



INTERNATIONAL LABOUR OFFICE

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Governing Body

Geneva, November 2004

Minutes of the 291st Session

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The 291st Session of the Governing Body of the International Labour Office was held in Geneva, from Tuesday, 16 to Thursday 18 November 2004, under the chairmanship of Mr. Philippe Séguin.

The list of persons who attended the session of the Governing Body is appended.

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MINUTES OF THE 291ST SESSION OF THE GOVERNING BODY OF THE INTERNATIONAL LABOUR OFFICE

Geneva, Tuesday, 16 – Thursday, 18 November 2004

The Chairperson announced with regret the death of Sheikh Zayed Bin Sultan Al-Nahyan, President of the United Arab Emirates, and paid tribute to the memory of Mr. Yasser Arafat, President of the Palestinian Authority.

The Governing Body observed a minute's silence.

First item on the agenda

APPROVAL OF THE MINUTES OF THE 290TH SESSION OF THE GOVERNING BODY (GB.291/1)

The following textual correction was received: on page I/7, of document GB.290/PV, in paragraph four, the fourth sentence should read as follows: "In future, the Asian Regional Meeting should be organized alternately by the Bangkok and Beirut Offices".

Governing Body decision:

The Governing Body adopted the minutes of its 290th Session, as amended.
(GB.291/1, paragraph 2.)

Second item on the agenda

PROPOSALS FOR THE AGENDA OF THE 96TH SESSION (2007) OF THE INTERNATIONAL LABOUR CONFERENCE (GB.291/2)

The Employer Vice-Chairperson pointed out that the selection of the items to be included in the agenda of the International Labour Conference should be reviewed in the context of the reform of the functioning of that body. The Conference should not be subjected to a rigid agenda that could undermine the relevance of its discussions and sap the vitality of the Organization.

Referring to the items proposed for general discussion based on an integrated approach, the speaker objected to the tendency for all general discussions to be based on such an approach, in particular with regard to the issue of child labour and protection of young workers. Gender equality would be discussed under the Global Report on the elimination of discrimination in the workplace to be submitted to the Conference in 2007. Issues related to employment and social protection in ageing societies were of greater interest and concern in industrialized countries than in the developing world and could be discussed at a meeting of experts, for example. He agreed that work should continue on the revision of standards, and suggested that this cover the guarding of machinery. However, he considered that standard setting on the prevention of sexual harassment in the workplace should not be pursued, as this topic had many cultural implications and was already the subject of several instruments, policies and programmes. The Office could confine itself to compiling and sharing information on the subject, as it usually did in other

areas. He proposed two subjects for general discussion which were closely interrelated: vocational training or the transition from education to first job, and employment generation in the context of sustainable enterprise creation.

The speaker indicated that the list of items proposed for initial discussion did not, on the whole, meet the Employers' expectations of what should be a consistent agenda that would have a strong impact on the world of work.

The Worker Vice-Chairperson expressed his group's preference for the proposal concerning gender equality in the world of work. The fact that the Global Report would deal with the related issue of discrimination in employment was not redundant, but reflected the great importance of the issue and the ILO's commitment to achieving progress in this area.

While acknowledging the importance of the revision of standards, the speaker felt it was more urgent to follow up on the report of the World Commission on the Social Dimension of Globalization, which had a momentum conferred by international recognition. The Governing Body should seize the opportunity to secure the positive impact of the World Commission's work for developing countries, in terms of employment generation, decent work and debt relief. He proposed that an item be included in the agenda of the 2007 session on a standard arising out of the report of the World Commission. He supported the proposal concerning working time and the need for follow-up to the discussions on occupational health and safety. Moreover, the number of general discussion items and standard-setting items that could be included in the agenda of each session of the Conference should be revised.

A Government representative of El Salvador, speaking on behalf of the governments of Latin American and Caribbean States (GRULAC), suggested that consideration of the proposals for future sessions of the Conference be postponed to March 2005. He indicated that the GRULAC countries would express their views individually on the proposals for the 2007 session of the Conference.

A Government representative of New Zealand, also speaking on behalf of the Governments of Australia and the United Kingdom, recalled their request for a strategic approach to the selection of agenda items for the Conference. She called for greater transparency in decision-making regarding agenda items.

The speaker welcomed the fact that the 2007 agenda would take into account the conclusions of the Working Party on the Social Dimension of Globalization. It was to be hoped that the Strategic Policy Framework for 2006-09 would be used for future sessions of the Conference and for prioritizing agenda items. She noted that the item on gender equality in the world of work could not be selected since, as had been pointed out in the LILS Committee paper, it would be inappropriate for two Conference committees in the same year to discuss issues covered by Conventions Nos. 100 and 111. Of the three remaining proposals, she endorsed the item on employment and social protection in ageing societies. She suggested that the Governing Body postpone the final decision of the agenda of the 2007 session until after the 2005 session of the Conference, in order to consider the outcomes of the youth employment discussion and any follow-up recommendation by the Conference.

A Government representative of Sudan supported the proposals concerning child labour and protection of young workers, and gender equality in the world of work. As regards the other items, he suggested further study.

A Government representative of Norway endorsed the call from the Governments of Australia, New Zealand and the United Kingdom for a more strategic approach when

selecting agenda items for the Conference. He looked forward to a concrete proposal from the Office in March 2005 regarding the consequences for the 2007 agenda of the follow-up to the report of the World Commission on the Social Dimension of Globalization.

His Government supported the proposal for gender equality in the world of work, given that this general discussion would constitute follow-up to the resolution concerning the promotion of gender equality, pay equity and maternity protection adopted by the Conference in 2004, and the proposal on employment and social protection in ageing societies. As regards the proposals for future sessions of the Conference, he was in favour of the item on the guarding of machinery and chemicals.

A Government representative of China understood that the discussion of the Global Report would automatically cover gender equality and the prevention of sexual harassment in the world of work. He therefore supported the proposals on child labour and protection of young workers, and employment and social protection in ageing societies. He agreed that a future session of the Conference should set a new standard on working time, based on the discussion of Conventions Nos. 1 and 30 planned for the 2005 session of the Conference.

A Government representative of Argentina indicated that her Government, in the first instance, selected the proposal on child labour and protection of young workers because it was important to continue efforts to eliminate child labour, and her country recognized the need to promote the labour market integration of young persons aged from 18 to 28 years in decent working conditions. In second place, her Government supported the item on prevention of sexual harassment in the workplace, and employment and social protection in ageing societies.

A Government representative of India argued that the ILO should not be under compulsion to place standard-setting items on the agenda, which often overburdened the reporting system. Instead, it should consolidate the existing standards. That said, he supported the proposals on gender equality in the world of work, employment and social protection in ageing societies, and prevention of sexual harassment in the workplace. However, he considered that more relevant proposals should be drawn up in the light of the follow-up to the recommendations of the World Commission. Concerning proposals for future sessions of the Conference, he endorsed the revision of the standards on the guarding of machinery and chemicals, and the holding of a general discussion based on an integrated approach in the area of work in ports.

A Government representative of Lithuania supported the proposals on employment and social protection in ageing societies, and gender equality in the world of work, the latter for the same reasons as those put forward by the Government of Norway.

A Government representative of Brazil, recalling that Brazil was one of the lead countries of the Youth Employment Network, expressed his support for the proposals on child labour and protection of young workers, and employment and social protection in ageing societies.

A Government representative of Japan endorsed the proposals on employment and social protection in ageing societies, and gender equality in the world of work. Concerning future sessions of the Conference, he supported the proposal on working time in the age of diversity of working style.

A Government representative of Malawi supported the proposal on gender equality in the world of work. However, given the ravages of HIV/AIDS in Africa, she proposed that the follow-up to the resolution on occupational safety and health be moved to become one of the agenda items for the 2007 session of the Conference.

A Government representative of France, with a view to ensuring coherence and continuity of activities, endorsed the proposal on gender equality in the world of work because it would enable follow-up to the resolution adopted on the subject by the Conference in 2004. He also supported the proposal on child labour and protection of young workers. He regretted that the item on productivity and decent work had disappeared from among the proposals for general discussion based on an integrated approach; this was a complex, but interesting subject. He did not object to prevention of sexual harassment in the workplace as a standard-setting item, but would have preferred more proposals for standard setting. He joined previous speakers in calling for a wider range of proposals, greater flexibility in the Conference agenda and discussion of some of the outcomes of the work that had been done on the social dimension of globalization. Concerning the proposals for future sessions of the Conference, he supported follow-up to the resolution on occupational safety and health adopted by the Conference in 2003, with a view to revision of the instruments on chemicals and guarding of machinery.

A Government representative of Canada endorsed the joint statement made by Australia, New Zealand and the United Kingdom as regards the need for a strategic approach to the selection of agenda items. He supported the proposals on employment and social protection in ageing societies, and gender equality in the world of work, which could be linked to the discussion on prevention of sexual harassment in the workplace. The Office paper acknowledged that sexual harassment was a form of discrimination included in Convention No. 111. This serious problem should be addressed through a code of practice rather than a new standard. He endorsed the statement by the Employer Vice-Chairperson concerning the inclusion of an agenda item on vocational training. He noted the limited number of proposals that had been submitted. His Government had asked the Office to give priority to the revision of instruments that required updating.

A Government representative of Kenya supported the proposal on prevention of sexual harassment in the workplace, as this impacted on productivity and gender equality. Concerning the items proposed for general discussion based on an integrated approach, he supported the proposal on child labour and protection of young workers, a key component of the ILO's strategic objectives, and gender equality in the world of work. He also endorsed the proposal on employment and social protection in ageing societies, which was increasingly a matter of concern in developing countries.

A Government representative of Spain supported the proposal on employment and social protection in ageing societies. It was possible that some of the items proposed for 2007 had lost some of their relevance, such as that on prevention of sexual harassment in the workplace. He therefore suggested that consideration be given to the possibility of including in the agenda, for example six months ahead of the session, an open agenda item or an item for urgent matters on a topic that was relevant at the time of the session, which could be proposed by the Office or by representatives of the three groups.

A Government representative of Ecuador, speaking on behalf of the Governments of the Andean Community, i.e. Bolivia, Colombia, Ecuador, Peru and Venezuela, expressed her interest in the proposal on child labour and protection of young workers. She confirmed the political will of the States committed to combating child labour, which called for harmonizing national legislation with international standards, as well as the adoption and implementation of global integrated measures.

A Government representative of Mexico supported the proposals on employment and social protection in ageing societies, gender equality in the world of work and prevention of sexual harassment in the workplace.

A Government representative of the United Kingdom, endorsing the statement made by the Government of New Zealand, supported the proposal on employment and social

protection in ageing societies. For the sake of coherence across the multilateral system, the ILO should respond at the Conference to the specific commitments in respect of employment, education and training laid down for governments in the Madrid International Plan of Action on Ageing, adopted by the Second United Nations World Assembly on Ageing in 2002.

A Government representative of Belgium, supported by *a Government representative of Mali*, highlighted the importance of the proposal on employment and social protection in ageing societies since, in his view, it reflected a reality that could have a high impact on economic growth in Europe. He shared the concern expressed by the Government of France that only one standard-setting item had been proposed despite the fact that this should be the ILO's fundamental and priority activity.

A Government representative of the United States supported the proposals on employment and social protection in ageing societies, and gender equality in the world of work. His country had been the largest donor to the IPEC programme and while it did not object to the inclusion of an item on child labour, he felt it would be premature to consider it at the 2007 session. First, a systematic evaluation of IPEC and national and international action taken under Convention No. 182 should be carried out. Regarding prevention of sexual harassment in the workplace, he suggested that a code of practice be drafted on the subject, as the ILO supervisory bodies had already identified it as a form of discrimination based on sex and thus prohibited by Convention No. 111.

A Government representative of Bulgaria expressed his delegation's support for the proposal on employment and social protection in ageing societies, given the lack of structure and social protection in this regard. In second place he supported gender equality in the world of work. Concerning prevention of sexual harassment in the workplace, he considered that there was no need for a new standard as this was already covered by Convention No. 111.

A Government representative of Italy noted that the final decision on the 2007 agenda would be adopted in March 2005. He supported the proposal on employment and social protection in ageing societies. He considered that the agenda should be sufficiently flexible to include subjects of current relevance.

A Government representative of the Philippines supported the proposal on child labour and protection of young workers. She urged donors to continue to support this issue and that of gender equality in the world of work.

A Government representative of the Islamic Republic of Iran supported the proposals on gender equality in the world of work, and child labour and protection of young workers. Concerning the proposed standard-setting item, he shared the view expressed by the Government of India of the need for a revision of existing standards based on an integrated approach. A subject for new standard setting, which would be of importance to developing countries in particular, could be extracted from the report of the World Commission on the Social Dimension of Globalization. Concerning the proposals for the agenda of future sessions of the Conference, he selected those on guarding of machinery, chemicals and working time.

A Government representative of Cameroon was in favour of greater flexibility in the selection of agenda items for the Conference, and suggested that the question of HIV/AIDS, which had a devastating effect on enterprises in Africa, be included in the agenda for the 2007 session.

A Government representative of Barbados supported the proposals on employment and social protection in ageing societies, and prevention of sexual harassment in the

workplace, or gender equality in the world of work if this topic were to be discussed separately. Concerning future sessions of the Conference, he selected the items on working time and chemicals.

A Government representative of Nigeria supported the proposal on child labour and protection of young workers, and urged that discussions continue on gender equality in the world of work. Given the problem of unemployment in Nigeria, he suggested including an item on vocational training and job creation in enterprises. He agreed with the Workers that it was important to address the issue of occupational safety and health, particularly with regard to HIV/AIDS in Africa and at the workplace. He therefore supported the proposal on employment and social protection in ageing societies, since the HIV/AIDS pandemic was decimating youth in Africa.

The Worker Vice-Chairperson, referring to the debate in the Working Party on the Social Dimension of Globalization, suggested that the developing countries, in the intervening time between the November and March sessions, agreed on the form that, in their estimation, the positive action emerging from the report of the World Commission should take.

The Employer Vice-Chairperson emphasized that standard setting was one of the pillars of the ILO. In many countries the informal economy was gaining ground and this could lead to anomie, i.e. the absence of regulation. Hence the need for the topics discussed at the Conference to reflect closely the realities of the world of work and to ensure that the debate was always relevant.

A representative of the Director-General, summing up the debate, recalled that the purpose of the discussion was to establish an indicative shortlist for the March 2005 session, and that the final decision could be taken in November 2005. One of the proposals that had garnered the most support was gender equality in the world of work, which was not incompatible with the discussion of the Global Report on the elimination of discrimination in employment and occupation. The Workers' group and seven Government representatives had referred to an item related to follow-up to the report of the World Commission on the Social Dimension of Globalization. The Employers' group had proposed revising the Guarding of Machinery Convention, 1963 (No. 119), and including an item on revision of the occupational safety and health Conventions.

The speaker explained that the Office was not ready at present to start work on a new occupational safety item, which would involve a sizeable investment and workload. However, research and consultation on follow-up to the resolution on occupational safety and health adopted by the Conference in 2003 would continue, as would that on working time and work in ports.

The Employer Vice-Chairperson stated that his group did not agree with the inclusion of an item on standard-setting activities relating to the follow-up to the report of the World Commission on the Social Dimension of Globalization. When it came to establishing the agenda for each session of the Conference, the Employers called for consideration of the relevance of the proposed items and the constituents' ability to deal with them.

Governing Body decision:

The Governing Body decided that it should be presented at its 292nd (March 2005) Session with more detailed proposals on the following six items:

- (a) *gender equality in the world of work;*
- (b) *employment and social protection in ageing societies;*
- (c) *child labour and protection of young workers (in the light of the recommendations formulated by the Working Party on Policy regarding the Revision of Standards);*
- (d) *an item related to follow-up to the report of the World Commission on the Social Dimension of Globalization;*
- (e) *vocational education and training or the transition from education to first job;*
- (f) *sustainable job creation.*

(GB.291/2, paragraph 11.)

Third item on the agenda

EFFECT TO BE GIVEN TO RESOLUTIONS ADOPTED BY THE INTERNATIONAL LABOUR CONFERENCE AT ITS 92ND SESSION (2004)

- (a) *Resolution concerning the promotion of gender equality, pay equity and maternity protection (GB.291/3)*

The Chairperson reported that the resolutions adopted by the International Labour Conference at its 92nd Session had been sent to the governments of the member States in October 2004, asking them to communicate them to national employers' and workers' organizations.

The Employer Vice-Chairperson endorsed the follow-up to the resolution and all action to promote gender equality at work. The Employers' group had not supported the Maternity Protection Convention, 2000 (No. 183), at the time, only because it contained provisions which it considered went beyond what was universally acceptable. In the light of the calls made on employers' organizations in the resolution, he urged that the capacity of the Bureau for Employers' Activities (ACT/EMP) be strengthened to enable it to work with constituents and meet the needs of developing and transition countries. Concerning paragraph 18 of the document, the speaker wondered whether there had been additional studies on how "gender equality benefits economic and business interests at the same time as enhancing social justice goals".

A Worker member from France highlighted the progressive nature of the resolution. Referring to the allocation of the necessary financial resources to meet the objectives set out in the resolution, he suggested that, on the basis of statistical indicators, guidelines be established to evaluate jobs and wage inequalities. Financing of the proposed high-level tripartite meeting and national seminars that should precede it was a matter of priority. The Bureau for Workers' Activities (ACTRAV) and trade unions should be involved in the activities implemented to meet the objectives laid down in the resolution.

A Government representative of Kenya expressed his support for several of the calls made in the resolution, and agreed that the Director-General should be requested to take the necessary action to give effect to it.

