many domestic workers, governments and employers' organizations. As a result of our ongo-

ing social dialogue, we are optimistic that 16 June 2011 will go down in history.

During our discussions, we were able to establish measures that can be developed to ensure fair standards for domestic work. I would like to highlight the regulation of working hours as an example. The ILO estimates that over half of domestic workers worldwide are not covered by national laws that regulate working hours and rest periods. Yet nearly 20 countries do have legislation in this area, and have managed to include domestic workers in national labour standards.

In my country of South Africa, we established the Basic Conditions of Employment Act for domestic workers in 1994, just after we elected our first democratic Government. This law entitles domestic workers to a labour contract, regular working hours, rest periods and holidays. We are very fortunate that we have a strong labour movement that has strengthened our capacity to establish national laws that protect domestic workers. In our national union of COSATU, we firmly believe “An injury to one is an injury to all”. Therefore, we are committed to establishing laws that ensure that domestic workers have the same rights as all other workers. With these laws in place, we are able to give our best to our employers, as we claim our basic human rights.

In closing, we want to say to the Employers, thank you for the way you have negotiated this year. Thank you for recognizing the value of domestic work. We have built the economies of the world by caring for your families. You can reward us by voting in favour of this Convention. So, the time is now. Let this 100th Session of the International Labour Conference truly become a historic event when domestic workers will be rewarded for their contribution to the world.

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Mr KLOOSTERMAN (*Employer, United States*)

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Last year at this time in this very room, I gave a speech discussing how the tripartite system broke down in our Committee and I discussed my wishes for this year.

I am very happy to say that our Committee worked together exceptionally well this year. We exemplified the best aspects of tripartism. For that, I thank our Chair, I thank my Worker and Government colleagues and I thank the Office staff. Now, I think everyone on our Committee believes that we had productive discussions that resulted in a compromise agreement crafted in a truly tripartite spirit.

As I stated a moment ago, in last year’s speech I also discussed my wishes for this year. I noted that all of us, Employers, Workers and Governments, recognized the difficulties faced by domestic workers and I also indicated that we all wanted the same thing – an instrument that recognizes and addresses those difficulties and provides for decent work.

After I said those words last year, many of my Worker and Government colleagues approached me and expressed utter disbelief that the Employers really wanted such an instrument. Knowing that I am from California, some even suggested that I had been using mind-altering substances!

Thanks to the strong spirit of tripartism that existed this year, I believe we achieved this goal and together we drafted an instrument that recognizes and addresses the difficulties of domestic work and provides for decent work. And most of my colleagues now realize probably that I had not actually

been drugged last year, that I actually spoke the truth.

Over the past two years in the Committee on Domestic Workers, we have heard many, many times that domestic workers believe that they are invisible within society at large. Now, if we have achieved anything this year, I hope it is that domestic workers now feel that society sees them and recognizes their efforts and contributions.

The other wish I expressed in last year’s speech was that we focus on negotiating an instrument that can be widely ratified rather than a strong political statement that many member States cannot ratify. Unfortunately, I fear we have not met this goal. As with any compromise document, as this one truly is, the Convention contains some provisions that will make it hard, if not impossible, for many member States to ratify it. Article 10, dealing with hours of work, is one such provision. Now my colleague from the United Kingdom will discuss this in detail in a few moments. Also, the Convention’s express reference to the Minimum Age Convention, 1973 (No. 138), likely makes the proposed Convention unratifiable by member States that have not ratified Convention No. 138.

When looking at this Convention as a whole and deciding what position to take on it, there are two things each Employers’ delegate has to consider. The first is a broader view of whether this Convention is good for society as a whole, and the second is a narrower view relating to national circumstances, especially national circumstances for employers; after all, we are the Employers’ group, not the public interest group.

Each of us may answer those questions differently. It is very possible that each question may require a different answer. So it is hard to say that there is no greater good served by this Convention. But many of us do have reservations on a national level. Because of this, some Employers’ delegates who personally support the aims of the Convention likely will be unable to vote in favour of it.

Whatever happens tomorrow, I echo Mr Mackay’s comment that the Employers stand ready to work with our Governments to continue our conversations here and address domestic worker concerns.

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Ms SULISTRI (*Worker, Indonesia*)

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I am honoured to speak on behalf of the Indonesian Workers’ delegation.

