

WORLD OF **Work**

THE MAGAZINE OF THE ILO

I have a
new Convention.
Now what?

*New Convention
on worst forms
of child labour*



INTERNATIONAL LABOUR OFFICE

The ILO in history



The Commission on International Labour Legislation at the Paris Peace Conference, 1919.

ILO

Summer 1919: Organizing the first ILC

An Anglo-French collaboration is born

As the Commission on International Labour Legislation completed its work during the spring and summer of 1919, an Organizing Committee began preparing the first International Labour Conference without waiting for the signature of formalities in the Treaty of Versailles.

Belgium, France, Great Britain, Italy, Japan, Switzerland and the United States each nominated a representative to the Committee. The English and French took control of operations from the outset, while the United States representative, Samuel Gompers, was obliged to remain in the background owing to growing opposition at home to the policies of President Wilson. Arthur Fontaine of France was elected Chairman. The secretariat was entrusted to an English team led by Harold Butler. A further key figure, although not a Committee member – Léon Jouhaux of France, Secretary-General of the French CGT – played a leading role. The meetings – a relatively low total of seven – were completed in London by August.

The major work consisted of drafting – following consultations with governments – the technical reports on each of the five items on the Conference agenda: the principle of the eight-hour day; unemployment; women's employment; employment of children; and the extension of the 1906 convention. Edward Phelan¹ notes that the Committee's reports "were evidence of the thoroughness with which it performed a difficult task in the midst of many uncertainties". He also gave credit in this respect to British Government officials made available to the Committee, and to the financial assistance granted by the Government itself, remarking that "it was only with great difficulty and after considerable delay that the French Ministry of Labour agreed to detach two of its officials. When they arrived, the reports had already been prepared"!

These episodes marked the beginning of the stormy but loyal collaboration between the English and French partners which was to constitute the backbone of the future International Labour Office.

Michel Fromont

WORLD OF
Work

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¹ E. J. Phelan: Yes and Albert Thomas (New York, Columbia University Press, 1949).

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Writers wanted

To increase its coverage of labour issues and ILO activities worldwide, the *World of Work* seeks correspondents in Latin America, Africa, Asia and Oceania. Qualified journalists, writers and others with expertise in labour issues who wish to write for the magazine should contact the ILO Bureau of Public Information by mail, fax or e-mail. Articles are *only* done on assignment and in consultation with the Editor. Payment is commensurate with current levels for freelance articles and photos. Send cover letter with a *curriculum vitae* and references if possible to: The Editor, *World of Work*, International Labour Office, Bur. 1-123, 4 route des Morillons, 1211 Geneva 22, Switzerland, Fax: +4122/799-8577; E-mail: presse@ilo.org

Created in 1919, the International Labour Organization (ILO) brings together governments, employers and workers of its 174 member States in common action to improve social protection and conditions of life and work throughout the world. The International Labour Office, in Geneva, is the permanent Secretariat of the Organization.

“A new global cause” – Juan Somavia

ILO concludes 87th Conference with adoption of new instruments against child labour

The International Labour Conference¹ wrapped up its 87th session with the unanimous adoption of a long-awaited new Convention and Recommendation banning the worst forms of child labour. The Conference also heard addresses by three heads of state and a Nobel laureate, and condemned Myanmar for consistent use of forced labour.

GENEVA – Though everyone was certain of the outcome, the vote on June 17th at the 87th International Labour Conference to adopt a new Convention on the worst forms of child labour still electrified the Assembly Hall.

As hundreds of delegates voted, they were concluding years of preparatory work by the ILO Secretariat, and political conferences in Amsterdam, Oslo, Cartagena, Kampala and dozens of other cities. Activists from non-governmental organizations such as the Global March Against Child Labour sat watching in the galleries.

As the unanimous vote – 415 for, none against, none abstaining – flashed on the message board in the Conference room, a roar went up in what ILO Director-

General Juan Somavia labelled an unequivocal sense of “moral resolve”. And when the subsequent accompanying Recommendation was also adopted unanimously, it marked, the beginning of what Mr. Somavia termed a “new global cause” to eliminate child labour in its worst forms.

Ratification campaign begins

The new Worst Forms of Child Labour Convention, 1999, applies to all persons under the age of 18 and calls for “immediate and effective measures to secure the prohibition and elimination of the worst forms of child labour as a matter of urgency”. An accompanying Recommendation urges ratifying States to declare the worst forms of child labour criminal offences and impose penal sanctions on those who would perpetrate them. (The Recommendation was voted by 382 votes for, with no objections or abstentions.)

“With this Convention, we now have the power to make the urgent eradication of the worst forms of child labour a new global cause,” Mr. Somavia said. “This cause must be expressed, not in words, but deeds, not in speeches, but in policy

and law. To those who exploit children, forcing them into slavery, debt bondage, prostitution, pornography or war, we are saying, *this must stop now!*”

The ILO estimates that some 250 million children between the ages of five and 14 work in developing countries alone. Although there is no hard data on child labour in its worst forms, about half, or some 120 million work full time, nearly 70 per cent are engaged in hazardous work. Of the 250 million children concerned, some 50-60 million between the ages of five and 11 are working in circumstances that could be termed hazardous considering their age and vulnerability.

