



## Governing Body

325th Session, Geneva, 29 October–12 November 2015

GB.325/INS/4

Institutional Section

INS

Date: 29 October 2015

Original: English

### FOURTH ITEM ON THE AGENDA

## Review of annual reports under the follow-up to the ILO Declaration on Fundamental Principles and Rights at Work

#### Purpose of the document

The Governing Body is invited to take note of the information submitted under the Annual Review for the years 2014 and 2015 (up to 1 October) and to provide guidance on key issues and priorities for helping member States to respect, promote and realize fundamental principles and rights at work (see the draft decision in paragraph 133).

**Relevant strategic objective:** Promote and realize standards and fundamental principles and rights at work.

**Policy implications:** Based on the lessons learned, the follow-up to the Annual Review can further develop in three priority areas: (1) the ILO's effective response to outstanding requests for technical assistance; (2) dialogue and sharing of experiences in realizing fundamental principles and rights at work; and (3) the launch of further country-specific activities on fundamental principles and rights at work.

**Legal implications:** None.

**Financial implications:** Yes.

**Follow-up action required:** Subject to the guidance and decisions of the Governing Body.

**Author unit:** International Labour Standards Department (NORMES).

**Related documents:** GB.316/INS/5/3; GB.320/INS/4; ILO Declaration on Fundamental Principles and Rights at Work and its Follow-up (1998, annex revised 2010); ILO Declaration on Social Justice for a Fair Globalization (2008); resolution on the follow-up to the ILO Declaration on Fundamental Principles and Rights at Work (2010); Report VI (*Fundamental principles and rights at work: From commitment to action*) submitted to the International Labour Conference (ILC), 101st Session (2012); and resolution concerning the recurrent discussion on fundamental principles and rights at work, ILC, 101st Session (2012); General Survey on the fundamental Conventions concerning rights at work in light of the ILO Declaration on Social Justice for a Fair Globalization, 2008: *Giving globalization a human face* (2012).

**NB:** *The information in this report is a summary of the statements contained in government reports, country baselines and comments submitted to the Office by national and international employers' and workers' organizations for the Annual Review 2015. The Office has not verified the accuracy of the information received and reproduced.*



## Executive summary

This document provides an overview of developments and trends concerning the fundamental principles and rights at work in the countries that have not yet ratified the relevant fundamental Conventions.<sup>1</sup>

The Governing Body's review of this document was postponed from March 2015 to the present session due to a change in the agenda of the Governing Body.

Given this postponement, the Office has decided to integrate in this Annual Review under the 1998 Declaration all updated reports and information received from governments and employers' and workers' organizations from June 2014 to 1 October 2015, instead of December 2014.

This year again, all the 46 reporting governments have fulfilled their reporting obligations, resulting in a 100 per cent reporting rate for the fifth consecutive year.<sup>2</sup> The participation of employers' and workers' organizations has again increased considerably. Although a higher number of States have stated or confirmed their intention to ratify one or more fundamental Conventions, only eight new ratifications of fundamental Conventions were registered as at 1 October 2015, including two by Cook Islands, a new member State to start reporting under the next review. Yet, a further 123 ratifications are still required to meet the universal ratification of all the fundamental Conventions.

On a positive note, Niger became the first country to ratify the Protocol of 2014 to the Forced Labour Convention, 1930, on 14 May 2015. It is expected that further ratifications of the Protocol will follow soon. In the meantime, and in line with the obligations of member States to report under article 19, paragraph 5(e) of the ILO Constitution with respect to unratified instruments in relation to one of the four categories of fundamental principles and rights at work, governments will be called upon to provide information with their next report in relation to the recently adopted Protocol.

Most reports by governments and employers' and workers' organizations have provided substantial information regarding intentions, challenges and actions taken in realizing the fundamental principles and rights at work.<sup>3</sup> This valuable information on challenges and efforts undertaken through promotional activities, labour law reform, judicial decisions and tripartite dialogue, will enrich the dialogue at national and international levels on how to better achieve progress in promoting and realizing the Declaration's principles and rights.

In this regard, the pace of ratification and implementation could be enhanced by meeting the outstanding requests of many reporting States under the Annual Review. Given that the ILO plan of action on fundamental principles and rights at work (2012–16), approved by the Governing Body at its November 2012 session, is now coming to its end,

<sup>1</sup> For the list of reporting States and the corresponding unratified fundamental Conventions, see Appendix I. For the development in the number of reporting States since the start of the Annual Review, see Appendix II.

<sup>2</sup> For further information on the development of reporting rates under the Annual Review, see Appendix III.

<sup>3</sup> For further information, refer to each country baseline table under the 1998 Declaration Annual Review, available at: <http://www.ilo.org/declaration/follow-up/annualreview/annualreports/lang-en/index.htm>.

it is essential that resources be secured promptly under this plan or under the Decent Work Country Programmes (DWCPs) to meet most of the requests for technical assistance.<sup>4</sup> Special initiatives under extra-budgetary resources can also be considered to effectively respond to the requests. Thus, expanding the ILO's assistance to reporting States would expedite the realization of the fundamental principles and rights at work, which in turn will better achieve Goal 8 of the 2030 United Nations Sustainable Development Goals (SDGs) – economic growth and productive employment and decent work.

<sup>4</sup> GB.316/INS/5/3, para 37; GB.320/INS/4, para. 147. For further information on unmet requests made under the Annual Review, see Appendix V.

## I. Introduction: Context of the Annual Review 2015

1. The Annual Review process provides an opportunity for tripartite dialogue in the reporting States and can guide ILO technical cooperation in those member States to achieve fuller realization of the fundamental principles and rights at work. It is, therefore, encouraging that this dialogue is further strengthened with a 100 per cent government reporting rate for the fourth consecutive year, together with an increased number of observations received from employers' and workers' organizations. A general observation by the International Organisation of Employers (IOE) covering all the fundamental principles and rights at work was also received by the Office and is set out in the relevant sections below.
2. This momentum in the reporting process was facilitated by the Office through various informal tripartite consultations to update baseline information for various countries during the 103rd Session of the International Labour Conference and in the framework of technical assistance missions in the field or during the May–June course on international labour standards held at the International Training Centre of the ILO in Turin.
3. During the reporting cycle, only eight new ratifications of fundamental Conventions were registered as compared to ten in the previous one. In March 2014, Somalia ratified: (i) the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87); (ii) the Right to Organise and Collective Bargaining Convention, 1949 (No. 98); and (iii) the Worst Forms of Child Labour Convention, 1999 (No. 182). Saudi Arabia and Mexico ratified the Minimum Age Convention, 1973 (No.138), in April 2014 and June 2015, respectively. Cuba ratified Convention No. 182 in September 2015. Cook Islands, which joined the ILO in June 2015, ratified the Forced Labour Convention, 1930 (No. 29), and the Abolition of Forced Labour Convention, 1957 (No. 105), in June 2015. It will start reporting in the next Annual Review cycle.
4. With these new ratifications, Convention No. 182 remains the most ratified fundamental Convention, closely followed by Convention No. 29, while Convention No. 87 and Convention No. 98 still remain the fundamental Conventions with the least ratifications.<sup>1</sup>
5. Although only eight new ratifications have been registered during the reporting period, some countries have made significant progress in their ratification process. For example, the United States, which used to report that there is no plan to ratify further fundamental Conventions, is intensifying its work of reviewing the legal feasibility of ratifying Convention No. 87, Convention No. 98, Convention No. 29, Convention No. 138 and the Equal Remuneration Convention, 1951 (No. 100), while speeding up the ratification of the Discrimination (Employment and Occupation) Convention, 1958 (No. 111), which remains in its “priority list” for ratification. Canada and Mexico, which have been reviewing the possibility to ratify Convention No. 98 for a long time, are now making a positive move towards its ratification. Moreover, Canada indicated that Convention No. 138 was tabled in Parliament in May 2015 for ratification.
6. Other countries such as Afghanistan, Bahrain, Guinea-Bissau, Islamic Republic of Iran, Iraq, Jordan, Kenya, Lao People's Democratic Republic, Lebanon, Nepal, Oman, Qatar, South Sudan, Sudan, United Arab Emirates, Myanmar, Brunei Darussalam, Republic of Korea, Morocco, Thailand and Viet Nam have reiterated their intentions to ratify one or more fundamental Conventions.

<sup>1</sup> For the number of ratifications of each ILO fundamental Conventions, see Appendix IV.

## II. Developments and trends concerning the four categories of fundamental principles and rights at work under the Annual Review 2014–15

### A. Freedom of association and the effective recognition of the right to collective bargaining

#### *Ratifications*

7. Conventions Nos 87 and 98 remain the least ratified fundamental Conventions involving 35 reporting States. Convention No. 87 continues to be the least ratified fundamental Convention.<sup>2</sup> Even though several reporting States may consider that their law and practice are adequate, more than half of the world's working population still lives in countries that have not ratified either one or both of these fundamental instruments.
8. A number of Governments reiterated their intention to ratify Convention No. 87 and/or Convention No. 98 (**Guinea-Bissau, Iraq, Islamic Republic of Iran, Jordan, Kenya, Lebanon, Mexico, Morocco, Myanmar, Nepal, South Sudan, Sudan, Thailand and Uzbekistan**), while a number of others are reviewing the possibility of ratifying the Conventions (**Afghanistan, Bahrain, Brunei Darussalam, Lao People's Democratic Republic, Marshall Islands, Oman, Palau, Qatar, Tuvalu, United Arab Emirates, United States and Viet Nam**).
9. Under the current review, the Governments of **Brazil, India, Republic of Korea, Malaysia, New Zealand, Saudi Arabia and Singapore** maintained their positions having no intention to ratify either one or both of these Conventions or that they are unable to ratify owing to legal incompatibility or for contextual reasons. However, **Canada, Mexico and United States** highlighted positive developments in terms of ratification possibilities. The Government of **Canada** reiterated the statement that a review of Convention No. 98 has been initiated with a view to its possible ratification. The Government of **Mexico** reported that preliminary efforts are being made to facilitate the process of ratification of Convention No. 98 and in April 2014 it initiated appropriate consultations with the social partners and the authorities responsible for implementing the provisions of this instrument, in order to have the necessary elements to evaluate the feasibility of ratification and, if necessary, refer it to the Senate. The **United States** Government reported that a meeting of the President's Committee on the International Labour Organization (PC/ILO), held on 15 May 2014, agreed on a set of conclusions drafted on the basis of tripartite consensus and endorsed unanimously by the PC/ILO, which will serve to guide US policy on ILO issues. One of the conclusions called on the PC/ILO's Tripartite Advisory Panel on International Labor Standards (TAPILS) to intensify its work of reviewing the legal feasibility of US ratification of selected ILO Conventions, including Conventions Nos 87 and 98 and all unratified fundamental Conventions.
10. According to the Government of **Brazil**, national laws need to be amended to allow the application of Convention No. 87. This would entail a series of discussions, including the need for constitutional amendment. In the light of the consensus built up over time in the National Labour Forum and, currently, in the Labour Relations Council, the Government has maintained an ongoing dialogue with workers' and employers' organizations with a view to amending the legislation. Moreover, the Labour Relations Secretariat, in a recent

<sup>2</sup> See Appendix IV.

position paper, argued for the adoption of draft Legislative Decree No. 16 of 1984, approving the text of Convention No. 87. The General Union of Workers (UGT) stated that ratification of Convention No. 87 would be a setback for Brazil, given the particular situation of unions and their strength in collective bargaining.

