



## FIFTH ITEM ON THE AGENDA

**Report and conclusions of the Sixteenth  
American Regional Meeting**  
(Brasilia, 2-5 May 2006)*Contents*

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## Introduction

1. The Sixteenth American Regional Meeting of the ILO was held in Brasilia, Brazil, from 2 to 5 May 2006.
2. The Meeting was attended by 142 delegates and advisers from 22 countries. They included 72 Government representatives, including 12 ministers, 33 Employer representatives and 37 Worker representatives. The Meeting was also attended by representatives of intergovernmental and non-governmental international organizations.

## Opening ceremony

3. The Meeting unanimously elected Mr. Luiz Marinho, Minister of State for Labour and Employment of Brazil, as Chairperson and Mr. Julio Faesler Carlisle, Head of the International Affairs Unit of the Ministry of Labour and Social Welfare of Mexico, Mr. Dagoberto Lima Godoy (Employer, Brazil) and Mr. Luiz Carlos Motta (Worker, Brazil) as Vice-Chairpersons.
4. The Chairperson, Minister Marinho, submitted for approval a number of changes to the provisional programme concerning the times and dates of group meetings. Having accepted the changes unanimously, the Meeting thus adopted the final order of business before moving on to the official opening of the Sixteenth American Regional Meeting of the International Labour Organization.
5. Speaking in his capacity as Minister of Labour and Employment of Brazil, Mr. Luiz Marinho welcomed all ministers and Government, Employers' and Workers' delegates, and on behalf of his Government expressed appreciation for having been appointed to chair the Sixteenth American Regional Meeting of the ILO. Addressing the Meeting, he reminded participants of the historic process that had led to the designation of 1 May as International Labour Day.
6. The ILO's standard-setting activity had been the inspiration behind the world's first labour laws, including Brazil's labour legislation of 1943. The creation of the ILO had opened up an area for transparent dialogue to be conducted on a basis of equality, with a view to easing tensions and reducing conflict in the world of work, thus building the pillars of tripartism. During Mr. Somavia's term of office, the ILO had been working to maintain its principles and values and to put together an agenda to ensure that globalization processes were accompanied by social justice.
7. Decent work was a safe and highly profitable investment and his Government had accordingly included it in a government programme in the framework of the cooperation agreement with the ILO. Addressing the Director-General of the ILO, he said that Brazil's decent work country programme was to be launched at the next meeting of the country's Economic and Social Development Council. After explaining his Government's strategies to implement the programme, he congratulated the ILO on its initiative to decentralize Regional Meetings. This would change the dynamics of the work undertaken at such Meetings, which could bring incalculable benefits to the regions, opening up new avenues for the implementation of ILO programmes.
8. In conclusion, he said that meetings between Government, Employer and Worker representatives of the Americas were important because they were an effective means of promoting and consolidating social dialogue in the region.

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9. The Director-General of the ILO expressed his gratitude to the Government of Brazil for its generosity and commitment, which had enabled the Sixteenth American Regional Meeting of the ILO to be held at Brasilia. He acknowledged the Brazilian Government's achievements in the social, economic and labour spheres and noted the importance that Brazil attached in its foreign policy to promoting decent work in the interests of fair globalization.
  10. He noted the challenges faced by democracy in the twenty-first century in the Americas. Although democracy had been consolidated as a means of expressing political alternatives, people hoped for more from democracy than merely casting a vote. Despite a healthier macroeconomy in the region, the economic situation of many men, women and children was still unjust and unbalanced. There was therefore an urgent need for an economic growth model that generated social cohesion. Globalization having reached a point of no return, there was a need for clear, fair and multilaterally agreed rules to govern the process. Unemployment was affecting political systems and was one of the main impediments to the building of democracy and stability.
  11. Referring to the plight of the 26 million unemployed and the 103 million informal workers in Latin America and the Caribbean, he urged delegates to look into the best policies for achieving growth that would generate more and better employment opportunities and expand the bases of the region's productivity, competitiveness and productive force. He proposed a fourfold strategy on which to base their reflections: the need to enhance political support for generating decent work; the need for clarity in global relationships forged for the purpose of action; the importance of interaction between the global and the local; and employment creation in a suitable regulatory framework with ethical and social commitment to the observance of labour rights.
  12. Proposing that the Agenda for the Hemisphere submitted to the Meeting should be entertained as an option for the future, he explained that it was composed of three basic elements: general policies to achieve the main objectives of the decent work strategy; policies in 11 specific areas of intervention; and decent work country programmes. What was proposed could be used as a benchmark for decent work country programmes and serve as a contribution to achieving the United Nations Millennium Development Goals.
  13. In conclusion, he said that there was an urgent need for a political ethic able to secure the minimum requirements for persons and families to live in dignity, and ensure observance of the principles of humanitarian conduct.
  14. Mr. Daniel Funes de Rioja, Employer Vice-Chairperson of the Governing Body, presented a Joint Declaration of Employers and Workers: *Act immediately to eliminate child labour and its worst forms in the Americas*. He pointed out that the declaration called on governments to draw up official policies, set priorities and enact national legislation for the effective elimination of child labour, setting targets and short implementation periods. Having read out the declaration, he asked President Luiz Inácio Lula da Silva, on behalf of the governments, to receive the Joint Declaration as depositary. The declaration is reproduced, in entirety, in Appendix II to this report.
  15. The President of the Federative Republic of Brazil, His Excellency Luiz Inácio Lula da Silva, extended greetings to the Chairperson of the Sixteenth American Regional Meeting, the Director-General and all present and said that he was grateful for the opportunity extended to Brazil to host the Meeting. He noted that the world of work would develop to the extent that democracy developed and economic growth was proportionate to social development, with clear laws that guaranteed fundamental rights. It was important that governments should be committed to implementing such laws. It was necessary to eliminate child labour, particularly its worst forms, and in so doing to take local particularities into consideration.

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16. Participants should look at how the political situation in Latin America and the Caribbean had evolved in recent years in order to understand the progress made and the challenges that had arisen, particularly as political development and economic growth had not kept pace with each other. Sustainable growth, education and vocational training were important means of combating child labour, gender and racial discrimination, slave labour and youth unemployment among other things.
  17. The region was in the process of consolidating its democracies, and there was a need for forward-looking action that took account of the most needy sectors in the region. Dialogue and negotiation were important to the region, coupled with respect for the sovereignty of nations. Every country had its rights and duties, and stronger democracy would help to consolidate decent work in the region.

## **Comments on the Director-General's Report**

18. The discussion was opened by Mr. Francisco Javier Salazar, Minister of Labour and Social Welfare of Mexico and Chairman of the Inter-American Conference of Ministers of Labour. Mr. Salazar said that the Report was based on an irrefutable premise: the most important challenge facing the region was to overcome poverty, reduce inequality and promote social inclusion.
19. According to the Report, an economic growth rate of at least 5 per cent a year would be needed to cover the employment deficit. The Report also stated that it was in export-related sectors that most employment creation had occurred. That was why, in his view, high priority should be assigned to trade agreements between countries.
20. The Director-General's Report tallied with the results of the Inter-American Conference of Labour Ministers held in Mexico in September 2005. That Conference had established that employment ought to be the guiding thread of policies to stimulate investment, growth with equity and social inclusion. The Director-General's Report also drew attention to the exclusion to which migrant workers were liable. Mr. Salazar recalled that the Fourteenth Inter-American Conference of Labour Ministers had explicitly affirmed that all migrants, irrespective of their migratory condition, should enjoy the full protection of their labour rights, thus promoting the human dimension of globalization in the hemisphere.
21. The Report was fully in line with Mexico's new "culture of labour", which sought to restore the worth of human labour, conferring on it the dignity it deserved as a means of satisfying the social and cultural needs of workers. He emphasized the need to promote fair and equitable levels of remuneration and to encourage training for workers and employers.
22. In conclusion, he stressed the importance of democratic governance, freedom and the rule of law, which, together with the social dialogue, formed the basis of a virtuous circle affording a democratic path to the elimination of poverty and the achievement of decent work.
23. Mr. José Luiz Machinea, Executive Secretary of ECLAC, referring to the Report of the Director-General of the ILO, praised its structure and content. He noted that it had come at an opportune moment given how relevant the issue of employment had become for Latin Americans. There was a positive correlation between the importance attached to formal employment and citizens' support for democracy as opinion surveys had shown in recent years.
24. Turning to growth and employment, he pointed out that the main problem in Latin America had been inadequate economic growth and not a failure to link economic growth

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and employment generation. Growth on its own was not enough to create jobs. It had to be combined with policies to improve productivity. Boosting competitiveness and total productivity factors was a key prerequisite for generating decent work.

25. According to ECLAC, the structure of production in Latin America was based on three speeds, each of which needed a different policy; and in order to increase productivity, it was necessary to make that structure heterogeneous. Employment creation could be enhanced by improving the quality of supply (training, education, better market operation and improved labour market institutions).
26. The nature of employment was undergoing profound changes and his only comment in this connection on the Director-General's Report was that there was a need for more in-depth discussion about changes and about adequate responses regarding labour market regulation. There was no general recipe for such issues, which required detailed analysis in each and every country. The ILO was in the best position to call for such discussion.
27. Lastly, there had to be a strategy for attaining universal social protection, which could not be secured through employment alone. The basis of the social contract that had governed Latin American countries for decades had to be changed, as it had never functioned properly. That contract was flawed because it was unable to generate adequate social protection, as had become increasingly clear in recent years. The reforms of the 1990s had focused more on incentives and less on the solidarity aspects. It was necessary to reform public social security systems, placing more emphasis on mutual aid between contributors, promoting participation and ensuring financial viability. In order to conclude such a social contract, a "fiscal pact" should be envisaged to ensure that contributions collected allowed proper financing of social protection policies. In conclusion, he noted that social dialogue was a key mechanism for forging a stronger link between economic development and social development.
28. Mr. Carlos Tomada, Minister of Labour, Employment and Social Security of Argentina and Chairperson of the ILO Governing Body, referred to the Report of the Director-General of the ILO. He welcomed the new approach: the Report was action-based, focusing more on operations and programmes. It was necessary to incorporate decent work in the development objectives of Latin America and the Caribbean. Steps had been taken in that direction, including the commitment to promote decent work made by the Inter-American Conference of Ministers of Labour of the OAS (Mexico, September 2005), and the support and attention given to decent work in the Plan of Action adopted by the Fourth Summit of Heads of State and Government of the Americas (Mar del Plata, November 2005), the theme of which was "Creating jobs to fight poverty and strengthen democratic governance". With the Director-General's Report, those efforts would be pursued through a strategy to strengthen democracy and combat poverty and discrimination.
29. The Report included new issues, such as migrant workers and their rights, men and women workers in the rural sector, who were the hardest hit by globalization and marginalization; and the place to be given to local development. The ILO ought in particular to become more closely involved in economic development matters. The Report did not evade thorny issues, which doubtless meant that there would be interesting and extensive discussions during the Meeting, for example on subjects such as defining the rights of employers and their role in tripartism, how to address productivity or issues related to the employment effects of free trade agreements.
30. Since he was presiding, *pro tempore*, over labour matters in MERCOSUR, he referred to the Meeting of Labour Ministers of MERCOSUR and Associated States (Buenos Aires, April 2006), which had considered the Report. Ministers attending that meeting had noted the useful analysis of the situation in the region and the initiatives contained in the Agenda

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for the Hemisphere. They had qualified as highly relevant the issues related to employment, safety and health at work, gender, minimum wage and the promotion of social economy programmes based on solidarity and cooperation, as well as effective observance of fundamental principles and rights at work. In his view, issues relating to redistribution policy, informal work, “recovered” businesses and migrant workers warranted more in-depth treatment.