A Government representative of Brazil, speaking on behalf of MERCOSUR and the associated countries, Chile, Bolivia and Peru, agreed that the gender dimension should be mainstreamed in the ILO's programmes, since it was a key element in any action aimed at reducing poverty, promoting decent work and furthering social justice. He welcomed the regional, subregional and national activities being carried out in this area under the decent work programme and the conditions of work and employment programme.

A Government representative of Norway supported the Office proposals for follow-up to the resolution, which covered three issues of great importance for Norway. He called for continuing efforts to intensify the strategy of gender mainstreaming in the Organization and the Office, in accordance with the ILO Action Plan on Gender Equality and Gender Mainstreaming.

A Government representative of Nigeria supported the Office proposals for follow-up and stressed that one of the ways of eliminating discrimination against working women was to provide them with maternity protection.

A representative of the Director-General indicated that different ILO programmes had undertaken activities related to the resolution. In particular, she mentioned the decent work country programmes and the work being done on gender and social dialogue in the Poverty Reduction Strategy Paper (PRSP) process by the InFocus Programme on Social Dialogue, Labour Law and Labour Administration. In reply to the question raised by the Employers' group, the speaker explained that paragraph 18 should be understood as an expression of intentions as to what the ILO should do to make a business case for gender equality in terms of productivity while maintaining a rights-based approach in accordance with Conventions Nos. 100 and 111, which were included in the Global Compact. Implementation of the resolution would be carried out according to the gender equality operational objective, under which constituents took positive action on gender equality in the world of work. This would enable further monitoring and reporting as requested by the Workers' group. Contacts had been made with technical units to promote the implementation of the resolution, in collaboration with the constituents.

Governing Body decision:

The Governing Body requested the Director-General:

- (a) to communicate the resolution concerning the promotion of gender equality, pay equity and maternity protection to the governments, employers' and workers' organizations of member States and draw attention to operative paragraphs 1, 2, 3 and 4 and ask the governments and social partners concerned for information on action taken by them to implement the recommendations contained therein;***
- (b) to take full account of the resolution when preparing future ILO activities and in particular intensify the strategy of gender mainstreaming to ensure that the work of the Office contributes to the goal of gender equality in accordance with the Action Plan on Gender Equality and Gender Mainstreaming;***
- (c) to give priority to the recommendation contained in operative paragraph 5(g), when implementing the 2004-05 and the 2006-07 programmes, when allocating such resources that may be available during the 2004-05 biennium and when preparing future strategic plans and programmes and budgets for the 2006-07 biennium in particular for the***

High-level Tripartite Expert Meeting on Equal Remuneration between Sexes and Racial/Ethnic Groups;

- (d) to ensure that implementation reports for the current and next biennium provide sufficient information on how the resolution and its follow-up are being implemented throughout the ILO and the Office;***
- (e) to consider the possibility of proposing gender equality in the world of work as an agenda item for general discussion at the 96th Session (2007) of the International Labour Conference. (GB.291/3, paragraph 31.)***

The Chairperson confirmed that the adoption of subparagraph (e) referred exclusively to the possibility of presenting a proposal on the subject under discussion.

(b) Resolution concerning a fair deal for migrant workers in a global economy (GB.291/3/1)

The Employer Vice-Chairperson stressed the importance attached by the Employers' group to the issue of migrant workers, and of ACT/EMP's involvement in related activities, as well as the need to ensure coherence in all the activities on this issue. He supported the holding of a meeting of experts, provided that care was taken to ensure that it was tripartite.

A Worker member from Australia welcomed the inclusion of the issue of migrant workers in the follow-up to the report of the World Commission on the Social Dimension of Globalization and ILO programmes, as part of coordinated international action. She was encouraged to see that ILO activities in this area, notably the general discussion at the 92nd Session (2004) of the Conference and the coming meeting of experts, which she supported, were being carried out in cooperation with the Global Commission on International Migration. As a member of the Commission, the speaker was aware of the need to convince the public that freeing up the movement of people by just a small amount could dramatically increase global growth. She trusted that the ILO would allocate the necessary financial and human resources to discussion of the issue of migrant worker so as to provide appropriate technical advice to constituents.

A Government representative of the United Kingdom, speaking on behalf of the Governments of Australia, Austria, Canada, Italy, Japan, New Zealand, the United Kingdom and the United States, stressed that the process should be transparent, inclusive and based on consultation. He supported the Office proposal to hold a tripartite meeting of independent experts from different regions in the world, which would consider in detail the guidelines drawn up by the Governing Body, taking account of any observations and comments. The experts would thus be able to present the Governing Body with what would be close to a finished product. The speaker wondered whether the issue of labour migration would be discussed at the Seventh European Regional Meeting, whether the discussion would feed into the development of the multilateral framework and, if so, how. He stressed that ILO work in this area should be closely linked to related activities in other international agencies.

A Government representative of Brazil indicated that his Government was revising the legislation on immigration to adjust it to current realities, mindful that an adequate labour migration policy contributed to job generation and economic and social development. These measures were being discussed in a tripartite body. His Government intended to participate in the discussions on the application of the ILO Plan of Action and the possible establishment of a permanent committee on migration.

A Government representative of Ecuador stated that labour migration was an issue of great importance to the Governments of Colombia, Ecuador and Peru. She supported the idea of holding a meeting of experts on the subject, with broad geographical representation, ensuring a balanced representation of migrant-sending and -receiving countries.

A Government representative of Nigeria supported the proposal to hold a tripartite meeting of experts on labour migration, which had led to the loss of high-level workers in her country.

A Government representative of Indonesia was in favour of holding a tripartite meeting of experts which would report to the Governing Body and ensure representation of sending, transit and receiving countries. Regulation of labour migration should be based on a coordinated approach.

A Government representative of the Philippines supported the idea of holding a meeting of experts and setting up a permanent committee on labour migration.

A Government representative of France welcomed the ongoing collaboration between the ILO and other international agencies. He supported the idea of holding a tripartite meeting of experts on labour migration but pointed out that its terms of reference would have to adhere strictly to the decision reached by consensus at the 92nd Session (2004) of the Conference. The timetable that had been established would have to be observed.

A Government representative of Mexico stressed the need for coordination of international work on labour migration issues. She was in favour of holding a tripartite meeting of experts with representation from migrant-sending and -receiving countries, and wished to know what its composition would be.

A representative of the Director-General assured those present that the necessary arrangements were in place to ensure that the work done by the ILO did not duplicate that of other organizations, but complemented and cooperated with them. There was a very active Geneva Group on Migration, comprised of heads of different international agencies, which would provide technical support to the development of the new multilateral framework.

The experts who would participate in the tripartite meeting would be from countries to be selected in consultation with the groups, on a geographical basis and in the light of best practices with regard to the elements indicated in the resolution. The tripartite meeting of experts should be held before June 2005 so that the necessary documentation could be prepared and in order to be able to present to the Governing Body in November 2005 a substantive document containing examples of best practices and suggestions on how to promote them at the national level, in consultation with the tripartite constituents.

The discussion on labour migration to take place at the Seventh European Regional Meeting in February would certainly be a source of inspiration and guidance. It was to be hoped that the non-binding multilateral framework for a rights-based approach to labour migration would constitute the ILO's contribution to the high-level discussion on migration and development of the United Nations General Assembly, to be held in 2006.

Governing Body decision:

The Governing Body decided to convene a tripartite meeting of experts to evaluate the draft non-binding multilateral framework for a rights-based approach to labour migration. This meeting of experts will be held before the

November 2005 session of the Governing Body, at which the draft will be presented. (GB.291/3/1, paragraph 19.)

Fourth item on the agenda

ENHANCED PROGRAMME OF TECHNICAL COOPERATION FOR THE OCCUPIED ARAB TERRITORIES (GB.291/4)

A representative of the Director-General reported that the Palestinian Fund for Employment and Social Protection would soon have a director. Although the ambitious goals that had been set at the outset had not been achieved, the Fund was gaining authority as the sole body dealing with issues of employment and social protection. The Fund, which was now operating on a tripartite basis, was intended to become gradually the body within which all ILO activities in the Palestinian territories would be integrated, thus promoting a model for decent work in a coherent manner.

The Employer Vice-Chairperson affirmed that constant promotion of dialogue and cooperation in the occupied Arab territories was the best way in which the ILO could contribute to peace in the Middle East. Efforts should be continued in every area, especially in regard to social protection, but without affecting the budget of the ILO Regional Office for the Arab States in Beirut.

The Worker Vice-Chairperson urged that efforts continue to create a climate conducive to peace in the region. To that end, he requested that the necessary financial resources be made available. The Workers' group considered that the decent work programme in the Arab States was stultified by restrictions on the movements of labour.

An Employer member from Saudi Arabia referred to the weak financial situation of the Palestinian Fund. He requested the Director-General to allocate ordinary budget and extra-budgetary funds to two tracks, one to meet urgent needs and the other for medium- and long-term requirements, so that the provision of assistance was not predicated on changing circumstances. He urged all member States and organizations concerned to support the Palestinian Fund.

A Government representative of Japan, speaking on behalf of the Asia-Pacific group, supported the three forms of follow-up proposed in the Office document and invited member States to contribute to the Palestinian Fund.

A Government representative of Saudi Arabia requested that the Palestinian Fund be allocated sufficient regular budget and extra-budgetary funds to finance two items, one to meet urgent needs and the other for medium- and long-term requirements. This should not be done at the expense of the ILO Regional Office for the Arab States in Beirut. The Arab members of the Governing Body urged it to supervise the implementation of this programme through a report to be submitted at its March and November sessions every year.

A Government representative of Sudan requested that the Palestinian Fund be allocated the necessary regular budget and extra-budgetary funds to meet the goals that had been set and, in particular, to help the Palestinian people strengthen its capacity, develop training and create employment opportunities.

A Government representative of South Africa requested that the programme be financed out of the regular budget. He supported the three forms of follow-up indicated in

the Office document and suggested that the Director-General engage other United Nations agencies in providing technical cooperation to Palestine.

A Government representative of the United States reported that since 2001 his Government had spent over US\$1.5 billion on a variety of essential services in the occupied territories.

A representative of the Director-General highlighted the fruitful collaboration between the ILO and the Arab Labour Organization (ALO). He acknowledged that the programme had been made possible by the supportive attitude of the Director-General of the ILO, but it was obvious that such a major collective undertaking, supported by the donor community, could not continue without the financial contribution of the member States of the ILO.

Governing Body decision:

The Governing Body took note of the developments regarding the enhanced programme of technical cooperation for the occupied Arab territories. (GB.291/4, paragraph 8.)

Fifth item on the agenda

DEVELOPMENTS CONCERNING THE QUESTION OF THE
OBSERVANCE BY THE GOVERNMENT OF MYANMAR OF THE
FORCED LABOUR CONVENTION, 1930 (NO. 29)
(GB.291/5/1 (& Add.), GB.291/5/2)

The Ambassador of Myanmar assured the Governing Body that the recent changes in the State Peace and Development Council (SPDC), with the installation of Lieutenant-General Soe Win as Prime Minister, would have no effect on the policy of Myanmar. The Government remained committed to the successful implementation of the seven-stage road map, and to its endeavours to eradicate forced labour in the country, in full cooperation with the ILO.

One of the recommendations of the High-Level Team (HLT) had been the establishment of an ILO presence in Myanmar. This had been achieved with the appointment of a Liaison Officer. The authorities were cooperating fully with the Liaison Officer, who had been able to travel freely throughout the country. The Government considered this ILO presence useful as long as it served mutual interests. The facilitator mechanism, included in the Plan of Action, was also working effectively, even before implementation of the Plan, clearly demonstrating the authorities' full cooperation with the ILO.

The Special Appellate Court had reviewed the sentences handed down on Nai Min Kyi, U Aye Myint and U Shwe Mahn, and had reduced them, in the first two instances to two years' imprisonment under section 123 of the Penal Code, and in the latter case to five years' imprisonment under section 1221 of the Penal Code. The detention periods would be deducted from the sentences. The Court had also ruled that any contact communication or cooperation by a Myanmar citizen with the ILO did not constitute an offence under Myanmar law, and ordered the text concerning contacts with the ILO to be struck from the original judgement. It reaffirmed the country's membership of the United Nations and other international organizations, including the ILO.

The Ministry of Labour had replied to the Liaison Officer regarding the majority of complaints received over the past year. In respect of the allegation of forced labour in

Toungup (Rakhine State), a preliminary discussion, at which the Liaison Officer was present, had been held within the Convention 29 Implementation Committee, and remedial action would be taken if it proved necessary. In September 2004, the ILO had drawn attention to the cases of two individuals serving six-month sentences on charges of defamation. Through the action of the Ambassador, these persons were released on 18 October 2004, proving the efficacy of the authorities' screening and processing of complaints.

The Government remained fully committed to the eradication of forced labour, and was ready to cooperate with the ILO in the implementation of the joint Plan of Action, which it had already begun to implement on its own part.

The Worker Vice-Chairperson said that his group had considered boycotting the debate on the question of Myanmar, as no real progress had been made. However, out of respect for the efforts being made in the field by the ILO officials, and those by the Ambassador of Myanmar, the group had finally chosen to remain in the room. The Workers' group could not take comfort in a reduction in sanctions on people who were innocent in the first place. Neither could the group feel pleasure at the new law saying that it was not a crime to make contact with the ILO: it was still receiving evidence that arrests were being made as a result of meeting with ILO officials. Two persons had apparently been arrested on their way home from meeting with the Liaison Officer in Rangoon. Three persons had been arrested in Toungup, on suspicion of providing information to the ILO concerning an incident of forced labour in which the Liaison Officer had intervened.

The Government claimed there had been a reduction in forced labour, but the Workers' group had received information that increasingly large numbers of people, including children, were being taken into forced labour. The practice remained widespread in the country, especially in areas where the military presence was at its most dense. The Liaison Officer had received 72 complaints from individuals, mostly on behalf of larger groups. In two very disturbing cases, complainants were prosecuted for complaining, and sentenced to six months' imprisonment each. Thirty-eight of these cases had been brought to the attention of the authorities, who had reported that the allegations were unfounded. This answer was only to be expected where the investigator was also the perpetrator. The army and the military courts should not be called on to investigate cases in which the army was also the accused.

The Liaison Officer should be joined by a deputy, to bring the office back to full strength. A visit should be conducted at the highest political level, by a senior public figure, to seek a credible response by the Government of Myanmar to the issues addressed in the Liaison Officer's and the Director-General's report, and a commitment to dealing with the root causes of forced labour in Myanmar. If the authorities were not able to accept such a visit, or if the visit were unsuccessful in obtaining the required commitment, then the Governing Body should consider the action included under the resolution of June 2000 in respect of international financial institutions and foreign direct investment. The Office should provide the March 2005 session of the Governing Body with as comprehensive as possible an update on action taken by the constituents under the June 2000 resolution.

One positive development was the increase in reports of people coming forward to make complaints, even though the consequences for these people were often very serious. The Committee on the Application of Standards in June 2004 had called on the present session of the Governing Body to be ready to take appropriate action, including the reactivation of the measures under the June 2000 resolution. The ILO had exercised great patience, but the required results had not been forthcoming. Strong action might provoke the Government into reacting. The people of Myanmar should be able to recognize the advantage of having an ILO presence in the country, with the technical support and

assistance it was able to provide. The Government needed to demonstrate true readiness to cooperate with the ILO.

The Employer Vice-Chairperson referred to the positive elements in the report, including the work of the Liaison Officer, the initiation of the facilitating machinery, and the increased number of denunciations. However, the report made it clear that the situation was extremely serious. The issue of sanctions imposed as a result of contact with the ILO was especially grave. The Ambassador had stated that the punishments had been reduced, but if the persons were innocent, then their sentences should have been commuted. The speaker questioned whether the Executive in Myanmar had the authority to commute sentences, and if so, why it had not been prepared to use this authority. Furthermore, the increase in denunciations meant that Convention No. 29 was still being violated, and apparently, as there were no convictions, violated with impunity. Neither should it be forgotten that the forced labour situation did not only concern those remaining in the country, but also the huge number of refugees, who had been obliged to leave Myanmar under threat of forced labour.

The Governing Body required clearer evidence of the Government's willingness to act. The Plan of Action was not in application, because the conditions for applying it were not in place. There could be little hope of positive developments until the Plan came into operation. Without a political commitment at the highest level by the Government this could not happen. The group felt that the time had come for a very high-level mission to the country to ascertain that the Government was prepared to implement the Plan of Action, and take immediate steps to eradicate forced labour. Developments gave room for a little hope, but not more. The Office should prepare an evaluation of the situation to enable the Governing Body to take full stock in March 2005. Today's debate should signal clearly to the Government the urgency with which the Governing Body regarded the situation.

A Government representative of Luxembourg, speaking on behalf of the governments of the European Union, of the candidate countries: Bulgaria, Croatia, Romania and Turkey, of the Stability Pact countries: Albania, Bosnia and Herzegovina, Serbia and Montenegro, as well as EFTA members Norway and Switzerland expressed appreciation of the work accomplished by the ILO and its Liaison Officer in Myanmar. They also welcomed the court judgement reaffirming Myanmar's membership of the United Nations and other international organizations, and making it clear that any person was free to enter into contact with such organizations. However the recent leadership changes gave rise for concern, and the situation in Myanmar remained very serious. Last June, the Committee on the Application of Standards concluded that the assurances of good intentions by the Government were not backed up in fact. Certain forms of forced labour referred to by the Commission of Inquiry – work on infrastructure projects, the recruitment of children, and even the use of people as minesweepers – were still in use, especially in remote areas controlled by the army. There had been no prosecutions for perpetrators. Complaints brought before the Convention 29 Implementation Committee were systematically denied; forced labour victims were punished for lodging complaints. This cast doubt on the credibility of the Committee. The Committee on the Application of Standards had stated that the Governing Body should draw appropriate conclusions at the present session, and consider the reactivation and review of measures and action taken under the resolution of June 2000, unless there had been clear improvement in the situation. The reports showed that there had been no such improvement.