11. In **Guinea-Bissau**, the new Government indicated that it would welcome ILO assistance to support its current efforts towards ratifying Convention No. 87.
12. The Government of **Iraq** indicated that a new labour law in compliance with Convention No. 87 was completed and sent to Parliament for approval and subsequent ratification.
13. **Kenya** is keen to moving ahead with the ratification of Convention No. 87 and therefore requested ILO assistance to organize a national tripartite workshop on the Declaration and fundamental principles and rights at work, with a special focus on Convention No. 87, with the participation of parliamentarians. The Federation of Kenya Employers (FKE) indicated that the Government might proceed with the ratification of the Convention without further consulting the social partners. The Central Organization of Trade Unions (COTU-Kenya) reiterated that the present Constitution of Kenya provides adequate provisions, including the right to strike.
14. In **Lebanon**, the Government stated that the Labour Code to facilitate the ratification of Convention No. 87 is pending before Parliament for approval.
15. The Government of **Malaysia** reiterated its intention not to ratify Convention No. 87. The Malaysian Employers Federation (MEF) maintained that it is against the ratification of Convention No. 87 due to incompatibilities between this instrument and national laws, and the fact that ratification may put industrial harmony at risk. Nevertheless, the MEF mentioned that the ratification of Convention No. 87 has been under discussion within the context of the Transpacific Partnership Agreement. The Malaysian Trade Union Congress (MTUC) and the National Union of Bank Employees (NUBE) indicated that they have set up a freedom of association committee to mobilize and campaign for the Government to ratify Convention No. 87, including a nationwide campaign, awareness-raising activities and social media use.
16. In **Morocco**, the Government confirmed its political will to ratify Convention No. 87, and indicated that relevant consultations have been ongoing with stakeholders.
17. In **Myanmar**, the Government stated that it is in the process of studying the alignment of its national laws to the requirements of Convention No. 98.
18. The Government of **Nepal** reiterated that the labour law provides for the right to organize, but indicated that the ratification of Convention No. 87 would be considered after the country's political transition process is completed.
19. While the Government of **New Zealand** reported that it is unable to ratify Convention No. 87, the New Zealand Council of Trade Unions (NZCTU) continues to advocate for legal changes to bring New Zealand's law into compliance with and for ratification of Convention No. 87.
20. In **Sudan**, the Government and the social partners support ratification of Convention No. 87. They indicated that following the ILO mission in October 2014 and meeting with parliamentarians, ratification should be discussed through tripartite consultations before submission to the Ministry of Justice, Cabinet and Parliament.

21. The Government of **Thailand** reported that the ratification process for Convention No. 87 and Convention No. 98 has been pursued under the procedures of the National Council for Peace and Order through organizing a meeting on 30 July 2014 to discuss the ratification of the Conventions with the offices concerned. As a result, the meeting agreed to continue proceeding with the ratification.
22. In April 2014, the Government of **Uzbekistan** signed a Memorandum of Understanding with the ILO concerning its DWCP under which ratification of Convention No. 87 is planned by 2016. In accordance with the DWCP and the related Decree by the Cabinet of Ministers, the Government is planning to submit Convention No. 87 to Parliament to debate its ratification.
23. **China** remains the only country that has not yet indicated its position in regard to ratification of Conventions Nos 87 and 98.
24. Almost all workers' organizations reiterated their support for ratification of Convention No. 87 and/or No. 98. Most employers' organizations reiterated their support for the ratification of the Conventions; however, a few of them were sceptical of or against ratification.<sup>3</sup>

### ***Changes in legislation***

25. Under the previous reporting cycle, 21 States referred to newly enacted laws, regulations or policy instruments, or expressed their intention to introduce them in the near future in order to advance the realization of this principle and right or facilitate the ratification process of Convention No. 87 and/or No. 98. This year, fewer States (14) indicated relevant legislative changes (**Brazil, Iraq, Jordan, Lao People's Democratic Republic, Mexico, Nepal, New Zealand, Republic of Korea, Singapore, South Sudan, Sudan, Thailand, Uzbekistan and Viet Nam**).
26. Several reporting States referred to specific legislative changes that have been undertaken or are envisaged. In **Brazil**, a Ministerial Decree of March 2013 laid down new requirements for granting trade union registration as a way of avoiding the creation of "ghost unions" or the misuse of the dissolution procedures in force. In **Iraq**, a new employment bill has been drafted with the involvement of the social partners and the ILO, and approved by the Council of Ministers. This bill is currently at its third reading and awaiting approval by the new Council of Representatives. **Jordan** is yet to amend its Labour Code and the current interim law needs to be submitted to the House of Representatives for its adoption as a permanent law. In **Kenya**, COTU-Kenya indicated that the labour legislation was in the process of being aligned with the Constitution. In **Lao People's Democratic Republic**, the legislative amendments have been passed through Parliament, and the new Labour Law, containing provisions relevant to Convention No. 98, has been signed off by the President of the Republic. According to the National Union of Workers (UNT) in **Mexico**, the Workers' Act was amended in 2014. **Singapore** reiterated that laws are being revised through tripartite consultations. This includes the finalized amendments to the Employment Act and the ongoing revision of the Industrial Relations Act, in particular concerning aspects regulating the representation of professionals, managers and executives. In **South Sudan**, the South Sudan Workers' Trade Union Federation (SSWTUF) indicated that the Workers' Trade Union Act No. 62 has

<sup>3</sup> For further information, refer to each country baseline table under the 1998 Declaration Annual Review, available at: <http://www.ilo.org/declaration/follow-up/annualreview/annualreports/lang--en/index.htm>.



been adopted in 2014. **Sudan** reported that the labour law revision process would take into account the provisions of fundamental Conventions including Convention No. 87.

27. In **Thailand**, the Government stated that the Council of State has reviewed the draft revisions of the Labour Relations Act B.E.2518 (1975) and the draft State Enterprise Labour Relations Act B.E.2543 (2000). These draft laws are being submitted to the Cabinet and the National Legislative Assembly for approval.
28. According to the Government of **Uzbekistan**, a bill on social partnership is currently being considered by Parliament. A Presidential Decree of 12 December 2013 “On additional measures to provide assistance in developing civil society institutions” has reduced the duration and the rates of state fees charged for state registration of non-state and non-commercial organizations (including trade unions) by 80 per cent. The state registration period has also been reduced from two to one month.
29. In **Viet Nam**, the Government stated that the National Assembly passed the new Constitution and two important laws concerning the right to organize and collective bargaining, namely the Labour Code and the Law on Trade Unions in 2012. The provisions of the laws guarantee workers’ rights to: (i) establish and participate in the trade union, occupational and other organizations; (ii) request and participate in dialogues with employers, implement the democracy regulations and be consulted at the workplace in order to protect their rights and legitimate benefits; (iii) participate in management according to the regulations of the employer; and (iv) bargain collectively.

### ***Developments in judicial decisions***

30. The role of the judiciary was mentioned by several member States as playing an important role in shaping the understanding and implementation of the fundamental rights and principles contained in Conventions Nos 87 and 98.
31. In **Brazil**, the Special Labour Disputes Section of the Federal Superior Labour Tribunal issued a judgment specifying the need for the trade union to be present when collective bargaining takes place.
32. In **Canada** the Supreme Court of Canada (SCC) rendered three landmark decisions in January 2015 redefining the scope of constitutional protection for workers’ rights under subsection 2(d) (freedom of association) of the Canadian Charter of Rights and Freedom (Charter). In its decision, the SCC provided that section 2(d) in the labour relations context protects the right of employees to: (i) join a trade union of their choosing that is independent of management; (ii) engage in a meaningful process of collective bargaining, which requires good faith labour–management dialogue (although there is no guarantee of a particular bargaining result or outcome); and (iii) engage in strike action, within certain limits (e.g. essential services). Where strike action is justifiably limited in a way that substantially interferes with a meaningful process of collective bargaining, it must be replaced by an alternative dispute resolution mechanism commonly used in labour relations (such as arbitration).
33. In **Kenya**, there is an ongoing court case currently at the Court of Appeal that deals with the right of police forces to organize and unionize. In April 2014, the Industrial Court of Kenya ruled positively on this right. However, it was appealed by the Attorney-General.
34. The **United States** reported a number of relevant judicial decisions. On 30 June 2014, the US Supreme Court determined that, while states can choose whether to allow unions to collect fees from non-union members on the ground that the collective agreements with the employer would still benefit non-union members, the Illinois Public Labor Relations Act,

which permitted union security agreements, violated the First Amendment's free speech and associational rights. The Court decided that a contract between the State of Illinois and Medicaid-funded home care workers cannot require the covered workers to pay a "fair-share fee" that covers the costs of benefits they receive from union representation. This "fair-share fee" (union dues) covers the costs of the union's activities – collecting bargaining, implementing and enforcing the contract including making sure people are paid the right amounts, representing employees at grievance hearings, etc. In August 2013, the US Court of Appeals for the Sixth Circuit affirmed a National Labor Relations Board's denial of an employer attempt to enlarge the proposed bargaining unit of certified nursing assistants to include other non-supervisory, non-professional service and maintenance employees. Although the Board's decision in specialty healthcare concerned employees in non-acute healthcare services, the holding has been extended to other industries.