- 31.** As Minister of Labour of Argentina, he noted that generating decent work was both an end in itself and an instrument used by his Government for eliminating poverty and strengthening democratic institutions. Furthermore, decent work was state policy. He drew attention to the disappointing results of the policies of labour flexibility of the 1990s, pointing out that Argentina provided a perfect example of this situation. Other matters that deserved special mention and attention in Argentina’s view included strengthening the labour authority, integrating social and economic policies, and the international dimension of such integration.
- 32.** Next on the list of speakers wishing to address the Report of the Director-General was Mr. Daniel Funes de Rioja, Employer Vice-Chairperson of the ILO Governing Body. Speaking also in his capacity as President of the CEATAL/OAS, he said that, in his view, efforts were needed to produce policies at both national and regional level that allowed sustainable development, growth, investment, productive and worthwhile employment – in other words, decent work and social cohesion.
- 33.** In his opinion, it was necessary to strengthen democratic institutions in the region, as well as the rule of law and compliance with the law. States needed to be strong and efficient, to respect the right of ownership and to encourage and ensure free enterprise. They must at the same time protect the fundamental rights at work that were recognized in the ILO Declaration of 1998.
- 34.** There was a need for policies to invest in and foster private initiative that were conducive to the development of enterprises, particularly micro- and small enterprises, and encouraged productive employment. As he saw it, the challenge now was to achieve sustainable integration, the starting point for which should be the circumstances in each country, followed by the commitment that went with partnership, with ground rules that were fair and benefited all. A change of paradigm was needed and the members of that partnership should seek to integrate their primary production, adding value to it and improving the quality and quantity both of exports and of the participation of local labour. “Better employment” meant an education and vocational training system that matched the realities of globalization and the knowledge society.
- 35.** The Employers believed, in today’s global economy, that private initiative within the business sector would be unable to play its proper role unless there was full respect for the following ten requirements, indispensable to fostering a propitious environment for the creation of sustainable, developing enterprises: (i) democracy and rule of law (supremacy of law and separation of powers); (ii) reasonable fiscal policies and efficient administration of public expenditure; (iii) investment policies, access to technology, encouragement of private initiative and enterprise development; (iv) clear regulations that stimulate investment, especially in small and medium-sized enterprises; (v) respect for fundamental human rights, in particular labour rights: freedom of association; collective bargaining; the elimination of discrimination; the eradication of forced labour; the eradication of the worst forms of child labour; (vi) respect for, and protection of, the right to property; (vii) job creation as the crux of sustainable progress; (viii) efficient social security systems that do not impede competitiveness; (ix) inclusive and modern education and vocational training; and (x) social dialogue.

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36. In short, the labour institutions that governed the labour market must be realistic and, at the same time as protecting workers, should generate the right environment for the creation of productive and formal employment, as the Director-General said in his Report. As well as producing goods and services, enterprises had an essential role to play in society as a whole: viable and competitive enterprises for productive and dignified work. In other words, only in a sustainable enterprise could there be decent work.
  37. Lastly, his group once again expressed regret that the Government of the Bolivarian Republic of Venezuela had not enabled Ms. Alvis Muñoz, former President of FEDECAMARAS of the Bolivarian Republic of Venezuela to attend the Meeting. That had marred the climate of cooperation and social dialogue sought by participants in the Meeting.
  38. Sir Roy Trotman, Worker Vice-Chairperson of the ILO Governing Body, congratulated the ILO on the Report to the Sixteenth American Regional Meeting. He regretted that most CARICOM countries had been unable to attend, and made a number of suggestions for avoiding any recurrence of such a state of affairs in the future. He said that workers were still engaged in the struggle against unemployment, poverty and crime, which were symptoms of a world order that was breaking down and in which some were amassing well-being in an incredibly larger measure than others.
  39. Unity continued to be essential in waging that struggle. In particular, it was necessary to meet the demands of young people in tackling the challenges of today's world of work: poverty, globalization and unfair trade, denial of the right to work and training and the problems of migrant workers.
  40. In many cases, workers were forced to emigrate by the decent work deficit in their countries of origin, and in addressing their problems the relevant ILO Conventions should be observed. Furthermore, it was necessary to create a climate at home that encouraged workers to remain in their own countries. He called on participants in the Regional Meeting resolutely to adopt the ILO Report on the social dimensions of globalization and to use it in their national development policies.

## Special statements

41. The list of speakers on the Director-General's Report having been exhausted, the Chairperson gave the floor to a representative of the Government of Spain and a representative of the Government of Portugal.
42. Ms. Aurora Domínguez, Undersecretary of Labour for Spain, said that the objective of decent work on which the ILO Director-General's Report was based, was the political identity mark of the fundamental role that Spain believed the ILO should play in achieving the objective of fair globalization. Any political action to promote the positive aspects of economic globalization and remedy its adverse effects must have an international dimension.
43. Meetings like the present one were important because they promoted exchange of experiences and afforded an opportunity for political debate about the common objectives set forth in the Report of the ILO Director-General. The challenges that the Americas region faced in generating decent work had been adopted as objectives of international cooperation, both bilateral and multilateral with the ILO, which included many targets and priorities drawn from the Report.

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44. Spain and Ibero-America also cooperated in the context of the Ibero-American summits. A general secretariat had recently been created to serve as an institutional base for those summits and to intensify mutual cooperation and make it more efficient. Spain had joined forces with the ILO in implementing a significant number of activities, which were also part of the broad social agenda shared by Ibero-America and Spain. They related to: the elimination of child labour, social dialogue and participation, labour administration, strengthening workers' organizations and training and employment for young people. The principles and policies in the ILO's proposal for decent work had also been discussed and adopted at the most recent Ibero-American Summit, held in Salamanca the previous year. These and other commitments undertaken by Spain and Portugal would also be reflected at the forthcoming European Union-Latin America/Caribbean Summit to be held in Vienna.
45. Mr. Gabriel Bastos, Chief of Cabinet of the Minister of Labour of Portugal, was grateful for the opportunity to attend the Meeting as an observer. He noted that the Latin American region was important to the promotion of intercontinental dialogue at all levels. The European Union-Latin America/Caribbean Summit was important to the process of exchanging views and experience on the promotion of decent work. Portugal, together with Spain, assumed its responsibility for promoting intercontinental dialogue between the European Union and Latin America. The political and social partners had a duty to promote decent work. The Salamanca summit had placed decent work squarely on the Ibero-American agenda. The ILO was the only multilateral forum in a position to discuss the social dimension of globalization.

## **Panel 1: Main challenges to decent work in the region**

46. Addressing the plenary, Mr. Daniel Martínez, ILO Regional Director for the Americas, described the structure of the Director-General's Report. He noted that it consisted of four parts, the first of which gave a brief account of the labour market situation in the region. The second addressed the main challenges or structural barriers to progress in achieving decent work. The third part set out the objectives of a strategy for creating decent work in the hemisphere, and the last part proposed targets and actions.
47. The Report identified five priority challenges to be met in creating decent work. The first was to ensure that economic growth promoted decent work: the more an economy grew, the more opportunities it afforded for employment generation. Sustained economic growth of at least 5 per cent a year was needed to create the requisite levels of employment. In addition to achievement of such a growth rate, there would have to be respect for fundamental rights. Although the ratification rate for the core Conventions was high, effective application had to be ensured, and that was the second challenge facing the region.
48. The third challenge was to ensure that the creation of quality employment with respect for fundamental rights was accompanied by adequate social protection. Social dialogue at national, local and enterprise level was important to restoring confidence in democracy, which was the fourth challenge. Combating social exclusion and all forms of discrimination constituted the last challenge.
49. The Minister of Labour of Bolivia, Mr. Santiago Alex Galvez Mamani, speaking on behalf of the Government group, emphasized the importance of tripartism. He noted that the symptoms of social problems had their roots in employment or the lack of employment. He agreed with the President of Brazil that it was necessary and important to generate sustainable growth and devise development policies in order to create employment. He indicated the region's common needs in terms of integration policies able to encourage

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decent work. In his view, it was obvious that no country could solve its employment problems alone, which was why a consensus was needed on a vision of decent employment for the region as a whole. Referring to proposals and statements made in other forums, he noted in conclusion that the countries of Latin America faced the challenge of applying policies for decent and dignified work as one of their main political objectives.

- 50.** Mr. Dagoberto Lima Godoy, speaking on behalf of the Employers' group, praised the quality of the Director-General's Report. He said that the main challenge facing the region was to achieve growth with productive and sustainable employment. That meant a qualitative leap in terms of strengthening institutions and improving economic and social infrastructure, productivity and competitiveness, in order to generate more wealth that would need to be more evenly distributed so as to ensure social cohesion and create the conditions for sustainable development founded on regional integration and positive participation in globalization.
- 51.** There were cyclical and structural factors that reflected shortcomings in the region, including political instability, lack of certainty in law, corruption, the education and vocational training deficit and defective infrastructure. The Agenda for the Hemisphere should accordingly be implemented with a view to promoting integrated development in the region and competitive integration in the global economy. Businesses had a role to play in generating decent and productive employment, and the rules of corporate responsibility had to be applied. He summed up the Employers' priorities for an agenda to promote decent work. Referring to the recommendation of the World Commission on the Social Dimension of Globalization concerning the mobilization of resources, he called for account to be taken in the Decent Work Agenda of sources of funding such as the European Union's structural and cohesion funds, and resources that could be mobilized through the regional financial institutions.
- 52.** Mr. Gerardo Martínez, speaking on behalf of the Workers' group, said that for the workers' sector, the Director-General's Report constituted significant progress because it dealt with employment policies comprehensively and encouraged combined action in the economic, legal, institutional and labour market spheres. The Summit of the Americas was important because it afforded the first opportunity to challenge the orthodox monetary policies that had been applied as a result of the Washington Consensus and which had serious economic and social repercussions. In his view, the Report ought to broaden the concept of economic growth and express it in terms of economic development, the latter having economic, political and social components. Economic policy inevitably had a role in employment generation and income distribution, which should not be left to the mercy of market forces. In conclusion, he said that technology renovation was fundamental to economic development as it contributed to increasing productivity, which must go hand in hand with continuing vocational training, with workers participating through their trade union organizations.
- 53.** Mr. Victor Baez, Secretary-General of the Inter-American Regional Organization of Workers (ORIT), referred to Labour's Platform for the Americas and asked to have it circulated among the Government and Employers' delegates. The Workers' group had discussed the Platform and had taken it as the basis for their statements. Referring to "flexi-security", he noted that it was a game that had been engaged in for some time. Workers wanted the security of stable employment together with human rights; and those were not open to flexibility. Free trade agreements and export processing zones had brought about situations that were difficult to remedy. There must therefore be a deepening of integration processes.
- 54.** States and public policies must be reinstated in an active role, as decent work could not be left up to market forces. Particular attention should be paid to regulated investment (and not any type of investment), complementarity in production and income redistribution, and

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multinationals must comply with national standards. Lastly, the Director-General's Report dealt with matters only at national level, whereas decent work ought also to be addressed at subregional and continental levels.

55. The Government delegate of the Bolivarian Republic of Venezuela, Minister Ricardo Dorado Cano-Manuel, said that he agreed with the Report regarding the need to halt and eliminate the flexibility, deregulation and job instability of the 1980s and 1990s. He also agreed with the Report that the most dynamic sectors of the economy ought to support the more backward ones. That would be possible only if States had responsibility for the regulation and administration of basic resources, ensuring that any financial surpluses went to the well-being of the majority. Promoting active employment policies was essential in that context. The concept of representative democracy should progress to one of participatory democracy.
56. The Government representative of Cuba, Ambassador Pedro Núñez Mosquera, drew attention to two concepts in the Director-General's Report: solidarity and integration. He echoed concerns expressed that economic growth, as forecast, would be insufficient to deal with the decent work deficit. In his view, free trade agreements were a deceit, being based on the profit motive rather than solidarity and cooperation. The Bolivarian Alternative for the Americas (ALBA) had scored successes in literacy, health and education. Account should be taken of how the external debt of the countries in the region affected targets set for achieving decent work. Policies and programmes for decent work were also adversely affected by the high level of insalubrity, social exclusion and poverty.

## **Panel 2: General policies to achieve the main objectives of the decent work strategy**

57. Mr. Virgilio Levaggi, ILO Deputy Regional Director for the Americas, opening the discussion, pointed out that the topic for Panel 2 corresponded to section 4.1 (paragraphs 81 to 155) of the Director-General's Report, which focused on four major areas: (a) economic growth as a generator of employment; (b) effective application of fundamental principles and rights at work; (c) enhancing social security cover and effectiveness; and (d) effective social dialogue. Those themes showed the multidisciplinary and pluridimensional nature of decent work.
58. Mr. Patrick del Vecchio, Government representative of the United States, thanked the Director-General for the Report, and noted some of the more serious problems that continued to stand in the way of economic progress. The hemisphere faced a broad spectrum of problems including the denial of very basic rights to be free of forced labour and of the worst forms of child labour; the inability of economies to provide sufficient employment, and workplaces that failed to maximize productivity.
59. He emphasized the role to be played by labour ministries as important actors in dealing with employment training, employment services, pensions and many other issues crucial to the lives of working people. He noted that the ILO played a unique role in its work on labour standards, in providing guidance on labour-specific macroeconomic policies and in working with Members to develop fully working tripartite systems. He hoped the ILO would enhance its capacity to play that important role.
60. Regarding specific objectives, he stressed that the goal on forced labour should be zero tolerance. As for child labour, he supported the notion of continuing to focus on the worst forms of child labour. He noted the importance of eliminating anti-union discrimination and permitting collective bargaining as reflected in the Report. However, the number of collective agreements signed was not necessarily a good measurement of success. Freedom

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meant the right to join or not to join a union. Finally, he stressed that the ILO's unique advantage in having two-thirds of its constituency composed of workers and employers made it an ideal place to discuss and suggest microeconomic policy approaches particularly related to the world of work.