The EU agreed with the Director-General that remaining patient was now difficult. The EU had, on 11 October 2004, decided on measures against the regime and in favour of the people of Myanmar. The EU visa ban had been expanded, as had the prohibition on EU-registered companies or organizations from making loans or credit available to, or acquiring or extending a share in, Myanmar state-owned enterprises. The EU had also

extended its assistance to the people of Myanmar in the areas of health and education, with guidance from the National League for Democracy, and managed through the United Nations system. The EU would have been ready to review action under the resolution of June 2000; however, given the uncertainty generated by the recent political developments, it proposed postponing a decision until the March 2005 session. In the meantime, the ILO should carry out an assessment mission to Myanmar, to meet with the new authorities and discuss concrete steps to abolish forced labour.

A Government representative of Indonesia, speaking on behalf of the ASEAN group of countries, appreciated the role played by the ILO and its Liaison Officer in Myanmar. He welcomed the commitment by the authorities to observing Convention No. 29, and urged the Government and the ILO to cooperate in the implementation of the joint Plan of Action as soon as possible. The Government was continuing to cooperate with the ILO in the handling of complaints. In the light of these positive developments, the Governing Body should consider favourably the implementation of the joint Plan of Action.

A Government representative of New Zealand, speaking also on behalf of Australia, recalled that the two governments had, for several years, repeatedly called on the Government of Myanmar to eradicate forced labour from the country. He acknowledged the decision of the Special Appellate Court in respect of the three individuals' sentences, and its conclusion that contact with the ILO or other United Nations organizations was not a crime. However, the individuals still faced custodial sentences, and there was further information that others, after complaining of forced labour, had also received punishments.

He commended the work of the ILO Liaison Officer in Yangon, and recognized the benefits of technical cooperation, as well as the role of the ILO in providing assistance and advice to victims of forced labour. However, the Government needed to provide assurance that its engagement was genuine, and was willing to create the conditions in which the ILO could carry out its mandate. The wider situation in Myanmar was also worrying. New Zealand and Australia had continuously called for the release of all political detainees, including Aung Sang Suu Kyi. The Governing Body should consider carefully the options open to it, including that of action proposed under the June 2000 resolution.

A Government representative of the United States stated first, that the military regime had made no real progress on the steps recommended by the Commission of Inquiry; second, that forced labour continued to be imposed in all its various forms identified by the Commission of Inquiry; third, the National League for Democracy, which won overwhelmingly in the 1990 elections, had still not assumed leadership; and fourth, Aung Sang Suu Kyi remained under house arrest. This presented a picture of inhumane cruelty. The proposed three-point programme was therefore a good one: the ILO presence in Myanmar should be returned to its former strength, for the purposes of better monitoring and reporting on the situation; the Office should carry out a comprehensive review of steps taken under the June 2000 resolution; and a high-level mission should be sent to Myanmar. However, it should be recalled that many such missions had already visited the country and had elicited nothing but promises that had not been honoured. If such a visit were to be denied or proved unsuccessful, the United States was prepared to examine all options open to the Organization. The ILO should consider all options at the Conference in June 2005.

By the Burmese Freedom and Democracy Act of 28 July 2003, the United States banned the import of all products from Myanmar, froze the assets of senior Myanmar officials and banned all remittances to the country. The people of Myanmar had the right to live in freedom and dignity under leaders of their own choice. The ILO had a leading role in helping them achieve this.

A Government representative of Pakistan supported the work of the ILO in Myanmar. His country shared many of the concerns raised in the reports, but noted that the

Government had taken a number of steps to rectify the situation: the court decisions reducing the sentences on three persons, and formally permitting contact with the ILO were examples of this. The Governing Body should consider the situation in the light of these positive developments, and it was to be hoped that the Plan of Action would be implemented as soon as possible.

A Government representative of Canada reiterated his Government's appreciation of the efforts by the ILO and its Liaison Officer, as well as its urgent call for the release of NLD leader Aung Sang Suu Kyi and other political prisoners. Forced labour remained widespread in Myanmar. A significant number of complaints had been received, but none had been settled in the complainants' favour. No one, as yet, had been found guilty of imposing forced labour under section 374 of the Penal Code; in some cases action had been taken against complainants after dismissal of their complaints. The court decision that communication with the ILO was not an offence was welcome, but the three convictions for high treason had been sustained on other grounds, albeit with reduced sentences. This cast doubt on the regime's willingness to change.

Canada agreed with the Director-General that it was hard to maintain a "wait and see" approach. The Myanmar Government should give a clear signal of its commitment before implementation of the Plan of Action could start. Because of the recent changes in the senior leadership of Myanmar, Canada agreed to the wisdom of obtaining first-hand assessment at the highest level of the authorities' willingness to cooperate with the ILO. A comprehensive report should be made to the next session of the Governing Body as a basis for the decisions to be taken. The new Labour Minister of Myanmar should meet as soon as possible with the ILO.

A Government representative of India noted the reports of the Liaison Officer and of the Director-General, and the statement by the Ambassador of Myanmar. Developments showed there was a desire to improve the situation in Myanmar. The ILO and the authorities should continue consultations to identify steps to be taken on both sides to implement the Plan of Action. The ILO should extend all possible technical assistance to allow Myanmar to bring about the required changes.

A Government representative of China endorsed the statement made on behalf of the ASEAN group of countries. Developments demonstrated a commitment on the part of the Government of Myanmar to eradicate forced labour. The Governing Body should consider the early implementation of the Plan of Action. Cooperation between the ILO and Myanmar should continue until the issue was settled.

A Government representative of Japan noted progress made through dialogue and cooperation. The Government of Myanmar had stated that the change in leadership would not entail policy change. The authorities had made efforts, but further efforts should be encouraged. The ILO presence in the country should be maintained to encourage progress.

A Worker member from Australia, also speaking as President of the Asia-Pacific Regional Organization of Trade Unions, described the situation in Myanmar as "shameful", "unacceptable" and "inhumane". As had been said by the Governments of Australia, Canada, European Union, New Zealand and the United States, and of Luxembourg, on behalf of the EU and associated countries, there was a limit to patience. The prevarication of the Myanmar authorities attacked the dignity of the ILO. The Conference had mandated the Governing Body to take strong action, and it appeared, despite the noteworthy efforts of the Ambassador of Myanmar, that this action was necessary. Two of the three persons imprisoned were trade union leaders, initially incarcerated because of contacting the ILO.

It was heartening that the Government of Japan had spoken out against the situation in Myanmar. However, the Governments of China, India and Pakistan, also from the region, had highlighted positive developments in Myanmar in their interventions. The reality was different. It involved political prisoners, incarcerated trade union leaders and the abduction of children from their schooling, to be forcibly inducted into the army. Moreover, this was not the army of a democratically elected government, but that of a military junta. Under the present circumstances, the possibility of Myanmar assuming the leadership of the ASEAN group of countries in 2006, was unthinkable. The countries of the region should unite against Myanmar and insist on change.

The Governing Body's conclusions should be very strong: the high-level assessment must be given the greatest possible international visibility, and led by an actual or former Head of State. The ILO presence in Myanmar should be brought back up to strength, according to the original agreement. The imprisoned trade unionists must be released immediately, and not just before the Governing Body took further decisions in March 2005, as a means of enabling the Government to gain currency. The Office should provide a review of all action taken by governments, employers and trade unions since the resolution of June 2000, to enable the Governing Body to arrive at a common understanding of the situation. The time for tolerance had expired: it was now time to take action to rectify the appalling state of affairs in Myanmar.

A Government representative of Belarus said that the ILO presence in Myanmar was clearly a positive factor. Dialogue should continue with the authorities, and the ILO should maintain its technical assistance, as the Government had clearly shown its commitment to cooperation with the Organization. The concrete progress achieved, as demonstrated by the reduced prison sentences, and the release of persons imprisoned for defamation, showed the Government's good will. The Governing Body should agree to starting implementation of the Plan of Action.

A Government representative of the Russian Federation said that dialogue and cooperation should continue. The machinery that had been put in place was proving its value, and contacts should be maintained in a move towards implementation of the Plan of Action.

The Chairperson read out the following conclusions, which had been approved by the Employer and Worker Vice-Chairpersons.

The Governing Body's conclusions

The Governing Body, having heard the explanations provided by the Permanent Representative of Myanmar, Ambassador Mya Than, proceeded to examine in detail the information and analysis provided in the documents which was supplemented during the debate, notably on the part of the Workers. It seems overall that the Governing Body remains gravely concerned by developments in the situation and the continued impunity of those who exact forced labour. More particularly, as regards the high treason judgement discussed at the previous session, as well as by the Committee on the Application of Standards of the International Labour Conference, the Workers' group, the Employers' group and many Governments, while recognizing that the judgement by the Supreme Court did answer the fundamental question of the legality of the contacts with the ILO, expressed regret at the continued detention of the persons concerned when their guilt had not been established, and called for their immediate release or pardon. In the circumstances, the Workers' group, the Employers' group, and a number of Governments were of the opinion that reactivation of the measures to be taken under article 33 and in accordance with the Conference resolution of 2000 would be fully justified. Furthermore, the Workers' group insisted that the strength of the ILO

presence, whose importance and contribution were recognized and welcomed by the whole of the Governing Body, should be reinforced for the eradication of the problem.

At the end of the debate, a number of speakers did however consider that the problems identified in the reports as well as the sudden replacement of the previous interlocutors of the Organization following the changes which had occurred among the leadership of the Myanmar Government justified an evaluation of the current attitude of the authorities and their determination to effectively address the continuing practice of forced labour. The attitude that they will adopt, which does not yet seem clearly defined, about the very alarming cases identified in the documents before the Governing Body, constitutes a real test of this determination.

This is why the Governing Body requests the Director-General to field a very high-level mission to evaluate the attitude of the authorities and assess their determination to continue their cooperation with the ILO, the modalities of which must make it possible to address the root causes of the problems described in the reports. The Director-General will have to ensure that the conditions of such a mission and the credentials of those charged with conducting it, as well as the position of its interlocutors at the highest political level, are such that it is able to meet these objectives and ensure the intervention has the required visibility. The Director-General will report on the results of this mission to the next session of the Governing Body. The Governing Body will then be able to determine the necessary consequences on the basis of full knowledge either as regards further action by the Organization under article 33, including as regards foreign direct investment, or for the implementation of the Plan of Action. In addition, the Office has been requested to provide further information for the next session on the actions taken on the basis of the 2000 resolution, to complement that provided in the report of the Director-General.

Sixth item on the agenda

REPORT OF THE COMMISSION OF INQUIRY ESTABLISHED TO EXAMINE THE COMPLAINT CONCERNING THE OBSERVANCE BY THE REPUBLIC OF BELARUS OF THE FREEDOM OF ASSOCIATION AND PROTECTION OF THE RIGHT TO ORGANISE CONVENTION, 1948 (NO. 87), AND THE RIGHT TO ORGANISE AND COLLECTIVE BARGAINING CONVENTION, 1949 (NO. 98), MADE BY DELEGATES TO THE 91ST SESSION (2003) OF THE INTERNATIONAL LABOUR CONFERENCE UNDER ARTICLE 26 OF THE CONSTITUTION OF THE ILO (GB.291/6 AND REPORT, GB.291/6/1)

The Minister of Labour of the Republic of Belarus stressed that her Government supported the ILO's standard-setting activities. Belarus had ratified 49 Conventions, including the eight fundamental Conventions, and sought to ensure their implementation. The Government also fully respected its reporting commitments under the supervisory machinery, and had cooperated with the Commission of Inquiry, to allow it to fulfil its mission. The Government had studied the Commission's recommendations very carefully and recalled that a full understanding of a situation in a specific country could only be gained by living and working in that country. The Government agreed with the Commission that the labour relations system of Belarus should be further developed, and it would be implementing the recommendations made, in the light of the true situation on the ground, and of the sovereign interests of the country. The Government agreed that further improvements could be made in the field of protection of the rights of trade unions and their members, though protections were already in place. The Government supported dealing with labour disputes through reconciliation, mediation and voluntary arbitration, based on ILO standards. The Labour Ministry of Belarus had established a special expert advisory group, with representatives of the Government, the social partners, non-

governmental organizations and academia. This group would carry out an overall review of the country's social and labour relations. The Commission's recommendations would be published and made available to the public. The Government would take measures to ensure that all enterprise managers and directors, including those that were trade union members, understood the need to avoid interference in trade union activities. A review was also under way of national legislation concerning the establishment and registration of trade unions, the possibility of collective action and receipt of assistance from abroad.

Belarus was trying to establish a socially orientated market economy. Practical measures had been taken to redress the problem of wage arrears, and salaries were rising. Unemployment was at just over 2 per cent of the working population. The process of building a social partnership system was ongoing, and improvements were needed. The Government would carry out the recommendations of the Commission within the framework of the law, under the principle of division of powers and non-interference in trade union affairs. The Government requested ILO technical assistance and advice.

The Worker Vice-Chairperson hoped that the Minister of Labour's words would be supported by action. The statement that, to understand the situation in a country, it was necessary to live and work there, was tantamount to telling the Governing Body to mind its own business. The Workers' group had evidence that some trade union members who had given evidence before the Commission of Inquiry had been dismissed from their jobs, or suffered harassment at work. Belarus must provide conclusive proof that membership of independent trade unions was increasing in the country, and that they were adequately protected in their legitimate trade union activities. Reassurance was needed that trade unions were not prevented from finding premises as a result of government harassment of those renting office space to unions. The group believed the report to be independent, objective and comprehensive, with precise, concrete and constructive recommendations. Recommendations Nos. 1, 2, 3, 4, 5, 6, 9 and 11 required no legislative process and should be implemented within the time limit established by the Commission, before 1 June 2005. A change in government should not cause any delay. A progress report should be made to the Governing Body on recommendations Nos. 7, 8 and 10 in June 2005. The recommendations included important suggestions such as the elimination of all artificial obstacles to the registration of trade unions, e.g. the requirement of having a legal address, or the need for a minimum membership. The Commission's conclusions and recommendations should be made publicly available, as the Government had agreed. The Government should stop interfering in internal trade union affairs, and should lift restrictions on trade unions receiving foreign assistance. Independent trade unions should be included in the country's social dialogue, rather than those unions that were simply extensions of the administration. These questions should be dealt with immediately.

The Workers' group wanted to be certain that victimization of independent trade unions had ceased in Belarus, and that national social dialogue included such unions and not only those the Government considered appropriate. All workers dismissed on account of trade union activities should be reinstated, with full compensation for lost pay. All obstacles in the way of registration of trade unions should be lifted, including in the case of the Radio and Electronics Workers' Union (REPAM). No administrative or legislative measures should be introduced to make registration of unions dependent on geographical coverage or a minimum membership. The ILO should be allowed to resume its activities in Belarus and assist the union movement: this was what the group understood by "foreign assistance". Such assistance should be reinstated and not impeded by the Government. Further follow-up to this question should be dealt with in the Committee on Freedom of Association (CFA).

The Employer Vice-Chairperson thanked the Minister of Labour of Belarus for her statement, the letter of 1 November 2004, and the positive dialogue between the Government and the ILO. These seemed to imply that the Government's objective was to

implement fully all ILO fundamental labour standards. These standards were the basis for freedom of association. This freedom was not something that could be observed only in part. Any obstacles placed in the way of enjoyment of this freedom ran contrary to Conventions Nos. 87 and 98. There was a need for a true political will to induce change in Belarus. The Labour Minister had announced that a special expert advisory group had been established to deal with the recommendations in the shortest time possible. The amendment of Decree No. 24, recommendation 9, would not require legislation, but simply action by the executive. The timetable set out for recommendations Nos. 1-6, 9 and 11, should be respected, and the action completed by 1 June 2005. The expert advisory group should maintain contact with the ILO, through the Committee on Freedom of Association, and through the Committee of Experts on the Application of Conventions and Recommendations (CEACR), which could assist it in the reforms, and help it avoid mistakes.

A Government representative of Luxembourg, speaking on behalf of the governments of the 25 Member States of the European Union, of the candidate countries: Bulgaria, Croatia, Romania and Turkey, of the Stability Pact countries, of potential EU candidates: Albania, Bosnia and Herzegovina, Serbia and Montenegro, and of the European Free Trade Association (EFTA) member, Switzerland, said that the EU remained seriously concerned by Belarus' failure to adhere to democratic principles and respect for the rule of law. The EU supported the work of the Commission of Inquiry and noted the Government's intention to "move forward the fulfilment of the recommendations". The establishment of the expert advisory group was welcome. However, the EU was deeply concerned that the Government had stated its inability to comply with the deadline set by the Commission. The EU had received information about recent cases of employment discrimination against union members that belied the Government's statement and letter. The EU would closely monitor progress in Belarus, and the Government's response would have significant impact on EU relations with the country. Belarus should implement all 12 of the Commission's recommendations. Follow-up should be through the Committee on Freedom of Association, and via the CEACR. The ILO should maintain constructive dialogue with the Government of Belarus, and provide technical assistance.

The Reporter of the Committee on Freedom of Association was satisfied that the Commission had produced such clear recommendations. The CFA had been dealing with this problem for many years, and recommendations had already been approved by the Governing Body. The Commission's report was proof that these earlier recommendations had not been implemented. It was now essential that changes were rapidly introduced. The Government said that membership of the federations was 4 million, and only a few thousand in the free, democratic unions: this situation had to stop. There should be no more hindrance to registration of trade unions, interference by management, unavailability of premises, as clearly stated in the report. The CFA would continue to monitor events, and the ILO should continue to provide technical assistance to the Government.