Asia is the home of millions of domestic workers. Many work within their own local area. But millions of Asian domestic workers now live and work in places very far from their own homes.

Now, thanks to the willingness of the Governments, Employers and Workers working together here, we finally have a good instrument, one that represents a big step forward in making the dream of decent work come true for all these domestic workers and their families.

In my country, Indonesia, there are over 16 million domestic workers. Six million of them work overseas. They leave Indonesia to seek better wages, to meet the needs of their loved ones and to have a better future. However, as migrant domestic workers, they are very vulnerable. The proposed Convention responds well to many of the problems faced by such migrant domestic workers. Article 15 on employment agencies, when enforced, will help to strengthen responsible business practices. Under Article 8, governments of sending and receiving

countries will share responsibilities and work in cooperation. Such steps will help to ensure fair treatment for domestic workers.

We believe the proposed Convention is both ratifiable and enforceable. The example of Hong Kong shows this. There, migrant domestic workers are already covered by the same labour legislation as local workers, including under the Employment Ordinance and the Trade Unions Ordinance. Migrant domestic workers can seek redress for any violations before the Labour Department and the Labour Tribunal. They are already entitled to some of the rights set out in the proposed Convention, such as weekly rest, annual leave, sick leave and also maternity leave.

Therefore, I call for your full support for the adoption of the Convention and its accompanying Recommendation tomorrow. If we do this, together we will be making history, helping to lift millions of domestic workers and their families out of poverty.

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Mr RENIQUE (*Employer, Netherlands*)

First of all I would like to thank the Chairperson, Hans Cacadac, and both Vice-Chairpersons, Halimah Yacob and Paul Mackay, for their excellent work.

Last year, the first negotiations on the Convention took up almost all the time and we were not able to discuss the Recommendation in a proper way. This year, we discussed both and could agree on both as a Committee. However, when it comes to the vote tomorrow, the total result has to be judged and the sum total of all the agreed paragraphs may just be too much of a load to carry. The Convention, in particular, suffers from this and this could be a valid reason for not voting in favour of it. Nevertheless, I want to stress some important positive aspects of the Convention and set out the opinion of the Employers' delegation of the Netherlands.

The first, very important, point is that we kept last year's agreement on the definition and scope of the instrument. This means that there should be an employment relationship, and that work performed occasionally or sporadically is not considered as domestic work under this instrument. Moreover, governments can exclude categories of workers who already have equivalent protection. This prevents, for example, occasional babysitters being considered as domestic workers. These two articles make the instrument very practical.

My second remark is, as we heard earlier from my colleague, there are problems with Article 10 on working time, in particular on-call hours. Nevertheless, I would like to draw attention to a sentence in Article 10, namely that on-call hours shall be regarded as hours of work "to the extent determined by national laws, regulations or collective agreements". We, as Netherlands employers, will carefully consider the national laws on this issue before advising on eventual ratification of this Convention. If the implications are beyond reasonable, we would either advise non-ratification or a reconsideration of national laws and regulations, but we think it should not prevent us from taking a positive attitude to the Convention.

A third remark is on the important Articles 13 and 14, dealing with safety and health and social security. On the one hand, we welcome the flexibility given by "with due regard for the specific characteristics of domestic work" and by the possibility of progressive application. On the other hand, we stress the importance of the approach that domestic

work is regular work for which regular conditions apply as much as possible. In my country, it is not only temporary agencies that are active in the market of domestic work, but also, for example, professional gardeners and cleaning firms. It is important for them to have a level playing field, and this Convention can contribute to that.

Last, but not least, we welcome the revised articles on private employment agencies. They have now been brought into line with the Private Employment Agencies Convention, 1997 (No. 181), and we hope that, when considering ratification of this new Convention, governments will also consider ratifying Convention No. 181.

Overall, we think that the achieved results offer enough possibilities to find solutions through tripartite consultations to use the flexibility of the instrument in such a way that it accommodates the tradition in law and regulations of a country, while giving domestic workers the recognition and protection they deserve. My vote tomorrow will be in favour of both the Convention and the Recommendation.

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Ms ACKHOLT (*Worker, Sweden*)

I feel honoured to speak here today, within just 24 hours of a truly momentous occasion. Everyone who votes tomorrow to adopt the proposed Convention on decent work for domestic workers should feel very proud of themselves. We are helping to make history.