- 61.** Mr. John Craig, Employers' delegate of Canada, congratulated the Director-General on his Report, which set out an ambitious development agenda for the Americas premised on the concept of decent work. Employers did not necessarily agree with the entirety of the Report's approach and conclusions under the general policies, although they did not object to the identification of those that could be connected to the creation of more and better jobs in the Americas. They generally agreed that the creation of decent jobs within the formal economy was essential; however, the concept of decent jobs could vary from place to place.
- 62.** The four general policy areas underscored in the Report could be divided into matters of process and matters of substance. The fourth general policy area – promoting tripartism and social dialogue – was plainly focused on process. Employers embraced the value of tripartism and social dialogue, and agreed on its importance in achieving decent work, while recognizing its limits and the challenges it posed. The Report advanced decent work as an organizing principle for relatively aggressive reforms in socio-economic areas and referred to a number of matters related to tax policy, fiscal policy, education and health policies. Those were important to generating more and better jobs but they did not traditionally fall within the realm of labour relations. Their formulation needed to take into account the views of stakeholder groups as well as those of employers and workers. Even though governments should ensure adequate consultation, the interests and priorities of workers and/or employers might not prevail in the face of competing interests in the development of socio-economic policies. Collective bargaining was important to establishing working terms and conditions but it was not necessarily suitable or optimal for some industries, sectors, groups of employees and might not be responsive to some issues. However, employers recognized the possibility that there could be innovative uses of collective negotiations as part of the Decent Work Agenda. He recognized the ILO's important role in both technical advisory assistance and coordination with other entities. However he stressed that the ILO should focus on its areas of expertise to avoid duplication and waste of resources.
- 63.** In referring to issues of substance, he mentioned that to formalize the informal sector structural problems needed to be addressed and these could require the depoliticization of labour and employment regulation allowing policies to address the long-term interests of the labour market and overall economy. In respect of the general policy goal of promoting sustained economic growth, employers would advance the following priorities: (a) an expansion of entrepreneurship opportunities, particularly for youth and women; (b) significant improvements to education and training systems; (c) deregulation and reregulation of labour markets; (d) expanded business and trade opportunities offered by globalization; (e) improvements to social protection such as health care, state pension plans and the social safety net; and (f) strengthening democracy and democratic institutions for sustainable economic growth.
- 64.** Ms. Amanda Villatoro, Workers' delegate (ORIT), said that she would focus on the content of "Labour's Platform for the Americas", which had been agreed by the trade union movement in the Americas and organizations representing civil society in the hemisphere. The guiding thread of the Platform was the defence of full and decent employment as a key to approaches for reducing poverty.
- 65.** It was important to build a democratic consensus in the hemisphere for sustainable development. The Washington Consensus and neo-liberal economic policies reflected the failure of "free trade". A new consensus, stemming from social dialogue, should be based

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on the theme “decent work for sustainable development in the Americas”, and should focus on social justice and full employment while addressing environmental issues. Subregional integration processes should be strengthened as a response to free trade agreements.

- 66.** The sustainable development agenda for the hemisphere should address the following issues: (a) external debt as an obstacle to wiping out poverty and promoting sustainable development; (b) reform of the inter-American system to make it more efficient and responsive to real needs; (c) a regional plan for sectoral policies and infrastructure; (d) the establishment of structural funds for the most disadvantaged regions; (e) the free movement of persons; (f) the creation of subregional tripartite forums to combat discrimination; (g) the implementation of inter-American policies to eliminate child labour. In conclusion, she said that the State had an essential role to play in the achievement of the ILO’s strategic and cross-cutting objectives.
- 67.** The Government representative of Cuba, Ms. Gretel Hernández Oliva, said that although it was for each country to determine the combination of policies that was best suited to its national particularities, the global repercussions of unemployment, poverty and marginalization required an integrated approach. The State had a fundamental role in defining basic concepts for implementing decent work country programmes, and labour ministries had responsibility for designing, coordinating and implementing national employment policies and programmes. She asked the ILO not only to promote the Conventions regarding fundamental rights at work, but to give similar attention to other international standards that were no less important, such as employment policy, social security, and occupational safety and health. Noting the important role played by the supervisory machinery for the application of international standards, she underscored the need for such supervision not to be confined to the fundamental Conventions but to cover other instruments falling within the concept of decent work.
- 68.** Ms. Marcela Máspero, Workers’ delegate of the Bolivarian Republic of Venezuela, said that the region was experiencing interesting times in which there were great opportunities for achieving decent work and combating poverty. As a result of political change due to electoral processes and the mobilization of workers in the region, the agenda of the Mar del Plata Summit had gone from being a strictly commercial one to one that focused on social and labour matters, particularly decent work. The workers of the region believed that fair distribution of wealth was decisive in the creation of decent work and the fight against poverty. The Director-General’s Report did not deal in depth with certain matters regarded as coming under fundamental human rights, such as education, health and food safety. She therefore proposed including those subjects in the discussions. In her view, it was important that the Director-General’s Report should address the need to establish the minimum wage, as a fundamental policy for the creation of decent and dignified work.
- 69.** The Government representative of Canada congratulated the Office for a frank and provocative analysis of challenges facing the region and for linking them to overarching objectives as well as to general and specific policy options. He also underlined the significant effort made to link the agenda to the IACML’s work in that area. He was pleased with the policy ideas suggested, which provided for flexibility in an agenda covering such a heterogeneous region. Turning to the general policies themselves, he noted that those bearing on economic growth were distant from the ILO’s core mandate and would be best pursued in a wider dialogue with other multilateral organizations and ministries. He stressed that the four general policy areas should not be seen separately but rather as intimately interrelated. To illustrate his point, he mentioned the importance of labour productivity for living standards, wages and salaries, and the capacity of States to devote resources to social protection, and referred to Canada’s experience in improving occupational safety and health through both bipartite and tripartite social dialogue mechanisms.

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- 70.** The Workers' delegate of Brazil (CPUSTAL), Ms. Maria Lúcia Pimentel, noted that the fundamental cause of the growth in unemployment and the informal economy was not related to workers' rights or alleged progress in technology, but to the diversion of immense resources for production to financial speculation, which was obstructing economic growth, job creation and income distribution, and causing unprecedented wealth concentration. In order to create work that was decent both quantitatively and qualitatively, it was necessary to change that pattern and for decent work to amount to more than the fundamental rights. Decent work also meant maintaining and extending vital workers' rights such as registered employment, a maximum working week of 40 hours, paid weekly rest, 30 days' paid holiday, retirement and social security benefit and a minimum wage that covered basic needs. To bring down production costs, it was not rights but the high costs of capital that had to be reduced. She asked the ILO to carry out, alongside the decent work campaign, a campaign for the defence of labour rights.
- 71.** The Government representative of Argentina, Mr. Eduardo Varela, praised the structure of the proposed Agenda which distinguished between strategic objectives, cross-cutting objectives, general policies and specific intervention areas. With regard to the general policies, he agreed for the most part with the objectives and targets set and with the policies proposed. On the subject of policies for growth, he stressed the importance of adequate integration in the global economy, and drew attention in that context to the evaluation in paragraph 88 concerning free trade agreements. The focus on the quality of growth measured in terms of decent employment creation meant that the ILO would need to look in greater depth and with greater commitment at the link between trade and employment. In the report it would be submitting next February to the WTO Trade Policy Review Body, Argentina would be including a chapter on trade and employment. In conclusion, he noted the importance that the Director-General's Report assigned to regional integration for the purpose of expanding markets while avoiding any increase in asymmetries.
- 72.** The Workers' delegate of Canada, Mr. Stephen Benedict, congratulated the ILO on its interactive approach to producing the Agenda. He noted that, at political level, the subjects dealt with in labour's platform should be treated as interrelated. Expressing concern at the importance the ILO attached to productivity growth, he said that in Canada's experience increased productivity had done nothing for workers' quality of life. He questioned the remarks on collective bargaining made by the Employers' delegate of Canada: if workers had the right to organize, they also had the right to decide how to bargain collectively. In his view, more should be made of the achievements of unionized workers, which benefited non-unionized workers as well.
- 73.** The Government representative of Mexico, Mr. Julio Faesler, congratulated the ILO on the Report. In his view it was important that the Americas' contribution to a more dignified life everywhere should not be forgotten. Nor should it be confined to the region. He referred to three dilemmas: (a) the linking of growth and job creation and the fact that social responsibility and fairness could not be left out of growth assessment; (b) increasing the minimum wage in times of inflation and how to control inflation through macroeconomic policies without reducing purchasing power; (c) trade liberalization in the context of globalization and job creation, bearing in mind that competitiveness and productivity sometimes led to loss of jobs. In conclusion, he noted that these dilemmas could be resolved through tripartite dialogue.
- 74.** The Worker Vice-Chairperson of the ILO Governing Body, Sir Roy Trotman, stated that such an interactive session should have allowed more discussion to respond to the nuances of governments' and employers' positions with respect to the right of workers not to organize, and to the suggestion for the need of flexibilization without clearly defining what was meant by it.

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75. The Government representative of Ecuador said that the concept of decent work was fundamentally a matter of human rights and that governments, employers and workers should view decent work from the standpoint of enhancing economic, social and cultural rights in their countries.
76. The Government representative of Panama, Minister Reynaldo Rivera Escudero, said that all sectors should realise that the problem of unemployment was not the same for all countries. There was a need for a new labour culture encompassing political and commercial dimensions and respect for workers' fundamental rights. He urged the countries of the region to ratify ILO Conventions and called on employers to promote a culture of social responsibility.

### **Panel 3: Policies in specific intervention areas: International labour standards; gender equality; youth employment; small and medium-sized enterprises**

77. The panel's moderator was Ms. Gerardina González Marroquín, who briefly introduced the content of the policies pertaining to the subjects addressed in the Director-General's Report. She underlined the main challenges, targets and focal points of policies on: (a) international labour standards; (b) gender equality; (c) youth employment; and (d) small and medium-sized enterprises. The floor was then given to the panellists chosen to comment on the Report: Mr. Osvaldo Andrade Lara, Minister of Labour and Social Welfare of Chile, Ms. Ronnie Goldberg, Employers' delegate of the United States, and Mr. José Gregorio Ibarra, Workers' delegate of the Bolivarian Republic of Venezuela. The discussion was then opened up to the other delegates in plenary.
78. The Minister of Labour of Chile said that there was growing awareness in the region of the need to close, at one and the same time, a number of "gaps" related to the challenge of securing progress in the ratification of ILO Conventions and aligning domestic legislation with the content of ratified standards; and, even more importantly, of the need to improve compliance with the provisions of the law and translate them into concrete action by the partners in the labour relationship. The Agenda for the Hemisphere emphasized the need for a system of rights enforcement that respected both parties to the labour relationship (employers and workers) and that encouraged tripartite dialogue as a means of addressing the more complex issues and controversies of the present-day labour debate.
79. Gender equality was a strategic objective to which the countries of the region were committed, and the Agenda for the Hemisphere started off from the basic premise that there must be government policy on gender equality in which there was no place for "neutral" measures, which would only maintain gender inequalities in the labour market.
80. Governments in the region were aware of the youth employment deficit and realized that it called for comprehensive policies to: promote skills development for young people; provide for special incentives for hiring young people; maintain their labour rights; and ensure that they were not used as a source of cheap labour to replace adult workers. It was important in that context to promote corporate social responsibility.
81. Lastly, he noted that comprehensive policies were also needed in order to stimulate development and improve the quality of employment in micro- and small enterprises, with a view to combining economic development and social development by encouraging decent work in the sectors of production concerned.