Government representatives of Lithuania, the Russian Federation, China, Viet Nam, India and Indonesia welcomed the Government of Belarus' open cooperation with the Commission of Inquiry and its commitment to implement the Commission's 12 recommendations. Dialogue should continue between the ILO and the Government of Belarus, and the ILO should provide technical assistance to help implement the recommendations fully.

The Employer Vice-Chairperson noted the various Governments' expressions of satisfaction at the efforts made by Belarus. It was important that the recommendations should be implemented immediately. The Government should take urgent steps to allow independent organizations to function freely.

The Worker Vice-Chairperson said that the ILO had never denied technical assistance to Belarus: its offers had been rejected. The record should note that it was not only the trade union movement that had received information on harassment and discrimination, but other governments as well. If there was no improvement in the situation, the Workers' group would propose to the Governing Body that it adopt another approach.

Governing Body decision:

The Governing Body took note of the report of the Commission. (GB.291/6, paragraph 5.)

The Governing Body took note of the reply by the Government of Belarus. (GB.291/6/1, paragraph 3.)

Seventh item on the agenda

335TH REPORT OF THE COMMITTEE ON FREEDOM OF ASSOCIATION (GB.291/7)

The Reporter of the Committee on Freedom of Association said the Committee had been obliged to make urgent appeals in Case No. 2244, Russian Federation; Case No. 2292, the United States; and Case No. 2321, Haiti. Despite the time that had elapsed since the complaints had been lodged, the governments had not filed complete observations and should do so urgently. Some success was apparent in Case No. 2224, Argentina, where steps had been taken to transfer the wrongfully withheld union dues, and in Case No. 2103, Guatemala, where issues of anti-union discrimination had been resolved.

At the present session, the Committee had devoted half a day to discussion of the situation in Colombia. The representative of the Director-General during the direct contacts mission of 2000, Mr. Perez-Perez, had provided the Committee with much useful information, enabling a degree of perspective regarding the cases against Colombia, even though this information was not up to date. Case No. 1787 had been before the Committee since 1995, but there was still evidence of grave acts of violence against trade unionists. The Committee had received allegations of 42 murders, nine of which had taken place in 2003, 17 death threats, three abductions and 11 arrests. The Committee again requested the Government to put protection measures in place in respect of certain trade unions and regions.

The Committee noted the detailed information from the Government on the working plan of the Inter-Institutional Commission for the Prevention of Violations and the Protection of Workers' Rights. However, it also noted the total lack of any convictions in the Government's latest report. This impunity could only perpetuate the climate of violence, and the Government should take steps to end it forthwith.

Case No. 1865, Republic of Korea, concerned the right to organize for public servants, and had been before the Committee since 1996. The Government had made efforts to resolve the situation, but these had not yet been given legal expression. The Committee deplored the case of 12 civil servants whose dismissal for illegal activities appeared to be due to the absence of legislation consecrating their right to freedom of association, and urged the Government to amend the legislation governing trade unions at enterprise level, to amend the list of essential public services, to rectify the Criminal Code on the obstruction of business such that it did not impede freedom of association, and to rectify the situation of any workers who had been penalized under the Code for non-violent industrial action.

In Cases Nos. 2111, 2285 and 2289, all concerning Peru, the Committee had been obliged to draw its conclusions and recommendations without full replies by the Government to the allegations. It urged the Government to cooperate more fully in the procedure in future.

Case No. 2276 concerned Burundi. The Committee urged the Government to reinstate Dr. Hajayandi as Chairperson of the Trade Union Confederation of Burundi, without loss of pay and, should this prove impossible given the lapse of time since his dismissal, the competent court should order adequate compensation.

In closing, the Reporter paid tribute to the services rendered to the Committee by Mr. Ramond, Government delegate of France, who was leaving the Committee after 17 years. His long experience, combined with his open and objective approach, would be greatly missed.

The Chairperson joined his voice to the tribute to Mr. Ramond.

The Employer spokesperson of the Committee said the group supported the report and the Committee's urgent appeals to governments that had not supplied observations to complaints.

Case No. 2265, Switzerland, had involved lengthy discussions, which had left issues unresolved. Under Swiss law, unfair dismissal of an elected trade union official could be compensated by a court award of up to six months' salary. The trade unions wanted reinstatement to be available as a remedy. The Employers believed the current law provided sufficient protection: in the case of an elected trade union official, the employer bore the burden of proof. The Committee recommended that tripartite discussions be held to resolve the issues, and the Employers supported this recommendation.

Case No. 1787, Colombia, had been dealt with in detail by the Reporter. The Government had supplied very full information, which the Committee had discussed in depth. The Employers wished to make clear, as was recognized by the Committee, that the violence in Colombia affected all sectors of society, not only trade unionists. The situation in the country was extremely complex and there were limits as to what the Committee could hope to achieve. The group felt that, in continuing to attempt the impossible, the Committee was risking its credibility. It nevertheless supported the recommendations of the Committee.

In Cases Nos. 2303, Canada; 1865, Republic of Korea; and 2303, Turkey, the Employers' group wished to emphasize that it did not agree with the restrictive definition of essential services adopted by the Committee.

In closing, the Employer spokesperson praised the participation in the work of the Committee by its departing member, Mr. Ramond.

The Worker spokesperson of the Committee expressed his group's extreme frustration at the situation in Colombia in respect of Cases Nos. 1787 and 2068. In the latter case, the Government, in spite of many requests, had still furnished no information on the murders of five trade unionists. Mr. Perez-Perez had admitted his inability to answer certain questions, given that his mission had taken place four years previously. The group proposed that a tripartite mission from the Committee should visit Colombia, as had been done in the case of the Republic of Korea some years before. Another suggestion would be to invite the Government, employers and trade unions of Colombia to be heard by the Committee. A third proposal was for the ILO to organize a broad conference, inviting potential donors to carry out a thorough review of the situation. Work should not be limited to keeping a list of murdered trade unionists.

The group wished to stress the need for the Government of the Republic of Korea to act very swiftly on the recommendations of the Committee regarding Case No. 1865. In Case No. 2317, Republic of Moldova, the Committee called on the Government to conduct an independent investigation urgently.

Cases which came before the Committee very often involved dismissals of trade union representatives. This caused personal hardship to those thus dismissed, but also deprived workers of their chosen representatives. The Committee's jurisprudence was clear in this connection, that there should be adequate dissuasive sanctions and corrective measures in place. In Case No. 2265, Switzerland, the Government should examine, with the employers' and workers' organizations, whether the present situation in the country provided for truly effective protection.

Under Case No. 2303, Turkey, the Committee once again requested the Government to ensure more efficient protection against anti-union discrimination. It should also amend its legislation requiring trade unions to cover more than 50 per cent of workers in a unit before being allowed to bargain collectively, as well as that giving the Government, rather than an independent body with the confidence of all parties, power to suspend a strike. The Committee criticized the Government for frequently suspending strikes and imposing compulsory arbitration on grounds of national security and public health in sectors including glass, rubber and municipal services. Such restrictions should only be imposed in accordance with Conventions Nos. 87 and 98.

In Case No. 2257, Canada and the Province of Quebec, measures should be taken to amend the Labour Code so that managerial staff were also protected from employer interference in their trade union rights. In Case No. 2305, relating to the Province of Ontario, back-to-work legislation should be replaced by a voluntary dispute resolution mechanism.

In Case No. 2336, Indonesia, the Committee regretted that the Government had not taken the measures requested to give precedence to the procedure concerning anti-union discrimination over dismissal procedures: four union officials at the Indonesia Bridgestone Tyre Company were still suspended without pay, two years after dismissal in an alleged case of anti-union discrimination. In Case No. 2304, Japan, trade unionists had been detained, their premises and residences searched and much trade union property confiscated. Judicial proceedings were under way, but any action taken should avoid interference with the free exercise of trade union activities. Under Case No. 2308, Mexico, the Government was requested to register the by-laws of a trade union, and to allow it to decide itself whether to extend its coverage and organize workers irrespective of their occupations.

A number of recent cases had concerned violations of freedom of association in export processing zones (EPZs). In Case No. 2274, Nicaragua, the Committee observed the statement by the Labour and Trade Union Affairs Committee of the National Assembly condemning violations of human, labour and trade union rights of workers in free zones by various companies, including the Roo Sing Garment Company. The Government was requested to promote collective bargaining in good faith, and to conduct an independent investigation into alleged blacklisting of dismissed trade unionists by employers, to prevent their being hired by other companies. The Committee also requested an investigation into the allegations of wilful repression of workers on strike in the EPZ in Andhra Pradesh State under Case No. 2228 concerning India, and repeated its request that the function of Grievance Redressal Officer should be performed by an independent body or person, and not by the Deputy Development Commissioner in that EPZ.

ILO technical assistance was recommended in a number of cases, and the group urged member States to take up this possibility.

In closing, the Worker spokesperson joined his voice to the praise addressed to Mr. Ramond.

Governing Body decision:

The Governing Body took note of the introduction to the report (GB.291/7) in paragraphs 1-186 and adopted the Committee's recommendations in paragraphs 208 (Case No. 2345: Albania), 227 (Case No. 2283: Argentina) and 247 (Case No. 2302: Argentina).

A Government representative of Argentina, speaking in respect of Case No. 2312, Argentina, said that the Government had passed a ministerial resolution, in October 2003, rectifying the issues raised by the Lockheed Aircraft Argentina S.A. Workers' Union (SITLA) along the lines set out by the CFA.

Governing Body decision:

The Governing Body adopted the Committee's recommendations in paragraphs 267 (Case No. 2312: Argentina), 365 (Case No. 2306: Belgium), 388 (Case No. 2294: Brazil), 411 (Case No. 2276: Burundi), 470 (Case No. 2257: Canada), 512 (Case No. 2305: Canada), 528 (Case No. 2217: Chile), 535 (Case No. 2290: Chile), 566 (Case No. 2307: Chile), 665 (Case No. 2320: Chile) and 679 (Case No. 2335: Chile).

A Government representative of Spain, referring to Case No. 1787, Colombia, said that the Colombian Government had shown a firm commitment to investigating all causes of violence against trade unionists, and also to fighting impunity. Various regional legal authorities had improved their treatment of incidents connected to attacks and threats against workers' representatives. Although the level of violence remained very high, the number of murders had dropped by 38 per cent in 2004, compared with 2003. The Government had strengthened its protection programmes for trade unionists, which had an annual budget of US\$10 million, and was providing regular information to the Inter-Institutional Commission for the Prevention of Violations and the Protection of Workers' Rights. The Special Programme of Technical Cooperation for Colombia should continue.

A Government representative of El Salvador recognized that the Government of Colombia was making great efforts to control a complicated situation, protect trade unionists and reduce the violence affecting all sectors of society. The Special Programme of Technical Cooperation had promoted social dialogue and had proved a useful tool to improve the conditions of workers.

A Worker member from France strongly disapproved of the slant being given to certain facts. Claiming that the situation had improved on the basis of a fall in the number of murders was intolerable. Whereas it was true that the killings enabled the ILO to intervene because the individuals had stood up and admitted aloud that they were trade unionists, it would have been far safer for them to conceal affiliation to a workers' organization. It was the existence of the trade union movement in the country that was at stake, and the ILO should be concerned with that aspect, rather than with the attribution of funds for the purchase of bullet-proof vests.

A Worker member from Germany supported the previous speaker. The International Confederation of Free Trade Unions (ICFTU) had been informed that further murders had taken place since the publication of the report. The figure should be 52 and not 42 killings. The German Confederation of Trade Unions (DGB) had saved the lives of two trade unionists under death threats, and they had reported on the true situation in Colombia. The

Government's protection was utterly inadequate. No satisfaction could be derived from a fall in the number of murders. The ILO and the CFA must continue to address this question in the most objective way possible, doing everything in its power to improve the situation.

A Government representative of Colombia noted the comments that had been made by the Committee on Freedom of Association. She reiterated that there was no state policy in Colombia directed against any sector of society. There was a deeply regrettable situation of generalized violence, which affected all areas of society. The Government had managed to bring about a clear and sustained reduction in the levels of violence, which the international community had recognized. Colombia was committed to improving the operation of its legal system, to eradicating impunity, protecting its people from violence and sanctioning the perpetrators of abuses. The Government had worked harmoniously with the ILO and believed that the Special Programme of Technical Cooperation was a useful tool, which should be strengthened and expanded.

The Employer Vice-Chairperson said that the entire Governing Body was concerned at the situation in Colombia. Employers were victims of violence as well. An immediate example was the kidnapping of the daughter of one of the Officers of the Employers' group. The Special Technical Cooperation Programme should continue to take the necessary steps to find a solution in a spirit of constructive dialogue. The resources should be made available to allow the Programme to operate effectively.

A Worker member from Germany agreed that technical assistance was necessary, but supplying such assistance did not cover all the points in the Committee's recommendations. Among these was the provision of adequate protection to trade unionists. The Government had provided full information, but the information showed that in almost all the cases of murder, there was no real punishment. In one of his statements, Mr. Perez-Perez had mentioned that many of the cases of assassination of trade unionists were referred to the military courts. True, this was factual information from four years previous, but it might provide an explanation as to why the situation remained unchanged. It was also possible that some Government forces might be acquiescent in respect of the paramilitary forces action against trade unions. Technical cooperation was not the only requirement: the Government should make every effort to follow the recommendations and give priority to establishing correct judicial procedure. A recent ICFTU delegation of trade unionists attempted to visit Colombia, and found that one of its members was not allowed entry, but was obliged to return to his own country (France). This was a sign that there was still no constructive will to change the situation on the part of the Government.

The Employer Vice-Chairperson called a point of order on the grounds that the discussion was going beyond the limits of the CFA report.

The Worker Vice-Chairperson pointed to paragraph 726 of the report, which stated that no substantial attempt had been made to carry out justice against the criminal human rights violations in Colombia. The Government should observe the recommendations made by the Committee.

Governing Body decision:

The Governing Body adopted the Committee's recommendations in paragraphs 731 (Case No. 1787: Colombia), 750 (Case No. 2068: Colombia) and 762 (Case No. 2226: Colombia) of the report.

A Government representative of the Republic of Korea, referring to Case No. 1865, Republic of Korea, said that the Government had made considerable progress in following the Committee's recommendations to bring its laws into harmony with international labour

standards. The teachers' trade union had been legalized, trade unions were fully free to act collectively, and trade union pluralism at national level was recognized. A comprehensive review had resulted in proposals for wide ranging reform of the industrial relations system along the lines suggested by the CFA. The final report had been submitted in December 2003 to a tripartite commission, which was currently discussing the proposed reforms. The Government planned to introduce several bills in 2005 as a result of these discussions. In October 2004 a bill was submitted to the National Assembly which would allow public servants to establish trade unions and engage in collective bargaining.

An Employer member from the Republic of Korea expressed satisfaction at the evolving situation in industrial relations in his country, saying that the social partners, though still faced with problems, were on the right track, but that patience was required. In respect of the 12 public servants mentioned in the recommendations, the speaker stressed that these persons had broken into a government minister's office, damaged office fixtures and behaved violently, in contravention of the law. The wording of the recommendation could be seen as upholding law-breaking. Unionized public servants were at present protesting in the Republic of Korea for the right to collective action to be included in a government-sponsored bill coming before the National Assembly. However, it should be noted that the majority view of the Korean public was that public servants should not have the right to collective action.

A Worker member from Germany said the recommendation described the situation clearly. The Korean Government should introduce legislation allowing public service employees to found their own unions and carry out trade union activities.

Governing Body decision:

The Governing Body adopted the Committee's recommendations in paragraphs 841 (Case No. 1865: Republic of Korea), 856 (Case No. 2138: Ecuador), 880 (Case No. 2330: Honduras), 908 (Case No. 2228: India), 971 (Case No. 2236: Indonesia), 1019 (Case No. 2304: Japan), 1042 (Case No. 2308: Mexico), 1096 (Case No. 2317: Republic of Moldova), 1126 (Case No. 2274: Nicaragua), 1149 (Case No. 2311: Nicaragua), 1163 (Case No. 2273: Pakistan), 1172 (Case No. 2111: Peru), 1185 (Case No. 2285: Peru) and 1215 (Case No. 2289: Peru).

A Government representative of Peru said that her country fully respected ILO procedures for the examination of complaints made to the CFA. The information provided by the Government had, for reasons outside its control, not reached the Committee. The Government noted every recommendation made and undertook to supply the replies requested as quickly as possible.

Governing Body decision:

The Governing Body adopted the Committee's recommendations in paragraphs 1239 (Case No. 2293: Peru) and 1259 (Case No. 2325: Portugal).

A Government representative of Switzerland said his Government had noted the request for a further report, including the results of the tripartite working party on the accompanying measures relating to bilateral agreements passed between Switzerland and the enlarged European Union, concerning free movement of persons (a report of 24 June 2004); the message from the Swiss Government of 1 October 2004; and details of the parliamentary debate on the above agreements. It might also be possible to report on recent relevant parliamentary decisions. The recommendation did not call for new tripartite consultations, and the Government welcomed this, given that such discussions might

interfere in the parliamentary decision-making process. The present report was an interim report, to which the Government would respond in due course; it would subsequently respond to the final report on the basis of its observations of 31 March 2004. The Government's silence as to the present report before the Governing Body in no way implied acceptance of the principle of reinstatement. The speaker then referred to the report, listing a number of amendments to its text to which the Government wished to draw attention.