We should feel proud of the contribution we are making towards the lives of millions of domestic workers and their families around the world, but it is not just that. We are also helping to improve the lives of domestic workers' employers and their families – this is a win-win situation.

If adopted, this Convention will lay the groundwork for all ILO Members to create an employment relationship between domestic workers and employers that is based on mutual respect, humanity, fair treatment, and rights and obligations on both sides, rather than the one-sided, inhuman power relationship that it so often is.

With this Convention, domestic workers will finally be recognized as workers. No longer will they be something else – helpers, maids, servants or even slaves. This Convention will confirm that the millions of domestic workers of the world are ordinary human beings, with the rights and obligations of anyone else.

Among their new rights will be inclusion in social protection. No longer will domestic workers and their families have to pick up the pieces if they are injured or get sick at work. No longer will they have to cope for themselves in their old age, or when they are giving birth. Now, domestic workers will have the same access to benefits as other workers. They can manage their own lives, as well as the lives of their employers.

But domestic workers recognize that they have obligations, as well as rights. If they are paid a living wage, they can pay taxes and national insurance contributions. Many employers will also contribute. In Spain, when the social insurance scheme was opened up to migrant domestic workers, there was surprise at the high level of contribution into the system, both from employers and from domestic workers.

Some say that the extra cost of making contributions will cause employers to hire fewer domestic workers, adding to unemployment levels. But in

South Africa, for example, just as many domestic workers are employed as before. In fact, it is in some of the poorest countries of the developing world, such as the United Republic of Tanzania and Kenya, where we have seen the greatest progress in including domestic workers in national social security schemes. This shows that it can be done. It is less a matter of resources and more one of political will.

I am happy to see that the proposed Convention also gives domestic workers equal access to the law and to effective dispute resolution systems. This is also important in helping to create a just society for all.

The standards contained in the Convention are only right and just, in view of the huge contribution that domestic workers make to society and the economy. I am firmly of the opinion that adopting it tomorrow will also help to create a more progressive and harmonious society for all.

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Mr SYDER (*Employer, United Kingdom*)

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In opening, I recognize the energy and commitment of the Chairperson, Officers and members of the Committee over the last two years in this under-considered area of work, which raises many moral and social concerns.

Domestic work is important and wide spread throughout the world, both in terms of the overall number of working people and the millions of households to which they contribute.

Much has been achieved over the last two years, consistent with the two overarching goals advocated by the Employers from the outset: pragmatism and realism.

Some very difficult issues were addressed, with the pragmatism and realism necessary for this important area of work.

However, not all important issues were resolved satisfactorily. It is regretful, therefore, that United Kingdom employers cannot, and will not, vote for the proposed standards tomorrow, essentially based on the important issue of the treatment of working time.

Employers have made it clear throughout that the treatment of working time was a very difficult issue. As set out in paragraph 548 of the report of the Committee on Domestic Workers, we argued that “there were practical problems with the requirement to treat as working time specific periods during which domestic workers were not actively working, but remained at the disposal of the household. Such standby times, which could be significant, should be treated differently from periods of active work. If both were considered working time on an equal basis, that could have huge cost implications for employers, especially when domestic workers were paid on an hourly basis.”

Ultimately, employers found no appropriate way to reword Article 10(3), and others did not work with us to attempt to do so.

To be clear, we did not resile from our position, and the Chairperson concluded that our preferred approach – the deletion of Article 10(3) – lacked majority support, and thus fell.

This remained, however, a concern of the first order for employers. Our concerns go well beyond the practicality and sustainability of domestic work.

The regulation of working time lies at the very heart of employment, tied as it is, among other things, to remuneration, rest and leave.

There is already complex litigation that has gone all the way through the United Kingdom courts to the European Court of Justice. This arises from legal uncertainty about the status of standby time. This litigation affects, inter alia, sheltered accommodation, care homes, doctors and hospitals.

There is, in short, a clash between national laws and the European Union (EU) Working Time Directive, which remains unresolved at EU level.

There is an open legal question regarding active versus non-active standby time, and resolution of this issue is hotly contested because it potentially imposes significant costs on industries and threatens jobs and levels of care.

We cannot risk bringing this uncertainty into the family home and compromising the benefits of domestic work to families, women in the workforce and communities throughout the United Kingdom.