### ***Promotional activities***

35. Governments and/or social partners in a majority of the reporting States have carried out or participated in activities to promote the realization of this principle and right, including **Afghanistan, Bahrain, Brazil, Brunei Darussalam, Canada, Iraq, Kenya, Lao People's Democratic Republic, Malaysia, Mexico, Nepal, New Zealand, Oman, Palau, South Sudan, Sudan, Thailand, United States, Uzbekistan** and **Viet Nam**. Such promotional activities include consultation processes, training activities and workshops, awareness-raising activities, sharing experiences between countries, preparation and promotion of legal change, capacity-building activities for social partners and dissemination of information, as well as research and data collection.
36. Several governments, employers' and workers' organizations generally stated or reiterated the practice of social dialogue in the consideration or preparation of ratification (**Afghanistan, Brunei Darussalam, Iraq, Jordan, Kenya, Lao People's Democratic Republic, Lebanon, Oman, Palau, Saudi Arabia, Singapore** and **South Sudan**).
37. The IOE indicated that its key responsibility remains to stand up for employers' organizations in all regions that do not fully enjoy their right to freedom of association by providing assistance, guidance, support and representation.

### ***Statistical information***

38. Statistical information and specific data provided by reporting States focused on the following topics: general sources and methods of information-gathering, ongoing surveys and assessments, institutional changes, statistics on trade unions, judicial decisions, budgetary conditions and restrictions: **Brazil** (partnership project on union organizing, collective bargaining and conflict resolution); **Brunei Darussalam** (launch of a labour force survey in cooperation with the ILO); **China** (the All-China Federation of Trade Unions (ACFTU) workplan to increase the number of unions and membership); **Kenya, Malaysia, New Zealand** and **Singapore** (increase in the number of newly registered unions and membership); **United States** (statistics on fair labour practices); and **Uzbekistan** (statistics on unions, membership and activities).

### ***New initiatives and progress made in advancing the principle and right***

39. Governments and workers' organizations, along with a few employers' organizations, continue to report new actions initiated to advance the realization of this principle and right. In this reporting cycle, the following reporting States highlighted new initiatives and

progress: **Brazil, Brunei Darussalam, China, Iraq, Sudan, New Zealand, United States, Uzbekistan and Viet Nam.**

40. In **Brazil**, several initiatives were launched to further democratize and include vulnerable sectors of the population, such as young people, persons with disabilities and Afro-Brazilians, into labour relations and mediation and conciliation activities.
41. The Government of **Brunei Darussalam** hosted for the first time the Fifth Regional Tripartite Forum on Social Dialogue for Growth, Employment and Sound Industrial Relations in the Services Sector in ASEAN.
42. In **China**, the ACFTU launched projects in April 2015 to maximize the membership and participation of farmers and migrant workers in trade unions.
43. In **Sudan**, a National Advisory Committee on Labour Standards has been launched with ILO support in October 2014, with the participation of social partners and related ministries. Moreover, a Tripartite Memorandum of Understanding has been signed including ratification of Convention No. 87, which was witnessed by the ILO.
44. In **Uzbekistan**, the Government indicated that, on the basis of the Joint Plan of Action for 2013–14, constructive cooperation has been established between the Federation of Trade Unions of Uzbekistan (FTUU) and the Chamber of Commerce and Industry of Uzbekistan (CCIU), with a view to bringing enterprises in the non-state sector into CCIU and enabling their workers to join trade unions. A booklet entitled “Advantages of joining Uzbekistan’s trade unions and Chamber of Commerce and Industry” has also been produced and distributed to target groups. At the international level, the FTUU and CCIU are in the process of joining the International Trade Union Confederation (ITUC) and the IOE, respectively.
45. In **Viet Nam**, the Government indicated that successful pilot programmes have suggested solutions of reform to the establishment of trade unions from the top-down approach to the bottom-up approach, to ensure an effective participation of workers in establishing the enterprise trade union and minimize the intervention of the employer in this process.

## Challenges

46. Challenges and obstacles in the ratification processes and in realizing the principle and right continue to exist. Under the previous review, 17 out of 35 have reported challenges. Under the current one, 21 States raised challenges.
47. Tripartite partners reported on: (i) lack of reporting capacity (**Brunei Darussalam**); (ii) lack of government capacity (**Lebanon and Nepal**); (iii) lack of trade unions’ capacity (**Oman, South Sudan**); (iv) the lack of political will as a concern (**Bahrain, India**); (v) legal incompatibilities with Convention No. 87 and/or 98 (**Bahrain, Brazil, Kenya, Malaysia, Republic of Korea, Singapore and Tuvalu**); (vi) inconsistencies in law interpretation (**Bahrain**); (vii) lack of law enforcement/monitoring in general (**Afghanistan, India, Nepal, Sudan and Viet Nam**) and/or in specific sectors or categories of workers (**Bahrain, Brunei Darussalam, Morocco, Republic of Korea and Viet Nam**); (viii) lack of organizational resources or capacity, often in specific governance areas (**Brunei Darussalam, Lebanon, Nepal, Oman, South Sudan, Sudan and Viet Nam**); (ix) lack of awareness on the principle and right and the benefits of the Conventions (**India, Kenya, Lao People’s Democratic Republic, Myanmar, Nepal, Tuvalu and Viet Nam**); (x) government interference in trade union activities and the fragmentation of labour organizations (**Brazil**); (xi) lack of social dialogue (**Islamic Republic of Iran, Nepal**); (xii) unfavourable political, economic and security factors (**Iraq, Lebanon,**

**Myanmar, Nepal, South Sudan and Thailand**); and (xiii) lack of implementation of the DWCP (**Oman**).

48. In **Bahrain**, the General Federation of Bahrain Trade Unions (GFBTU) observed that the Workers' Trade Union Act of 2002, which was revised in 2011, removed essential improvements concerning the principle and right.
49. The Government of **Brazil** reported that a number of legislative measures would need to be implemented to ensure compliance with Convention No. 87. It also highlighted that an additional challenge is to ensure strong and representative organizations with trained spokespersons and recognition between the parties because currently the fragmentation of labour organization ends up weakening collective bargaining, since there are few organizations whose representativeness has been assessed by the workers. The UGT expressed its concern that the Government interferes in trade union activities by trying to undermine the decisions taken by unions' general assemblies.
50. **Brunei Darussalam** reiterated that challenges are related to realizing the principle and right in SMEs, which make up a significant part of the economy. Furthermore, a lack of resources and capacity to fulfil ILO reporting obligations hampers the Government from ratifying any further instruments before the reporting capacity has been strengthened.
51. The Government of **Kenya** and COTU-Kenya noted the lack of awareness by newly appointed judges of the Industrial Court on industrial relations principles and practices, as well as on the principle and right in the conduct of their judicial functions. As a result, COTU-Kenya is working on alternative dispute settlement solutions to get the Court on its feet. The Federation of Kenya Employers (FKE) reiterated problems arising, inter alia, from lack of awareness on the principle and right and lack of knowledge on the implications of Convention No. 87. COTU-Kenya reiterated the major need to align national legislation with the Constitution.
52. In the **Republic of Korea**, the Government reported that the special provision of labour law concerning public officials' right to organize may serve as a barrier to the ratification of the Conventions. In response to the Korean Confederation of Trade Unions' (KCTU) comments under the 2014 Annual Review, the Government indicated the following: (i) as for public officials and teachers, freedom of association is guaranteed according to the Act on the Establishment, Operation, etc., of Public Officials' Trade Unions and the Act on the Establishment, Operation, etc., of Trade Unions for Teachers. Under the laws, trade unions for public officials and teachers have been carrying out union activities freely. Only a few organizations violating the acts are not recognized as trade unions under the laws; (ii) the Trade Union and Labour Relations Adjustment Act (TURLAA), 1997, prohibits the unfair dismissal and treatment of workers simply because they have exercised their legitimate trade union activities. In principle, the conclusion of a collective bargaining agreement at an individual workplace should be resolved autonomously by labour and management and the TURLAA recognizes the rights fairly to both sides; (iii) workers' legal status is not the same but varied and determined based on court rulings. Moreover, even if they are recognized as self-employed, they can form organizations which represent their interests to protect their rights in accordance with the principles of freedom of association under the Constitution; (iv) part-time workers in the public sector are not discriminated against and enjoy the same rights as those of full-time workers, including freedom of association; (v) the revised TURLAA, introducing multiple unions and unification of bargaining channel systems, enabled workers to set up multiple trade unions freely. Also, the law imposes the duty of fair representation on bargaining representative unions, thereby prohibiting them from discriminating against minority unions. The bargaining channel unification has nothing to do with yellow unions; (vi) the Government respects fundamental labour rights; and (vii) the Ministry of Employment and Labour has

continuously asked the KCTU to join social dialogue to address current employment and labour issues. The Government welcomes the KCTU as a tripartite participant. The KCTU reiterated that the main challenge is how to realize the principle and right in the public sector. It further noted that self-employed workers, workers in precarious employment and in small and medium enterprises, as well as those under subcontracting arrangements, do not enjoy the right to freedom of association.

- 53.** In **Malaysia**, the MEF indicated that the Industrial Relations Act and the Trade Unions Act would need to be amended in order to comply with Convention No. 87; however, the MEF believes that the current environment works well. There are more than 850 trade unions registered and have company-based trade agreements. Ratification of Convention No. 87 could, therefore, pose risks to the industrial relations harmony and encourage fragmentation of the trade union movement. In response to MEF comments, the MTUC considered that the Government should enforce the reconciliation to constructively resolve issues rather than referring all matters to the industrial courts, which will drain out the unions' funds. This action would help preserve the industrial relations harmony in Malaysia. The MTUC and NUBE indicated that dismissal of employees without justice is still a major problem, cases are referred to and then pending for years before courts. They stated that, given the current rampant sacking of trade union leaders and active union members in Malaysia, there is an urgent need to ratify Convention No. 87. Furthermore, they indicated that there was concern expressed that the actual numbers of trade union members are decreasing, although the number of trade unions show an increase because national unions have been split up into smaller units.
- 54.** In **Nepal**, the Government indicated that the Ministry of Labour has a low number of labour inspectors and lacks capacity on the fundamental principles and rights at work. The Nepalese Trade Union Congress (NTUC) noted that the National Labour Advisory Committee has not been convened for the past two years. According to the National Employees' Federation of Nepal (NEFON), the labour bill has not been approved by the Government and there is no strong relation among the tripartite partners, instead relations have been affected by confusion.
- 55.** In **New Zealand**, the Government considers that there are no challenges and difficulties faced with regard to the principle and right, and that all employees have the right to join a union or not join a union and the right to bargain collectively. However, the NZCTU expressed its strong disagreement with the Government. The NZCTU believes that the Government has been going backwards in its promotion of freedom of association; while the Government previously provided active assistance to unions and employers, most of the Government's promotional efforts are now informational only. The NZCTU further stated that the Government continues to cut funding for programmes designed to promote freedom of association and collective bargaining.
- 56.** In **Sudan**, the Government highlighted that labour inspection is weak. However, it hopes that the ILO technical assistance on labour inspection provided in May 2014 in Khartoum and the enforcement of the first Tripartite Memorandum of Understanding (in October 2014) in cooperation with the ILO would strengthen the capacity of labour inspectors. Employers' organizations reported that employers of the informal economy need guidance and support to organize and integrate into the formal economy. The Sudan Business Employers' Federation (SBEF) further stated that the main challenges are the lack of political will for ratification and the new situation created by the separation of two independent States. The SWTUF expressed satisfaction as regards the employers' new position in favour of ratification of Convention No. 87 and hoped that the Government would speed up this process, including the labour law reform process and the application of the new laws.