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- 82.** The Employers' delegate of the United States said that the private sector was the driving force of growth and employment creation. In his view, government policy was an instrument for creating conditions for the necessary investment and growth. In that context, the Agenda for the Hemisphere was a good "framework" that governments could use in order to secure progress on employment in decent work and that accommodated subregional diversity.
  - 83.** Effective application of existing Conventions was more relevant to countries than the ratification of new ones. It was often the case that a country refrained from ratifying certain Conventions because they were unsuited to national circumstances.
  - 84.** Women were overall the "least used resources" in the world, which meant that half of the human resources in the world (i.e. women) were underused. Women were also affected by human rights problems such as discrimination and harassment. The problems arising from the underuse of women in the labour market were also economic in nature, as they had a cost in terms of potential GDP.
  - 85.** Turning to the subject of youth employment, he noted that while a necessity, economic growth was not enough on its own and that special measures were required in the area of education and training and at the level of employers' and workers' organizations.
  - 86.** She agreed with many of the views expressed by Workers' delegates in previous panels about the importance of SMEs to job creation, but stressed the need for comprehensive policies to improve productivity, competitiveness and job quality in such enterprises, and for concerted action in order to eliminate "barriers" to the development of SMEs.
  - 87.** The Workers' delegate of the Bolivarian Republic of Venezuela said that the Agenda for the Hemisphere proposed by the Director-General was consistent with statements and proposals made in other forums in the Americas and elsewhere, such as the Mar del Plata Summit. Workers had for years been raising the need for a social clause in world trade rules, and it was even more of a necessity in view of the Decent Work Agenda.
  - 88.** Following the many statements and commitments made by Heads of State in international forums, the great challenge now was to start giving effect to those pledges. The same was true for the Agenda for the Hemisphere proposed by the ILO.
  - 89.** The Workers' delegate of the United States (AFL/CIO) said that the Agenda for the Hemisphere set out proposals that were for the long term, which made for great consistency. The achievement of decent work was gradually being acknowledged as an essential component of development and a means of securing fair and sustainable globalization. In that context, international labour standards played a fundamental role for human progress.
  - 90.** Noting that ILO Conventions Nos. 87 and 98 were particularly important, he expressed concern about the paragraphs in the Report that referred to a weakening of collective bargaining in many countries. The Agenda accordingly set the objective of extending coverage both of trade unions and of the benefits of collective bargaining as an essential means of promoting decent work for the majority.
  - 91.** The Government representative of Mexico, Ms. Guadalupe Morones, reiterated the importance of the proposals for policies to promote gender equality and youth employment set forth in the Agenda for the Hemisphere, pointing out that they were consistent with the Declaration and Plan of Action of the Fourteenth Inter-American Conference of Ministers of Labour. The Government of Mexico was implementing various policies and programmes in this area. For example, it had set up a gender equality directorate in the Ministry of Labour and Social Welfare, and was developing a labour market observatory to

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disseminate information that would be of use in devising such policies and programmes. There were also nationwide initiatives to develop SMEs and cooperatives as mechanisms for the creation of employment and self-employment. In view of Mexico's positive experience in this area, the Mexican delegation would have appreciated a more exhaustive analysis of the matter in the Report.

- 92.** The Employers' delegate of Mexico said that rather than envisaging extension of the ILO's framework of standards, a plan should be devised for disseminating existing standards and helping countries to progress in applying them effectively. Furthermore, many international labour Conventions needed analysis and review to determine whether they were relevant and viable or obsolete. Turning to gender equality, he said that it was important to encourage the growing inclusion of women's talent in the labour market. On the subject of SMEs, he said that public policies were needed in order to develop such enterprises, together with support and guidance to help them comply with the legislation that governed their formal integration in the labour market; they should receive economic aid and advice in labour matters.
- 93.** Effective linkage of education and training with a country's production needs was essential in order to break the vicious circle barring young people from jobs for want of qualifications and experience. In conclusion, he expressed concern that initiatives to raise the retirement age might be inconsistent with the employment needs of young people.
- 94.** The Workers' delegate of Cuba said that implementation of national labour standards, particularly those included in the ILO Declaration on Fundamental Principles and Rights at Work, was essential to decent work, but that thorough knowledge of the content and scope of those standards was necessary. Poverty was nevertheless an endemic evil in the present era of globalization. That helped to explain the illiteracy said to affect 1 billion people worldwide which was undermining the majority's chances of finding decent work.
- 95.** One of the problems limiting investment and growth was the enormous expenditure everywhere on weapons, alcohol and drugs, to the detriment of schools or medical centres. That too was a barrier to achieving decent work for all.
- 96.** The Government representative of Brazil expressed agreement with the Director-General's Report on the matter of policies to promote gender equality. Suitable institutions and legislation should be established in order to put such policies into practice. Brazil had acquired positive experience in this area which it was making available to other countries in the region as a means of disseminating good practice. On the subject of SMEs, he said that as well as devising policies for formalization, it was important to promote other mechanisms to secure integration in the economy such as cooperatives and mutual aid associations.
- 97.** The Employers' delegate of Canada stressed that the American countries were blessed by having a relatively youthful population compared to Europe, and that this created great potential for these countries. How to make the most of the potential of youth and improve the occupational situation of young people remained a challenge. The Report recounted positive experiences of youth employment programmes in South America, and these should be disseminated through horizontal cooperation mechanisms.

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## **Panel 4: Policies in specific intervention areas: Informal economy; rural sector and local development; vocational training; employment services**

- 98.** The panel was chaired by the representative of the Minister of Labour of Brazil. Mr. José Manuel Salazar-Xirinachs, Executive Director of the ILO Employment Sector, summed up sections 4.2.5 to 4.2.8 of the Director-General's Report, giving a brief description of the specific intervention policies in question: (a) informal economy; (b) rural sector and local development; (c) vocational training; and (d) employment services. In each instance, he enlarged on the action proposed and the goals to be achieved in the ten-year period.
- 99.** The Minister of Labour and Social Security of Uruguay, Mr. Eduardo Bonomi, addressed the matter of the informal economy and in particular how it had emerged, expanded and grown stronger. He noted that two of its main characteristics were labour flexibility and the informalization of the labour market. Employment was important as a means of redistributing income. He drew attention in this context to the recent experience of employment promotion through self-management and joint management of "recovered" businesses. Workers joining the formal economy should have objective advantages over those in informal jobs, in terms not only of social security or health coverage, but of income as well. There was a need to promote growth accompanied by active employment policies and policies for redistribution, pride of place being assigned to employment.
- 100.** The Employers' delegate of Bolivia, Mr. Max Gastelú, referring to the informal economy, said that the sector had enormous potential which could not be overlooked and which, if incorporated into the formal sector, would undoubtedly make a positive contribution to countries' social and economic development. The assertion that the informal economy served as an escape valve for unemployment was wrong. There were many sides to the informal sector, including a lack of stability in many cases, a lack of social coverage for families, the absence of any criteria for productivity and quality control, lack of access to the export sector, and excessive red tape that stood in the way of formalization. Governments needed to create the right climate for employment and business creation by reviewing and, if necessary, amending regulations that prevented or hindered the creation and development of new companies. The first step of any solution should be implementation of a strategic development plan agreed jointly by governments, employers and workers, priority being given to simple formalities, support for the management of single-person businesses, temporary programmes to formalize tax payment and the search for international export markets.
- 101.** Ms. Nair Goulart, Workers' delegate of Brazil, said that the Workers saw the four proposed policies as being interconnected. The highest growth was to be observed in the informal sector, which was the furthest removed from decent work given the conditions prevailing there. Citing data on the informal employment situation in Brazil, she drew attention to the need for national plans to include among priority objectives the promotion of formal employment by reducing taxes and red tape among other measures. Turning to rural labour, she noted that it had a high incidence of discrimination and poverty and that it was important to address the matter through wealth redistribution and agrarian reform. She pointed out in this context the need to ratify Convention No. 110 concerning plantations. Turning to vocational training, she stressed that it was essential as a means of curbing the growth of informal employment. In conclusion, she said that for workers, social dialogue and the State's role in generating employment and creating labour intermediation services were essential in implementing the decent work programmes proposed in the Agenda for the Hemisphere and in pursuing the targets and achieving them within ten years.

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- 102.** The Workers' delegate (CROC) of Mexico, Mr. José Del Valle, said that the Report centred the discussion on the importance of determining how to eliminate the causes of informal employment, which included unemployment and job instability, and the low wages paid to workers in the formal economy. Endorsing the remarks of the Government delegate of Uruguay, he urged the ILO to set up international machinery for strengthening social dialogue.
- 103.** The Government representative of the Bolivarian Republic of Venezuela, Mr. Rubén Darío Molina, drew attention to paragraphs 9 and 10 of the joint communication issued by the Ministers of Labour of MERCOSUR and Associated States, meeting in Buenos Aires on 21 April 2006. Those paragraphs underlined the importance of the proposals in the Director-General's Report, particularly those concerning employment; safety and health at work; gender equality; the minimum wage; and respect for fundamental rights. They also recognized the decent work country programmes as an instrument allowing the ILO to contribute to incorporating decent work in countries' development strategies. They furthermore noted that the Report could have addressed the problems caused by inequality resulting from a lack of distribution policies.
- 104.** The Government representative of Argentina, Mr. Julio Rosales, referred to the abovementioned joint communication issued by the Ministers of Labour of MERCOSUR and Associated States, citing paragraphs 14 and 15 in particular. He said that economic growth, productivity and competitiveness were closely related to education and vocational training, and that employment policies should accordingly include as strategic aims universal basic education, longer initial training and quality learning for young people. He pointed out that public employment services were complementary to vocational training and a key instrument of active employment policies, their geographical distribution in a country being strategic to matching job supply and demand.
- 105.** Mr. Alberto Echavarría, Employers' delegate of Colombia, referred to vocational training, noting that it was closely linked with the subjects addressed in other panels. Sustained economic growth with equity required workers with education and training who were in a position to contribute value added. Referring to paragraphs 36, 37 and 38 of the Report, which dealt with output per worker and the heterogeneity in production in various sectors of the economy, he said that workers must be given the skills they needed to join in the global economy. One of the ten pillars referred to in the document "Employers' views on the ILO Agenda for the Hemisphere" was "an inclusive and modern education and vocational training system". He wondered whether vocational training systems in Latin America were modern and efficient and met today's needs, pointing out that there was no reply to that question in the Report. There was a need for efficient training policies that contributed to increasing exports and improving integration into the world of work.
- 106.** The Government representative of Mexico, Mr. Julio Faesler Carlisle, referring to the informal economy, said that there was a need to facilitate formalization by creating a productive environment allowing access to credit, simpler tax regulations and incorporation in health insurance schemes. Turning to other aspects of the Report, he expressed his full agreement with its proposals on the rural sector and the need to strengthen it and bring agro-industry within its ambit.
- 107.** The Employers' delegate of Peru, Mr. Alberto Filipe La Hoz Salmón, referred to the remarks made by the Workers' delegate (CROC) of Mexico to the effect that his sector had made important proposals on encouraging workers in the informal economy to join the formal sector. The aim was to change the regulatory environment and reduce labour costs – the main causes of informal employment – and to introduce flexibility in social benefits for new workers, including those coming from the informal sector.

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- 108.** Mr. Wagner José De Souza, Workers' delegate of Brazil, said that the growth of the informal economy was the result of the crisis in domestic industries caused by neo-liberal policies, affecting both workers and employers. One prerequisite for promoting decent work was a review of free trade agreements which set unfavourable conditions of trade for small and poor countries.