A Worker spokesperson on the Committee welcomed the offer of additional information from the Swiss Government, but did not see the relevance of the inclusion in the Government's report of details concerning European Union jurisprudence. It appeared from the Government's statement that it did not intend holding further tripartite discussion on whether there was adequate protection from anti-union dismissals. This ran contrary to the Committee's express wishes – it wanted to see further tripartite discussion, and then to receive a report on the outcome of the discussions. With reference to the amendments the representative of the Swiss Government wished to introduce into the report, it should be recalled that the report had been adopted by the Committee, and that it could not be rewritten by the Governing Body.

A Government representative of Switzerland stated that he had not intended submitting a report on EU jurisprudence on this subject but, given the tripartite discussions already in progress, it would not be necessary to open new discussion processes. The existing structures could be used to continue debate on the issues, as part of the ongoing tripartite discussions at national level. Regarding the amendments to the text, and in view of the fact that it was impossible to correct the report, the errors would stand: this could only undermine the credibility of the report as a whole.

Governing Body decisions:

The Governing Body adopted the Committee's recommendations in paragraphs 1356 (Case No. 2265: Switzerland), 1378 (Case No. 2303: Turkey) and 1396 (Case No. 2270: Uruguay) of the report.

The Governing Body adopted the 335th Report of the Committee on Freedom of Association as a whole.

Eighth item on the agenda

REPORTS OF THE PROGRAMME, FINANCIAL AND ADMINISTRATIVE COMMITTEE

First report: Financial questions (GB.291/8/1(Rev.2) and GB.291/8(Add.))

A representative of the Director-General indicated that the summary of the discussions of the Programme, Financial and Administrative Committee on the Strategic Policy Framework (SPF) would be appended to document GB.291/PFA/9 and posted on the ILO web site.

A Government representative of the United States, also speaking on behalf of the Governments of Australia, Canada, Japan and the United Kingdom expressed serious reservations in respect of the SPF, which set out an outline for Office activities for the next years, and consequently determined budgetary priorities. It was regrettable that the comments made during the debates of the previous week should not be incorporated in a

revised strategic framework. Nevertheless, given the information that the Office had just communicated, the above Governments were able to approve the Committee's report.

*Programme and Budget for 2004-05: Regular budget account
and Working Capital Fund*

The Governing Body took note of this part of the report (paragraphs 1-12).

Report of the Building Subcommittee

Governing Body decision:

The Governing Body:

- (a) *authorized the Office to increase the estimated project cost for the Subregional Office in Santiago by US\$120,000, to be financed out of the Building and Accommodation Fund, in order to reflect the fall in the value of the dollar in relation to the peso between the autumn of 2003 and the start of construction;*
- (b) *took note of the action taken by the Office with regard to local sales tax reimbursements and notice to terminate the current lease; and*
- (c) *requested the Office to report on progress to the Building Subcommittee in March 2005.* (GB.291/8/1(Rev.2), paragraph 28.)

Information Technology Systems Fund

Project IRIS

Financial questions relating to the International Institute for Labour Studies

Security and safety of staff and premises

The Governing Body took note of these parts of the report. (GB.291/8/1(Rev.2), paragraphs 29-77.)

Use of the 2000-01 surplus

Governing Body decision:

The Governing Body decided that all remaining exchange gains on the 2000-01 surplus be allocated to the Information Technology Systems Fund to fund project IRIS. (GB.291/8/1(Rev.2), paragraph 84.)

Technical meetings reserve for 2004-05

Governing Body decision:

The Governing Body decided that the following meetings be financed from the technical meetings reserve for 2004-05: Tripartite Meeting of Experts on the Fishing Sector; Tripartite Meeting of Experts: ILO Non-Binding Multilateral Framework for a Rights-Based Approach to Labour Migration (US\$454,524 for the two Meetings); and the Meeting of Experts on Updating the List of

Occupational Diseases (estimated cost of US\$275,080). (GB.291/8(Add.), paragraph 12.)

Strategic Policy Framework for 2006-09 (and preview of the Programme and Budget proposals for 2006-07)

Governing Body decision:

The Governing Body:

- (a) *noted the Office document GB.291/PFA/9 (Strategic Policy Framework for 2006-09), taking into account the views expressed during the discussion including the closing remarks of the Director-General; and*
- (b) *requested the Director-General to take the discussion of the Strategic Policy Framework for 2006-09 and the preview of the Programme and Budget proposals for 2006-07 into account during the preparation of the programme and budget proposals for the next biennium.* (GB.291/8/1(Rev.2), paragraph 195.)

Evaluation of the InFocus Programme on Skills, Knowledge and Employability

Governing Body decision:

The Governing Body requested the Director-General to take into consideration the above findings and recommendations, together with the deliberations of the Committee, in the further implementation of the Skills, Knowledge and Employability Programme. (GB.291/8/1(Rev.2), paragraph 206.)

Evaluation of the InFocus Programme on the Elimination of Child Labour (IPEC)

Governing Body decision:

The Governing Body:

- (a) *reconfirmed its commitment to the elimination of child labour and endorse current IPEC strategies (recommendation 14(a));*
- (b) *invited member States to ensure effective participation of social partners in national steering committees (recommendation 14(d));*
- (c) *continued to examine ways to better link standard setting with technical cooperation (recommendation 18(a));*
- (d) *endorsed in principle a role for the IPSC as a partnership forum (recommendation 18(c)); and*
- (e) *requested the Director-General to consider the recommendations of the evaluation together with the deliberations of this Committee and report back to the Governing Body at its November 2005 session on actions taken.* (GB.291/8/1(Rev.2), paragraph 223.)

*Report of the Joint Inspection Unit of the United Nations
on its activities for the year ended 31 December 2003,
and other JIU reports*

The Governing Body noted this part of the report (paragraphs 224-230).

Other financial questions

*Financial arrangements for the Governing Body delegation to the
Extraordinary Summit of Heads of State and Government
of the African Union in Ouagadougou*

Governing Body decision:

The Governing Body approved that the total cost of the tripartite delegation of US\$11,500 be financed in the first instance from savings in Part I of the Programme and Budget for 2004-05, on the understanding that, should this not prove possible, the Director-General would propose alternative methods of financing at a later stage in the biennium. (GB.291/8/1(Rev.2), paragraph 235.)

*Second report: Personnel questions
(GB.291/8/2(Rev.))*

A Government representative of the United Kingdom, speaking on behalf of the IPEC group, appealed for greater transparency in the ILO's senior management structure, and requested the Office to produce as soon as possible a document setting out the roles and responsibilities of the new Executive Directors, and indicating whether any amendments were accordingly required to the financial and staff rules and regulations. The draft Programme and Budget for 2006-07 should include a chart showing the senior management structure.

A Government representative of South Africa endorsed the IMEC statement.

I. Statement by the staff representative

II. Amendments to the Staff Regulations

III. Exceptions to the Staff Regulations

The Governing Body took note of these parts of the report (paragraphs 2-4).

IV. ILO Human Resources Strategy: Summary of developments

Governing Body decision:

The Governing Body:

- (a) noted progress made in implementing the Human Resources Strategy; and***
- (b) requested a further detailed report on the overall implementation of the Strategy for its March 2005 meeting, including a proposal on its review.*** (GB.291/8/2(Rev.), paragraph 38.)

V. *Report of the International Civil Service Commission*

Governing Body decision:

The Governing Body:

- (a) *accepted the recommendations of the ICSC, subject to their approval by the United Nations General Assembly, on the following entitlements:*
- (i) *an increase of 1.88 per cent in the base/floor salary scale; and*
- (ii) *consequential increases in the mobility and hardship allowance and separation payments, for staff in the Professional and higher categories, with effect from 1 January 2005; and*
- (b) *authorized the Director-General to give effect in the ILO, through amendments to the Staff Regulations (as necessary), to the measures referred to in subparagraph (a), subject to their approval by the General Assembly. (GB.291/8/2(Rev.), paragraph 41.)*

VI. *Matters relating to the Administrative Tribunal of the ILO*

(a) *Recognition of the Tribunal's jurisdiction by the Advisory Centre on WTO Law*

(b) *Recognition of the Tribunal's jurisdiction by the African, Caribbean and Pacific Group of States (ACP Group)*

Governing Body decision:

The Governing Body approved the recognition of the Tribunal's jurisdiction by the Advisory Centre on WTO Law and by the African, Caribbean and Pacific Group of States (ACP Group), with effect from the date of such approval. (GB.291/8/2(Rev.), paragraph 50.)

Ninth item on the agenda

REPORT OF THE COMMITTEE ON LEGAL ISSUES AND
INTERNATIONAL LABOUR STANDARDS
(GB.291/9(Rev.))

First part: Legal issues

I. *Possible improvements in the standards-related activities of the ILO:
Proposals regarding submission to competent authorities
and the representation procedure*

(a) *Implementation of the obligation of submission to competent authorities*

Governing Body decision:

The Governing Body requested the Office to prepare for its 292nd Session (March 2005) a revised draft of the Memorandum concerning the obligation to

submit Conventions and Recommendations to the competent authorities, taking into account the views expressed and the amendments proposed during the debate. (GB.291/9(Rev.), paragraph 18.)

(b) The representation procedure

Governing Body decision:

The Governing Body:

- (a) adopted the proposed amendments to the Standing Orders concerning the procedure for the examination of representations under articles 24 and 25 of the ILO Constitution contained in Appendix I; and*
- (b) approved the introductory note to the aforementioned Standing Orders contained in Appendix II.* (GB.291/9(Rev.), paragraph 30.)

*II. Practices for the preparation of international labour Conventions:
Progress regarding the Handbook on Good Drafting Practices*

The Governing Body took note of this part of the report (paragraphs 31-32).

III. Consolidation of rules applicable to the Governing Body

Governing Body decision:

The Governing Body requested the Office to prepare an initial draft compendium consolidating the rules, practices and arrangements applicable to the Governing Body, for examination by the Committee on Legal Issues and International Labour Standards at its March 2005 session, taking into account the views expressed during the debate.

Second part: International labour standards and human rights

IV. Ratification and promotion of fundamental ILO Conventions

The Governing Body took note of this part of the report (paragraphs 43-54).

*V. Choice of instruments on which reports should be requested in
2006 and 2007 under article 19 of the Constitution*

Governing Body decision:

The Governing Body invited governments to submit reports under article 19 of the Constitution:

- (a) in 2006 on the Forced Labour Convention, 1930 (No. 29), and the Abolition of Forced Labour Convention, 1957 (No. 105);*
- (b) in 2007 on the Labour Clauses (Public Contracts) Convention, 1949 (No. 94), and the Labour Clauses (Public Contracts) Recommendation, 1949 (No. 84).* (GB.291/9(Rev.), paragraph 73.)

VI. Establishment of arrangements and procedures under Article 5, paragraphs 6-8, of the Seafarers' Identity Documents Convention (Revised), 2003 (No. 185)

Governing Body decision:

The Governing Body approved the general lines of the proposals contained in document GB.291/LILS/6 with a view to their development into a set of arrangements and procedures to be submitted at the next session of the Governing Body. (GB.291/9(Rev.), paragraph 83.)

VI. Other questions

(a) Flag of the International Labour Organization

Governing Body decision:

The Governing Body authorized the Office to draw up a draft resolution for the adoption of an ILO flag, along with draft regulations for its use, to be examined by the Committee on Legal Issues and International Labour Standards at the 292nd Session of the Governing Body (March 2005), in view of its report to the International Labour Conference. (GB.291/9(Rev.), paragraph 88.)

(b) Agenda of the next session of the Committee on Legal Issues and International Labour Standards

The Governing Body took note of this part of the report (paragraph 89).

Tenth item on the agenda

REPORT OF THE SUBCOMMITTEE ON MULTINATIONAL ENTERPRISES
(GB.291/10(Rev.))

Other questions

The Employer Vice-Chairperson pointed out that the workplan that the Subcommittee was taking up, and the possible programme on corporate social responsibility would have human and financial resource repercussions which would have to be taken into account.

Governing Body decision:

The Governing Body:

- (a) requested the Multinational Enterprises Programme to prepare a workplan covering the period 2005-07 for consideration by the Subcommittee at its next sitting based on the suggestions made by the Subcommittee, including possible activities, to be approved by the Governing Body, to follow up on the recommendations made by the World Commission on the Social Dimension of Globalization in the area of corporate social responsibility; and*
- (b) requested the Director-General to inform the ISO of the ILO's concerns with respect to the process under way to start work on an ISO standard on CSR and to ask the ISO to postpone any further action until a Memorandum*

of Understanding that recognizes and respects the ILO's unique mandate concerning international labour standards and views relating to a broad range of social issues has been signed between the two organizations. (GB.291/10(Rev.), paragraphs 35 and 36.)

Eleventh item on the agenda

REPORT OF THE COMMITTEE ON EMPLOYMENT AND SOCIAL POLICY (GB.291/11(Rev.))

The Employer spokesperson recalled that during the discussion on points IV (Trade, foreign investment and productive employment in developing countries) and V (Macroeconomic policy for growth and employment), the Employers had stressed that no additional resources should be committed to these questions.

The Worker spokesperson was opposed to this point of view, and felt that resources should be allocated where they were needed.

- I. Progress in the implementation of the Global Occupational Safety and Health Strategy as adopted by the 91st Session (2003) of the International Labour Conference*
- II. The minimum wage: Catalyst for social dialogue or economic policy instrument*
- III. Implementation of the Global Employment Agenda: An update*
- IV. Trade, foreign investment and productive employment in developing countries*
- V. Macroeconomic policy for growth and employment*

The Governing Body took note of the report.

Twelfth item on the agenda

REPORT OF THE COMMITTEE ON SECTORAL AND TECHNICAL MEETINGS AND RELATED ISSUES (GB.291/12(Rev.))

- I. Implementation of the Sectoral Activities Programme: Progress report*

Governing Body decision:

The Governing Body took note of the report and the views expressed in the context of preparing proposals for a programme of sectoral activities in 2006-07 for discussion at the March 2005 session of the Governing Body. (GB.291/12(Rev.), paragraph 17.)

II. Technical assistance in the framework of the Seafarers' Identity Documents Convention (Revised), 2003 (No. 185)

Governing Body decision:

The Governing Body:

- (a) confirmed the priority that should be given to the planning and financing of the kind of assistance referred to above; and*
- (b) reminded member States and other potential donors of the urgent necessity to consider the appeal of the Office to provide assistance in order to enable developing and transition economy countries to ratify and effectively implement Convention No. 185. (GB.291/12(Rev.), paragraph 29.)*

III. Report of the International Symposium on Employers' Organizations and the Challenges Facing Business Today (Geneva, 15-17 December 2003)

The Governing Body took note of the report.

IV. Joint IMO/ILO Ad Hoc Expert Working Group on the Fair Treatment of Seafarers in the Event of a Maritime Accident

Governing Body decision:

The Governing Body:

- (a) noted the information provided; and*
- (b) approved the terms of reference of the Joint IMO/ILO Ad Hoc Expert Working Group on the Fair Treatment of Seafarers in the Event of a Maritime Accident, as amended by the IMO Legal Committee. (GB.291/12(Rev.), paragraph 37.)*

V. Other questions

- (a) Invitation to participate in the Conference of the World Tourism Organization on Analysing Tourism in the Global Economy: Applications of the Tourism Satellite Account (2005)*

Governing Body decision:

The Governing Body noted the information provided on the World Tourism Organization Conference on Analysing Tourism in the Global Economy: Applications of the Tourism Satellite Account (2005) and that the ILO was invited to lead a session on "Monitoring labour markets in the tourism sector". (GB.291/12(Rev.), paragraph 41.)

(b) Composition of the Joint ILO/IMO/Basel Convention Working Group on Ship Scrapping

Governing Body decision:

The Governing Body:

- (a) authorized the holding of the Joint ILO/IMO/Basel Convention Working Group on Ship Scrapping in London from 15 to 17 February 2005, with a composition of ten ILO (five Employer and five Worker) representatives, five Basel Convention representatives and five IMO representatives; and*
- (b) requested the Director-General to communicate its decision to the Executive Secretary of the Secretariat of the Basel Convention and to the Secretary-General of the International Maritime Organization. (GB.291/12(Rev.), paragraph 46.)*

(c) Report on the Tripartite Meeting on the Future of Work and Quality in the Information Society: The Media, Culture, Graphical Sector (Geneva, 18-22 October 2004)

The Governing Body took note of the oral report.

- (d) Update on the development of the joint FAO/IMO/ILO code and voluntary guidelines on safety and health on fishing vessels*

The Governing Body took note of the oral report.

Thirteenth item on the agenda

REPORT OF THE COMMITTEE ON TECHNICAL COOPERATION
(GB.291/13(Rev.))

I. The ILO's technical cooperation programme for 2003-04

Governing Body decision:

The Governing Body:

- (a) took note of the ILO's technical cooperation programme 2003-04;*
- (b) requested the Office to implement the strategy on resource mobilization as stated in paragraph 17 of the report (GB.291/TC/1) and report back regularly on the results achieved; and*
- (c) took into consideration ILO established guidelines on the evaluation of technical cooperation projects and programmes, as stated in paragraph 141 of the report, and requested the Office to ensure that independent evaluations are carried out and reported on a regular basis. (GB.291/13(Rev.), paragraph 47.)*

II. Follow-up to the ILO Declaration on Fundamental Principles and Rights at Work: Technical cooperation priorities and action plans regarding freedom of association and the effective recognition of the right to collective bargaining

*III. Plan of action giving effect to the resolution concerning tripartism and social dialogue:
Oral presentation*

IV. Development cooperation – Donors' perspective

V. Any other business

The Governing Body took note of these parts of the report (paragraphs 48-93).