To be clear: a ratifying country will be expected to take measures towards equal treatment between domestic workers and workers generally in relation to normal hours of work, overtime compensation, etc., as provided for in Article 10(1) of the Convention.

The qualifier “to the extent determined by national laws [...]”, in Article 10(3), will, with the greatest respect, offer no solution, as the Convention requires standby time to be regarded as hours of work.

Article 10(3) clearly states that time at the disposal of the household “shall be regarded as hours of work”. There is no flexibility on this.

There is a contentious debate throughout the world. The treatment of standby time as hours worked, as referred to in Article 10(3), will cause problems in numerous national systems.

When this Convention is interpreted by the Committee of Experts, they will also have regard to the supporting Recommendation to understand and interpret the new obligations with regard to Article 10.

I highlight that Paragraph 8(1) of the Recommendation requires accurate measurement of standby time.

This is clearly burdensome and totally unrealistic in the context of ordinary households and their capacities for compliance. Householders are fundamentally ill-equipped to administer the model of working time being imposed by this Convention.

I want to close by putting this in the context of standards policy.

Regrettably, this is simply too prescriptive a Convention to be ratified.

Evidence shows that more prescriptive standards are not being ratified.

Among the Conventions adopted since 1990, ratification averages 13 per cent of ILO member States. If we exclude the almost universally ratified Worst Forms of Child Labour Convention, 1999 (No. 182), this figure falls to a mere 8 per cent.

This topic is too important to have a “feel-good” text that cannot and will not be ratified. The view of United Kingdom Employers is that we have been delivered just such an outcome.

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*Original Spanish: Ms CRUZ (Worker, Costa Rica)*

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Good afternoon, everyone. I am Maria del Carmen Cruz Martínez, Workers’ delegate, from Costa Rica, and Secretary of the Association of Domestic Workers (ASTRADOMES).

I am speaking on behalf of domestic workers, millions of girls and women, many of whom are also migrants.

I am Nicaraguan and I emigrated to Costa Rica to find employment as a domestic worker. We are responsible for other peoples' homes. People need us so that they can go out and carry out productive work in our society.

We are pleased at the success of the tripartite dialogue and negotiation at this Conference, which has led to explicit recognition of the social dialogue as a key factor in turning the fundamental principles of the world of work into reality.

We have seen how social dialogue makes it possible for us to overcome what initially appeared to be insurmountable differences. During the Conference, the three groups have negotiated in good faith and with a desire to produce a flexible but strong and ratifiable instrument, as well as a complementary Recommendation.

We, the domestic workers, can see how the product of this dialogue was a Convention and a Recommendation in which our fundamental rights at work are recognized. The Convention establishes rights such as the right to an employment contract, access to social security, decent wages and an eight-hour working day, as well as the following principles: the elimination of all kinds of forced or compulsory labour, freedom of association, the elimination of child labour and equal treatment and opportunities on a par with all other workers, among other principles.

Recognition and guarantees of what I have been talking about are not an easy matter. Many times the Governments have asked us how are they going to be able to apply the Convention.

Our reply has always been to point out that they will not be starting with a blank slate. There are examples of good practice in countries such as France, Italy, United Republic of Tanzania and Uruguay, where coordination and consultation has made it possible to find solutions which are beneficial to governments, workers and employers.

In Uruguay for example, thanks to the same spirit of social dialogue that we have seen during this Conference, it has been possible to reach collective agreements which have resulted in fairer conditions for the workers, smooth functioning and harmony in the homes of the employers.

The introduction of additional relevant legislation and the formalization of this work contribute to the development of the country. With the approval and the adoption of this Convention and Recommendation, we will start to pay off the outstanding debts that we have to domestic workers, do away with the painful reality which is experienced by millions of men and women across the world working behind front doors, inside other people's houses, and thus contribute to the construction of more equal societies with benefits for everyone.

Mr Paul Mackay, the Employer Vice-Chairperson of the Committee on Domestic Workers, rightly said that employers and workers are here to continue with social dialogue and to help Governments overcome the obstacles they face, in order to allow them to ratify this Convention, and we second that statement.

Employers, Governments, we have the opportunity tomorrow to make history and, on behalf of all Workers, I would call on you to adopt this Conven-

tion and Recommendation so that we continue to make history in our society.

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Ms MCDONOUGH (*Government, Australia*)

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I am speaking on behalf of the Asia-Pacific group (ASPAG) of countries.