57. The IOE reported that, while freedom for employers prevails in many countries of the world and is largely taken for granted, developments in other parts of the world continue to threaten those rights requiring: (i) the attention of the IOE and other employers' organizations, and; (ii) the promotion of the Declaration supported by targeted technical cooperation.

### **Requests for technical assistance**

58. The requests for technical assistance echoed to a large extent pending requests made under the previous review, and included one or more of the following: (i) assistance in fulfilling reporting obligations (**Afghanistan**); (ii) support in the ratification process (**Bahrain, Islamic Republic of Iran, South Sudan, United Arab Emirates and Viet Nam**); (iii) legal reform and compliance (**Iraq, Jordan, Palau and Viet Nam**); (iv) awareness raising, better understanding of the principle and right and its implications (**Brazil, India, Jordan, Kenya, Republic of Korea, Lao People's Democratic Republic, Lebanon, Marshall Islands, Mexico, Nepal, Oman, Palau, Saudi Arabia, South Sudan, Tuvalu, United Arab Emirates and Viet Nam**); (v) capacity building for governments (**Bahrain, China, Iraq, Jordan, Kenya, Lao People's Democratic Republic, Marshall Islands, Morocco, Myanmar, Nepal, Oman, South Sudan, Sudan, Thailand, Tuvalu, United Arab Emirates and Uzbekistan**); (vi) strengthening the capacity of employers' and workers' organizations (**Bahrain, Brazil, China, Iraq, Jordan, Kenya, Republic of Korea, Lao People's Democratic Republic, Marshall Islands, Morocco, Myanmar, Nepal, Oman, Saudi Arabia, South Sudan, Sudan, Thailand and Uzbekistan**); (vii) strengthening collective bargaining, tripartism and social dialogue (**Bahrain, China, Guinea-Bissau, India, Islamic Republic of Iran, Kenya, Republic of Korea, Morocco, Myanmar, Nepal, Oman, United States, Uzbekistan, and Viet Nam**); (viii) training of other officials, such as judiciary, Ministry of Justice and parliamentarians (**Kenya, Nepal, South Sudan and Sudan**); (ix) sharing of good practice and experience across countries and regions (**Islamic Republic of Iran, Lao People's Democratic Republic, Marshall Islands, Mexico and Thailand**); (x) support through DWCPs (**Bahrain, Oman, South Sudan and Uzbekistan**); and (xi) improving the culture of trade unionism (**Oman**).
59. The Government of **Brazil** emphasized that technical assistance which enhances the benefits of adopting the provisions of Convention No. 87 would contribute greatly to ensuring compliance between national legislation and the provisions of Convention No. 87. The UGT requested ILO technical assistance to sensitize its members on the principles and rights, on the importance and the role of trade unions in promoting freedom of association and decent work.
60. In **Kenya**, the Government and COTU-Kenya requested as a matter of urgency ILO assistance with respect to training and sensitization activities on fundamental principles and rights at work and Convention No. 87, as well as on education and sensitization of the Industrial Court judges.
61. In **United Arab Emirates**, the Government reiterated with insistence its request for ILO technical assistance in the ratification process of Conventions Nos 87 and 98, and their implementation.
62. The **United States** reiterated that the ILO might be able to recommend relevant forms of tripartite technical assistance and the United States would welcome such proposals.
63. According to the Government of **Viet Nam**, the ILO has been supportive with various programmes and projects with the aim to improve the legal awareness of the employers and workers and labour legislation. In the future, Viet Nam would request ILO technical

assistance in reviewing the feasibility of ratifying Conventions Nos 87 and 98, and the possible legal amendments to this end.

## **B. The elimination of all forms of forced or compulsory labour**

### ***Ratifications***

64. Out of a total of 15 reporting States, eight countries are yet to ratify Convention No. 29, and 13 to ratify Convention No. 105.
65. About one third of the reporting States (**Afghanistan, Timor-Leste, Tuvalu and Viet Nam**) indicated that they are in the process of ratifying Convention No. 29 and/or 105. However, almost half of the reporting countries (**Brunei Darussalam, Japan, Lao People's Democratic Republic, Marshall Islands, Myanmar, Palau, Singapore and United States**) stated that ratification is under consideration. Of these countries, the United States, which used to report that there is no plan to ratify Convention No. 29, is now reviewing the legal feasibility of ratifying this instrument. However, the **Republic of Korea** is unable to ratify Conventions Nos 29 and 105, while **Malaysia** does not intend to ratify Convention No. 105 which it had denounced in 1990 "due to divergences with the ILO in the interpretation of national legislation with regard to this Convention".
66. **China**, on the other hand, has not yet indicated its intention to ratify the Conventions, despite the repeal of the laws and decisions concerning "Re-education through labour".
67. The Government of **Singapore** reiterated its hope that the ILO would provide it with more information on legal experiences of other countries in complying with Convention No. 105, so as to allow Singapore to review more comprehensively the re-ratification of this instrument.
68. Employers' and workers' organizations generally expressed their commitment to the ratification of Conventions Nos 29 and/or 105.<sup>4</sup>

### ***Changes in legislation and judicial decisions***

69. Only two reporting States indicated that they amended their legislation with respect to the principle and right (**China**), or are in the process of doing so (**Lao People's Democratic Republic**).
70. The Government of **China** reported that the "Decision of the Standing Committee of the National People's Congress on Repealing Legislation on Re-education through Labour" was adopted on 28 December 2013 at the Sixth Session of the Standing Committee of the 12th National People's Congress.
71. In **Lao People's Democratic Republic**, the Government stated that amendments to the Labour Law which contains provisions relevant to Convention No. 105 have been approved by Parliament and are now awaiting signature by the President of the Republic.

<sup>4</sup> For further information, see: <http://www.ilo.org/declaration/follow-up/annualreview/annualreports/lang-en/index.htm>.

72. In **Singapore**, the Singapore National Trade Union Congress (SNTUC) indicated that progress has been made to align national laws with the requirements of Convention No. 105 and that the Convention is expected to be ratified in 2016.

### **Promotional activities**

73. Several countries carried out promotional activities through awareness-raising campaigns, capacity-building activities, including tripartite workshops and skills enhancement for specialized institutional machinery (**Afghanistan, Brunei Darussalam, China, Japan, Lao People's Democratic Republic, Singapore, Timor-Leste and United States**). **Japan, Singapore and United States** organized specific promotional activities against trafficking in persons.
74. The IOE has continued to strengthen its partnership with the ILO Special Action Programme to combat Forced Labour (SAP-FL) and is engaged in the development and updating of the joint publication: *Combating forced labour: A handbook for employers and business*. In particular, the publication is currently being reviewed and further booklets on critical sectors such as agriculture, fishery and manufacturing will be added. The IOE is also developing a joint guidance note for business with the SAP-FL on why the adoption of the Protocol to the forced labour Convention is relevant for business.

### **New initiatives and progress made in advancing this principle and right**

75. The Government of **China** reported that the National People's Congress repealed the laws and decisions concerning "Re-education through labour" on 28 December 2013. Following this repeal, those persons who are still undergoing re-education through labour shall be released without having to complete their sentence. Moreover, the AFCTU initiated the implementation of the "two-book" system which considers the principle and right as an important goal for the country.
76. In **Malaysia**, the MEF stated that the Government is currently undertaking a survey in the plantation industry on possible forced labour practices. The outcome of this survey is expected soon.
77. The Government of **Singapore** reported that it has continued to undertake initiatives to prevent the occurrence of trafficking in persons (TIP), including international study trips, regional cooperation under the Association of Southeast Asian Nations (ASEAN), and cooperation with the United Nations Office on Drugs and Crime (UNODC) and NGOs.
78. According to the Government of **Timor-Leste**, the National Commission against Child Labour, in cooperation with ILO-IPEC, planned to undertake a national assessment on forced labour in three or five districts with a view to facilitate the formulation of a national action plan.

### **Challenges**

79. Reporting governments and social partners mentioned the existence of the following challenges in the realization of the principle and right. These include: (i) lack of capacity to fulfil the ILO reporting obligations (**Timor-Leste**); (ii) legal incompatibilities (**Republic of Korea, Singapore and Tuvalu**); (iii) lack of monitoring and labour inspection (**Afghanistan and Timor-Leste**); (iv) lack of capacity of responsible government institutions and of employers' and workers' organizations (**Lao People's Democratic Republic, Myanmar and Timor-Leste**); (v) lack of data (**Timor-Leste**); (vi) lack of



awareness and experience sharing (**Lao People's Democratic Republic** and **Tuvalu**); (vii) unfavourable socio-economic conditions (**Myanmar**); and (viii) poor working conditions of domestic workers (**Timor-Leste**).

80. In **Malaysia**, the MTUC and NUBE stated that under Malaysian national legislation no one is allowed to be in possession of another person's passport. As employers are not exempted from the law, the Government should prosecute the employers who violate this law.

### **Requests for technical assistance**

81. With a view to overcoming the challenges, governments and/or employers' and workers' organizations requested ILO technical support in various areas including: (i) reporting issues (**Brunei Darussalam, Marshall Islands** and **Timor-Leste**); (ii) support in the ratification process (**Brunei Darussalam**); (iii) legal reform and interpretation (**Brunei Darussalam** and **China**); (iv) improving law enforcement mechanism (**China**); (v) awareness creation, training and capacity building (**Brunei Darussalam, China, Lao People's Democratic Republic, Marshall Islands, Myanmar, Timor-Leste, Tuvalu** and **Viet Nam**); (vi) strengthening data collection system and research (**Afghanistan** and **Timor-Leste**); (vii) sharing of experiences across countries (**Lao People's Democratic Republic** and **Marshall Islands**); and (viii) international cooperation to combat trafficking and forced labour (**China**).