Fourteenth item on the agenda

REPORT OF THE WORKING PARTY ON THE SOCIAL DIMENSION OF GLOBALIZATION
(GB.291/14(Rev.2))

*Oral report of the Chairperson of the Working Group: Mr. Philippe Séguin,
Government representative, France*

The Governing Body took note of the oral report of the Chairperson of the Working Group.

Fifteenth item on the agenda

INTERNATIONAL INSTITUTE FOR LABOUR STUDIES
(GB.291/15(Rev.))

The Governing Body took note of the 46th report of the Institute.

Sixteenth item on the agenda

REPORT OF THE DIRECTOR-GENERAL
(GB.291/16)

Governing Body decision:

The Governing Body requested the Director-General to convey its sympathy to the family of Mr. Bert Seidman and the American Federation of Labor – Congress of Industrial Organizations.

The Governing Body took note of the information communicated to it in paragraphs 6-13 of the report on progress in international labour legislation and internal administration. (GB.291/16, paragraph 5.)

*First Supplementary Report: Appointment of Executive Directors
(GB.291/16/1)*

Ms. María-Angélica Ducci and Ms. Patricia O'Donovan, appointed respectively as Executive Director of the Office of the Director-General and Executive Director of the Management and Administration Sector, with effect from 1 October 2004, made and signed the declaration of loyalty prescribed in paragraph (b) of article 1.4 of the ILO Staff Regulations.

*Second Supplementary Report: Preparatory Technical
Maritime Conference (PTMC)
(GB.291/16/2)*

The Employer Vice-Chairperson supported the resolutions presented and pointed out that Article III of the draft Convention contained text from the ILO Declaration on Fundamental Principles and Rights at Work and its Follow-up, adopted in 1998. Two ILO Conventions referred to the Declaration in their preamble, not in their substantive provisions. Since the ILO Declaration was a policy instrument, and not a standard, its appropriate place in a Convention should be defined and standardized so as to eliminate obstacles to ratification and ensure that principles were not automatically converted into rights.

A Worker member explained that the decision to place the reference to the ILO Declaration of 1998 in the preamble and not the substantive provisions of the instrument was taken at the PTMC on the basis of the required legal consultation. The draft Convention simplified the provisions of all the existing maritime labour Conventions. Regarding the principle of tripartism, he regretted that 14 of the 88 countries represented at the PTMC had not sent a complete tripartite delegation or had failed to pay the expenses of some of their representatives, in particular of the workers.

A representative of the Director-General took note of the comments made by the Employers and the Workers. She pointed out that the Record of Proceedings of the PTMC contained not only the discussion on the text of Article III and the reference to the ILO Declaration of 1998 in the preamble, but also the opinion of the Legal Adviser clarifying the scope of the provisions of Article III. The draft Convention was a consolidation of the provisions of 68 international maritime labour Conventions and therefore it could not leave out a reference to the important rights and principles contained in Article III. The process of drafting this instrument was guided by a constant concern to avoid any obstacles to ratification.

*Resolution concerning a procedure to deal with amendments
submitted to the PTMC on unbracketed text*

*Resolution concerning a procedure to deal with unresolved
issues in the bracketed texts of the draft consolidated maritime
labour Convention*

Governing Body decision:

The Governing Body approved the requests and endorsed the actions set out in the above two resolutions, on the understanding that they would involve no direct cost for the Office. The intersessional meeting on follow-up to the Preparatory Technical Maritime Conference is tentatively planned for the period 21-27 April 2005. (GB.291/16/2, paragraph 6.)

Resolution concerning technical cooperation to strengthen the capacities of the national administrations responsible for maritime labour inspection

Governing Body decision:

The Governing Body invited the Director-General to draw this resolution to the attention of ILO Members and to consider the various measures that are proposed for action by the Office in the area of technical cooperation. (GB.291/16/2, paragraph 8.)

Resolution concerning credentials issues raised at the Preparatory Technical Maritime Conference

Governing Body decision:

The Governing Body requested the Director-General to take this resolution into consideration, when preparing invitations or proposing standing orders for future meetings of national tripartite delegations, to the extent feasible having regard to the resources available for the meetings concerned. (GB.291/16/2, paragraph 9.)

*Third Supplementary Report: The functioning of the International Labour Conference and of the Governing Body
(GB.291/16/3)*

A representative of the Director-General recalled that the aim of the exercise was improved governance. He explained that the Office had not presented a document on the subject for this session because in March 2004 the Governing Body had decided that the matters on which agreement had been reached would be implemented. At the present session, the Committee on Legal Issues and International Labour Standards (LILS) had discussed the publication of a compendium of the rules and decisions governing the functioning of the Governing Body. Committees were now establishing their agenda for the next session. The agenda of the Committee on Employment and Social Policy (ESP) included items pertaining both to the Employment and Social Protection Sectors.

At the June 2005 session a new Governing Body would be elected and then it could be decided whether or not to modify the number of committees and their composition. For instance, a decision could be taken on geographical balance in the Subcommittee on Multinational Enterprises (MNE), and whether to enlarge the mandate of the Committee on Sectoral and Technical Meetings and Related Issues (STM) to cover social dialogue items. Concerning the International Programme for the Elimination of Child Labour (IPEC), the report of its Steering Committee would no longer be made orally to the Committee on Technical Cooperation (TC) at November sessions, but in writing in March. In any event, there would be further discussions on the way the Steering Committee should function. The Government group had met twice, once at the beginning of the Committee week and the second time during the Governing Body plenary week.

New developments with respect to the functioning of the 92nd Session of the Conference included the following: the discussion of the Global Report in a committee room was received favourably, and in March a paper would be presented to the LILS Committee on the modalities of discussion of the Global Report at the next session of the Conference; there had been a slight improvement in regard to observance of the time limits for interventions in plenary; the electronic voting system would need further adjustments;

and the number of side events during the Conference should be carefully planned, while giving sufficient prominence to the World Day against Child Labour.

The Employer Vice-Chairperson highlighted the need to improve governance in the Governing Body, that is, to enhance its capacity and give it more time to study substantive issues in the light of the strategic objectives. He was also convinced of the importance of informal consultations, including among Governments. Side events should not distract participants from the regular business of the Conference agenda – which should be in step with reality, and contain items chosen for their topical interest and relevance, not just with a view to filling the three weeks of the Conference.

The Worker Vice-Chairperson stressed the importance of Governments' active, adequate and effective participation in all of the Governing Body committees and subcommittees, in particular the MNE Subcommittee and the Committee on Freedom of Association. He suggested that the ESP Committee meetings be closer together. In order to facilitate the work of the Office, there should be advance planning for two or three sessions of the Governing Body. Concerning the discussion of the Global Report, the debate should be more interactive and spontaneous. Lastly, member States should have access to available information on industrial relations and collective bargaining, and every Governing Body member should have an in-depth knowledge of these issues. Labour administration should be a discipline in itself and governments should be able to seek guidance from specialists in the field.

A Government representative of Canada, speaking on behalf of the group of Industrialized Market Economy Countries (IMEC), noted that many of his group's concerns had already been addressed, and trusted that the other pending issues would be dealt with in the document being prepared by the Office for the March session. One of these was the question of avoiding the financial and human costs of evening and weekend meetings.

The IMEC group proposed new topics for discussion. First, after the lengthy discussions on an important document, such as the Strategic Policy Framework, the Office should revise the document to reflect the views expressed by the constituents; where this was not possible owing to lack of time, further thought should be given to the scheduling of discussions on such issues. Second, governments should be consulted on changes to the order of business, particularly when the change resulted in a key document being scheduled for discussion during an evening sitting. Third, introductory statements by the Director-General should be distributed in advance, to facilitate a more focused discussion. The IMEC group would welcome informal consultations by the Office to assist in preparing the documents to be presented to the Governing Body in March 2006.

Governing Body decision:

The Governing Body decided that a detailed document should be presented to it at its 292nd (March 2005) Session on improvements that should be made to the functioning of the International Labour Conference and the Governing Body. (Chairperson's summary.)

Seventeenth item on the agenda

REPORT OF THE OFFICERS OF THE GOVERNING BODY

Complaint concerning non-observance by Venezuela of the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), and the Right to Organise and Collective Bargaining Convention, 1949 (No. 98), made by various delegates at the 92nd Session (2004) of the Conference under article 26 of the ILO Constitution (GB.291/17)

The Employer Vice-Chairperson, whose group had lodged the complaint, supported the recommendations in paragraph 7 of the document.

The Worker Vice-Chairperson endorsed the first speaker's statement and stressed that the Governing Body had only to consider the receivability of the complaint.

A Government representative of Venezuela regretted that the complaint appeared to be automatically receivable, without prior examination of certain aspects that might influence this receivability, or the manner of proceeding in general. He stressed that some of the allegations put forward by the authors were general and not linked to Conventions Nos. 87 and 98.

The Employer Vice-Chairperson raised a point of order, on the grounds that the debate should only cover questions of procedure.

A Government representative of Venezuela explained that a procedure was under way within the supervisory bodies; interim conclusions had been formulated, and the Government of Venezuela wished to supply information concerning these conclusions, as was indicated in the report of the Committee on Freedom of Association, which the Governing Body had adopted the previous day. A direct contacts mission had been to Venezuela from 13 to 15 October 2004, and would submit a report to the Committee of Experts on the Application of Conventions and Recommendations in November. Parallel treatment of the same case by two different bodies was liable to generate contradictions. Opening a second procedure would run contrary to the process under way, since the *Handbook of procedures relating to international labour Conventions and Recommendations* provided, in paragraph 86(d), that "While direct contacts are taking place, the supervisory bodies will suspend their examination of the matters in question for a period not normally exceeding one year, so as to be able to take account of the outcome". Moreover, it would be premature to open a new procedure, which could jeopardize the efficacy of the Organization by overshadowing the assistance supplied by the ILO under the direct contacts mission. Finally, some of the conclusions and recommendations formulated by the Committee on Freedom of Association concerned questions of internal politics and were inapplicable, or even legally impossible to carry out.

The Chairperson recalled that Venezuela was not called on to present a defence at this point, since it was not accused by the Governing Body, and that for the present the question was whether the complaint was receivable.

The Worker Vice-Chairperson recalled the point of order raised by the Employers and requested that the debate should be limited to questions of procedure.

The Employer Vice-Chairperson raised a second point of order, and noted that the present procedure was quite acceptable, since the *Handbook of procedures relating to international labour Conventions and Recommendations* also provided, in paragraph 86(j), that "The establishment of the *direct contacts* and the terms of reference of the

representative of the Director-General may not in any way be construed as limiting the functions and responsibilities of the supervisory bodies". He requested that the situation should be clarified by the Legal Adviser.

The Legal Adviser explained that the two provisions in the *Handbook* were not contradictory. The direct contacts mission interrupted the procedure before the Committee of Experts for the Application of Conventions and Recommendations and possibly that before the Committee on Freedom of Association, but it did not imply the suspension of procedures concerning complaints made under articles 24 and 26 of the Constitution. In the present document, the Government of Venezuela was simply called on to submit, within a delay of three months, its comments concerning the complaint. The Governing Body would then examine the complaint, and take account of the Government's reply and the different procedures which would have taken place to come to a decision on the substance.

A Government representative of Nigeria stated that care should be taken to ensure that the complex and effective mechanisms established by the Organization to guarantee respect for international labour Conventions should not lose relevance through duplication of procedures. The point for decision in paragraph 7 should be modified to allow the procedures under way to be concluded before undertaking new measures.

A Government representative of El Salvador, speaking on behalf of the Group of Latin American and Caribbean States (GRULAC), noted that the Government of Venezuela had shown its willingness to collaborate with the supervisory bodies and had agreed to receive two direct contacts missions. The latter of these two missions took place on 13 to 15 October 2004, and its report had not yet been published; therefore, under paragraph 86(d) of the *Handbook of procedures relating to international labour Conventions and Recommendations*, the said mission should suspend further examination. Technical assistance should now take precedence over the launch of a new procedure. The speaker proposed that the point for decision should be amended such that the Government did not have to supply comments until the ongoing procedures had been concluded.

A Government representative of China endorsed the GRULAC statement and proposed delaying examination of the document until the ongoing procedures had reached their conclusion.

The Employer and Worker Vice-Chairpersons indicated that they could not accept the point for decision as modified by the Government of El Salvador.

A Government representative of Cameroon proposed that, as the Governing Body was not in possession of the report of the direct contacts mission, subparagraph 7(a) should be amended to invite Venezuela to submit its comments as rapidly as possible, without fixing a date.

The Chairperson noted that in the absence of a closing date for the submission of comments, subparagraph (b) was in danger of losing all sense and proposed sub-amending the amendment by the Government of Cameroon by deleting subparagraph (b).

The Employer Vice-Chairperson explained that it was fundamental that the Governing Body held a discussion on the substance of this question in March, and for that it must have all the elements necessary, including the comments of the Government of Venezuela; he could not therefore accept that the point for decision be drafted in such a way as to fail to guarantee that all information should be available when needed, and requested a return to the initial text.

The Worker Vice-Chairperson also supported the text as given in the document.

A Government representative of Venezuela stressed his Government's willingness to cooperate, as witnessed by the meetings that had taken place between a representative of the National Assembly and the direct contacts mission. He was convinced of the importance of workers and those persons adversely affected having the possibility of lodging complaints to safeguard their rights. This position of principle of the Government of the Republic of Venezuela had its basis in the origins of those of whom it was composed, who issued from the national human rights movement and the trade union movement. While in the case under examination it was clear that the complaint was not receivable, the Government would nevertheless supply the relevant information within the designated time.

The speaker thanked the Legal Adviser of the ILO, who had replied to an inquiry made by his Government almost two years previously, which would lead to the amendment of the *Handbook of procedures relating to international labour Conventions and Recommendations*, providing better legal protection for the constituents. He would submit a copy of the request made by the Government to the Chairperson of the Governing Body.

Governing Body decision:

The Governing Body:

- (a) *requested the Director-General to invite the Government of Venezuela, as the Government against which the complaint had been filed, to communicate its observations on the complaint so that they reached the Director-General no later than 10 January 2005;*
- (b) *decided to consider at its 292nd Session, in the light of:*
 - (i) *the information supplied by the Government of Venezuela on the complaint; and*
 - (ii) *the recommendations of the Committee on Freedom of Association;*

whether the complaint should be forwarded to a Commission of Inquiry. (GB.291/17, paragraph 7.)

Eighteenth item on the agenda

COMPOSITION AND AGENDA OF STANDING BODIES AND MEETINGS
(GB.291/18)

Committee of Experts on the Application of Conventions and Recommendations

New appointment

Governing Body decision:

The Governing Body appointed Mr. Raymond Ranjeva as member of the Committee of Experts for a period of three years. Mr. Ranjeva, of Madagascar, is Professor of Law, Judge and Vice-President of the International Court of Justice. (GB.291/18, paragraph 1.)

ILO Declaration Expert-Advisers

Reappointments

Governing Body decision:

The Governing Body, on the recommendation of its Officers, reappointed for a period of three years the following persons as ILO Declaration Expert-Advisers:

- Dr. Ahmed El Borai (Egypt);*
- Ms. Maria Nieves Confesor (Philippines);*
- Mr. Jean-Jacques Oechslin (France);*
- Mr. Robert White (Canada).*

(GB.291/18, paragraph 2.)

*Tripartite Meeting of Experts on the Fishing Sector
(Geneva, 13-17 December 2004)*

Governing Body decision:

The Governing Body decided that the Tripartite Meeting of Experts on the Fishing Sector will be financed from the technical meetings reserve for 2004-05. (GB.291/8/1(Rev.2), paragraph 96.)

Invitation of intergovernmental organizations

Governing Body decision:

The Governing Body noted that the Director-General intends to invite the following intergovernmental organizations to be represented at the Meeting as observers:

- European Commission;*
- Food and Agriculture Organization of the United Nations;*
- International Maritime Organization;*
- Organisation for Economic Co-operation and Development.*

(GB.291/18, paragraph 8.)

Invitation of international non-governmental organizations

Governing Body decision:

The Governing Body authorized the Director-General to invite the following international non-governmental organizations to be represented at the Meeting as observers:

- *International Association of Classification Societies;*
- *International Christian Maritime Association;*
- *International Collective in Support of Fishworkers;*
- *International Maritime Health Association;*
- *International Transport Workers' Federation.*

(GB.291/18, paragraph 10.)

The Employer Vice-Chairperson, referring to the list of countries that would be invited to attend this Tripartite Meeting of Experts as observers, recommended that the Office take care to ensure that the Meeting was tripartite in nature and that it provide a conducive climate for consultations and exchange of views.

*Tripartite Meeting on Employment, Social Dialogue, Rights at Work and Industrial Relations in Transport Equipment Manufacture
(Geneva, 10-12 January 2005)*

Invitation of intergovernmental organizations

The Governing Body noted that the Director-General intended to invite the following intergovernmental organizations to be represented at the Meeting as observers:

- *European Commission;*
- *United Nations Conference on Trade and Development;*
- *United Nations Economic Commission for Europe.*

(GB.291/18, paragraph 11.)

Invitation of international non-governmental organizations

Governing Body decision:

The Governing Body authorized the Director-General to invite the following international non-governmental organizations to be represented at the Meeting as observers:

- *International Federation of University Women;*
- *International Metalworkers' Federation.*

(GB.291/18, paragraph 13.)

*Meeting of Experts to Develop Guidelines for Labour Inspection in Forestry
(Geneva, 24-28 January 2005)*

Invitation of intergovernmental organizations

The Governing Body noted that the Director-General intended to invite the following intergovernmental organizations to be represented at the Meeting as observers:

- ***Food and Agriculture Organization of the United Nations;***
- ***United Nations Economic Commission for Europe.***

(GB.291/18, paragraph 14.)