### **Panel 5: Policies in specific intervention areas: Wages and remuneration, occupational safety and health, migrant workers**

- 109.** The Chairperson opened the proceedings and gave the floor to Ms. Ana Teresa Romero, who summed up paragraphs 4.2.9 to 4.2.11 of the Director-General's Report which addressed wages and remuneration, occupational safety and health and migrant workers.
- 110.** The Government representative of Brazil cited examples of migration policies and measures that Brazil had taken to protect immigrant workers and that facilitated the entry of skilled workers to the country. Turning to occupational safety and health, he expressed support for the ILO's position as set out in the Director-General's Report. He hoped that the next session of the International Labour Conference would deal with the matter in greater depth, and proposed that safety and health should be given the status of basic labour rights. Labour inspectors needed ongoing training to enable them to enforce labour standards. In his view, a minimum wage for workers was key to the distribution of wealth. It was a matter of concern that 50 per cent of rural workers received only 50 per cent of the minimum wage. The same was true of workers in the informal sector, the less educated, women and young people.
- 111.** The Employers' delegate of Colombia, Mr. Alberto Echavarría, said that the objective to be achieved was economic growth with better income distribution and without losing sight of the global dimension. Whether or not the minimum wage was an instrument for redistribution was questionable. It should be the result not of state policy but of a process involving employers and workers. Productivity should count as a factor in determining wages, but another factor in wealth distribution was the sound management of public resources, and this had not been addressed in the Director-General's Report. Turning to occupational safety and health, he proposed that the ILO should promote an analysis of the hidden costs to enterprises of occupational diseases and accidents and the need for information and records systems. It was necessary to protect migrant workers, but proposals were needed as to how such migration movements might be organized. That would require statistical information geared to creating employment and not to restricting migration. In his view, it was not appropriate to propose ratifying Conventions Nos. 97 and 143, since they had been deemed obsolete since 1997.
- 112.** The Workers' delegate of Colombia, Mr. Percy Oyola Paloma, pointed out that the minimum wage was adjusted since, under pretext of combating inflation, the adjustment was made below the consumer price index. Moreover, this was done without negotiation, in the private and public sector alike. With reference to productivity, he said that he did not believe that the ILO proposal tallied with the Workers' vision. He also referred to the policies enunciated by the international financial institutions, indicating that their initial proposals, applied in Colombia, had not given the results hoped for in terms of increased employment. With regard to the theme of occupational safety and health, he stressed that social security was a human right and a duty of the State, and it was therefore necessary to strengthen the health and social security system. This would prevent the exclusion of workers from the system. On the subject of migrant workers, he was concerned that the ILO proposal suggested a specific policy, rather than being based on the free movement of persons. It was necessary to guarantee a minimum "floor" of rights based on international

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instruments, including ILO Conventions, to migrant workers throughout the continent. Furthermore, it was necessary to eliminate abuses by financial intermediaries with regard to remittances, protection of workers' rights and the principle of non-repatriation in the event of breach of a worker's rights. He expressed solidarity with migrants in the United States demonstrating for their rights.

- 113.** The Workers' delegate of Colombia, Mr. Alfonso Velásquez, said that a matter that cut across all basic rights was the right to life and its protection by governments, with proper effect given to freedom of association based on collective bargaining, the right to organize, collective agreements and strikes. He sought support for the recommendation made by a high-level committee that the ILO had sent to Colombia that a permanent office should be set up to monitor compliance with ratified Conventions and Recommendations and that at its 95th Session the Conference should consider the possibility of a commission of inquiry. Governments had a duty to ensure that there was useful dialogue. His confederation had notified to the Minister of Labour its decision not to discuss matters further until the agreements had been complied with.
- 114.** The Government representative of Cuba said that the vulnerability of illegal migrant workers in developed countries could not be ignored. Such workers were exposed to the abuses of networks of human traffickers and the discriminatory policies and practices of governments and societies. All the human and labour rights of those workers and their families must be respected, and countries should engage in dialogue on migration.
- 115.** The Employers' delegate of Chile, noting that at the end of the previous panel the presiding officer had given authorization for earlier items to be raised in the present panel, said that his confederation had shown interest in the creation of SMEs, their access to markets and the development of competitiveness. He reported experiences of on-the-job training for young people, an example of social responsibility on the part of enterprises.
- 116.** The Workers' delegate of Argentina welcomed the fact that the Director-General's Report expressly stated that the minimum wage should be the bottom rung of the private sector wage ladder. In his view, it should play the same role in the public sector. Official statistics should show clearly the basic basket that a family group required to meet its basic needs, and the minimum wage should be set accordingly.
- 117.** The Government representative of the United States welcomed the inclusion of occupational safety and health in the Director-General's Report and acknowledged the ILO's work in this area. He believed that the ILO had an important role to play in protecting workers' rights. He was disappointed that the Director-General's Report focused on migration policy rather than the rights of migrant workers. He was concerned at the reference in the third indent of paragraph 250 of the Report to "rules" to be presented to the International Labour Conference in 2007. The Multilateral Framework on Labour Migration, adopted by the Tripartite Meeting of Experts and considered by the Governing Body in March 2006, referred to a non-binding framework, so it was worrying to see the framework described as "rules", which could be construed as binding. He urged the ILO to devote its limited resources to matters that were clearly within its mandate.
- 118.** The Employers' delegate of Peru said that he agreed with the Workers' delegate of Argentina. However, tripartite discussion was the best means of fixing the minimum wage, and the latter should be the bottom rung of the wage scale. He believed that productivity and wage setting should be linked.
- 119.** The Government representative of Uruguay said that occupational safety and health led to decent work, an objective that could not be achieved without a minimum wage, without rest, without recreation and without freedom of association. Consequently, a global strategy must be adopted with occupational safety and health campaigns, the starting point

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of which should be the ILO. In that perspective, occupational safety and health should be treated as a fundamental right. He referred in this connection to the letter addressed to the Director-General by the Ministers of Labour of Argentina, Brazil, Bolivia, Chile, Panama, Paraguay, Uruguay and the Bolivarian Republic of Venezuela.

120. The Employers' delegate of Mexico said that he believed in the right to life and that it was important to promote a culture of health, which would promote joint responsibility for risk prevention and safeguarding health. He stressed the importance of reaching agreements and compromises with workers about training, to encourage multiskilling and high-performance teams that secured high productivity, which would raise living standards for the worker. On the subject of migration, he said that the lack of employment was not its only cause: illusions about gain and even ideological reasons also played a part, and that it should be understood more as a social problem than as a labour problem.
121. The Government representative of the Bolivarian Republic of Venezuela supported the letter sent by ministers to the Director-General requesting that occupational safety and health be given the status of a fundamental right.
122. The Government representative of Chile also supported the letter on the ground that occupational safety and health and social protection would help to narrow the divide that inequality caused in society.
123. The Government representative of Colombia apologized for raising matters unrelated to the Director-General's Report in order to rebut allegations against Colombia and its Government. He said that it had been asserted that the minimum wage had been lower than inflation and that purchasing power had been lost. But in the last two years, minimum wages had been set in conjunction with workers' federations. Furthermore, in 2005 inflation had stood at 4.85 per cent, while the increase in the minimum wage had been 6.97 per cent. He regretted the fact that the workers' representatives took one position in the country and another one outside. There was no lack of guarantees for trade unions, since people in authority in major cities in the country were trade unionists and had been elected to office. Much was said about the need to promote tripartite dialogue. However, the position taken by the trade union federations in Colombia was to evade dialogue, as they themselves stated.

## **Panels 6 and 7: Decent work country programmes, public policies, integration of policies, organizations of the social partners**

124. Mr. Guillermo Miranda, Director of the ILO Subregional Office in Santiago, speaking as moderator, summed up Chapter 5 of the Director-General's Report, referring to its objective, targets, policies and the five institutional aspects of decent work country programmes that had to be strengthened in order effectively to implement the policies set out in them.
125. Decent work country programmes were intended to promote decent work as an objective of countries' development strategies, their aim being as from 2006 to contribute to the design of national plans for generating decent work and to carry out specific ILO action programmes in each country.
126. The institutional aspects that needed to be enhanced in order to implement decent work country programmes were: integration and sound and coordinated management policies; organizations of the social partners; the labour authority in relation to effective

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enforcement of rights, laws and other relevant standards; enhancing knowledge of the working of the labour market and working conditions; and institutionalizing integration processes.

- 127.** Mr. Walter Francisco Gago Rodríguez, Vice-Minister of the Ministry of Labour and Employment Promotion of Peru, gave an account of the macroeconomic situation in Latin America and the Caribbean. He went on to propose establishing public policies to promote economic development linked to job creation. Such policies should focus on efficiency and equity in the labour market, promoting employment for vulnerable groups, especially young people, and encouraging productive development of enterprises, particularly micro- and small enterprises.
- 128.** He proposed two other sets of policies geared to strengthening institutions and ministries of labour to enable them to ensure effective observance of fundamental principles and rights at work, and to secure social protection by extending coverage, enhancing management, integrating labour and social protection policies and improving tax collection.
- 129.** Mr. Octavio Carbajal Bustamante, Employers' delegate of Mexico, said that the ILO could be a basic tool for cooperation in the region, given the differences between its countries. He raised 16 points on which the ILO should focus in developing decent work country programmes: qualifications and technological capacity; investment tools and incentives; business development; financing machinery; labour market policies; remuneration linked to productivity and competitiveness; labour legislation and labour flexibility; gender equality and discrimination; occupational safety and health; production chains and market practices; migrants; technological progress and labour supply and demand; basic education and vocational training; certainty in law; local development and use of existing infrastructure in relation to employment generation strategies. In addition to these, good practice and experience gleaned from other countries could serve as a guide for political decision-making for the implementation of decent work country programmes.
- 130.** It was advisable that, in lending its technical cooperation, the ILO should be mindful of the real needs of the social partners, and that the latter's organizations should be strengthened in such a way as to consolidate tripartism and contribute to giving it an institutional base.
- 131.** Ideally, the Decent Work Agenda should be more than a government policy; it should be institutionalized as a state policy immune to political change.
- 132.** Mr. Ericson Crivelli, Workers' delegate of Brazil, congratulated the ILO on the excellent Report. He wished merely to touch on a number of conceptual aspects. Referring to the Copenhagen Declaration on Social Development, he pointed out that the State's role was to combine development of a balanced financial policy with social policy. That was consistent with the position taken by the Director-General in his Report. He drew attention to the role played by the State in the areas of fundamental rights, employment, social protection and social dialogue.
- 133.** He recommended that the ILO should establish a link between decent work country programmes and the ILO's supervisory machinery in order to step up use of the latter by the social partners and governments.
- 134.** In conclusion, referring to the Mar del Plata Summit, he said that two points warranted attention in preparing decent work country programmes: strengthening the labour inspectorate as a mechanism for generating more formal employment and strengthening the labour justice system to make it more efficient and effective in settling labour disputes.

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- 135.** Mr. Francisco López, Government representative of the Bolivarian Republic of Venezuela, thanked the Office for the Report. Citing a number of specific experiences the Bolivarian Republic of Venezuela had had in strengthening the labour administration, he pointed out the need for an integrated approach to such a task. In particular, there was a need to reform any laws and regulations that barred greater efficiency in the labour administration. Referring to section 5.2.5 of the Report (Institutionalizing integration processes), he endorsed the remarks made by the Minister of Labour of the Bolivarian Republic of Venezuela to the effect that such processes should be based on the principles of complementarity, solidarity, cooperation and respect for sovereignty. In conclusion, he noted that labour legislation reform geared among other things to the protection of labour rights, a larger budget and great political will, together with technical assistance from the ILO, would enable the region to implement the agenda for decent and dignified work.
- 136.** Mr. Juan Mailhos, Employers' delegate of Uruguay, referred first to the section in the Report concerning labour administration. For Uruguayan employers, it was important to have efficient labour administration that guaranteed the rule of law and ensured compliance with the legislation. It was also important to adopt an integrated approach, avoiding duplication of effort. Moreover, there should be permanent coordination with other institutions of State and private institutions, between such institutions, and with universities. The labour administration had an educational role to play in publicizing and disseminating the law. In conclusion, he said that labour market information should be relevant and accurate and include data on both supply and demand. Such information should be disseminated systematically as a means of strengthening social dialogue.
- 137.** Mr. Victor de Gennaro, Workers' delegate of Argentina, said that in devising a Decent Work Agenda it was essential, first and foremost, to diagnose the lack of decent work. There was a need for universal policies able to resolve the problems of poverty, food and the health deficit, among others. In that context, priority should be given to children and the elderly. On the subject of strengthening labour ministries, he agreed with speakers who had said that labour ministries should strengthen organizations of the social partners and the labour inspectorate. In conclusion, he said that being open to integration was essential and that a new integration alternative should be developed.
- 138.** The Workers' delegate of Ecuador, Ms. Fanny Pozo Litardo, stated her concern at the dangers threatening democratic stability and stressed the need to maintain a balance between order and progress, the fulfilment of minimum commitments, with the State guaranteeing the physical safety of citizens as well as certainty in law and respect for the rights of workers. She urged her Government to reinstate the right to organize and collective bargaining and to promote wage adjustment in order to prevent poverty from destabilizing democracy. She expressed concern at the ILO's proposal that migrants' remittances should be placed in productive investments. In conclusion, she said that it was necessary to strengthen the bodies responsible for managing social security and to address the special situation of prisoners and their reintegration into society.
- 139.** The Employers' delegate of Cuba, Mr. Rodolfo Parra Rojas, viewed positively the recognition of the fact that decent work policies and programmes should be adapted to each country's particularities and circumstances. In his view, it was necessary to integrate national and regional policies because so many factors influenced decent work, though many of them were outside the purview of the ILO. Effective social dialogue had a key role to play and commitment by all social partners was necessary to achieving common goals. He drew attention to the subject of work productivity and the unavoidable necessity of forming a highly qualified workforce through an education system that provided basic education of a high standard and a business sector that gave high priority to, and encouraged, continuous education for workers.