Mr. Somavia announced that the ILO will immediately launch a worldwide campaign for ratification – the process by which the Convention is translated into national law and practice – through its *International Programme on the Elimination of Child Labour* (IPEC) and other ILO departments.² Many delegates who spoke at the Conference pledged early action for the ratification of the new Convention. In addition, Mr. Somavia

² Once the Convention and Recommendation is adopted, member States are obliged by the ILO Constitution to submit them to the competent national authorities within 12 to 18 months from the closing session of the International Labour Conference for examination in light of national law and practice and for a determination of whether to ratify the Convention according to national procedure. Usually, an ILO Convention enters into force 12 months after the registration of the second ratification. Subsequently, the Convention enters into force for each State which ratifies it 12 months after the registration of its ratification. When a country ratifies an ILO Convention it agrees to implement it in good faith and to submit to supervision of its implementation by the ILO.



Didier Bregnard

¹The International Labour Conference meets annually. It provides an international forum for discussion of world labour and social problems, and sets minimum international labour standards and broad policies of the Organization. Every two years, the Conference adopts the ILO's biennial work programme and budget, which is financed by its 174 member States. Each member country has the right to send four delegates to the Conference: two from the government and one each representing workers and employers, each of whom may speak and vote independently.

THE NEW CONVENTION AND RECOMMENDATION

The new Convention defines for the first time what constitutes the “worst forms of child labour”, and includes a ban on forced or compulsory recruitment of child soldiers. It calls for international co-operation on social and economic development, poverty eradication and education to realize its terms, and provides for broad consultation among governments, workers and employers – the “social partners” in the ILO’s tripartite structure.

It defines the worst forms of child labour as:

- all forms of slavery or practices similar to slavery, such as the sale and trafficking of children, debt bondage, serfdom and forced or compulsory labour;
- forced or compulsory recruitment of children for use in armed conflict;

- use of a child for prostitution, production of pornography or pornographic performances;
- use, procuring or offering of a child for illicit activities, in particular for the production and trafficking of drugs; and,
- work which is likely to harm the health, safety or morals of children.

The Convention requires ratifying States to “design and implement programmes of action” to eliminate the worst forms of child labour as a priority and “establish or designate appropriate mechanisms” for monitoring implementation of the Convention, in consultation with employers’ and workers’ organizations. It also says ratifying States should “provide support for the removal of children from the worst forms of child labour, and their rehabilitation; ensure

access to free basic education or vocational training for all children removed from the worst forms of child labour; identify children at special risk; and take into account the special situation of girls.”

An accompanying Recommendation defines “hazardous work” as “work which exposes children to physical, psychological or sexual abuse; work underground, under water, at dangerous heights or in confined spaces; work with dangerous machinery or tools, or which involves heavy loads; work in unhealthy environments which may expose children to hazardous substances, temperatures, noise or vibrations; and work under particularly difficult conditions such as long hours, during the night or where a child is confined to the premises of the employers.”

declared that the new Convention would become one of the ILO’s “core Conventions” along with those concerning freedom of association and the right to collective bargaining; the elimination of forced or compulsory labour; non-discrimination in respect of employment and occupation; and, observance of a minimum age for employment.³

The new Convention reflects widespread recognition over the past years that there should be an immediate and new attack on the worst forms of child labour. The ILO’s Minimum Age Convention, 1973 (No. 138) remains the bedrock of national and international action for the eventual total abolition of all child labour. The number of ratifications has been increasing in recent years. As of today, 74



Georges Cabreira

A roar went up as the vote – 415 for, none against, none abstaining – flashed on the message board of the Conference room.

States had ratified Convention No. 138.

Strong support shown

The new Convention drew strong support from many speakers, including US President Bill Clinton, who along with other distinguished guests including Mr. Henri Konan Bédié, President of the Republic of the Côte d’Ivoire and Madam Ruth Dreifuss, President of the Swiss Confederation, spoke to the Conference.

Marking the first time a President of the United States of America has addressed the International Labour Conference in Geneva, Mr. Clinton put the new Convention among the elements of his proposals to “put a human face on the global economy.”

³ These Conventions cover the fundamental principles and rights at work which were agreed upon by the World Summit for Social Development in Copenhagen in March 1995, and were the subject of a solemn Declaration adopted by the International Labour Conference in June of last year with a follow-up procedure.

President Clinton told the assembled delegates and dignitaries, including the First Lady, Hillary Rodham Clinton “globalization is not a proposal or a policy choice, it is a fact. But how we respond to it will make all the difference.”

“We must find a new way, a new and democratic way, to maximize market potential and social justice, competition and community. We must put a human face on the global economy, giving working people everywhere a stake in its success, equipping them all to reap its rewards, providing for their families the basic conditions of a just society. All nations must embrace this vision, and all the great economic institutions of the world must devote their creativity and energy to this end.”