Invitation of international non-governmental organizations

Governing Body decision:

The Governing Body authorized the Director-General to invite the following international non-governmental organizations to be represented at the Meeting as observers:

- ***European Network of Forestry Entrepreneurs;***
- ***Federation of Timber and Related Industries Workers' Unions of the Commonwealth of Independent States;***
- ***International Association of Labour Inspection;***
- ***International Federation of Building and Wood Workers.***

(GB.291/18, paragraph 16.)

*Meeting of Experts to Develop a Revised Code of Practice on Safety and Health
in the Iron and Steel Industry (Geneva, 1-9 February 2005)*

Invitation of international non-governmental organizations

Governing Body decision:

The Governing Body authorized the Director-General to invite the following international non-governmental organizations to be represented at the Meeting as observers:

- ***European Association of Metals (Eurometaux);***
- ***International Association of Labour Inspection;***
- ***International Council on Mining and Metals;***
- ***International Iron and Steel Institute;***
- ***International Metalworkers' Federation;***

- *International Occupational Hygiene Association;*
- *International Social Security Association.*

(GB.291/18, paragraph 18.)

Seventh European Regional Meeting (Budapest, 14-18 February 2005)

Representation of the Republic of Korea

Governing Body decision:

The Governing Body invited the Republic of Korea to be represented at the Seventh European Regional Meeting by an observer delegation. (GB.291/18, paragraph 20.)

Invitation of an intergovernmental organization

The Governing Body noted that the Director-General intended to invite the Executive Secretariat of the Commonwealth of Independent States (CIS) to be represented at the Meeting as an observer. (GB.291/18, paragraph 21.)

Invitation of an international non-governmental organization

Governing Body decision:

The Governing Body authorized the Director-General to invite the General Confederation of Trade Unions to be represented at the Meeting as an observer. (GB.291/18, paragraph 23.)

Appointment of Governing Body representatives on various bodies

*Tripartite Meeting on Employment, Social Dialogue, Rights at Work and Industrial Relations in Transport Equipment Manufacture
(Geneva, 10-12 January 2005)*

Governing Body decision:

The Governing Body appointed Mr. Jan Sithole (Worker, Swaziland), who would also chair the Meeting. (GB.291/18, paragraph 24.)

Information note

PROGRAMME OF MEETINGS FOR THE REMAINDER OF 2004 AND FOR 2005

The Governing Body noted the programme of meetings for the remainder of 2004 and for 2005. (GB.291/Inf.1)

Annexe / Appendix / Anexo

291^e session – Genève – novembre 2004
291st Session – Geneva – November 2004
291.^a reunión – Ginebra – noviembre de 2004

Liste des personnes assistant à la session List of persons attending the session Lista de las personas presentes en la reunión

Membres gouvernementaux titulaires Miembros gubernamentales titulares	Regular Government members
Président du Conseil d'Administration : Chairperson of the Governing Body : Presidente del Consejo de Administración :	M. P. SÉGUIN (France)

Afrique du Sud South Africa Sudáfrica

Mr. M.M.S. MDLADLANA, Minister of Labour.

substitute(s):

Mr. L. KETTLEDAS, Deputy Director-General, Department of Labour.
 Mr. S. NDEBELE, Director, International Relations, Department of Labour.
 Ms. L. LUSENGA, Counsellor (Labour), Permanent Mission, Geneva.

accompanied by:

Ms. G. MTSHALI, Ambassador, Permanent Mission, Geneva.
 Ms. T. MOTHEOHANE, Private Secretary to the Minister of Labour.

Allemagne Germany Alemania

Mr. W. KOBERSKI, Head, International Employment and Social Policy Department, Federal Ministry of Economic Affairs and Labour.

substitute(s):

Mr. E. KREUZALER, International Employment and Social Policy Department, Federal Ministry of Economic Affairs and Labour.
 Ms. M. SCHLEEGER, Head of Division for ILO and UN Affairs, Federal Ministry of Economic Affairs and Labour.
 Ms. B. ZEITZ, Deputy Head, ILO and UN Department, Federal Ministry of Economic Affairs and Labour.

accompanied by:

Mr. D. KRANEN, Counsellor, Permanent Mission, Geneva.
 Ms. P. HEIMANN, Consultant, Federal Ministry of Economic Affairs and Labour.

**Arabie saoudite Saudi Arabia
Arabia Saudita**

Mr. A. AL HADLAQ, Director-General,
International Organizations Affairs,
Ministry of Labour.

substitute(s):

Mr. A. AL-OMARI, Specialist, International
Organizations, Ministry of Labour.

**Argentine Argentina
Argentina**

Sr. C. TOMADA, Ministro de Trabajo, Empleo
y Seguridad Social.

acompañado(s) de :

Sra. N. RIAL, Secretaria de Trabajo, Ministerio
de Trabajo, Empleo y Seguridad Social.

Sr. E. MARTINEZ GONDRA, Ministro,
Representante permanente alterno, Misión
Permanente, Ginebra.

Sr. J. ROSALES, Ministerio de Trabajo,
Empleo y Seguridad Social.

Sr. E. VARELA, Consejero, Misión
Permanente, Ginebra.

Sr. G. CORRES, Ministerio de Trabajo,
Empleo y Seguridad Social.

Sr. A. NEGRO, Ministerio de Trabajo, Empleo
y Seguridad Social.

Brésil Brazil Brasil

Mr. C. DA ROCHA PARANHOS,
Ambassador, Alternate Permanent
Representative, Permanent Mission,
Geneva.

accompanied by:

Mr. A. DO NASCIMENTO PEDRO, Minister-
Counsellor, Permanent Mission, Geneva.

Mr. N. FREITAS, Special Adviser, Ministry of
Labour and Employment.

Mr. P. SALDANHA, Second Secretary,
Permanent Mission, Geneva.

Bulgarie Bulgaria Bulgaria

Mr. A. EVTIMOV, Director of European
Integration and International Relations
Directorate, Ministry of Labour and Social
Policy.

substitute(s):

Ms. D. MEHANDJIYSKA, Third Secretary,
Permanent Mission, Geneva.

Ms. Z. POPOVA GENOVA, State expert in the
International Humanitarian Organizations
Unit, Ministry of Foreign Affairs.

Mr. A. KOLCHAKOV, Junior expert in the
International Relations Unit, Ministry of
Labour and Social Policy.

accompanied by:

Prof. A. VASSILEV, Professor in Labour Law
and Social Security.

Chine China China

Mr. Z. SHA, Ambassador and Permanent
Representative, Permanent Mission,
Geneva.

substitute(s):

Mr. X. LIU, Director-General, Department of
International Cooperation, Ministry of
Labour and Social Security.

Mr. G. ZHANG, Counsellor, Permanent
Mission, Geneva.

accompanied by:

Ms. J. GUAN, Director, Department of
International Cooperation, Ministry of
Labour and Social Security.

Mr. L. ZHANG, Director, Department of
International Cooperation, Ministry of
Labour and Social Security.

Mr. D. DUAN, First Secretary, Permanent
Mission, Geneva.

Mr. Y. ZHANG, Attaché, Permanent Mission,
Geneva.

Ms. R. XU, Official, Department of
International Cooperation, Ministry of
Labour and Social Security.

**Corée, Rép. de
Republic of Korea
República de Corea**

Mr. H. CHOI, Ambassador, Permanent Mission, Geneva.

substitute(s):

Mr. Y. PARK, Minister, Permanent Mission, Geneva.
Mr. C. JUNG, Director-General, International Cooperation Bureau, Ministry of Labour.
Ms. J. PAIK, Counsellor, Permanent Mission, Geneva.
Mr. Y. KWON, Director, International Relations Policy Department, Ministry of Labour.

accompanied by:

Mr. H. KWON, First Secretary, Permanent Mission, Geneva.
Mr. Y. YANG, Prosecutor, Ministry of Justice.
Mr. K. KIM, Senior Deputy Director, Trade Union Division, Ministry of Labour.
Mr. D. LEE, Deputy Director, International Cooperation Division, Ministry of Labour.
Ms. H. YANG, Deputy Director, International Cooperation Division, Ministry of Labour.

**République dominicaine
Dominican Republic
República Dominicana**

Sr. J. RAMÓN FADUL, Secretario de Estado de Trabajo.

suplicante(s):

Sra. C. HERNÁNDEZ BONA, Embajadora, Representante Permanente Alternativa, Misión Permanente, Ginebra.
Sr. N. REYES UREÑA, Director de Relaciones Internacionales, Secretaría de Estado de Trabajo.
Sra. Y. ROMÁN MALDONADO, Ministro Consejero, Misión Permanente, Ginebra.

acompañado(s) de :

Sr. J. MIGUEL MINIER, Asesor, Secretaría de Estado de Trabajo.

Equateur Ecuador Ecuador

Sr. R. PAREDES PROAÑO, Encargado de Negocios a.i., Misión Permanente, Ginebra.

acompañado(s) de :

Sr. H. ESCUDERO MARTÍNEZ, Embajador, Misión Permanente, Ginebra.
Sr. L. ESPINOSA SALAS, Segundo Secretario, Misión Permanente, Ginebra.
Sra. L. BAQUERIZO GUZMÁN, Tercer Secretario, Misión Permanente, Ginebra.
Sr. J. THULLEN, Asesor, Ministro del Trabajo.

**Etats-Unis United States
Estados Unidos**

Mr. A. LEVINE, Deputy Under Secretary of Labor for International Affairs, US Department of Labor.

substitute(s):

Mr. K. MOLEY, Ambassador, Permanent Mission, Geneva.
Mr. R. SHEPARD, Director, Office of International Organizations, Bureau of International Labor Affairs, Department of Labor.

accompanied by:

Ms. J. MACKIN BARRETT, Manpower Analyst, Office of International Organizations, Bureau of International Affairs, Bureau of International Labor Affairs, US Department of Labor.
Mr. J. CHAMBERLIN, Labor Attaché, Permanent Mission, Geneva.
Ms. M. DAVIS, Special Assistant to the Ambassador, Permanent Mission, Geneva.
Mr. R. DRISCOLL, Deputy Director, Office of Technical Specialized Agencies, Bureau of International Organization Affairs, Department of State.
Ms. V. LIPNIC, Assistant Secretary, Employment Standards Administration, Department of Labor.
Ms. J. MISNER, Assistant Director, Office of International Organizations, Bureau of International Labor Affairs, US Department of Labor.

Mr. D. OWEN, Counselor to the Deputy Secretary, Office of the Secretary, Department of Labor.
 Mr. C. STONECIPHER, First Secretary, Permanent Mission, Geneva.
 Mr. K. SWINNERTON, Research Economist, Office of International Economic Affairs, Bureau of International Labor Affairs, US Department of Labor.
 Mr. C. WATSON, International Program Analyst, Office of International Organizations, Bureau of International Labor Affairs, US Department of Labor.

M. M. GUERRE, Direction des Relations du Travail, Ministère du Travail, de l'Emploi et de la Cohésion Sociale.
 M. L. LAGARDE, Direction des Relations du Travail, Ministère du Travail, de l'Emploi et de la Cohésion sociale.
 M. M. RAMOND, Inspecteur Général honoraire des Affaires sociales.
 M^{me} A. LE GUEVEL, Deuxième Secrétaire, Mission permanente, Genève.
 M^{me} N. MATHIEU, Mission permanente, Genève.
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Gabon Gabon Gabón

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**Jamahiriya arabe libyenne
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Mr. S. EWA-HENSHAW, Senator.

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Soudan Sudan Sudán

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Miembros gubernamentales adjuntos**

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**Barbade Barbados
Barbados**

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Bélarus Belarus Belarús

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Cameroun Cameroon Camerún

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Jordanie Jordan Jordania

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Niger Niger Níger

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- Sr. B. DE ARBELOA (Venezuela), Promotores y Consultores Asociados.
- Sr. F. DÍAZ GARAYCOA (Ecuador), Asesor Jurídico, Federación Nacional de Cámaras de Industrias del Ecuador.
- Mr. O. EREMEEV (Russian Federation), Director-General, Coordinating Council of Employers' Unions of Russia (CCEUR).
- Mr. A. FINLAY (Canada), Vice-President and Assistant General Counsel, Employee Relations and Employment Group, The Bank of Nova Scotia.
- M. L. GLÉLÉ (Bénin), Président, Conseil National du Patronat du Bénin.
- Mr. W.A. HILTON-CLARKE (Trinidad and Tobago), Vice-Chairman, Employers' Consultative Association of Trinidad and Tobago.
- Ms. L. HORVATIC (Croatia), Director of International Relations, Croatian Employers' Association.
- Mr. T. HUNTJENS (Netherlands), Adviser, International Social Affairs, Federation of Netherlands Industry and Employers.
- Ms. R. KARIKARI ANANG (Ghana), Executive Director, Ghana Employers' Association.
- Sr. J. LACASA ASO (España), Director, Departamento de Relaciones Internacionales, Confederación Española de Organizaciones Empresariales (CEOE).
- Mr. D. LIMA GODOY (Brazil), Vicepresident, Confederación Nacional de la Industria (CNI).
- Mr. K. MATTAR (United Arab Emirates), Board Director, Federation of Chambers of Commerce and Industry.
- M. E. MEGATELI (Algérie), Secrétaire général, Confédération générale des Opérateurs économiques algériens.
- M. B. NACOULMA (Burkina Faso), Président de Comité Statuaire, Conseil national du Patronat burkinabé.
- Mr. O.A. OSHINOWO (Nigeria), Director-General, Nigeria Employers' Consultative Association.
- M^{me} L. SASSO MAZZUFFERI (Italie), Conseiller spécial des affaires internationales, Confédération générale des employeurs d'Italie, CONFINDUSTRIA.

Mr. A. POLUEKTOV, accompanying Mr. Eremeev.
Mr. Y. SUH, accompanying Mr. Cho.

Membres travailleurs titulaires Regular Worker members
Miembros trabajadores titulares

Vice-Président du Conseil d'Administration : Vice-Chairperson of the Governing Body : Vice Presidente del Consejo de Administración :	Sir R. TROTMAN (Barbados), General Secretary, Barbados Workers' Union
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Ms. S. BURROW (Australia), President, Australian Council of Trade Unions.

Ms. B. BYERS (Canada), Executive Vice President, Canadian Labour Congress.

Mr. U. EDSTRÖM (Sweden), Head of International Department, Swedish Trade Union Confederation (LO-S).

Ms. U. ENGELN-KEFER (Germany), Vice-President, German Confederation of Trade Unions (DGB).

M. B. MAHAN GAHÉ (Côte d'Ivoire), Secrétaire général, Confédération DIGNITE.

Mr. S. NAKAJIMA (Japan), Executive Director, Department of International Affairs, Japanese Trade Union Confederation - JTUC RENGO.

Mr. A. OSHIOMHOLE (Nigeria), President, Nigeria Labour Congress (NLC).

Sr. P. PARRA (Paraguay), Miembro, Central Nacional de Trabajadores.

Mr. Z. RAMPAK (Malaysia), President, Malaysian Trade Union Congress (MTUC).

M. A. SIDI SAÏD (Algérie), Secrétaire général, Union générale des Travailleurs algériens.

Mr. E. SIDOROV (Russian Federation), International Secretary, Federation of Independent Trade Unions of Russia (FNPR).

Mr. S. STEYNE (United Kingdom), International Officer, EU and International Relations Department, Trades Union Congress.

Mr. J. ZELLHOEFER (United States), European Representative, AFL-CIO European Office.

Ms. M. HAYASHIBALA, accompanying Mr. Nakajima.

Mr. O. OYERINDE, accompanying Mr. Oshiomhole.

**Membres travailleurs adjoints Deputy Worker members
Miembros trabajadores adjuntos**

- Mr. N. ADYANTHAYA (India), Secretary, Indian National Trade Union Congress.
- Mr. K. AHMED (Pakistan), General Secretary, All Pakistan Federation of Trade Unions.
- Sra. H. ANDERSON NEVÁREZ (México), Secretaria de Acción Femina del Comité, Confederación de Trabajadores de México.
- M. G. ATTIGBE (Bénin), Secrétaire général, Centrale des Syndicats autonomes du Bénin.
- Mr. L. BASNET (Nepal), President, Nepal Trade Union Congress.
- M. M. BLONDEL (France), Confédération générale du travail Force Ouvrière (CGT-FO).
- M^{me} C. BRIGHI (Italie), Assistant Director International, C.I.S.L.
- Mr. B. CANAK (Serbia and Montenegro), President, United Branch Trade Unions, UGS - Nezavisnost.
- Sr. R. DAER (Argentina), Secretario General, Confederación General del Trabajo.
- Mr. T. ETTY (Netherlands), International Department, FNV.
- M. G. GHOSN (Liban), Président, Confédération générale des Travailleurs du Liban (CGTL).
- M. S. KATALAY MULELI (Rép. Dém. du Congo), Président, Union nationale des Travailleurs du Congo (UNTC).
- Mr. E. PATEL (South Africa), National Labour Convenor, COSATU.
- Mr. J. SITHOLE (Swaziland), General Secretary, Swaziland Federation of Trade Unions.
- Ms. B. SWAI (United Republic of Tanzania), Trade Union Congress of Tanzania (TUCT).
- Sr. J. URBIETA (Venezuela), Director General, Instituto de Altos Estudios Sindicales de la Confederación de Trabajadores de Venezuela.
- Mr. T. WOJCIK (Poland), National Commission Member, Solidarnosc.
- Mr. Z. XU (China), Vice-Chairman, All-China Federation of Trade Unions.
- Ms. H. YACOB (Singapore), Assistant Secretary General, National Trade Unions Congress.