We would firstly like to take the opportunity to commend the Chairperson of the Committee on Domestic Workers, Mr Mackay on his excellent chairmanship of this important Committee, which he steered with a steady and effective hand. We would also like to recognize the commitment demonstrated by the Vice-Chairs and the spirit of cooperation in which they worked throughout the Committee proceedings. We are very proud that, as representatives from our region, the Chair and Vice-Chairs played such a prominent, balanced and effective role in realizing decent work for domestic workers.

ASPAG also thanks the Office for its excellent support over the last two years and the quality of the reports and guidance they have provided. I am sorry you can only see half my head.

With both the prime source countries and key destination countries for domestic workers represented within our group, we have very much valued the opportunity to contribute actively to the development of this very significant Convention and Recommendation. We encourage and welcome the adoption of the proposed instruments by the International Labour Conference plenary. The adoption of the Convention and Recommendation will serve to give long-awaited recognition to domestic workers around the world as legitimate workers alongside all other workers. ASPAG countries will each give their own consideration to ratification and timelines.

The Asia-Pacific countries look forward to the critical role that these instruments on the defining international labour standards on decent work for domestic workers will play in making a material difference to domestic workers' lives for generations to come.

The consideration of the issue of decent work for domestic workers by the International Labour Conference has been a historic event and we commend the adoption of the proposed instruments by the International Labour Conference plenary.

That completes the ASPAG statement.

Separately, I would like to speak on behalf of the Australian Government.

I would like to encourage all those charged with formally voting on the Convention and Recommendation concerning domestic workers tomorrow to recognize this as a vote on an international standard for a group of up to 100 million workers who have been confined to the informal economy for hundreds of years. This is not a vote on individual country ratification, which is a separate matter and is subject to detailed assessment at national level by each country. We can all pick out specific clauses within the Convention and Recommendation that we are not happy about, that is the natural outcome of a tripartite discussion of a complex issue.

To give a no vote or an abstention risks denying the opportunity for many countries to legitimize formally their domestic workers in line with a recognized international standard. To not support this Convention and Recommendation is to confine domestic workers to the unregulated, invisible and vulnerable circumstances they are currently in. To

say, as some employers have here today, that change for the domestic workers will happen regardless of the outcome of the vote, is folly in the Australian Government's view. A lack of support for this Convention would send a strong message to the world that domestic workers do not deserve the protection otherwise provided by this House to other workers, and take us right back to the 1950s.

In relation to Article 10(3) on hours of work, what those employers, and one or two have raised this, are saying is, that we should allow the status quo to remain, that it is alright for workers to continue to be available 24/7, without the compensation that all other workers enjoy. Would all of us in this room be happy to do just this – live day and night at the beck and call of the household without proper recompense? I think not, and I think it is entirely reasonable that domestic workers should be entitled to some recompense in this respect.

The issue of decent work for domestic workers goes to the absolute heart of what the ILO exists to do, and is consistent with what it has done for many other groups of workers. Australia commends the Convention and Recommendation for adoption by the plenary and a strong vote in tomorrow's sitting in support of these instruments.

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*Original French: Mr BOISNEL (Government, France)*

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The French Government strongly supports the adoption of the Convention and the Recommendation which has resulted from intense but fruitful negotiations. I should like to share with the Conference some of the reasons behind our position.

The first reason is that there has been fundamental social progress. This is a decisive step for this historic 100th Session. This is a decisive step because for the first time, a community of workers, who are too often invisible and vulnerable, are offered a high level of protection on the basis of the principle of equal treatment with all other workers covered by the ILO's standards.

The second reason is that we believe that the standards that we have drawn up over these ten days are fully operational, and they are operational because they are in a Convention that is ratifiable. This is the case because we carefully negotiated with all stakeholders with that goal in sight.

I agree with the Reporter that this was not an easy task. We were not drafting a solemn declaration of absolute principles. Rather, we were constructing an ILO Convention, a universal law which, in order to be universal, needed to look at the different legal systems of different States, as well as their diverse circumstances.

Let us not forget that at the same time we were talking both about dramatic instances of exploitation that were very close to slavery and about quite normal situations where workers already enjoy equal treatment under the protection of very strict legislation.

The third reason is that the real work begins tomorrow, after the vote. Yesterday afternoon, the French Minister of Labour, Xavier Bertrand, speaking before the Conference, said that adopting a Convention was good but that ratifying it was better, and that applying was best of all; in other words what really matters and is essential is to breathe life into the principles on which we are agreed.