The ILO had “taken a vital step toward lifting the lives of working people by adopting the Declaration on Fundamental Principles and Rights at Work last year”, the President said. He described the document as “a blueprint for the global economy that honours our values, the dignity of work, an end to discrimination, an end to forced labour, freedom of association, the right of people to organize and bargain in a civil and peaceful way. These are not just labour rights, they’re human rights.”

International agencies “must build a new financial architecture as modern as today’s markets, to tame the cycles

Clinton to ILO: “we must put a human face on the global economy...”

of boom and bust in the global economy as we can now do in national economies; to ensure the integrity of international financial transactions; and to expand social safety nets for the most vulnerable.”

President Clinton called for increased cooperation between the ILO and other multilateral institutions:

“The IMF, the World Bank and WTO, themselves, should work more closely with the ILO and this organization must



Didier Bregnard

President Clinton noted that in his most recent budget proposals, “he had asked for US\$25 million to “help create a new arm of the ILO, to work with developing countries to put in place basic labour standards – protections, safe workplaces, the right to organize”. Mr. Clinton highlighted a range of initiatives, bilateral and multilateral, to eliminate sweatshops and “raise consumer awareness of the conditions in which the clothes they wear and the toys they buy for their children are made”.

be willing and able to assume more responsibility.” The ILO, he said, “must be ready for the 21st century.”

While stating his firm belief “that open trade is not contrary to the interest of working people” and that we need more trade, not less, the US president said that “unfortunately, working people the world over do not believe this. Even in the United States, with the lowest unemployment rate in a generation, where exports accounted for 30 per cent of our growth until the financial crisis hit Asia, working people strongly resist new market-opening measures.”

“As we press for more open trade, we must do more to ensure that all our people are lifted by the global economy,” he said. As we prepare to launch a new global round of trade talks in Seattle in November, it is vital that the WTO and the ILO work together to advance that common goal.”



Georges Cabrera

ILO Director-General, Juan Somavia, accompanies US President Bill Clinton (left), and Conference President Mr. Alhaji Mohammad Mumuni, Minister of Labour of the Republic of Ghana (centre).

“By giving life to core labour standards, by acting effectively to lift the burden of debt, by putting a more human face on the world trading system and the global economy, by ending the worst forms of child labour, we will be giving our children the 21st century they deserve,” said President Clinton, who promised that he would push for early ratification of the Convention by the US Senate. “It is a gift for our children worthy of the millennium.”

Added Mr. Somavia: “In a world without causes, few ideals galvanize the entire world. Why not make the time-bound eradication of the worst forms of child labour a cause for all of us? No parents in the world want to see their children caught up in prostitution, pornography, drug peddling or other demeaning situations.”

Myanmar

The Conference also adopted an unprecedented Resolution condemning Myanmar for consistent violations of the Forced Labour Convention, 1930, and failure to respond to repeated rulings by supervisory bodies to put an end to the practice. Last year an ILO Commission of Inquiry found forced labour to be widespread in the country.

The Resolution says Myanmar’s State Peace and Development Council continues “to inflict the practice of forced labour, nothing but a contemporary form of slavery, on the people of Myanmar”.

The Resolution on Myanmar, which says the “attitude and behaviour of the Government of Myanmar are grossly incompatible with the conditions and principles governing membership of the Organization”, was adopted by a majority of 333 delegates for, with 27 voting against and 47 abstaining.

It resolves that “the Government of Myanmar should cease to benefit from any technical cooperation or assistance from the ILO, except for the purpose of direct assistance to implement immediately the recommendations of the Commission of Inquiry”.

The Resolution significantly restricts ILO’s dealings with Myanmar, deciding

that “the Government of Myanmar should henceforth not receive any invitation to attend meetings, symposia and seminars organized by the ILO, except such meetings that have the sole purpose of securing immediate and full compliance” with the recommendations.

The Resolution is to remain in force until such time as Myanmar has implemented the recommendations of the ILO Commission of Inquiry to revise legislation in the country (particularly the Village Act and Towns Act) to bring laws into line with the Forced Labour Convention, 1930 (No. 29) and to discontinue practices which Conference delegates decried as an unacceptable violation of human rights.⁴

Improved maternity protection

In addition to adopting the historic Convention and Recommendation on child labour, the Conference “had prepared a Convention on maternity protection”.

The Committee on Maternity Protection agreed that the time was right for new international standards, revising the Maternity Protection Convention (No. 103) and its accompanying Recommendation (No. 95), to take account of developments since the latest provisions for maternity protection were adopted in 1952.

The adopted Conclusions reflected a number of changes with respect to

Convention No.103 as regards the scope of application, maternity leave and additional leave in case of illness due to complications in connection with pregnancy or confinement. Cash benefits should be provided “at a rate which should not be less than two-thirds of the woman’s previous earnings or of such of those earnings as are taken into account for the purpose of computing benefits; or by means of a flat rate benefit of an appropriate amount.” Medical benefits should include prenatal, confinement and postnatal leave.