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- 140.** The Government representative of Mexico, Ms. Guadalupe Lara Morones, said that creation of quality jobs was the best public employment policy and the antidote to poverty. Achieving the objective of decent work for all meant creating quality jobs, but also promoting a social ethic and social responsibility in business. The ILO was able to provide support for attainment of the decent work objective through the implementation of decent work country programmes, which would be put into effect at the request of the Member concerned, and the content of which would depend on every country's particularities and priorities. Whenever policies were integrated, employment should be a cross-cutting objective. On its own, economic growth was unable to generate employment. The creation of decent, dignified and quality jobs should serve as a link between economic, social and labour policies. In conclusion, she said that it was essential to strengthen tripartism and social dialogue as a means of promoting effective participation by the social partners in creating decent work.
- 141.** The representative of the World Federation of Trade Unions (WFTU), Mr. Ramón Cardona, said that his organization had endorsed Labour's Platform for the Americas. It was most important that the governments of the region should give the Platform its due worth. A remedy must be found without further delay to the unjust distribution of wealth in the region. The number of crimes against those who defended labour rights was growing. Citing the torture and murder of trade union leaders in Colombia, he asked the Meeting to support the establishment of an ILO office in that country. It was necessary to generate jobs with adequate working conditions, pay that met the needs of workers and their families, while ensuring respect not only for basic rights but also the rights enshrined in the ILO's international Conventions. He was concerned at the lack of any mention in the Director-General's Report of the proliferation of production chains and the link between informal employment and multinational enterprises. As the Declaration of Philadelphia said, "lasting peace can be established only if it is based on social justice".
- 142.** The Employers' delegate of Brazil, Mr. Dagoberto Lima Godoy, said that although all participants agreed on the need to strengthen labour ministries, the discussion should focus on "labour authority" as the legal concept that derived from national policy, rather than on repressive aspects of labour administration which, in excess, led to informalization. In his view, working conditions would be better if labour policies formed part of overall government policy.
- 143.** The Government representative of Cuba, Ms. Gretel Hernández Oliva, expressed appreciation of the ILO's cooperation in the framework of decent work country programmes. Such programmes should accommodate the interests and particularities of the country concerned. Referring to paragraph 284 of the Director-General's Report, she said that Cuba was unable to associate itself with any paragraph in the document that referred to an agreement between the ILO and the OAS. As to the agreement between those institutions to set up an Inter-American Labour Administration Network, Cuba had had no part in its genesis, knew nothing about it and had not been consulted, although it had been a Member of the ILO ever since its founding. She pointed out that Cuba had been excluded from the so-called Summits of the Americas of the OAS. Consequently, her Government could not accept such an undertaking and wished to be dissociated from it. She called into question the FTAA and wished to be dissociated from the references to it in the Director-General's Report because, in her view, the so-called "free trade" project was annexational in nature and would put the countries' economies at a disadvantage.

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## Information session

### (i) Information session on the Maritime Labour Convention, 2006

144. An initial presentation was given by Ms. Cleopatra Doumbia-Henry, Director of the International Labour Standards Department. In her presentation she gave information on issues relating to the context and scope of the Convention, in particular:

- the significance of the Convention as a labour instrument designed to deal with the impact of globalization;
- the innovative ideas set out in the Convention on how to manage various national situations;
- the importance of regional and international cooperation for the success of the Convention;
- the importance of the proposal of Members in relation to areas of technical cooperation which would enable them to make progress towards ratification and consistent and effective implementation within the next five years.

145. The Employers' delegate of Panama congratulated the ILO on the adoption of the Maritime Labour Convention, and said that for Panama the instrument was of great importance in view of the country's role in shipping and international trade for over 200 years, as a result of which it occupied first place among flag States. The Convention was also of importance in the sense that the country was committed to a project to widen the Panama Canal that respected the environment and decent work conditions. To that end he requested that an ILO mission visit the country to assist with ratification of the Convention.

146. Mr. Reynaldo Rivera, Minister of Transport of Panama, said that his Government was already taking steps to ratify the Maritime Labour Convention as a matter of urgency, and reiterated the request for technical assistance from the ILO. Panama had a political and social obligation to ensure that the rights of seafarers on ships under the Panamanian flag were respected. With regard to the project to widen the Canal, the Government would promote greater employment of Panamanian seafarers. He reiterated that what was needed was not only ILO assistance to Panama, but also a campaign at global level, especially in the developed countries where the maritime industry was based, in order to ensure compliance with the provisions of the new Convention and the principles of decent work in the world's merchant shipping fleet.

### (ii) Inter-American Conference of Ministers of Labour

147. Mr. Julio Faesler Carlisle, representative of the Ministry of Labour and Social Security of Mexico, took the floor on behalf of the current chair of the Fourteenth Inter-American Conference of Ministers of Labour (IACML) of the OAS and the Minister of Labour and Social Security of Mexico. He reported on the results of the Fourteenth IACML held in Mexico City in September 2005 and on the progress that had been made since then. The Fourteenth IACML had been an historic opportunity, as the results attained there had served to encourage the commitments made by the Heads of State and Government at the Fourth Summit of the Americas which had taken place in Mar de Plata with the invaluable collaboration of the ILO.

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- 148.** In the Declaration of Mexico, the Ministers of Labour had reaffirmed their conviction that dignified work was central to the improvement of living conditions of peoples of the region, in placing the individual, and his or her work, at the heart of globalization. They reaffirmed the commitment of States to maintaining and reinforcing employment as the guiding thread of the economic, social and labour policies that contributed to eliminating inequality. In this connection, he highlighted the commitment to upholding the principles of equality and non-discrimination, reaffirming the full protection of the human and labour rights of migrant workers, irrespective of their migratory condition, to promoting social dialogue and policies aimed at improving training and strengthening entrepreneurship, among other things. Lastly, he said that the different working parties of the IACML had met some weeks before in Mexico and had benefited from the opportunity to exchange experiences and especially to promote policies aimed at promoting decent work and employment services.
- 149.** Mr. Francisco Pilotti, Director of the Department of Social Development and Employment of the OAS, reported on issues concerning the structure, objectives and activities of that organization. Among other things, the Secretary-General of the OAS, in accordance with his commitment to strengthen the IACML, which was a specialized conference of the OAS, had established the new Department of Social Development and Employment with a view to enhancing the Organization's activities in that area.
- 150.** With regard to the Plan of Action of Mexico, he said it was a pragmatic document which should be implemented by the IACML authorities. In order to facilitate more in-depth analysis of the topics identified in the Plan of Action, two working groups had been set up with members from the labour ministries, COSATE and CEATAL, and enjoyed the technical support of the OAS as its technical secretariat. Working Group I would focus on "Decent work as an instrument for development and democracy in the context of globalization". Working Group II would deal with "Strengthening the capacities of labour ministries to respond to the challenges of promoting decent work in the context of globalization". He concluded with an account of the activities currently under way under the follow-up to the workplan.
- 151.** The Government representative of Canada congratulated Mexico on its leadership of the IACML secretariat, and commended the excellent collaboration established between the OAS and ILO. Canada had allocated new resources in connection with the Plan of Action of the Fourth Summit of the Americas, in particular for collaboration with the countries of Latin America, the Caribbean and Andean region, and for strengthening labour administrations and organizations of employers and workers. He invited the countries represented at the Conference to formulate initiatives and ideas.

## **Presentation and adoption of the report of the Credentials Committee**

- 152.** Ms. Verónica López Benítez, Government representative of Paraguay, speaking as Chairperson of the Credentials Committee, presented the brief summary of the activities of the Credentials Committee as set out in the second report of the Meeting (document AmRM/XVI/D.2). The Meeting noted the report and adopted the recommendation in paragraph 32 thereof.

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## Presentation and adoption of the conclusions of the Sixteenth American Regional Meeting

- 153.** The Chairperson of the Meeting, Mr. Luiz Marinho, Minister of Labour and Employment of Brazil, informed the participants that the preliminary report of the Sixteenth American Regional Meeting would be sent to all participants within the next four weeks, and delegates wishing to submit amendments would be able to do so in writing only with reference to their own statements.
- 154.** The Sixteenth American Regional Meeting unanimously adopted its conclusions (see Appendix II).

## Closing ceremony

- 155.** The Minister of Foreign Relations of Brazil, Mr. Celso Amorim, highlighted the importance of holding the Regional Meeting in Brazil. He said that the Meeting was an excellent means of reaffirming, through social dialogue, the region's particular character and of consolidating its democracy. He thanked the ILO and all who had made the Meeting possible. In conclusion, he reaffirmed Brazil's commitment to the Decent Work Agenda.
- 156.** Mr. Julio Faesler Carlisle, Government Vice-Chairperson, emphasized that social dialogue was a method of reconciling different points of view and would undoubtedly make an effective contribution to the International Labour Conference due to take place in Geneva in June 2006. On behalf of the Government group, he reaffirmed the commitment to making the twenty-first century one of fairness, for which the adoption of the Decent Work Agenda was a prerequisite.
- 157.** Mr. Dagoberto Lima Godoy, Employer Vice-Chairperson, congratulated the ILO on the new format of the Meeting, which had made greater interaction possible. He emphasized that although decent work was a universal goal, the means of achieving it had to be determined by each country. The first challenge facing the region was to achieve growth with employment and that would require improvements in infrastructure, greater political stability and efforts to promote an integrated process of regional development, in order to bring about integration in the world economy on a competitive basis. He emphasized the central and irreplaceable role of enterprises. He acknowledged that positive aspects had predominated at the present Meeting, and regretted the absence of the Employer representative and member of the official delegation from the Bolivarian Republic of Venezuela, who had not obtained permission to leave the country. He paid tribute to the distinguished career of the Director of the ILO Regional Office who would be retiring shortly.
- 158.** Sir Roy Trotman, Worker Vice-Chairperson, expressed his gratitude for the opportunity provided by the Meeting to share experiences among all the social stakeholders in order to make progress towards decent work. He emphasized the exemplary nature of the career of President Lula and his commitment to social justice, not just for Brazil but for the entire world. The region was assuming a new role in the world, through stronger democracy, social dialogue, job creation, and environmental protection. It was vitally important to tackle the problem of creating more and better jobs, with adequate wages and an optimal level of rights, in order to make the goal of decent work a reality, something on which everyone was in agreement.
- 159.** The Director-General expressed thanks for the support given by Brazil in holding the Sixteenth American Regional Meeting, the commitment shown by the Brazilian Minister of Foreign Relations, and the serious and balanced discussions among the delegations. He

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emphasized the usefulness of the conclusions in defining the priorities of the Decent Work Agenda. The Meeting had marked a move from political support for decent work towards a policy of implementing decent work with a long-term perspective, durable policies (whatever options were available to a given country) and respect for national characteristics.

- 160.** Referring to paragraph 9 of the conclusions, he emphasized that the decent work country programmes had been strengthened as an element of national development strategies with tripartite dialogue and a long-term vision. He placed great importance on the final paragraph of the Conclusions, which requested the Office in its activities to take account of the contributions which had been made by the different delegations during the discussions. He thanked the participants, ILO officials, the ILO's Brazil Office and the subregional offices for their contributions to the Agenda for the Hemisphere, and Mr. Daniel Martínez, the outgoing ILO Regional Director, for his intellectual contribution to the ILO. He concluded by announcing the appointment of Mr. Jean Maninat to the post of Director of the ILO Regional Office for the Americas.
- 161.** On behalf of the Brazilian Government, the Chairperson (Mr. Luiz Marinho, Minister of Labour and Employment of Brazil) reiterated the Government's gratitude and congratulations to the team at the different ILO offices in the region, as well as the Director-General of the ILO and his collaborators at ILO headquarters. He then declared the Sixteenth American Regional Meeting closed.

## Report of the Meeting

- 162.** The draft report of the Sixteenth American Regional Meeting was circulated to all participants, and the amendments received were included in this version of the text.
- 163.** *The Governing Body may consider it appropriate to request the Director-General:*
- (a) to draw to the attention of the governments of member States in the Americas and, through them, to the attention of national organizations of employers and workers, the conclusions adopted by the Meeting;*
  - (b) to take these conclusions into consideration when implementing current programmes and in developing future programme and budget proposals;*
  - (c) to transmit the text of the conclusions:*
    - (i) to the governments of all member States and, through them, to national organizations of employers and workers;*
    - (ii) to interested international organizations, including international non-governmental organizations with consultative status.*

Geneva, 9 October 2006.