So it is with this in mind that the European Union, of which my country is a Member, has supported the draft resolution for its application, which is es-

sential in order to ensure the dissemination, promotion and finally the ratification of the Convention on domestic work.

As to the fourth and last reason, I would like to express my full confidence in social dialogue and, quite simply, pay tribute to France's social partners, who have already concluded two collective agreements on domestic work and have a third in the pipeline.

France, as was mentioned by one of the Workers' delegations, is today one of the first countries, one of the rare countries in the world, to have collective bargaining. And I say "today" because I am convinced that tomorrow many countries will be engaging in collective bargaining. It is possible, it is desirable, and it is probably one of the best means of applying in practice the principles that we espouse.

By way of conclusion, I should like to thank the secretariat of the Committee for its invaluable assistance, the Officers of the Committee for their dedication and spirit of open discussion, and the Chairperson of our Committee, Mr Cadac, for his excellent handling of our discussion.

I would like to appeal to all delegates, irrespective of their affiliation, to proceed together to the adoption of this Convention and this Recommendation on domestic labour.

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*Ms WARRICK (Government, United Kingdom)*

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The United Kingdom has been, and remains, a strong supporter of the principles enshrined in the Convention and Recommendation concerning decent work for domestic workers, and it recognizes the need to protect vulnerable domestic workers worldwide.

During the negotiations, we worked in a constructive manner to find a text that everyone could support by concentrating on the important principles rather than details, and by allowing ILO Members the flexibility to take account of the unique circumstances of domestic workers, in the context of their diverse existing laws, customs and practices.

The United Kingdom already provides comprehensive employment and social protection to domestic workers. However, the strength of our general provisions means that it is occasionally not appropriate to treat domestic workers identically and, sadly, the Convention and Recommendation do not recognize this. For example, we do not consider it appropriate, or practical, to extend criminal health and safety legislation, including inspections, to cover private households employing domestic workers. It would be difficult, for instance, to hold elderly individuals, who employ carers, to the same standards as large companies.

Accordingly, the United Kingdom will not be able to ratify this Convention in the foreseeable future and, on that basis, cannot vote in favour of its adoption.

We do hope that the principles it enshrines can help to raise standards and prevent abuses worldwide, and in that context we encourage the Office, where appropriate, to provide technical assistance in this matter.

Within the United Kingdom, we will continue to seek proportionate improvements to the social and employment protection available to domestic workers, wherever specific problems are identified.

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*Original French:* The PRESIDENT

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That concludes our list of speakers. We will now proceed to the approval of the report, that is the summary of the Committee's discussions, which you will find in paragraphs 1–1281.

If there are no objections, may I take it that the Conference approves the report?

*(The report – paragraphs 1–1281 – is approved.)*

**PROPOSED CONVENTION CONCERNING DECENT WORK  
FOR DOMESTIC WORKERS: ADOPTION**

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*Original French:* The PRESIDENT

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We will now proceed to the adoption of the proposed Convention concerning decent work for domestic workers, Article by Article, beginning with the Preamble.

*(The Preamble and Articles 1–19 – are adopted seriatim.)*

If there are no objections, may I take it that the proposed Convention concerning decent work for domestic workers, as a whole, is adopted?

*(The proposed Convention, as a whole, is adopted.)*

In accordance with article 40, paragraph 7, of the Standing Orders of the Conference, the provisions of the Convention will be submitted to the Conference Drafting Committee for the preparation of the final text.

**PROPOSED RECOMMENDATION CONCERNING DECENT  
WORK FOR DOMESTIC WORKERS: ADOPTION**

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*Original French:* The PRESIDENT

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We will now proceed to the adoption of the proposed Recommendation concerning decent work for domestic workers, Paragraph by Paragraph, beginning with the Preamble.

*(The Preamble and Paragraphs 1–126 – are adopted seriatim.)*

If there are no objections, may I take it that the proposed Recommendation concerning decent work for domestic workers, as a whole, is adopted?

*(The proposed Recommendation, as a whole, is adopted.)*

As for the Convention, in accordance with article 40, paragraph 7, of the Standing Orders of the Conference, the provisions of the proposed Recommendation will be submitted to the Conference Drafting Committee for the preparation of the final text.