The Committee also agreed that it would be “unlawful for an employer to terminate employment of a woman who is pregnant, absent on maternity leave or additional leave...except on grounds unrelated to the pregnancy or childbirth and its consequences or nursing.” The burden of proof should be on the employer. Furthermore, member States should adopt measures to ensure that maternity does not lead to discrimination in employment. Such measures include a prohibition from requiring a test for pregnancy or a certificate of such a test when a woman is applying for employment – except for work which, under

⁴ A recent report by the Director-General to the ILO’s Governing Body concluded that in spite of Government protests to the contrary “the obligation to suppress the use of forced or compulsory labour is violated in Myanmar in national law as well as in actual practice in a widespread and systematic manner, with total disregard for the human dignity, safety and health and basic needs of the people”. The ILO’s Committee on the Application of Standards also cited Myanmar for repeated non-observation of two fundamental human rights Conventions: the Forced Labour Convention, 1930 (No. 29) and the Freedom of Association and Protection of the Right to Organize Convention, 1948 (No. 87). In both cases it adopted a “special paragraph”, which it does only in exceptional cases. As concerns Convention No. 29, it “regretted that the Government had shown no inclination to cooperate with the ILO” and felt that “there was convincing information available that forced and compulsory labour on a very large scale still occurred in Myanmar”. In regard to Convention No. 87, the Committee “could not help but once deplore the fact that no progress had been made toward the application of this fundamental Convention”.



Keystone



national laws and regulations, is prohibited or restricted for pregnant and nursing women.

The Proposed Conclusions with a view towards a Recommendation contain more specific provisions concerning maternity leave, maternity benefits, employment protection and discrimination, health protection and nursing mothers. They also encourage member States to extend the period of maternity leave to at least 16 weeks.

The first discussion provided the basis for the second discussion next year. The 88th Conference in 2000 will decide on the final adoption of the new standards on maternity protection which will guide member States in the century to come. Under the ILO Constitution, the new Convention, if adopted in 2000, will come into force one calendar year after receiving two ratifications by member States.

New programme and budget sharpens the focus of ILO activities

In other matters, the Conference delegates examined the Director-General's strategic and budget proposals for the 174 member-State Organization, adopting unanimously a US\$467,470,000 budget at the budget rate of exchange of 1.53 Swiss francs to US\$1 for the biennium 2000-2001 to finance ILO activities around the world.

The current budget increases resources for all regional programmes, with greatest emphasis on Africa and Asia. Net cost savings have enabled a small increase in real terms of US\$785,000 compared with the current 1998-99 biennium, a sum which will be applied to substantive programme activities.

The ILO's programme and budget sharpens the focus of ILO activities by setting out four strategic objectives for the ILO at the turn of the next century: to promote and realize fundamental principles and rights at work; to create greater opportunities for women and men to secure decent employment and income; to enhance the coverage and effectiveness of social protection for all; and, to strengthen tripartism and social dialogue.

Under each strategic objective, a number of international focus programmes (InFocus) of high priority will concentrate and integrate activities already under

way while responding to new needs and demands. InFocus programmes cover the promotion of the ILO Declaration on Fundamental Principles and Rights at Work,

PRESIDENT DREIFUSS: "IF YOU WANT PEACE, SEEK JUSTICE!"

Madam Ruth Dreifuss, the President of the Swiss Confederation, called upon the ILO to redefine its place in the international community so as to better meet the social challenges of globalization.

Faced with the economic and financial crisis which "has resulted in a definite decline in social progress", leading to social turmoil and even ethnic conflicts which "plunge entire populations into destitution and marginalization", the ILO must once again rediscover its role as a pioneer".

"One of the major challenges is that of defining the ILO's rightful place among the international organizations," she said "...with the World Trade Organization (WTO), the Bretton Woods institutions, and all the United Nations agencies, but always based on the ideals of the International Labour Organization, the world's social conscience".

Noting the "clear complementarity between the objectives of the multilateral trade system and those of the ILO", Madam Dreifuss emphasized the need to ensure that "trade liberalization and social justice are mutually reinforcing".

"Achieving such an objective will be possible only if we act coherently within the WTO and the ILO, but will also require effective cooperation between the two organizations. This kind



Georges Cabrera

The ILO must develop new ideas and redefine its role in the international community".

of rapprochement should lead to open discussion on the interaction between trade and the core labour standards."

Still, she warned, "the defence of human dignity should not be confused with protectionism. Applying protectionist measures in the name of respect for labour standards would be a self-defeating strategy."

Recalling that the depression of the 1930s had led the world to the brink of destruction, Madam Dreifuss urged the international community to respond better to the challenges it faces today. "Together with the Bretton Woods institutions and WTO, the ILO is one of the three pillars of international economic culture. Thanks to its broad range of competence and its moral authority, it is in a good position to provide a response to those questions."

“Africans live in peace, with the will to improve their lives...”



Didier Bregnard

Mr. Henri Konan Bédié, President of the Republic of the Côte d'Ivoire, launched an appeal for a new vision of development shared by human societies with an ethic linking democracy, globalization, solidarity and justice. Addressing the International Labour Conference on behalf of the developing countries and Africa, he recalled, “if it is true that a number of African countries are facing serious crises, even civil wars, it is also a good idea to recognize and to make known to the international community that most African nations, some three-quarters of them, live in peace

with the will to improving their living conditions”.