Mr. L. WANG, accompanying Mr. Xu.

Représentants d'autres États Membres de l'Organisation assistant à la session
Representatives of other member States of the Organization present at the session
Representantes de otros Estados Miembros de la Organización presentes en la reunión

Algérie Algeria Argelia

M. B. SEDKI, Ministre Plénipotentiaire,
Mission permanente, Genève.

**Australie Australia
Australia**

Mr. M. SMITH, Ambassador, Permanent
Mission, Geneva.
Ms. L. LIPP, Assistant Secretary, Safety,
Compensation and International Branch,
Department of Employment and Workplace
Relations.
Ms. B. BENNETT, First Assistant Secretary,
Work Place Relations Policy, Department of
Employment and Workplace Relations.
Ms. A. GORELY, Counsellor, Permanent
Mission, Geneva.
Mr. M. SAWERS, First Secretary, Permanent
Mission, Geneva.
Ms. J. FEENEY, First Secretary, Permanent
Mission, Geneva.

Autriche Austria Austria

Ms. I. DEMBSHER, Head of Unit, Federal
Ministry of Economic Affairs and Labour.
Mr. A. WOJDA, First Secretary, Permanent
Mission, Geneva.
Ms. K. HUBMANN, Intern, Permanent
Mission, Geneva.
Ms. F. SPRINGER, Intern, Permanent Mission,
Geneva.

Bolivie Bolivia Bolivia

Sr. G. RODRÍGUEZ SAN MARTÍN, Ministre
Consejero, Misión Permanente, Ginebra.

Chili Chile Chile

Sr. J. EGUIGUREN, Ministro Consejero,
Misión Permanente, Ginebra.
Sr. B. DEL PICÓ, Segundo Secretario, Misión
Permanente, Ginebra.
Sr. M. BARRERA, Agregado Laboral, Misión
Permanente, Ginebra.
Sr. F. SÁEZ, Jefe de Gabinete del Señor
Subsecretario del Trabajo.

**Colombie Colombia
Colombia**

Sra. C. FORERO UCROS, Embajadora, Misión
Permanente, Ginebra.
Sra. L. ARANGO DE BUITRAGO,
Viceministra de Relaciones Laborales del
Ministerio de la Protección Social .
Sra. V. GONZALEZ ARIZA, Ministra
Consejera, Misión Permanente, Ginebra.
Sr. J. MESA CARDENAS, Jefe de la Oficina
de Cooperación y Relaciones
Internacionales, Ministerio de la Protección
Social.

Costa Rica

Sra. C. CLARAMUNT GARRO, Embajadora,
Representante Permanente Alternativa, Misión
Permanente, Ginebra.

Cuba

Sr. J. MORA GODOY, Embajador, Misión
Permanente, Ginebra.
Sra. M. HERRERA CASEIRO, Consejera,
Misión Permanente, Ginebra.

Sr. C. HURTADO LABRADOR, Consejero,
Misión Permanente, Ginebra.
Sr. O. LEÓN GONZÁLEZ, Segundo
Secretario, Misión Permanente, Ginebra.

**Danemark Denmark
Dinamarca**

Mr. J. LIISBERG, Head of Section,
International and Legal Affairs Division,
Ministry of Employment.
Mr. K. PEDERSEN, Head of Office,
International and Legal Affairs Division,
Ministry of Employment.

Egypte Egypt Egipto

Ms. N. GABR, Ambassador, Permanent
Mission, Geneva.
Ms. S. EL-ERIAN, Labour Counsellor,
Permanent Mission, Geneva.
Mr. A. ROUSHDY, First Secretary, Permanent
Mission, Geneva.

Finlande Finland Finlandia

Mr. M. SALMENPERÄ, Director, Ministry of
Labour.
Ms. S. MODEEN, Ministerial Adviser,
Ministry of Labour.
Ms. S. MATTILA, Minister-Counsellor,
Permanent Mission, Geneva.
Ms. S. NURMINEN, Attaché, Permanent
Mission, Geneva.

Grèce Greece Grecia

Mr. A. CAMBITSIS, Minister-Counsellor,
Permanent Mission, Geneva.

Guatemala

Srta A. CHÁVEZ BIETTI, Ministro Consejero,
Misión Permanente, Ginebra.

Hongrie Hungary Hungría

Mr. D. HORVÁTH, Chargé d' Affaires,
Permanent Mission, Geneva.
Ms. K. CSIMA SZALÓKINÉ, First Secretary,
Permanent Mission, Geneva.

Irlande Ireland Irlanda

Mr. J. MCDONNELL, Higher Executive
Officer, Employment Rights Division,
Department of Enterprise, Trade and
Employment.
Mr. M. PENDER, Assistant Principal Officer,
Employment Rights Division, Department
of Enterprise, Trade and Employment.

Israël Israel Israel

Mr. I. LEVANON, Ambassador, Permanent
Mission, Geneva.
Ms. N. FURMAN, Counsellor, Permanent
Mission, Geneva.
Ms. E. GOULDMAN-ZARKA, Adviser,
Permanent Mission, Geneva.

Malaisie Malaysia Malasia

Ms. HSU KING BEE, Ambassador, Permanent
Mission, Geneva.
Mr. AMRAN MOHAMED ZIN, Chargé
d' Affaires a.i., Permanent Mission, Geneva.
Mr. W. WAN ZULKFLI, Labour Attaché,
Permanent Mission, Geneva.

Malte Malta Malta

Mr. S. BORG, Ambassador, Permanent
Mission, Geneva.
Mr. R. SARSERO, Counsellor, Permanent
Mission, Geneva.
Mr. J. BUSUTTIL, First Secretary, Permanent
Mission, Geneva.
Mr. T. BONNICI, Second Secretary, Permanent
Mission, Geneva.

Myanmar

Mr. U. MYA THAN, Ambassador, Permanent Mission, Geneva.
 Ms. A. MU, Counsellor, Permanent Mission, Geneva.
 Mr. T. NYUN, Counsellor, Permanent Mission, Geneva.
 Mr. M. THU, First Secretary, Permanent Mission, Geneva.
 Mr. B. AYE, First Secretary, Permanent Mission, Geneva.
 Mr. K. NYEIN, Second Secretary, Permanent Mission, Geneva.
 Mr. S. AUNG, Third Secretary, Permanent Mission, Geneva.
 Ms. F. SAITO, Attaché, Permanent Mission, Geneva.
 Ms. S. TIAL, Attaché, Permanent Mission, Geneva.
 Mr. K. LAY, Attaché, Permanent Mission, Geneva.

Pays-Bas Netherlands Países Bajos

Mr. L. BEETS, Director for International Affairs, Ministry of Social Affairs and Employment.
 Ms. A. KOOPMAN, Directorate for International Affairs, Ministry of Social Affairs and Employment.
 Ms. M. GRILK, International Affairs, Ministry of Social Affairs and Employment.
 Mr. J. VAN RENSELAAR, United Nations Directorate, Ministry of Foreign Affairs.
 Mr. S. KAASJAGER, First Secretary, Permanent Mission, Geneva.

Pérou Peru Perú

Sra. E. ASTETE RODRIGUEZ, Embajadora, Misión Permanente, Ginebra.
 Srta E. BERAUN ESCUDERO, Segunda Secretaria, Misión Permanente, Ginebra.

Pologne Poland Polonia

Mr. Z. RAPACKI, Ambassador, Permanent Mission, Geneva.
 Ms. M. WYSOCKA, Expert, Social Partnership Department, Ministry of Economy and Labour.
 Ms. R. LEMIESZEWSKA, First Secretary, Permanent Mission, Geneva.
 Mr. R. SZAFRANIEC, Intern, Permanent Mission, Geneva.

Portugal

M. J. SOUSA FIALHO, Conseiller, Mission permanente, Genève.

Saint-Marin San Marino San Marino

M^{me} F. BIGI, Ambassadeur, Mission permanente, Genève.
 M. R. INNOCENTINI, Stagiaire, Mission permanente, Genève.

Saint-Siège The Holy See Santa Sede

Mgr. M. TOMASI, Nonce Apostolique, Mission permanente, Genève.
 Mgr. M. DE GREGORI, Mission permanente, Genève.
 Dr. P. GUTIÉRREZ, Conseiller technique, Mission permanente, Genève.

Slovaquie Slovakia Eslovaquia

Ms. N. SEPTÁKOVÁ, First Secretary, Permanent Mission, Geneva.

Suède Sweden Suecia

Mr. B. JONZON, Director, Ministry of Industry, Employment and Communications.

Ms. K. WIKLUND, Counsellor, Ministry of Industry, Employment and Communications.

Ms. A. MOLIN HELLGREN, Counsellor, Permanent Mission, Geneva.

Ms. C. LUNDBERG, First Secretary, Permanent Mission, Geneva.

Mr. I. SUNDQUIST, Deputy Director, Ministry for Foreign Affairs.

Tunisie Tunisia Túnez

M. H. MANSOUR, Ambassadeur, Mission permanente, Genève.

M. H. LANDOULSI, Conseiller, Mission permanente, Genève.

Suisse Switzerland Suiza

M. B. GODET, Ambassadeur et Représentant permanent, Mission permanente, Genève.

M. J. STREULI, Ambassadeur, Mission permanente, Genève.

M. J. ELMIGER, Ambassadeur, Chef des Affaires internationales du Travail, Secrétariat d'Etat à l'économie (SECO).

M^{me} T. ALVESALO-ROESCH, Suppléante du Chef des Affaires internationales du Travail, Secrétariat d'Etat à l'économie (SECO).

M^{me} S. GRATWOHL, Division politique III, Section Organisations internationales et politique d'accueil, Département fédéral des affaires étrangères.

M. R. KOLAKOVIC, Secrétaire, Mission permanente, Genève.

**Tchèque, Rép.
Czech Republic
República Checa**

Ms. O. ROZSÍVALOVÁ, Head of Unit, International Relations, Department for European Union and International Relations, Ministry of Labour and Social Affairs.

Mr. P. POKORNÝ, Department for European Union and International Relations, Ministry of Labour and Social Affairs.

Mr. J. BLAZEK, Second Secretary, Permanent Mission, Geneva.

**Représentants d'Organisations internationales gouvernementales
Representatives of international governmental organizations
Representantes de organizaciones internacionales gubernamentales**

**Haut Commissariat des Nations Unies pour les réfugiés
Office of the United Nations High Commissioner for Refugees
Oficina del Alto Comisionado de las Naciones Unidas para los Refugiados**

Mr. M. LOFTUS, Head of Inter-Organization Desk, Secretariat and Inter-Organization Service.
Ms. M. HOUTART, Senior Self-Reliance Officer, Reintegration and Local Settlement Section.

**Organisation des Nations Unies pour l'alimentation et l'agriculture
Food and Agriculture Organization of the United Nations
Organización da las Naciones Unidas para la Agricultura y la Alimentación**

Mr. T. MASUKU, Director, FAO Liaison Office, Geneva.

**Organisation des Nations Unies pour l'éducation, la science et la culture
United Nations Educational, Scientific and Cultural Organization
Organización de las Naciones Unidas para la Educación, la Ciencia y la Cultura**

Ms. I. BREINES, Director, Liaison Office, Geneva.

**Organisation mondiale de la santé
World Health Organization
Organización Mundial de la Salud**

Dr. J. LEE, Director-General.
Mr. D. AITKEN, Director, Office of the Director-General.
Dr. K. BEHBEHANI, Assistant Director-General, External Relations and Governing Bodies.
Dr. K. LEITNER, Assistant Director-General, Sustainable Development and Healthy Environments.
Dr. B. KEAN, Director, Department of Governance.
Dr. A. CASSELS, Director, MDGs, Health and Development Policy.
Mr. L. TILLFORS, External Relations Officer, Department of Governance.

**Fonds monétaire international
International Monetary Fund
Fondo Monetario Internacional**

Mr. J. CHAUFFOUR, Senior Economist, Representative in Geneva.
Ms. I. HAMDAN, Consultant, Geneva Office.
Ms. G. WEDER, Consultant, Geneva Office.

Banque Mondiale
World Bank
Banco Mundial

Mr. R. HOLZMANN, Director of Social Protection Unit.
Mr. F. ZARCONE, Economist, Geneva Office.

Organisation météorologique mondiale
World Meteorological Organization
Organización Meteorológica Mundial

Mr. C. WANG, External Relations Officer.

Organisation mondiale du Commerce
World Trade Organization
Organización Mundial del Comercio

Ms. V. KULAÇOĞLU, Director, Trade and Environment Division.
Ms. V. LIU, Counsellor, Trade and Environment Division.

Organisation internationale pour les migrations
International Organization for Migration
Organización Internacional para las Migraciones

Ms. A. BUSCHMAN-PETIT, Special Adviser to the Director-General.
Mr. P. BONCOUR, Special Assistant to the Deputy Director-General.
Mr. J. OROPEZA, Regional Adviser for the Americas.
Mr. N. BARUAH, Head, Labour Migration Service, Migration Management Services.
Mr. H. MOSTAFA, Senior Regional Adviser, Middle East/South-West Asia, Egypt/Sudan and Special Envoy to the Gulf States.
Mr. J. ZHAO, Regional Adviser for East- and South-East Asia and Oceania, a.i.
Ms. M. SETHI, Regional Adviser for Sub-Saharan Africa, External Relations Department.
Ms. S. NONNENMACHER, Programme Officer, Labour Migration Service.

Organisation internationale de la francophonie
Organización Internacional de la Francofonía

M^{me} S. COULIBALY LEROY, Représentant permanent adjoint.
M^{lle} M. POIREY, Consultante.

L'Union africaine
African Union
Unión Africana

Ms. S. KALINDE, Ambassador and Permanent Observer.
Mr. V. WEGE-NZOMWITA, Counsellor, Geneva.

Organisation arabe du travail
Arab Labour Organization
Organización Árabe del Trabajo

Dr. I. GUIDER, Director-General.
Mr. A. HUMSI, Head of the Permanent Delegation in Geneva.
Ms. A. HILAL, Permanent Delegation in Geneva.

Ligue des Etats arabes
League of Arab States
Liga de Estados Arabes

Mr. S. ALFARARGI, Ambassador, Permanent Observer.
Mr. M. MOUAKI BENANI, Counsellor.

Organisation de coopération et de développement économiques
Organisation for Economic Co-operation and Development
Organización de cooperación y Desarrollo Económicos

Mr. A. DALE, Trade Directorate.

Commission européenne
European Commission
Comisión Europea

Ms. L. PAVAN-WOOLFE, Directorate General for Employment.
Mr. T. BÉCHET, Minister-Counsellor, Delegation Office in Geneva.
Mr. J. TRICART, Head of Unit, Directorate General for Employment.
M. R. DELARUE, Administrator, Directorate General for Employment.
Ms. B. DOESER, Administrator, Directorate General for Employment.
Mr. B. LEFORT, Directorate General for Employment.
M. C. DUFOUR, Delegation Office in Geneva, Geneva.

Représentants d'Organisations internationales non gouvernementales assistant à titre d'observateurs
Representatives of international non-governmental organizations as observers
Representantes de organizaciones internacionales no gubernamentales presentes con carácter de observadores

Confédération internationale des syndicats libres
International Confederation of Free Trade Unions
Confederación Internacional de Organizaciones Sindicales Libres

Mr. G. RYDER, General Secretary.
 Mr. J. OLIVIO OLIVEIRA, Assistant General Secretary.
 Mr. J. HOWARD, Director, Employment and International Labour Standards Department.
 Mr. J. KUCZKIEWICZ, Director, Trade Union Rights Department.
 Mr. D. JUSTICE, Multinationals and Organising Unit.
 Mr. F. HIGGS, General Secretary, International Federation of Chemical Energy, Mine and General Workers Unions.
 Ms. A. BIONDI, Director, Geneva Office.
 Ms. R. GONZALEZ, Assistant Director.
 Ms. E. BUSSER, Assistant.
 Ms. V. DE BLONAY, Administrative Secretary.
 Ms. E. BLUMER, Secretary.

Confédération mondiale du travail
World Confederation of Labour
Confederación Mundial del Trabajo

M. E. ESTEVEZ, Secrétaire général adjoint.
 M. H. SEA, Représentant permanent à Genève.
 M. R. VIVANCÓ, Représentant permanent à Genève.

Fédération syndicale mondiale
World Federation of Trade Unions
Federación Sindical Mundial

Mr. R. CARDONA NUEVO, Deputy Secretary-General, Permanent Representative, Geneva.
 Ms. A. AVELLA, Adviser, Geneva Office.
 Mr. J. AVELLA GARCIA, Collaborator, Geneva Office.
 Mr. L. NARVÁEZ, Legal Adviser.

Organisation internationale des employeurs
International Organization of Employers
Organización Internacional de Empleadores

Mr. A. PEÑALOSA, Secretary-General.
 Mr. B. WILTON, Deputy Secretary-General.

Organisation de l'unité syndicale africaine
Organization of African Trade Union Unity
Organización para la Unidad Sindical Africana

Mr. H. SUNMONU, Secretary-General.
Mr. D. DIOP, Assistant Secretary-General.
Mr. A. DIALLO, Permanent Representative to the ILO and UN Mission in Geneva.

Association internationale de la sécurité sociale
International Social Security Association
Asociación Internacional de la Seguridad Social

Mr. D. HOSKINS, Secretary-General.
Mr. J. THIRION, Chief of Finance and Administration.

**Mouvement de libération
Liberation movement
Movimiento de liberación**

Palestine Palestine Palestina

Mr. I. MUSA, First secretary, Permanent Observer Mission of Palestine in Geneva .