## **C. The effective abolition of child labour**

### **Ratifications**

82. In 2014, there were a total of 21 reporting States that have not ratified Conventions Nos 138 and/or 182. However, **Saudi Arabia** and **Mexico** ratified Convention No. 138 in April 2014 and June 2015, respectively, and **Somalia** and **Cuba** ratified Convention No. 182 in March 2014. With these new ratifications, 17 countries are yet to ratify Convention No. 138, while five countries remain to ratify Convention No. 182.
83. The Governments of **Eritrea, Islamic Republic of Iran, Liberia, Marshall Islands, Saint Lucia, Somalia, Suriname, Timor-Leste** and **Vanuatu** have indicated that there are no impediments for ratification of Convention No. 138 and/or 182 and that progress has been made towards finalizing the ratification process. Several other countries (**Canada, Myanmar, Palau** and **Tuvalu**) reported that ratification of the Conventions has been under continuous review. **Bangladesh** indicated its intention for ratification of Convention No. 138, but, due to challenging socio-economic situations in the country, the process might take some time. The Government of **India** reported that ratification of Convention No. 138 and Convention No. 182 is awaiting alignment of its national laws with the requirements of ILO Conventions. The **United States** is now reviewing the legal feasibility of ratifying Convention No. 138. Whereas, **Australia** and **New Zealand** indicated that ratification of Convention No. 138 is not currently a priority.
84. Having considered the ratification of Convention No. 138 since the start of the Annual Review process, the Government of **Canada** indicated that it has taken concrete steps towards the ratification of the Convention. As part of Canada's policy on treaties, the Convention was tabled in Parliament in May 2015, and efforts to complete the ratification process are ongoing.

85. Most employers' and workers' organizations reiterated their support to the ratification of Convention No. 138 and/or 182.<sup>5</sup>

### ***Promotional activities***

86. The Governments of **Australia, Bangladesh, Eritrea, Islamic Republic of Iran, Liberia, Myanmar, Vanuatu, and United States** have carried out promotional activities, including awareness-raising workshops and programmes, social dialogue activities, and the establishment of specific institutions to promote the elimination of child labour.
87. The IOE reported that it continues to work together with ILO-IPEC and is currently collaborating on a joint programme with the Sacred Heart Institute for Transformative Education Foundation (SHIFT) to help companies eliminate the risk of child labour in their supply chains.

### ***Statistical information***

88. The Government of **Bangladesh** provided statistical information on monthly stipends and assistance to disadvantaged children. The **United States** presented statistics on child labour violations and related penalties.

### ***Policy and legal developments***

89. The Government of **Australia** reported that various actions and measures had been taken as part of changes in law, practices and legislation, in particular on the protection of child performers in New South Wales and Victoria.
90. In **Bangladesh**, the Government reported that a number of policies and laws have been adopted, including on occupational safety and health, child employment, vagrancy, migrant workers, pornography control and human trafficking.
91. The Government of **Liberia** reported that the Decent Work Bill, which includes the provisions of Convention No. 138, was adopted in April 2014 by the House of Representatives.
92. In **Saint Lucia**, the Labour Act is now in conformity with the Education Act on the issue of the minimum age for admission to employment.

### ***New initiatives and progress made in advancing this principle and right***

93. In **Bangladesh**, the Government reported that the Directorate of Inspection for Factories and Establishments has been upgraded to a department with a substantial increase in staff (993), inspectors (575) and resources, while its budget has tripled for the fiscal year 2014–15.
94. In **Liberia**, the Government stated that the Child Labour Secretariat is currently working on a child labour action plan that will enhance the promotion of the principle and right in Liberia. The Decent Work Bill has been passed in April 2014 and reduces the minimum

<sup>5</sup> For further information, see: <http://www.ilo.org/declaration/follow-up/annualreview/annualreports/lang-en/index.htm>.

age for full-time employment from 16 to 15; which matches with the age of the child at the end of compulsory schooling.

95. In **Suriname**, the Government indicated that, with a view to prevent drop-outs and child labour, it has introduced: (i) the programme “*Naschoolse Opvang*”, which gives children the opportunity to stay longer in school during the day; (ii) a free basic care for children from 0 to 16 years of age; (iii) a special programme for youth at risk; and (iv) a strategic document on human trafficking and child labour.
96. The Government of the **United States** reported that Wage and Hour Division has conducted several statewide or regional initiatives focused on particular industries, such as groceries and restaurants, in which child labour violations were found. Moreover, the Occupational Safety and Health Administration continues to develop two initiatives designed to improve the safety and health of workers, including those below 18 years of age.

### **Challenges**

97. Despite the successful initiatives and progress indicated by reporting States, many challenges still exist in the realization of this principle and right. These include: (i) lack of public awareness, social dialogue, and lack of organizational and human capacities of government institutions and social partners (**Bangladesh, Eritrea, India, Liberia, Marshall Islands, Myanmar, Somalia, Suriname, Timor-Leste, Tuvalu, United States and Vanuatu**); (ii) traditional and cultural barriers (**India, Liberia and Suriname**); (iii) political, economic or social contextual factors (**Bangladesh, India, Liberia, Myanmar, Saint Lucia, Somalia and Suriname**); (iv) security situation (**Somalia**); (v) lack of data and analysis on child labour (**Liberia and Tuvalu**); (vi) legal obstacles and the need to match the age at the end of compulsory schooling with the minimum age for admission to employment or work (**Suriname and Tuvalu**); (vii) lack of monitoring, law enforcement and labour inspection to identify child labour (**Bangladesh, India, New Zealand and Timor-Leste**); and (viii) lack of support in logistics and finance (**Liberia, Tuvalu and Vanuatu**).

### **Requests for technical assistance**

98. With a view to overcoming the challenges, governments and/or employers’ and workers’ organizations requested ILO technical support in various areas including: (i) reporting issues (**Marshall Islands**); (ii) support in the ratification process (**Liberia, Marshall Islands and Somalia**); (iii) policy advice (**Vanuatu**); (iv) legal reform (**Tuvalu and Vanuatu**); (v) awareness creation, training and capacity building (**Eritrea, India, Liberia, Marshall Islands, Somalia, Suriname, Timor-Leste, Tuvalu and Vanuatu**); (vi) strengthening tripartism and social dialogue (**Marshall Islands and Somalia**); (vii) strengthening data collection systems and research (**Eritrea, Liberia, New Zealand, Saint Lucia, Timor-Leste, and Vanuatu**); (viii) good practices and sharing of experiences (**Bangladesh, Eritrea and Marshall Islands**); (ix) social protection systems (**Vanuatu**); (x) programmes for poverty alleviation and for the elimination of the worst forms of child labour (**Bangladesh, India and Vanuatu**); and (xi) DWCP (**Suriname**).

## D. The elimination of discrimination in respect of employment and occupation

### *Ratifications*

99. Out of a total of 18 reporting States, 14 countries are still to ratify Convention No. 100 and 13 to ratify Convention No. 111.
100. Almost all the reporting governments have either expressed or reiterated their intention to ratify one or both of the two Conventions (**Kuwait, Liberia, Qatar, Somalia, Suriname, Timor-Leste** and **United States**), while a few others indicated that ratification was still under consideration (**Bahrain, Brunei Darussalam, Japan, Marshall Islands, Myanmar, Oman, Palau, Singapore, Thailand** and **Tuvalu**). **Malaysia** reiterated its intention not to ratify Convention No. 111.
101. The Government of **Japan** indicated that, although it has held tripartite consultations on ratifying Convention No. 111, there is a need for further study concerning the consistency between the Convention and national laws and regulations.
102. The Government of **Kuwait** reiterated its intention for the ratification of Convention No. 100, but indicated that there is a need for continuous social dialogue and ILO technical assistance to overcome technical obstacles to the ratification process.
103. The Government of **Liberia** reiterated its intention to ratify Convention No. 100 and requested, as matter of urgency, ILO technical assistance to sensitize the tripartite partners and legislators on the Convention and the need to speed up its ratification in the agenda of Parliament.
104. The Government of **Malaysia** reiterated that it does not intend to ratify Convention No. 111. The MEF stated that it does not support the ratification as long as affirmative action would mean discrimination according to Convention No. 111. MEF is on the opinion that ILO should review the overall applicability of the Convention so as to enable it to accommodate the particular circumstances of a specific country. The MTUC and NUBE stated that, Malaysia being a multiracial and multi-religious country, it would be most appropriate for the Government to demonstrate its non-discrimination stand by ratifying Convention No. 111, and this would prevent the emergence of any extremism in the country.
105. The Government of **Myanmar** indicated that it is in the process of studying the alignment of its national laws to the requirements of the Conventions, and hence ratification would be considered at an appropriate time.
106. The Government of **Suriname** reiterated its intention to ratify Conventions Nos 100 and 111, but indicated that legal amendments would be needed before any further steps could be taken in the ratification process.
107. In the **United States**, the Government stated its intention to review the legal feasibility of ratifying Convention No. 100, and to speed up the ratification of Convention No. 111, which remains with the US Senate and on the State Department's treaty "priority list" for ratification.

108. Most employers' and workers' organizations reiterated their support for the ratification of Convention No. 138 and/or 182.<sup>6</sup>

### ***Changes in legislation and judicial decisions***

109. According to the Government of **Japan**, the Ordinance for Enforcement of the Equal Employment Opportunity Act was amended in December 2013 to promote the reduction of disparity between men and women in employment.
110. In **Liberia**, the Government indicated that the Decent Work Bill was passed in April 2014 by the House of Representatives. Additionally, a law about equal participation has been drafted by women's solidarity groups and is being submitted to the Senate for approval.
111. In **Myanmar**, the Union of Myanmar Federation of Chambers of Commerce and Industry (UMFCCI) indicated that the minimum wage law, social security law and skills development law have been enacted between early 2013 and early 2014.
112. In **Palau**, the Government indicated that the Minimum Wage Law No. 9-1 has been adopted to raise the minimum wage in May 2013.
113. The Government of the **United States** stated that, in July 2014, President Obama signed into law the Workforce Innovation and Opportunity Act (WIOA), which emphasizes the need for, and increased access to, high-quality workforce services for individuals with disabilities throughout the workforce development system.

### ***Judicial decisions***

114. In the **United States**, the Government also reported that, in June 2014, the US Court of Appeals for the Seventh Circuit held that failure to state an end date for unpaid leave taken under the Family and Medical Leave Act does not eliminate protections under the WIOA.

### ***Promotional activities***

115. Many governments and employers' and workers' organizations reported that they have undertaken promotional activities (campaign, training and social dialogue) in relation with discrimination and equality (**Bahrain, Liberia, Myanmar, Oman, Singapore, Suriname, and Thailand**).
116. The IOE reported that it is actively involved, both directly and indirectly, in addressing various forms of discrimination in collaboration with the ILO Bureau for Employers' Activities (ACT/EMP), the Business and Industry Advisory Committee (BIAC) to the OECD, and the International Federation of Business and Professional Women (BPW International).