He deplored the fact that “in developing countries structural adjustment policies for reducing the debt sometimes set back public sector employment, not compensated for by job creation in the private sector”.

In addition, “flexibility in production and in work”, as well as “the irreversible and invasive phenomenon of globalization, abandons more and more to market forces alone social rights and labour law; in particular, the system of collective protection and the mechanisms of the fight against inequali-

ties”. Moreover, there has been “a growing separation between globalized economic power and political power limited to national borders, so much so that the principal actors in development escape more and more from democratic control”.

“This Conference must, I believe, clearly affirm that certain areas must be maintained under the authority of rules decreed by public authorities, national or international, without which the entire range of social life will escape all collective control and will find itself seriously damaged”, he warned.

the progressive elimination of child labour, reconstruction and employment-intensive investment, economic and social security in the next century, the boosting of employment through small enterprise development, safety and health at work, the investment in knowledge, skills and employability, and the strengthening of the social partners.

Global programmes such as the International Programme on the Elimination of Child Labour (IPEC), the International Programme on More and Better Jobs for Women (WOMEMP), Strategies against Social Exclusion and Poverty (STEP) and the International Small Enterprise Programme (ISEP), cornerstones of the ILO's technical cooperation programme, will fit within the InFocus programmes. The development of a global programme on

safety and health at work (Safe Work) is at an advanced stage and a global programme on the promotion of tripartism and social dialogue is being considered.

Other matters

- **Technical Cooperation:** The Committee on Technical Cooperation discussed the role of the ILO in technical cooperation and adopted a resolution with conclusions which will guide the International Labour Office in its future conception and management of technical cooperation. The last review of this kind took place in 1993.

Participants welcomed the proposal of

establishing an integrated, focused technical cooperation programme guided by the four strategic objectives, and more particularly the eight related InFocus programmes, approved by the ILO's Governing Body, and the Declaration on fundamental Principles and Rights at Work adopted by the Conference in 1998. At the same time, the Office was asked to further upgrade its management, evaluation and monitoring mechanisms in order to maximize impact and visibility. The resolution also highlighted the need for strengthening partnerships with the UN system and the Bretton Woods institutions.

In 1998, the ILO technical cooperation programme represented an expenditure of US\$94 million and over 1,500 projects on various subjects including the fight

against child labour, social exclusion and discrimination; the promotion of employment, micro- and small enterprises, and of occupational health and safety; as well as strengthening trade unions, employers' organizations and social dialogue.

- **Global migration:** The situation of migrant workers was taken up in the general discussion of the Committee on the Application of Standards. The discussion, based on the ILO report *Migrant Workers*, was timely in the light of a recent ILO estimate that over 90 million migrant workers and their families were currently residing, legally or illegally, in a country other than their own. The General Survey focused on the protection and measures to ensure equality of treatment contained in the Migration for Employment Convention, 1949 (No. 97), and the supplementary Convention (No. 143) adopted on this subject in 1975. The Conference concluded that it was necessary to review existing international labour standards, and possibly revise them, to provide adequate protection in this area.

In the next biennium the ILO's activities will reflect the growing importance of labour migration in the global economy. The primary objective should be to help forge an international consensus – which would include sending and receiving countries – on how to ensure adequate protection for migrant women and men and their families, while allowing orderly and advantageous movements of workers in search of better lives.

- The Conference President was the Honourable Alhaji Mohammad Mumuni, Minister of Labour of the Republic of Ghana. The three Vice-Presidents of the Conference were Mr. Ali Khalil (Syria) for the Government Group, Mr. Tom Diju Owuor (Kenya) representing the Employers Group, and Mrs. Patricia O'Donovan (Ireland) representing the Workers' Group.

- The Conference elected the new members of the ILO Governing Body on 7 June. The period of office of the Governing Body is three years. Elections were held to select the 18 Governments which have elective seats⁵ and the 14 employer and 14 worker members of the Governing Body. Ten out of the total of 56 members of the Governing Body are appointed by

Sen: Support for “Decent Work”

Mr. Amartya Sen, winner of the Nobel Prize for Economics in 1998, told the gathering that in a world teeming with unemployed and underemployed people only “a significant broadening of national and international efforts to promote equity and protect the rights of workers can transform the dreaded anticipation of the globalization economy into an agreeable and constructive reality”.

He applauded the commitment of the ILO to providing “universal coverage of all working people, including unregulated wage workers, the self employed and homeworkers”, and endorsed the goal of providing decent work as “a banner under which all should rally”. He said that “given the massive levels of unemployment that exist in many countries today, it is right that policy attention be focused on expanding jobs and working opportunities. And yet the conditions of work are important too”.

He supported the comprehensive view of society presented in the report, *Decent Work*, prepared by ILO Director-General Juan Somavia and presented to the 1999 Conference. Professor Sen called particular attention to the report's insistence on the need for “acknowledging certain basic rights, whether or not they are legislated, as part of a decent society; the practical implications that emanate from this acknowledgement go beyond new legislation to other social, political and economic actions”.