**RESOLUTION CONCERNING EFFORTS TO MAKE DECENT  
WORK A REALITY FOR DOMESTIC WORKERS  
WORLDWIDE: ADOPTION**

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*Original French:* The PRESIDENT

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We will now proceed to the adoption of the Resolution concerning efforts to make decent work a reality for domestic workers worldwide.

If there are no objections, may I take it that the Resolution is adopted?

*(The Resolution is adopted.)*

Before moving on to the next item on our agenda, I would like to offer my heartfelt thanks and con-

gratulations to the members and Officers of the Committee for their work. I would also like to thank the staff of the secretariat for their support. As you know, this item was the subject of a first discussion at the 99th Session of the Conference. The result we have achieved today is thus the outcome of two years of particularly hard work. I am grateful to you.

*(Mr Hernández Sánchez takes the Chair.)*

**REPORT OF THE FINANCE COMMITTEE OF  
GOVERNMENT REPRESENTATIVES: SUBMISSION,  
DISCUSSION AND APPROVAL**

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*Original Spanish:* The PRESIDENT

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We will now proceed to the second item on the agenda, the draft Programme and Budget for 2012–13 and other questions.

We will begin by examining the report of the Finance Committee of Government Representatives, contained in *Provisional Record* No. 14.

I have the pleasure to invite Mr Vines, Government delegate, Australia, and Chairperson and Reporter of the Committee, to present the Committee's report.

*Mr VINES (Government, Australia; Chairperson and Reporter of the Finance Committee of Government Representatives)*

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I have the honour to submit to the Conference the report of the Finance Committee of Government Representatives. This report is contained in *Provisional Record* No. 14 and contains the Recommendations of the Committee on the matters it considered.

The five resolutions proposed by the Committee for adoption by the Conference appear at the end of the report.

The main item for business for the Finance Committee was the Programme and Budget proposals for 2012–13, which had been recommended by the 310th Session of the Governing Body three months ago.

Since the conclusion of the Governing Body session, consultations have continued in order to explore further possibilities for reductions in the proposed budget level.

The Director-General proposed further adjustments to the programme and budget following these consultations, resulting in a real decrease in the budget level of some US\$24 million. This adjusted budget level was the basis of the Committee's discussions.

I am pleased to report to you that strong support for the Organization was evident throughout the whole of the discussion on this item in our Committee.

The report before you sets out the views expressed by Members during the debate. Although there was a lack of consensus in the Committee, it concluded, with an overwhelming majority, that it was prepared to adopt the proposed budget for 2012–13.

I make a special appeal to all Governments, Employers and Workers alike to give your full support to the resolution concerning the budget for 2012–13.

The Committee then considered the proposal concerning the scale of assessment of contributions to the ILO regular budget for 2012 and recommends that the ILO scale of assessments for 2012, based on



the United Nations scale, is adopted by the Conference.

The Committee also had before it a proposal concerning the composition of the ILO Administrative Tribunal. The Committee unanimously accepted a recommendation from the Governing Body that the Conference expresses to Mr Augustín Gordillo its appreciation for the services he has rendered to the work of the Administrative Tribunal as Judge; renews the appointment of Ms Mary G. Gaudron, from Australia, for a term of three years; and appoints Ms Suzie d'Auvergne of Saint Lucia for a term of three years.

The Committee also had before it the financial report and audited consolidated financial statements for the year ended 31 December 2010. The Committee noted that the external auditor had given an unqualified audit opinion and had provided Recommendations in the areas of human resources, training and development, performance measurement, reporting practices and internal audit.

The Committee had no hesitation in proposing that the financial report and audited consolidated financial statements for the year ended 31 December 2010 is adopted in accordance with article 29 of the Financial Regulations.

The Committee further considered a paper concerning the composition of the ILO Staff Pension Committee and unanimously accepted a Recommendation from the Governing Body that the Conference confirms Mr T. Montant from Switzerland, Mr J.-P. Bernard for the Employers and Mr M. Blondel for the Workers as its representatives in the ILO Staff Pension Committee of the United Nations Joint Staff Pension Board until 8 October 2013.

In concluding, I would like to express my sincere thanks to the members of the Committee and also, in particular, to the members of the secretariat, all of whom helped me greatly in my task as Chairperson.

May I commend our report to you for adoption.