### ***Statistical information***

117. In **Singapore**, the Government, the SNEF and SNTUC provided various statistical information on the employers' training on and commitment to fair labour practices, as well as on the increase in the complaints on discrimination at work.

<sup>6</sup> For further information, see: <http://www.ilo.org/declaration/follow-up/annualreview/annualreports/lang-en/index.htm>.

118. The Government of **Thailand** provided statistics on the total number of registered migrant workers.

### ***New initiatives and progress made in advancing this principle and right***

119. In **Kuwait**, the KTUF indicated that efforts have been made by the Government in increasing and levelling of salaries.
120. The Government of **Liberia** indicated that the Decent Work Bill was passed by the House of Representatives in April 2014, setting the threshold of US\$6 and US\$4 per day at minimum wage for skilled and unskilled workers, respectively.
121. The Government of **Singapore** reported that the Tripartite Alliance for Fair Employment Practices (TAFEP) collaborated with the Chartered Institute of Personnel and Development, United Kingdom, to develop a qualitative study on employers' attitudes towards older workers. In another partnership, TAFEP, together with BoardAgender and the Centre for Creative Learning, studied the factors that contributed to the career success of senior women leaders in Singapore. For the first time, fair employment practices were included as a component of the human resources module.
122. According to the Government of **Thailand**, the Ministry of Labour, in collaboration with the Ministry of Foreign Affairs, launched: (i) a project on skill development and occupation for migrant workers from Cambodia, Lao People's Democratic Republic and Myanmar, with a total budget of 15 million baht (about US\$460,000); and (ii) an initiative called the One Stop Service (OSS) in 86 centres nationwide which conducts registration for migrant workers from neighbouring countries. The Ministry of Labour also introduced several institutional and practical measures to combat discrimination against persons with disabilities.
123. In **Timor-Leste**, the Government reported that the Secretary of State for Vocational Training and Employment Policy is implementing and developing training and awareness actions with the local companies about the legislation and its enforcement, including monetary sanctions on employers that do not comply with the rules.

### ***Challenges***

124. Challenges indicated by reporting States include: (i) lack of support in the ratification process (**Liberia, Myanmar, Somalia and Suriname**); (ii) inadequate legal provisions (**Brunei Darussalam, Singapore and Tuvalu**); (iii) lack of monitoring and labour inspection (**Suriname**); (iv) lack of tripartite capacities (**Bahrain, Brunei Darussalam, Malaysia, Myanmar, Oman and Somalia**); (v) lack of social dialogue (**Brunei Darussalam, Oman and Somalia**); (vi) lack of adequate data on salaries (**Liberia and Suriname**); (vii) lack of awareness or understanding of Convention No. 100 and/or 111 (**Bahrain, Brunei Darussalam, Kuwait, Myanmar, Oman, Somalia, Thailand and Tuvalu**); and (viii) unfavourable economic, political, social or cultural factors (**Myanmar, Singapore, Somalia and Suriname**).
125. In **Malaysia**, the MEF reiterated that most of the challenges arise from the interpretation and lack of flexibility of Convention No. 111 to integrate the special circumstances of the country, and therefore suggested that the Convention should be re-examined. The MTUC and NUBE reiterated that bank loans are approved based on race factor as part of bank policy. Also, when a female employee becomes pregnant, she is not provided with a uniform, nor is she entitled to laundry allowance.

### **Requests for technical assistance**

- 126.** With a view to overcoming the challenges, governments and/or employers' and workers' organizations requested ILO technical support in various areas including: (i) reporting issues (**Marshall Islands** and **Timor-Leste**); (ii) support in the ratification process (**Liberia, Myanmar, Somalia** and **Suriname**); (iii) awareness creation, training and capacity building (**Bahrain, Brunei Darussalam, Kuwait, Liberia, Malaysia, Myanmar, Oman, Somalia, Suriname, Timor-Leste** and **Tuvalu**); (iv) promoting social dialogue (**Oman**); (v) strengthening data collection systems (**Timor-Leste**); and (vi) tripartite experience-sharing with other countries (**Marshall Islands**).

### **III. Conclusions**

- 127.** Most reports received under the Annual Review have been rich in content, indicating the interest and commitment of governments and employers' and workers' organizations in many countries to promote and realize the fundamental principles and rights at work and to move, in many cases, towards ratification of the fundamental Conventions. For the fifth consecutive year, all the 46 reporting governments have fulfilled their reporting obligations, resulting again in a 100 per cent reporting rate.
- 128.** The participation of employers' and workers' organizations in the reporting process has also increased considerably. It has enhanced the quality and content of reports, and has further enriched the national dialogue on, and national ownership of, the realization of the fundamental principles and rights at work.
- 129.** Given that many countries have expressed or reiterated their intention to ratify one or more fundamental Conventions, the pace of ratification could be improved by meeting the outstanding requests for technical assistance on ratification, overcoming challenges, strengthening tripartite capacities and promoting social dialogue for a better realization of the fundamental principles and rights at work.
- 130.** Indeed, over the last years, the limited technical support that has been provided in Africa, Arab States, Asia and Europe, has generated positive results in better understanding the fundamental principles and rights at work, enhancing tripartite dialogue, undertaking legal reform and facilitating the ratification process of ILO core Conventions. However, most of the technical assistance requests made under the Annual Reviews of the last decade remained unmet due to lack of resources and many reporting States have expressed their frustration concerning the lack of support by the Office.
- 131.** The ILO plan of action on fundamental principles and rights at work (2012–16) approved by the Governing Body, in its November 2012 session, is now coming to its end. As noted by the Governing Body, it is essential that resources be secured promptly under this plan or under the DWCPs to meet the requests for technical assistance.<sup>7</sup> Special initiatives under extra-budgetary resources can also be considered to effectively respond to the requests. Thus, expanding the ILO's assistance to reporting States would expedite the global realization of the fundamental principles and rights at work, which in turn will better achieve Goal 8 of the United Nations Sustainable Development Goals (SDGs), 2030, on decent work and economic growth.

<sup>7</sup> GB.316/INS/5/3, para 37; GB.320/INS/4, para. 147. For further information on the unmet requests made under the Annual Reviews, see Appendix V.

132. Given the postponement of consideration of this item on the agenda of the Governing Body from March to November 2015, and in view of the full review of the impact of the Social Justice Declaration scheduled for the 105th International Labour Conference in June 2016, the Governing Body may wish to consider postponing the next review of this item until November 2016 when sufficient time since this exercise will enable the Office to report on developments and new initiatives and when hindsight from the discussion on the impact of the Social Justice Declaration may further inform the debate.

**Draft decision**

133. *The Governing Body takes note of the information presented in this review and decides to:*

- (a) invite the Director-General to further take into account its guidance on key issues and priorities;*
- (b) reiterate its support for the mobilization of resources with regard to assisting member States in their efforts to respect, promote and realize fundamental principles and rights at work;*
- (c) request the Office to prepare and submit for adoption at its 326th Session (March 2016) a questionnaire in relation to the Protocol of 2014 to the Forced Labour Convention, 1930. This questionnaire will be sent to members States in line with their obligations to report under article 19, paragraph 5(e) of the ILO Constitution, with respect to unratified instruments in relation to one of the four categories of fundamental principles and rights at work;*
- (d) postpone the next review until November 2016.*



## Appendix I

### List of the 46 reporting States under the Annual Review as at 1 October 2015

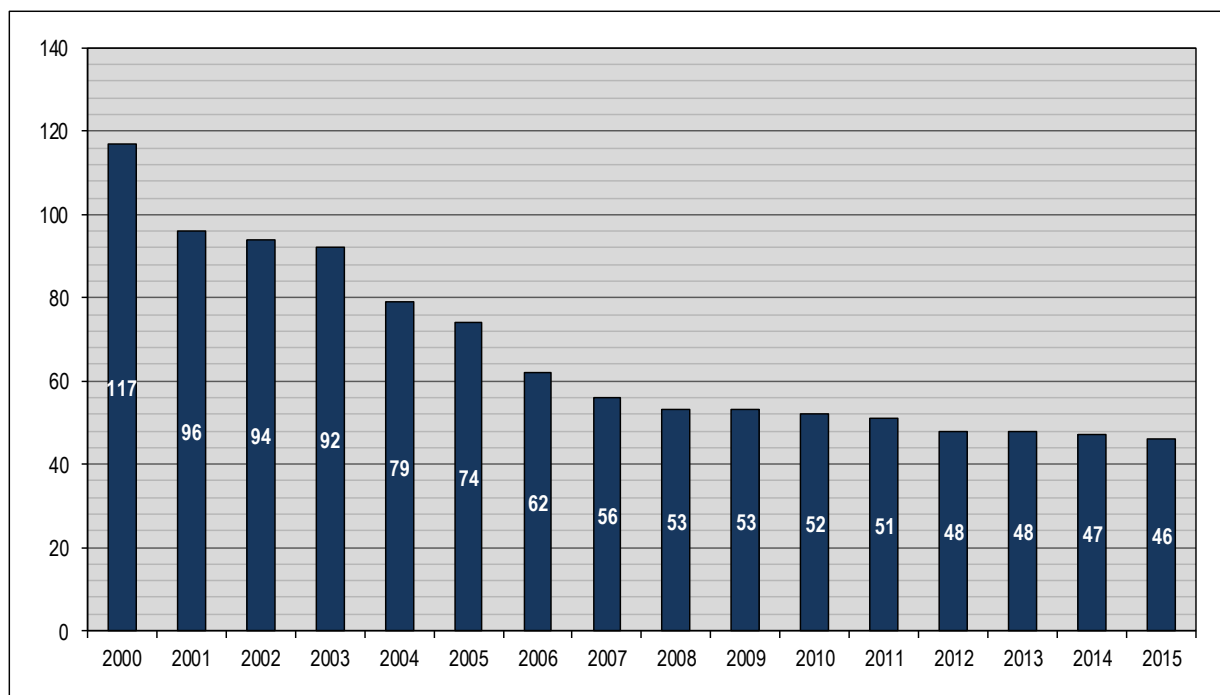
(States that have not ratified all eight fundamental Conventions and the Conventions not yet ratified by each of them)