*Point for decision:* Paragraph 163.



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## Appendix I

### Joint statement of the International Organisation of Employers (IOE), Organización Interamericana de Trabajadores (CIOSL/ORIT) and Central Latinoamericana de Trabajadores (CLAT) to governments

#### Act immediately to eliminate child labour and its worst forms in the Americas (Brasilia, May 2006)

Considering that the exploitation of children is a gross violation of their human rights and is against the principles of social justice;

Underlining the shared responsibility of governments, employers, workers and their organizations and society at large to immediately proceed with the elimination of child labour and first and foremost of its most intolerable aspects, namely the employment of children in slave-like and bonded conditions and in dangerous and hazardous work, the exploitation of very young children, the recruitment of children in armed conflicts and their involvement in terrorism, and the commercial sexual exploitation of children;

Expressing deep concern that despite the fact that the predominant majority of the States in the hemisphere has ratified ILO Conventions related to child labour and have enacted laws prohibiting child exploitation, the problem still exists and the incidence of child labour continues;

Recognizing that child labour is to a great extent caused by poverty and that the long-term solution lies in sustained economic growth leading to social progress, in particular poverty alleviation and universal education, giving high priority to planning for and meeting the needs of children in national development policies and programmes and to the progressive extension of the interrelated measures necessary to provide the best possible conditions of integral growth for children;

Noting that although the solution to the problem requires the active and coordinated involvement of society as a whole including the irreplaceable role of the social partners in the field of industrial relations, governments, through development plans and special education programmes, have a critical role to play;

Social partners in the Americas invite their governments to take **immediate action** to:

- (i) develop formal policies and set priorities so as to immediately proceed to put an end to child labour, starting with its worst forms, namely the employment of children in slave-like and bonded conditions and in dangerous and hazardous work, the exploitation of very young children, and the commercial sexual exploitation of children;
- (ii) translate their commitment to immediately and effectively eliminate the worst forms of child labour and – in consultation with the social partners – take concrete action to give full effect to the implementation of ILO Conventions related to child labour;
- (iii) enact and give full effect to national legislation that prohibits the exploitation of children at work;

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- (iv) establish or designate appropriate national mechanisms to monitor the implementation of national provisions for the prohibition and elimination of the worst forms of child labour, after consultation with employers' and workers' organizations;
  - (v) continue supporting and funding programmes that seek to eliminate the most intolerable forms of child labour, targeted at working children as well as their families, in particular the ILO's International Programme on the Elimination of Child Labour;
  - (vi) raise, in cooperation with the social partners, public awareness of the human and economic cost as well as the long-term non-viability of child exploitation, and, recognizing that this is essential to achieve decent work, social peace and sustainable development; and
  - (vii) extend progressively economic and social measures, among others, such as decent and productive employment policies, to alleviate poverty wherever it exists and to ensure family living standards and income which are such as to abolish child labour. In this connection, it is basic to ensure education as a fundamental human right and develop vocational orientation and training policies.

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## Appendix II

### Conclusions of the Meeting

1. The representatives of the governments and of the employers' and workers' organizations participating in the Sixteenth American Regional Meeting of the International Labour Organization thank the Government of Brazil for hosting this event and for the hospitality extended to those who participated in it. This and the efficient organization have contributed to its success.
2. The tripartite delegations from the Americas region present at the Sixteenth American Regional Meeting of the ILO take note of the Report presented by the Director-General on the situation in respect of decent work and receive with interest the proposal of an Agenda for the Hemisphere for the 2006-15 period, which was submitted for debate, allowing the delegates the opportunity to express their views on the respective themes.
3. We consider that the Report contains a valuable analysis of the situation pertaining to our region in respect of decent work. We stress the importance of the "five challenges" which, according to the Report, the Americas are facing in seeking to generate decent work. These are: (1) ensuring that economic growth promotes decent work; (2) ensuring effective application of fundamental principles and rights at work; (3) building confidence in democracy and social dialogue; (4) extending and strengthening systems for prevention and for social protection of workers; and (5) enhancing social and labour inclusion to reduce inequality.
4. The tripartite delegations from the region reaffirm their readiness to make efforts to surmount the difficulties that face the countries of the region in generating decent work and to overcome extreme poverty. In this connection, we believe that sustained economic growth, together with equity and social inclusion and the strengthening of democratic institutions, such as social dialogue, are indispensable conditions for attaining such objectives. We further underline that, while the efforts made by each country internally to overcome such challenges are indispensable, a favourable international context is also required.
5. The tripartite delegations at the Sixteenth American Regional Meeting reaffirm their commitment to eradicating the worst forms of child labour, take note of the joint declaration made by the employers' and workers' organizations on the elimination of child labour, especially its worst forms, and recognize the progress made by the region, as shown in the Global Report launched in Brazil on 4 May 2006.
6. We consider that the Agenda for the Hemisphere to generate decent work through decent work country programmes, as proposed in the report, constitutes an important and welcome initiative. We underline, in particular, the contribution that the decent work country programmes can make to promoting sustainable social and economic development. This requires the direct participation of the employers' and workers' organizations at national level, to define and implement the decent work country programmes, and guarantee the effective application of policies and programmes. In this connection, we observe that the Office has developed *Guidelines for consultations with the Bureaux for Employers' and Workers' Activities* which may facilitate this process of participation in, and sustainability of, the policies and programmes. Moreover, we agree in stressing that the decent work country programmes are the ILO's contribution to their development strategies.
7. We consider of special importance the policies proposed regarding the constitution of more enterprises and the generation of more and better jobs (growth for the generation of employment, youth employment and the employment of women, the formalization of the

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informal economy, the promotion of small and medium-sized enterprises, the development of public employment services, lifelong learning and certification of competencies); those relative to occupational safety and health, gender equality, minimum wages and the promotion of inclusive and cooperative economic programmes, as well as effective respect for fundamental principles and rights at work and for the international labour standards ratified by each country.

8. As from this Meeting, a *Decade of promoting decent work in the Americas* will begin. The countries of the region stress the importance of formulating and applying national public policies that incorporate social dialogue, and for which the ILO Report provides a reference of great use. These policies should stimulate national and foreign investment, inclusive economic growth and the generation of decent work with quality employment, social protection and the effective respect of labour rights, especially freedom of association and collective bargaining. To this end, they invite other international organizations to collaborate with the ILO in agreeing to support the countries of the region in this effort to promote growth with decent work.
9. With the aim of promoting decent work and contributing to the reduction of poverty over the next ten years, we propose that the policies contained in the Report presented to this Sixteenth American Regional Meeting should guide the development policies of the countries of the region, and that each country should determine attainable goals in accordance with their respective national circumstances and priorities, including, to the extent possible, tripartite follow-up mechanisms, to which end they may seek the support of the Office.
10. We consider that the debate engaged at the Sixteenth American Regional Meeting of the ILO made a significant contribution to progress towards the achievement of the strategic and cross-cutting objectives of the ILO, identified in the document “Decent work in the Americas: An Agenda for the Hemisphere 2006-15”, and the consequent promotion of decent work in the hemisphere. We therefore call on the Governing Body of the ILO to request the Office to take account, in its activities, of the contributions made by the different delegations in respect of that document during the debate.

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## Appendix III

### Report of the Credentials Committee

1. The Credentials Committee, which was appointed by the Sixteenth American Regional Meeting at its first sitting, met on 3 and 4 May 2006 to examine the credentials of the delegates and advisers accredited to the Meeting, in conformity with article 9 of the Rules for Regional Meetings. Likewise, after determining receivability, one objection to credentials and two complaints were considered. It also took note of one communication. The Committee was composed as follows:

Chairperson: Ms. Verónica López Benítez (Government delegate, Paraguay);

Vice-Chairpersons: Mr. Juan Mailhos (Employers' delegate, Uruguay) and  
Mr. Jerry Zellhoefer (Workers' delegate, United States)

2. Credentials in the form of official instruments, official letters or official facsimiles have been received in respect of the members of the delegations shown in the tables annexed to this report. The Committee draws the attention of the governments to the importance of respecting article 9, paragraph 1, of the abovementioned Rules, according to which credentials must be deposited at least 15 days before the opening of the Meeting.

### Composition of the Meeting

3. At the time of the adoption of this report, of the 35 member States invited to attend the Meeting, 22 Members had sent credentials. In addition, of the three member States responsible for the external relations of non-metropolitan territories located in the region, one had sent credentials. The total number of nominated delegates and advisers was 177: comprised of 42 Government delegates, 22 Employers' delegates and 22 Workers' delegates, i.e. 86 delegates in all. In addition, a total of 91 advisers were nominated: 37 Government advisers, 31 Employers' advisers and 23 Workers' advisers. Persons appointed as both substitute delegates and advisers have been included among the advisers.
4. With respect to the delegates and the advisers registered, there were 39 Government delegates, 15 Employers' delegates and 16 Workers' delegates, that is to say, a total of 70 delegates. The total number of advisers was 72, of whom 33 were Government advisers, 18 were Employers' advisers, and 21 were Workers' advisers. The tables annexed to this report contain more detailed information on the number of accredited and registered delegates to the Meeting.
5. The Committee observed that France has a Workers' delegate but no Employers' delegate and Paraguay has an Employers' delegate but no Workers' delegate.
6. The Committee wishes to indicate that 17 ministers and vice-ministers have been accredited to the Meeting, the same number as was accredited at the Fifteenth American Regional Meeting (Lima, December 2002).
7. In addition, the Committee noted that 18.6 per cent of the delegates accredited and 24.7 per cent of the advisers accredited were women, as compared to 18.8 per cent and 16.5 per cent respectively at the last American Regional Meeting. The Committee regrets that the percentage of women delegates did not increase. The Committee recalled that in June 2004 the Director-General called on the constituents to strive to meet a target of 30 per cent representation of women in delegations to the International Labour Conference. Governments, employers and workers were urged to increase their efforts to include more women in their delegations to the Sixteenth American Regional Meeting, as well as to all ILO meetings.

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8. The same number of Members were absent from this Meeting, 13, as were absent from the most recent Regional Meeting. Out of this total, the following member States absent from the last Regional Meeting were also absent from this Regional Meeting: Antigua and Barbuda, Bahamas, Dominica, Grenada, Guyana, Haiti, Jamaica, Saint Kitts and Nevis, Saint Lucia, and Saint Vincent and the Grenadines.

### **Representatives of member States from a different region**

9. In accordance with article 1, paragraph 5, of the Rules for Regional Meetings, the Governing Body decided to invite the following member States from a different region to be represented by an observer delegation at the Regional Meeting:
- Portugal;
  - Spain.

### **Representatives of official international organizations**

10. Of the official international organizations invited to attend the Meeting, in accordance with the relevant agreements or decisions of the Governing Body, the following were represented:
- Economic Commission for Latin America and the Caribbean;
  - Food and Agriculture Organization of the United Nations;
  - United Nations Development Programme;
  - Andean Development Corporation;
  - Organization of American States.

### **Representatives of non-governmental international organizations**

11. The non-governmental international organizations invited to participate in the Meeting in conformity with article 1, paragraph 7, of the Rules, that were represented were:
- International Confederation of Free Trade Unions;
  - International Organisation of Employers;
  - Permanent Congress of Trade Union Unity of Latin American Workers;
  - World Confederation of Labour;
  - World Federation of Trade Unions;
  - Inter-American Center for Social Security Studies.

### **Objection**

12. The Committee received one objection.

### ***Objection regarding the nomination of the Workers' delegation of Mexico***

13. On 3 May 2006, the Committee received an objection from the Revolutionary Federation of Workers and Peasants (CROC), signed by Mr. Jose del Valle, Secretary of International Affairs, which included a letter of 1 May 2006 from the CROC's Secretary-General,

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Mr. Isaías González Cuevas, in relation to the inclusion of advisers within the Workers' delegation of Mexico. According to the objection, the Government ignored a written request made on 10 February 2006 to the Secretary of Labour to include two representatives of the CROC as advisers in the delegation to this Meeting. CROC states that it is the second most representative workers' organization in the country.