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Ms WARRICK (*Government, United Kingdom*)

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We thank the Office for this paper and we thank the Director-General for his presentations on the budget.

We appreciate the further work and consultations that the Director-General and the Office have undertaken since the March Governing Body discussions to come up with the revised proposals for the budget. Proposals which reduced a budget cost increase of 2.4 per cent to 2.1 per cent.

Throughout the budget discussions, the United Kingdom Government made it clear that we fully support the work of the ILO. However, we considered that the proposals as presented then did not fully take into account the extraordinary financial pressures which many governments, all over the world, are having to address.

We also felt that they did not acknowledge the call that the United Nations Secretary-General himself made for all agencies to look very seriously at cutting their budgets, in order to properly reflect those pressures.

We said in March that we believed that further efficiency savings could have been achieved by stricter priority setting and without affecting the ILO's work. So we are pleased at these further adjustments.

However, as we said consistently during the March discussions, our hope was that the 2012–13

Programme and Budget would properly reflect the economic realities that many governments are facing and would be based on zero nominal growth – that is a zero percentage increase in the 2010–11 level.

Against that background, the United Kingdom cannot support the revised proposal for the budget. While very welcome steps have been made in the search for greater efficiency and effectiveness and value for money, they have, in our view, not gone far enough. We hope very much, therefore, that further work will be done to arrive at a budget on which all Governments can agree.

For the United Kingdom Government, zero nominal growth remains our aim.

I would stress once again, that our position does not imply any lack of support for the ILO. On the contrary, we believe that a more cost-efficient ILO will be a more effective ILO.

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*Original Spanish:* The PRESIDENT

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As I cannot see any more requests for the floor, I propose that we proceed to examine the report.

If there are no objections may I consider that the Report of the Finance Committee of Governmental Representatives, that is to say, paragraphs 1 to 84 and Appendices I through VI, is approved?

*(The report – paragraphs 1–84 and its Appendices I–VI – is approved.)*

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**RESOLUTION CONCERNING THE SCALE OF ASSESSMENTS OF CONTRIBUTIONS TO THE BUDGET FOR 2012: ADOPTION**

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*Original Spanish:* The PRESIDENT

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We will now proceed to the adoption of the resolutions. The first is the resolution concerning the scale of assessments of contributions to the budget for 2012. If there are no objections, may I take it that this resolution is adopted?

*(The resolution is adopted.)*

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**RESOLUTION CONCERNING THE COMPOSITION OF THE ADMINISTRATIVE TRIBUNAL OF THE INTERNATIONAL LABOUR ORGANIZATION: ADOPTION**

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*Original Spanish:* The PRESIDENT

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The second resolution is the resolution concerning the composition of the Administrative Tribunal of the International Labour Organization. If there are no objections, may I take it that this resolution is adopted?

*(The resolution is adopted.)*

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**RESOLUTION CONCERNING THE ADOPTION OF THE PROGRAMME AND BUDGET FOR 2012–13 AND THE ALLOCATION OF THE BUDGET OF INCOME AMONG MEMBER STATES**

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*Original Spanish:* The PRESIDENT

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The third resolution is the resolution concerning the adoption of the Programme and Budget for 2012–13 and the allocation of the budget of income among member States. In accordance with article 13(2)(c) of the Constitution of the ILO, there will be a second vote on this resolution tomorrow morning.



**RESOLUTION CONCERNING THE FINANCIAL REPORT  
AND AUDITED FINANCIAL STATEMENTS FOR 2010:  
ADOPTION**

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*Original Spanish:* The PRESIDENT

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The fourth resolution is the resolution relating to the financial report and audited financial statements for 2010. If there are no objections, may I take it that this resolution is adopted?

*(The resolution is adopted.)*

**RESOLUTION CONCERNING APPOINTMENTS TO THE  
ILO STAFF PENSION COMMITTEE: ADOPTION**

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*Original Spanish:* The PRESIDENT

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The fifth resolution is the resolution concerning appointments to the ILO Staff Pension Committee.

If there are no objections may I take it that this resolution is adopted?

*(The resolution is adopted.)*

We have now concluded the adoption of the report of the Finance Committee of Government Representatives.

I would like to thank the Chairperson and all the Committee members for their excellent work. Our thanks also go to all the staff of the Office who contributed to the proper functioning of this Committee.

*(The Conference adjourned at 7.10 p.m.)*

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