Countries	Freedom of association/ collective bargaining	Forced labour	Child labour	Discrimination in employment and occupation
Afghanistan	C.87 and C.98	C.29		
Australia			C.138	
Bahrain	C.87 and C.98			C.100
Bangladesh			C.138	
Brazil	C.87			
Brunei Darussalam	C.87 and C.98	C.29 and C.105		C.100 and C.111
Canada	C.98		C.138	
China	C.87 and C.98	C.29 and C.105		
Eritrea			C.182	
Guinea-Bissau	C.87			
India	C.87 and C.98		C.138 and C.182	
Iran, Islamic Rep. of	C.87 and C.98		C.138	
Iraq	C.87			
Japan		C.105		C.111
Jordan	C.87			
Kenya	C.87			
Korea, Rep. of	C.87 and C.98	C.29 and C.105		
Kuwait				C.100
Lao People's Dem. Rep.	C.87 and C.98	C.105		
Lebanon	C.87			
Liberia			C.138	C.100
Malaysia	C.87	C.105		C.111
Marshall Islands	C.87 and C.98	C.29 and C.105	C.138 and C.182	C.100 and C.111
Mexico	C.98			
Morocco	C.87			
Myanmar	C.98	C.105	C.138	C.100 and C.111
Nepal	C.87			
New Zealand	C.87		C.138	
Oman	C.87 and C.98			C.100 and C.111
Palau	C.87 and C.98	C.29 and C.105	C.138 and C.182	C.100 and C.111
Qatar	C.87 and C.98			C.100

<b>Countries</b>	<b>Freedom of association/ collective bargaining</b>	<b>Forced labour</b>	<b>Child labour</b>	<b>Discrimination in employment and occupation</b>
Saint Lucia			C.138	
Saudi Arabia	C.87 and C.98			
Singapore	C.87	C.105		C.111
Somalia			C.138	C.100
South Sudan	C.87			
Sudan	C.87			
Suriname			C.138	C.100 and C.111
Thailand	C.87 and C.98			C.111
Timor-Leste		C.105	C.138	C.100 and C.111
Tuvalu	C.87 and C.98	C.29 and C.105	C.138 and C.182	C.100 and C.111
United Arab Emirates	C.87 and C.98			
United States	C.87 and C.98	C.29	C.138	C.100 and C.111
Uzbekistan	C.87			
Vanuatu			C.138	
Viet Nam	C.87 and C.98	C.105		

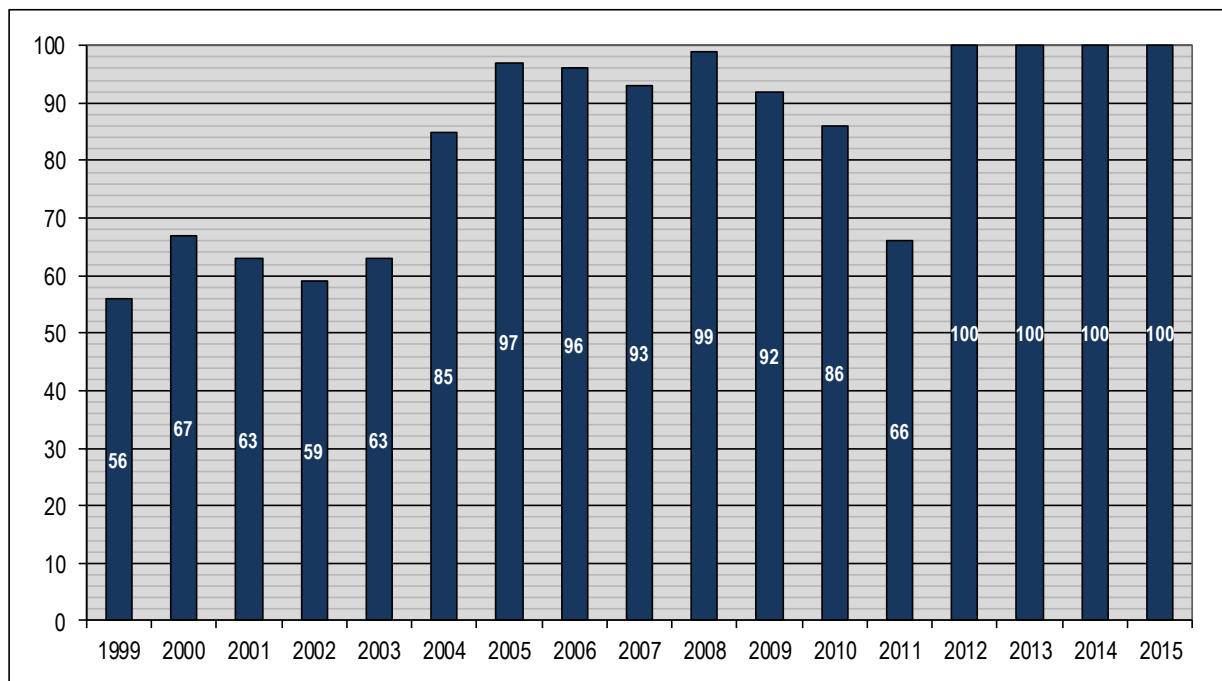
## Appendix II

### Number of reporting States under the ILO Declaration on Fundamental Principles and Rights at Work as at 1 October 2015 (Annual Reviews 2000–15)



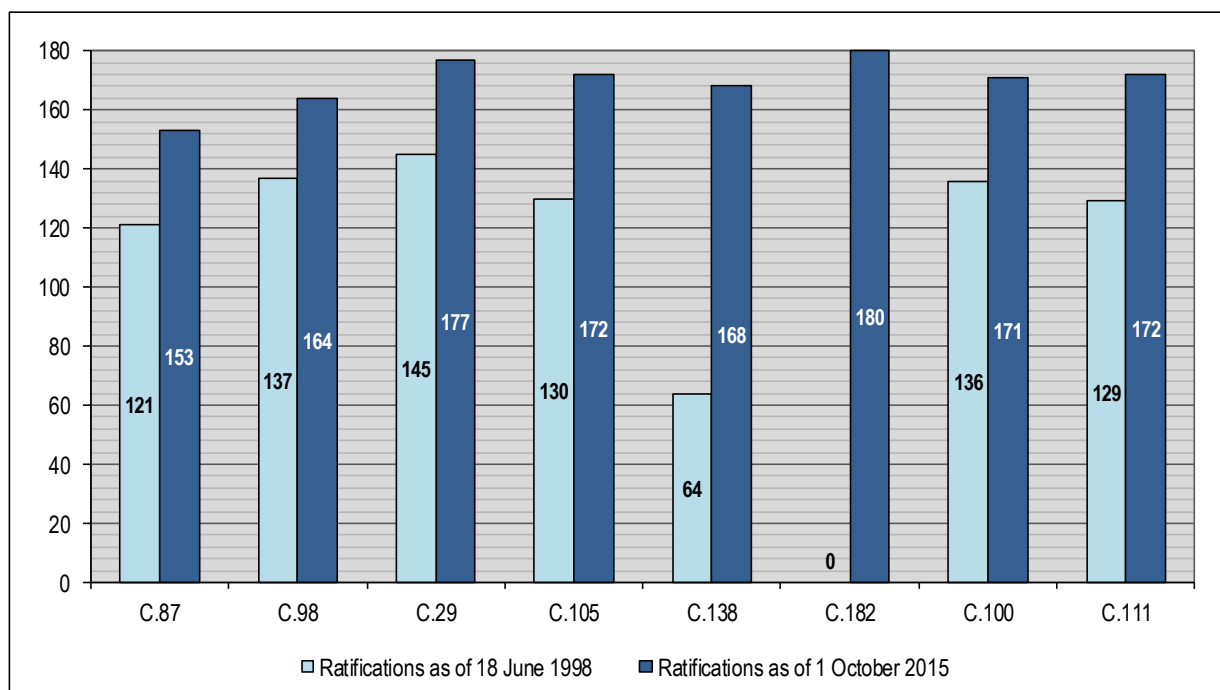
## Appendix III

### Reporting rates under the Annual Reviews 2000–15 (percentages)



## Appendix IV

### Number of ratifications of ILO fundamental Conventions at the time of the adoption of the ILO Declaration on Fundamental Principles and Rights at Work (18 June 1998) and as at 1 October 2015



Note: During the reporting period, Saudi Arabia and Mexico ratified C.138 while Somalia ratified C.87, C.98 and C.182. Cuba ratified C.182.

## Appendix V

### Reported needs/outstanding requests for technical cooperation by category of principle and right

Type of technical cooperation	Freedom of association/ collective bargaining	Forced or compulsory labour	Effective abolition of child labour	Elimination of discrimination
Technical support to facilitate ratification of ILO fundamental Conventions	Afghanistan (ACCI, NUAE), Bahrain (GFBTU), Marshall Islands, Palau, Sudan, Tuvalu, Uzbekistan	Marshall Islands, Palau, Tuvalu	Bangladesh, Eritrea, India, Islamic Republic of Iran, Liberia, Marshall Islands, Myanmar, New Zealand, Palau, Saint Lucia, Somalia, Suriname, Timor-Leste, Tuvalu and Vanuatu	Liberia, Marshall Islands, Palau, Somalia, Tuvalu
Assessment of the difficulties identified and their implication for realizing the principles and rights	Afghanistan, Bahrain, Brunei Darussalam (Government, NCCI and BOWU), China, Guinea-Bissau, India, Iraq, Islamic Republic of Iran, Jordan, Kenya, Lao People's Democratic Republic, Lebanon, Malaysia (MTUC), Marshall Islands (Government, MICC and MITU), Mexico (CONCAMIN), Myanmar, Nepal, Oman, Palau, Saudi Arabia, South Sudan, Sudan, Thailand, Tuvalu (Government, TNPSO and TOSU), Uzbekistan (Government and FTUU), Viet Nam	Brunei Darussalam (Government, NCCI and BOWU), Republic of Korea (KCTU), Marshall Islands, Palau, Tuvalu	Marshall Islands, Palau, Saint Lucia, Tuvalu (Government, TNPSO and TOSU)	Brunei Darussalam, Malaysia, Marshall Islands, Palau, Timor-Leste, Tuvalu
Awareness raising, legal literacy and advocacy	Afghanistan (NUAE/AMKA), Bahrain (GFBTU), Brunei Darussalam (Government, NCCI and BOWU), Canada, China, Guinea-Bissau (UNTG), India (BMS and CITU), Jordan (Government), Republic of Korea (KCTU), Malaysia (MTUC), Marshall Islands (Government, MICC and MITU), Oman, Palau, Saudi Arabia (NWC), Thailand, Tuvalu (Government, TNPSO and TOSU), United Arab Emirates (UAECCPA), Viet Nam (Government and VGCL)	Afghanistan (NUAE/AMKA), Brunei Darussalam, China, Japan (JTUC-RENGO), Lao People's Democratic Republic, Marshall Islands, Palau, Tuvalu, Viet Nam (Government and VGCL)	Eritrea, India (BMS and CITU) Liberia, Marshall Islands, Palau, Somalia (FESTU), Suriname (Progressieve Vakcentrale C-47), Tuvalu (Government, TNPSO and TOSU)	Bahrain (GFBTU), Brunei Darussalam, Japan (JTUC-RENGO), Liberia, Marshall Islands, Palau, Somalia (FESTU), Thailand (ECOT, NTCL, SERC, CTL and TTUC), Tuvalu