The protection of workers against vulnerability and contingency was conditional on the working of democratic participation and the operation of political incentives. By way of illustration, he argued that “it is a remarkable fact in the history of famines that famines do not occur in democracies, because famines are, in fact, easy to prevent and a government in a multi-party democracy with elections and a free media has strong political incentives to undertake famine prevention”. Similarly, “political freedom in the form of democratic arrangements help to safeguard economic freedom and the freedom to survive.”

Recent problems of some of the east and south-east Asian economies “bring out, among other things, the penalty of undemocratic governance”, he said, adding that this is so in two striking respects involving the neglect of protective security and transparency guarantees, both of which are related to safeguarding decent work and to promoting decent lives.

Amartya Sen is currently Master of Trinity College, Cambridge, and Professor Emeritus of Harvard University. He was Drummond Professor of Political Economy at Oxford and a Professor of Economics of the London School of Economics and Delhi University. The recipient of Doctorates from over 40 leading universities in the world, he won the Nobel Prize for Economics last year.



Georges Cabrera

GOVERNING BODY ELECTS NEW OFFICERS



Mr. Jean-Jacques Elmiger

The ILO Governing Body has elected Mr. Jean-Jacques Elmiger, Ambassador, representative of the Government of Switzerland as Chairman of its 1999-2000 Session. He replaces Mr. Nobutoshi Akao, Ambassador Plenipotentiary of the Government of Japan in Geneva, who served as Chairman during the 1998-99 Session.

Mr. Elmiger is the Head of the International Affairs Department in the Swiss Federal Office for Economic and Labour Affairs and has represented Switzerland as a government delegate to the ILC since 1986. He was a member of the transition team of the newly-elected ILO Director-General Juan Somavia. Mr. Elmiger is also the political coordinator for the organization of the follow-up meeting to the World Social Summit in Geneva, which will be held in June 2000.

The re-elected employer Vice-Chairman is Mr. Rolf Thüsing, of Germany, who is a member of the Executive Board of the Confederation of German Employers Associations. The re-elected worker Vice-Chairman is Mr. William Brett (United Kingdom) who is a member of the General Council of the United Kingdom's Trade Union Council.

The three will serve as Officers of the Governing Body during its 1999-2000 Session.

member States of chief industrial importance holding permanent seats.⁶

The Conference held a Special Sitting on the situation of workers in the occupied Arab Territories. □

⁵Algeria, Burkina Faso, Canada, Chad, Croatia, Ethiopia, Ghana, Guatemala, Islamic Republic of Iran, Republic of Korea, Malaysia, Namibia, Peru, Saudi Arabia, Slovakia, Switzerland, Trinidad and Tobago, Venezuela.

⁶Brazil, China, France, Germany, India, Italy, Japan, Russian Federation, United Kingdom, United States.

Committee on Freedom of Association cites progress in Indonesia and Nigeria

The ILO's Committee on Freedom of Association has found progress in enforcing respect for workers' right to organize in Indonesia and Nigeria. The finding was presented during the Committee's most recent meeting, held to examine cases of non-respect of workers' right to organize¹ at the ILO on 18 June. The Committee examined 23 of the 78 cases pending before it on the basis of merit, reaching definitive conclusions in 13 cases and interim conclusions in 10. Here are its conclusions:

Indonesia

In a case first examined in March 1995, very serious allegations of violations of trade union rights relating to the denial of workers' right to establish organizations of their own choosing, the persistent interference by government authorities, the military and employers in trade union activities, and restrictions on collective bargaining and strike action were reviewed. The Committee was able to note with interest that a series of measures had been taken by the Indonesian authorities over the past year which constitutes significant progress with regard to freedom of association in Indonesia. The Committee trusted that this progress would continue and enable the industrial relations system prevailing in Indonesia

to be brought fully in line with freedom of association principles.

Nigeria

In view of the substantial progress noted by the supervisory bodies as regards the trade union situation in Nigeria, the Governing Body decided to discontinue the procedure that it initiated, under article 26(4) of the ILO Constitution. This procedure provided for the establishment of a Commission of Inquiry on the question of the effective observance by Nigeria of the Freedom of Association and Protection of the Right to Organize Convention, 1948 (No. 87), and the Right to Organize and Collective Bargaining Convention, 1949 (No. 98).

Canada (Ontario)

The allegations in this case concerned denial of the right of school principals and vice-principals to organize, bargain collectively and strike. The Committee drew up interim conclusions in this case and requested the Government to take the necessary measures to ensure that school principals and vice-principals could form and join the organization of their own choosing and could enjoy effective



protection against anti-union discrimination and employer interference.

China

The allegations in this case concerned violations of the basic civil liberties of trade unionists as well as their detention and the harassment of family members of trade unionists. The Committee concluded that several provisions of national legislation were contrary to the fundamental principles concerning the right of workers, without distinction whatsoever, to form and join organizations of their own choosing, and the right of trade unions to establish their constitutions, organize their activities and formulate their programmes. The Committee urged the Government to ensure that several provisions of its legislation were amended in this respect. The Committee also urged the Government to ensure the immediate release of several trade union leaders.