14. The CROC claimed that this decision disturbs the balance of representation in the Workers' delegation, and violates the requirement that member States must designate delegations in agreement with the most representative workers' organizations. It is further argued that the Government cannot evade its obligations by means of an agreement with the Congress of Labour, which cannot speak for trade union central organizations that are not subordinate to it. They also claim that the Government is favouring the nomination of advisers who either do not attend meetings or depart before completion of the proceedings.
15. In an oral statement to the Committee in reply to its invitation, Ms. G. Lara Morones, Deputy Coordinator, International Labour Policy, Ministry of Labour and Social Welfare, Government delegate, confirmed that the Government had taken note of the letter of 10 February. She indicated that upon receipt of the ILO invitation to this Meeting, the Government had written to the President of the Congress of Labour on 31 March 2006 to invite it to name one delegate and two advisers; copies of this letter were sent to the CROC and to the Confederation of Mexican Workers (CTM). Receipt of a copy by the CROC was confirmed by written documentation subsequently provided to the Committee. In addition, the Government provided a copy of the letter from the President of the Congress of Labour in which he had named the delegate and the two advisers who were later accredited to the Meeting and who attended on behalf of the Congress of Labour. No representative of the CROC was included in the delegation.
16. The Government representative recalled that beginning in 2001, invitations to nominate Workers' delegates and advisers were sent not only to the CMT, but as well as to the CROC and 38 other organizations. From 2001 to 2005, the CROC was included in tripartite delegations to various ILO meetings, including the Fifteenth American Regional Meeting (Lima, December 2002) and International Labour Conferences. The criteria used by the Government in relation to the designation of the representatives of organizations for purposes of such meetings included principally the number of members and the interest expressed by these organizations in international affairs. She indicated that the CROC formed part of the Congress of Labour, which designated the persons who would be nominated as the Workers' delegation to this Meeting.
17. In view of time constraints and the absence of more information, the Committee was not in a position to clarify the relationship between the various organizations. In light of the recent participation by the CROC in delegations to the International Labour Conference and the interest the workers' organization had expressed to participate in this Meeting, which meets one of the criteria stated by the Government, the Committee is of the view that the Government should have given closer consideration to the inclusion of the CROC within the Workers' delegation and should do so in the future.

## Complaints

18. The Committee received the following two complaints.

### ***Complaint concerning the non-payment of the travel and subsistence expenses of the Employers' delegation of Guatemala***

19. On 3 May 2006, the Committee received a complaint from the Employers' group of the Meeting that the Government had refused to assume its responsibility for the travel and subsistence of Mr. Guido Doménico Ricci Muadi, who had been nominated as the

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Employers' delegate to the Regional Meeting in accordance with article 1, paragraph 1, of the Rules for Regional Meetings. Consequently, Mr. Ricci Muadi was prevented from participating in the Meeting although he had been included in the tripartite delegation nominated to the Meeting. The complaint asks the Credentials Committee to draw this to the attention of the Governing Body.

20. In a written communication sent through the Ambassador to Brazil, the Deputy Minister of Labour and Social Welfare (Mr. Sequen Monroy) indicated that when the Government informed the most representative organizations of employers and workers of the invitation to the Regional Meeting, it had stated that the Ministry did not have the resources to pay the expenses of a tripartite delegation.
21. The Committee observes that although the Government of Guatemala had accredited a tripartite delegation to the Meeting, only its Ambassador had registered. The Committee takes note of the explanations provided by the Government, but recalls the obligation of a government to assume responsibility for the travel and subsistence expenses of its tripartite delegation once it accepts an invitation. It regrets that this situation affected not only a delegate, but one who is also a Governing Body member. The Committee wishes to recall that Regional Meetings are of importance in achieving the objectives of the Organization regarding the region on the basis of tripartite dialogue and decisions.
22. The Committee also expresses the hope that information regarding Regional Meetings can be brought to the attention of the governments in a timely fashion.

***Complaint concerning the non-payment of the travel and subsistence expenses of the Employers' delegation of Venezuela***

23. On 3 May 2006, the Committee received a complaint from the Employers' group of the Meeting that one of the Employers' advisers, Mr. Bingen de Arbeloa (FEDECAMARAS), who is also a Governing Body member, had not received travel and subsistence expenses. The complaint also included information that another Employers' adviser, Ms. Albis Muñoz (former President, FEDECAMARAS), had not been permitted to leave her country; the Employers' group stated that it intended to transmit this information to the ILO Committee on Freedom of Association. Finally, the Employers' group rejected the participation of three other Employers' advisers from FEDEINDUSTRIA, CONFAGAN and EMPREVEN within its Group, as they are neither the most representative employers' organizations nor are they freely selected without external influence, as has been considered by prior Credentials Committees of the International Labour Conference.
24. In an oral statement to the Committee in response to its invitation, a representative (Mr. Molina, Director of the Office of International Relations and Liaison with the ILO) indicated that his Government was covering the travel and subsistence expenses of five Employers' delegates (only three of whom were present at the Meeting). At a meeting convened by the Government on 21 April 2006, the signed minutes of which were provided to the Committee, it had pledged to pay the travel and subsistence for the Employers' delegate from FEDECAMARAS to this Regional Meeting and one Employers' adviser from each of the four employers' organizations present. The minutes had noted that additional advisers could participate at the expense of their organizations. On 24 April 2006, FEDECAMARAS submitted a list (provided to the Committee) that included a substitute delegate and eight advisers, including Mr. Bingen De Arbeloa.
25. With regard to the non-payment of travel and subsistence expenses, the Committee considered that the Government's attention should be called to the obligation to pay the travel and subsistence expenses of its country's delegation, in accordance with article 13, paragraph 2(a), of the ILO Constitution, as well as article 1, paragraph 1, of the Rules for Regional Meetings.

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26. As to Ms. Muñoz, the Government representative stated that she was not permitted to leave the country due to legal proceedings that are under way and thus she needed a court authorization communicated to the emigration authorities so that she could leave the country. Documentation provided to the Committee by the Government showed that this authorization was requested in a timely fashion, was granted on 26 April 2006 and was communicated the same day to the Ministry of Interior and Justice. The Credentials Committee is concerned about the serious nature of the allegations that may compromise the exercise of fundamental rights.
27. In relation to additional allegations made concerning the representativeness of organizations referred to in the complaint, the Government considered them groundless and discriminatory and recalled its statements before the Credentials Committee of recent International Labour Conferences. In this regard, the Committee takes note of the International Labour Conference's Credentials Committee conclusions regarding the representativeness of employers' organizations (Credentials Committee, Third Report, *Provisional Record* No. 4D, 2005).
28. The Committee expects that the Government will comply with its obligations under both the ILO Constitution and the Rules for Regional Meetings and take the necessary measures to facilitate the participation and payment of travel and subsistence expenses for both Employers' and Workers' delegates and advisers at future meetings of the ILO.

### **Communication**

29. The Committee received the following communication.
30. On 3 May 2006, the Committee received a communication from the International Confederation of Free Trade Unions (ICFTU), stating that several governments had not sent tripartite delegations because the Meeting was in close proximity to the International Labour Conference that takes place each year in Geneva. While sympathetic to the situation of the labour ministries which have limited resources, the ICFTU considers that it should be recalled that it is the duty of governments to foresee sufficient resources to comply with the yearly presence in Geneva, as well as the Regional Meetings that take place each year in one of the four regions (i.e., normally every four years for each region). It was also submitted that several workers' organizations were advised that they would have to choose between participating in this Regional Meeting or the annual Conference in Geneva. The ICFTU considers that this is unacceptable and hopes that these issues will be seriously addressed for future meetings.
31. The Committee observed that as this communication did not challenge the credentials of any delegate or adviser, it did not call for any action on its part. The Committee therefore limited itself to taking note of it and expressed concern over the scheduling of a Regional Meeting so close to an annual Conference. Consideration should be given to providing governments earlier notification of a Regional Meeting, in order to reserve adequate resources that would permit them the expenses of tripartite delegations to be covered.
32. In conformity with article 9, paragraph 5, of the Rules, the Committee unanimously requests that the Meeting include its report amongst the documents that the Office is to bring to the attention of the Governing Body.

Brasilia, 4 May 2006.

(Signed) Ms. Verónica López Benítez,  
Chairperson.

Mr. Juan Mailhos,  
Vice-Chairperson.

Mr. Jerry Zellhoefer  
Vice-Chairperson.

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## Annex I

### Accredited delegates and advisers (Updated as of 5 p.m. on 4.05.2006)

	Government delegates	Government advisers	Employers' delegates	Employers' advisers	Workers' delegates	Workers' advisers
Antigua and Barbuda	-	-	-	-	-	-
Argentina	2	4	1	3	1	4
Bahamas	-	-	-	-	-	-
Barbados	-	-	-	-	-	-
Belize	-	-	-	-	-	-
Bolivia	1	-	1	1	1	-
Brazil	2	10	1	11	1	7
Canada	2	1	1	-	1	-
Chile	2	-	1	-	1	-
Colombia	2	-	1	1	1	2
Costa Rica	2	-	1	-	1	1
Cuba	2	1	1	-	1	-
Dominica	-	-	-	-	-	-
Dominican Republic	2	-	1	-	1	-
Ecuador	2	3	1	-	1	3
El Salvador	-	-	-	-	-	-
France	2	1	-	-	1	-
Grenada	-	-	-	-	-	-
Guatemala	1	-	1	-	1	-
Guyana	2	-	1	-	1	-
Haiti	-	-	-	-	-	-
Honduras	1	-	1	1	1	-
Jamaica	-	-	-	-	-	-
Mexico	2	5	1	2	1	2
Netherlands	-	-	-	-	-	-
Nicaragua	-	-	-	-	-	-
Panama	2	1	1	-	1	-
Paraguay	2	-	1	-	-	-
Peru	1	-	1	-	1	-
Saint Kitts and Nevis	-	-	-	-	-	-
Saint Lucia	-	-	-	-	-	-
Saint Vincent and the Grenadines	-	-	-	-	-	-
Suriname	2	-	1	-	1	-
Trinidad and Tobago	2	-	1	-	1	-

	Government delegates	Government advisers	Employers' delegates	Employers' advisers	Workers' delegates	Workers' advisers
United Kingdom	-	-	-	-	-	-
United States	2	7	1	-	1	-
Uruguay	2	1	1	1	1	-
Venezuela, Bolivarian Republic of	2	3	1	11	1	4
<b>Total</b>	<b>42</b>	<b>37</b>	<b>22</b>	<b>31</b>	<b>22</b>	<b>23</b>

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## Annex II

### Registered delegates and advisers (Updated as of 5 p.m. on 4.05.2006)

	Government delegates	Government advisers	Employers' delegates	Employers' advisers	Workers' delegates	Workers' advisers
Antigua and Barbuda	-	-	-	-	-	-
Argentina	2	4	-	2	1	4
Bahamas	-	-	-	-	-	-
Barbados	-	-	-	-	-	-
Belize	-	-	-	-	-	-
Bolivia	1	-	1	1	1	-
Brazil	2	10	1	7	1	7
Canada	2	-	1	-	1	-
Chile	2	-	1	-	1	-
Colombia	2	-	1	1	1	1
Costa Rica	2	-	1	-	1	-
Cuba	2	1	1	-	1	-
Dominica	-	-	-	-	-	-
Dominican Republic	-	-	-	-	-	-
Ecuador	2	1	1	-	1	3
El Salvador	-	-	-	-	-	-
France	2	1	-	-	1	-
Grenada	-	-	-	-	-	-
Guatemala	1	-	-	-	-	-
Guyana	1	-	-	-	-	-
Haiti	-	-	-	-	-	-
Honduras	1	-	1	1	-	-
Jamaica	-	-	-	-	-	-
Mexico	2	5	-	2	1	2
Netherlands	-	-	-	-	-	-
Nicaragua	-	-	-	-	-	-
Panama	2	1	1	-	-	-
Paraguay	2	-	1	-	-	-
Peru	1	-	1	-	1	-
Saint Kitts and Nevis	-	-	-	-	-	-
Saint Lucia	-	-	-	-	-	-
Saint Vicent and the Grenadines	-	-	-	-	-	-
Suriname	2	-	-	-	1	-
Trinidad and Tobago	2	-	-	-	-	-

	Government delegates	Government advisers	Employers' delegates	Employers' advisers	Workers' delegates	Workers' advisers
United Kingdom	-	-	-	-	-	-
United States	2	6	1	-	1	-
Uruguay	2	1	1	1	1	-
Venezuela, Bolivarian Republic of	2	3	1	3	1	4
<b>Total</b>	<b>39</b>	<b>33</b>	<b>15</b>	<b>18</b>	<b>16</b>	<b>21</b>