Type of technical cooperation	Freedom of association/ collective bargaining	Forced or compulsory labour	Effective abolition of child labour	Elimination of discrimination
Capacity building for governments (including support to strengthen reporting obligations to ILO)	Afghanistan, Brunei Darussalam (Government, NCCI and BOWU), Islamic Republic of Iran, Jordan, Republic of Korea (KCTU), Marshall Islands (Government, MICC and MITU), Morocco, Myanmar, Nepal (FNCCI and GEFONT), Oman (GFOTU), Palau, Sudan, Thailand, Tuvalu (Government, TNPSO and TOSU), United Arab Emirates (Government and UAECPPA)	Afghanistan (NUAE/AMKA), Brunei Darussalam, Lao People's Democratic Republic, Malaysia, Marshall Islands, Myanmar, Palau, Timor-Leste, Tuvalu	Eritea, India, Islamic Republic of Iran (Government and ICLS), Liberia (Government and FL), Marshall Islands, Myanmar, Palau, Saint Lucia, Timor-Leste (Government, TLTUC and CCI-TL), Tuvalu (Government, TNPSO and TOSU)	Bahrain, Brunei Darussalam, Liberia, Malaysia, Marshall Islands, Myanmar, Oman, Palau, Somalia, Suriname, Timor-Leste, Thailand (ECOT, NTCL, SERC, CTL and TTUC), Tuvalu
Data collection and analysis/research	Afghanistan, Brunei Darussalam (Government, NCCI and BOWU), China, Marshall Islands (Government, MICC and MITU), Thailand, Tuvalu (Government, TNPSO and TOSU)	Afghanistan, Brunei Darussalam, Japan, Republic of Korea, Lao People's Democratic Republic, Malaysia, Marshall Islands, Myanmar, Timor-Leste, Tuvalu	Marshall Islands, New Zealand (NZCTU), Saint Lucia, Somalia (FESTU), Tuvalu (Government, TNPSO and TOSU), Timor-Leste	Brunei Darussalam, Liberia, Marshall Islands, Oman, Tuvalu
Developing policies regarding equal remuneration	Marshall Islands (Government, MICC and MITU), Tuvalu (Government, TNPSO and TOSU)	Marshall Islands, Tuvalu	Tuvalu (Government, TNPSO and TOSU)	Brunei Darussalam, Marshall Islands, Thailand, Tuvalu
Establishing or strengthening specialized institutional machinery	Guinea-Bissau, India, Iraq (Government, IFI and GFIW), Lao People's Democratic Republic (Government, LNCCI and LFTU), Malaysia (NUBE/MTUC), Oman	Marshall Islands, Brunei Darussalam, Timor-Leste	Bangladesh, Islamic Republic of Iran, Liberia	Brunei Darussalam, Liberia, Marshall Islands
Policy advice	China, Iraq (Government, IFI and GFIW), Morocco (UGTM), Qatar (QCCI), Tuvalu (Government, TNPSO and TOSU)	Brunei Darussalam, Malaysia (MEF)		Brunei Darussalam
Legal reform and interpretation	Bahrain, Brunei Darussalam (Government, NCCI and BOWU), Canada, India (CITU), Marshall Islands (Government, MICC and MITU), Nepal, Republic of Korea, Tuvalu (Government, TNPSO and TOSU)	Brunei Darussalam, Japan (JTUC-RENGO), Lao People's Democratic Republic, Republic of Korea, Marshall Islands, Palau, Timor-Leste	Islamic Republic of Iran, Marshall Islands, New Zealand (Government and NZCTU), Tuvalu (Government, TNPSO and TOSU), Vanuatu	Brunei Darussalam, Japan (JTUC-RENGO), Marshall Islands, Somalia, Tuvalu

Type of technical cooperation	Freedom of association/ collective bargaining	Forced or compulsory labour	Effective abolition of child labour	Elimination of discrimination
Strengthening tripartite social dialogue	Bahrain (GFBTU), Brunei Darussalam (Government, NCCI and BOWU), China, India (CIE), Iraq (Government, IFI and GFIW), Kenya (Government, COTU-Kenya and FKE), Republic of Korea (KCTU), Lebanon (CGTL), Malaysia (MTUC), Marshall Islands, Nepal (FNCCI), Qatar (QCCI), Saudi Arabia (Government, JCCI and NWC), Sudan, Thailand, United Arab Emirates (UAECCPA), United States	Brunei Darussalam (Government, NCCI and BOWU), Malaysia (MTUC and NUBE), Marshall Islands	Bahrain, Bangladesh, Eritrea, India, Islamic Republic of Iran (Government and ICLS), Liberia, Marshall Islands, Myanmar, New Zealand, Palau, Saint Lucia, Somalia, Suriname, Timor-Leste, Tuvalu and Vanuatu	Brunei Darussalam, Marshall Islands, Oman (GFOTU)
Strengthening capacity of employers' and workers' organizations	Afghanistan (Government, NUA), Bahrain (BCCI), Brunei Darussalam (Government, NCCI and BOWU), Guinea-Bissau (Government and UNTG), India (CIE and BMS), Islamic Republic of Iran (Government, ICEA and ICLS), Iraq (Government, IFI and GFIW), Jordan, Kenya (FKE), Republic of Korea (KEF and KCTU), Lao People's Democratic Republic (Government, LNCCI and LFTU), Malaysia (MTUC), Marshall Islands (Government, MICC and MITU), Mexico (CONCAMIN), Morocco (Government, CGEM and UGTM), Myanmar (Government and UMFCCI), Nepal (GEFONT), Oman, Saudi Arabia (NWC), Sudan (Government, SBEF and SWTUF), Thailand (Government, ECOT, NCTL, SERC, CTL and TTUC), Tuvalu (Government, TNPSO and TOSU), United Arab Emirates (UAECCPA)	Brunei Darussalam, Marshall Islands, Myanmar (UMFCCI), Timor-Leste, Tuvalu	Bahrain (GFBTU), Eritrea (Government, EFE and NCEW), Islamic Republic of Iran (ICLS), Liberia (Government, LLC, FL, UWUL and FAWUL), Marshall Islands (Government, MICC and MITU), Myanmar (UMFCCI), Somalia (Government and FESTU), Tuvalu (Government, TNPSO and TOSU)	Brunei Darussalam, Liberia, Marshall Islands, Myanmar (UMFCCI), Somalia, Thailand, Tuvalu



Type of technical cooperation	Freedom of association/ collective bargaining	Forced or compulsory labour	Effective abolition of child labour	Elimination of discrimination
Training of other officials (e.g. police, judiciary, social workers, teachers)	Brunei Darussalam (Government, NCCI and BOWU), Guinea-Bissau, Lao People's Democratic Republic (Government, LNCCI and LFTU), Marshall Islands (Government, MICC and MITU), Oman, Thailand, Tuvalu (Government, TNPSO and TOSU), Viet Nam	Afghanistan, China, Republic of Korea (KEF), Lao People's Democratic Republic, Malaysia, Marshall Islands, Myanmar, Palau, Timor-Leste, Tuvalu, Viet Nam (Government and VGCL)	Islamic Republic of Iran, Marshall Islands, Tuvalu (Government, TNPSO and TOSU)	Brunei Darussalam, Marshall Islands, Somalia (FESTU)
Social protection systems				Timor-Leste
Sharing of experience across countries/regions	Brazil, Brunei Darussalam (Government, NCCI and BOWU), China, India (BMS), Islamic Republic of Iran, Malaysia (MTUC and NUBE), Republic of Korea (KCTU and KPTU), Marshall Islands (Government, MICC and MITU), Mexico (CONCAMIN), Saudi Arabia (NWC), Thailand, Tuvalu (Government, TNPSO and TOSU), United Arab Emirates (UAECPPA), Viet Nam	Brunei Darussalam, Marshall Islands, Myanmar, Lao People's Democratic Republic, Tuvalu	Eritrea (Government, EFE and NCEW), India (BMS), Islamic Republic of Iran, Marshall Islands, Saint Lucia, Tuvalu (Government, TNPSO and TOSU)	Brunei Darussalam, Japan, Marshall Islands, Thailand (ECOT), Tuvalu
Employment creation, skills training, income generation and poverty alleviation		Brunei Darussalam	Bangladesh, India (CITU), Marshall Islands (MICC and MITU), Tuvalu (Government, TNPSO and TOSU)	Liberia
Special programme for the elimination of child labour or the worst forms of child labour			Bangladesh, Islamic Republic of Iran (ICLS), Timor-Leste	
Decent Work Country Programme or other ILO programme	Bahrain, Guinea-Bissau, Oman (Government and GFOTU)	Oman, Tuvalu	Bahrain, Somalia (FESTU), Vanuatu	Oman, Somalia, Tuvalu
Organization of workshops on the principle and right, and on establishing compliance of national laws with ILO Conventions	Mexico (CONCAMIN), Morocco (Government and CGEM), Palau	Afghanistan, Lao People's Democratic Republic, Malaysia, Marshall Islands, Myanmar, Palau, Timor-Leste, Tuvalu	Eritrea (Government, EFE and NCEW), Islamic Republic of Iran (Government, ICEA and ICLS), Marshall Islands, Palau, Suriname (Government, VSB and RAVAKSUR), Vanuatu	Kuwait, Oman (GFOTU), Palau, Suriname, Thailand

---

<b>Type of technical cooperation</b>	<b>Freedom of association/ collective bargaining</b>	<b>Forced or compulsory labour</b>	<b>Effective abolition of child labour</b>	<b>Elimination of discrimination</b>
Assistance to undertake national survey on child victims of forced labour		Afghanistan		
Financial support to implement national plans		Lao People's Democratic Republic	Liberia	Liberia

---

Notes: (i) Where only the name of a country is mentioned, the request has been made by the government only.

(ii) For further information on technical assistance needs or requests, refer to each country baseline table under the 1998 Declaration Annual Review, available at: [http://www.ilo.org/declaration/follow-up/annualreview/countrybaselines/WCMS\\_091262/lang--en/index.htm](http://www.ilo.org/declaration/follow-up/annualreview/countrybaselines/WCMS_091262/lang--en/index.htm) .

---