Ethiopia

The Committee recalled very serious allegations of violations of freedom of association, in particular government interference with the functioning of the Ethiopian Teachers' Association (ETA) and "killing, arrest, detention, harassment, dismissal and transfer of ETA members and officials". The Committee also deplored the fact that Dr. Woldesmiate, ETA President, was detained for two months before charges were laid and that he has remained in detention for three years since May 1996, without being brought to trial. It strongly urged the Government to take the measures necessary to secure the immediate release of Dr. Woldesmiate, and to inform the Committee on action taken in this regard.

Palestinian women: Looking for peace on the "Mountain of Fire"

As the dust settles from the Israeli elections, hopes are high for a revived peace process. Karen Naets-Sekiguchi reports how Palestinian women are determined to have a say in the political, economic and social future of the West Bank and Gaza.

Nablus – The West Bank city of Nablus is known as "Jabal El-Narr", or Mountain of Fire, both for the dry, scorched hills that surround it as well as for its role as a hotbed of unrest during the Intifada. Women who live here have had their characters forged during the uprising, casting aside the traditional roles that kept them close to home and family.

"The Palestinian woman has lived a completely different life than other women in Arab countries," says Myasser En-Nubani who lives in a small village outside Nablus and like many women here, played an active role in the Intifada. "She has lived the real struggle and this has formed her personality."

Women want active participation

Now, the prospect of a revived peace process looms on the horizon like welcome clouds of rain, so long absent from the parched skies of the Occupied Territories. Palestinian women are determined to maintain their active participation in determining the political, economic and social future of the West Bank and Gaza. Not content to return to the stereotypic roles they played before the Intifada, women like Myasser have assumed leadership positions in their communities.

As a Director in the Ministry of Islamic Affairs for the Palestinian Authority, she is trying to redirect the energy of other women towards nation building. She

organizes training courses to suit their unique psyche; stones once hurled at the enemy are now used to demonstrate how to pit olives in a course on how to set up an agricultural microenterprise. A firstaid course for rural women uses examples which they can relate to: how to bandage a bullet or knife puncture wound. Many of the instructors in these training courses are women who have experienced the Intifada firsthand.

A new culture for women

"This is a new culture for women," according to Myasser, "The courses we attended in Turin, for example, on raising the awareness of women in all aspects – how she should take decisions in her house and outside the home and participate in society, in the nation – provided a stepping stone for Palestinian women in everything; how they can take decisions and gain status in productive society and how to be influential in Palestinian society at all levels."

To help her in this new struggle, Myasser, along with several hundred other Palestinian women entrepreneurs and social activists, attended a series of courses at the ILO's Training Centre in Turin, Italy. The Turin Centre is a residential training facility which designs a wide variety of programmes in areas of concern to the ILO and the United Nations. Over a three-year period, the Turin Centre provided specialized training to these women in areas such as workers' rights, employ-

¹316th Report of the Committee on Freedom of Association (GB.275/4/1) and Report of the Officers of the Governing Body (GB.275/8/2), 275th Session. International Labour Office, Geneva, June 1999.

ment promotion, women in trade unions, entrepreneurship and vocational training. It also afforded the women a rare opportunity to confer with their colleagues from different parts of the West Bank and Gaza, a situation normally made difficult by the numerous security checkpoints and restrictions imposed by Israel on travel in the Occupied Territories.

Income-generating projects for women

According to François Trémeaud, Executive Director of the ILO and Director of the Turin Centre, the courses “give them information on a number of social matters such as labour rights, equality of treatment, economic information they need for entrepreneurship development and creating small-scale enterprises”.

Microenterprise and small-scale businesses are likely to be an important factor in achieving a self-sustaining Palestinian state. Many men and women still must cross the checkpoints in search of jobs

in the Israeli economy, but as a result of action plans designed by participants in the Turin Centre’s courses, local Palestinian communities are setting up income-generating projects for women as cooperatives or as home-based work

Local handicrafts such as embroidery, food-processing initiatives such as dried herbs and spices or olive-packing are among the small businesses which are easy for women to start. In a recent conversation, Mrs. Zahira Kamal, a Director-General in the Palestinian Authority’s Ministry of Planning and International Cooperation, noted that not only had the number of Palestinian women entrepreneurs increased, but that they were even entering non-traditional businesses such as ceramic tile manufacturing or car dealerships.

Palestinian women are slowly gaining ground in the political arena. One woman who has never shied away from the challenge to lead and take tough political stands is Hanan Ashrawi. As a former minister in Yasser Arafat’s cabinet and in her present position as Secretary-Gen-

eral of the Palestinian Initiative for the Promotion of Global Dialogue and Democracy “MIFAH”, she is adamant about maintaining the leadership positions which women have forged in guiding their nation to future independence.

“Palestinian women were always told that the primary issue, the primary conflict, the primary struggle is the struggle for nationhood,” recalls Mrs. Ashrawi, “therefore social justice issues, women’s issues are secondary. Women were always told that there are struggles that are immediate and pressing and issues that can be postponed. Our response was always that if a nation is fighting for self-determination, it cannot withhold self-determination from half its people. So we as women have in a way incorporated a more integrated, comprehensive approach to, not just national rights, to human rights and to social justice as a corrective force on both the nation-building process and on the peacemaking process.”

□



ILO

Training courses in how to set up an agricultural microenterprise: Demonstrating how to pack olives for business.

“A mine can betray you at any moment”

Small-scale mines: Danger in El Dorado

As they expand rapidly in developing countries, small mines are posing increasing dangers for workers – especially women and children. A new ILO report¹ says small mines in some countries have a workplace fatality rate up to 90 times higher than mines in industrialized countries.

POTOSI, Bolivia –The first light of dawn is the last light of the working day for most miners here.

As they descend into the mine, they work in dark, stifling tunnels, enduring workplace conditions little changed from the barbaric times centuries ago when African slaves and local people extracted silver and minerals for the Spanish Conquistadors.

Today, the Conquistadors are gone, and the mines belong to anyone willing to work them. Yet modernity has provided little or no improvement in working

conditions. Most mines in Bolivia are run as small cooperatives by families who can rarely afford the safer modern technology used in larger mining operations.

“You never know when an accident may happen,” says a miner named Pedro, who has been working there since the age of 10 and now, at age 16, he has learned to make do with outdated equipment and unreliable makeshift explosives. “Something can blow up at any time and there are many deaths from explosions and cave-ins. A mine can betray you at any moment.”

worth \$200 million a year. More than half the gold and diamonds from countries like Mexico, the Philippines and Mozambique, come from small-scale mines. Mercury, zinc and raw minerals are also mined in addition to precious metals and gemstones. But these fortunes are made at a very high price in human life.

“The reason that small-scale mining is particularly dangerous both in terms of accidents and in terms of health risks, is because it’s largely unregulated; there’s very little surveillance of people’s health”, says Norman Jennings, an ILO mining expert who authored the report. “By the time they get ill, either from having lung problems like silicosis or being contaminated or poisoned by mercury, it’s often at a very late stage in the development of these illnesses and it’s too late to do anything.”

The new ILO report warns of the dangers in the rapid expansion of small-scale mining. Because they are so unregulated, the fatality rates in small-scale mines can

Fatal accidents occur worldwide

Small-scale mining is on the increase in many developing countries, employing up to 13 million people worldwide. And though their scale may be small, their earnings – for some at least – can be large.

Small mines in China produce gold

Miners offer alcohol, cigarettes and coca leaves to El Tio, the devil guardian of the cave. For the miners themselves, chewing coca leaves numbs the senses and staves off hunger pangs and exhaustion. (Photos: ILO/Miguel Schapira)



A SECTOR IN NEED OF SUPPORT

Like most economic activities, small-scale mining has positive and negative aspects. It is closely linked to economic development, particularly in the rural sector in many developing countries; helps stem rural-urban migration, maintaining the link between people and the land; makes a major contribution to foreign exchange earnings; enables the exploitation of what otherwise might be uneconomic resources; and has been a precursor to large-scale mining.

The ILO maintains that "small-scale mining can and should be encouraged by creating the operating environment that encourages the use of best practices for mining and occupational health

and safety, and environmental protection".

The ILO recommends that:

- Title and property rights over minerals be straightforward to acquire and transfer;
- Access to financing for small-scale mining be on equal terms with other sectors;
- Labour and social issues be addressed, and the working and living conditions of small-scale miners and their communities improved;
- Environmental impact of small-scale mining be minimized; and
- Small-scale miners have the necessary technical and business skills to ensure the safe and efficient operation of their mines.

be up to 90 times higher than in mines in industrialized countries.

In China, it is estimated that more than 6,000 miners are killed each year in small-scale mining accidents. Many of these deaths are due to gas or coal dust explosions. Accurate numbers can be difficult to come by, since much of the work is hidden.

"In all too many cases, human and financial factors contribute to deaths and injuries; inadequate, inappropriate or unsafe equipment are real problems in many small-scale mines," the report says.

But many of these deaths have more insidious causes. Extreme temperatures, exhaustion and poor ventilation exact a high toll. Silicosis, or black-lung disease, caused by years of breathing unfiltered, dust-saturated air will take a man's life in ten years. The hospital in Potosi, for example, is filled with men who depend on bottled oxygen to live. They know their time is limited, their lives cut short by the mine.

"When I worked in the mine, I was breathing all this dust," says Marcelino as he breathes oxygen through a tube. "Finally, after a while, the sickness came. At my age, it has coated my lungs to the point where now I can hardly breathe. It's *maldemias*. There isn't any cure."

Women and children

Women and children are especially at risk. In Latin America women and children

can often be found scavenging for ore and gemstones. As many as 8,000 women work in the gold-mining areas north of La Paz, Bolivia in particularly harsh conditions, according to the report.

Millions of women working in small-scale mines are also exposed to intolerable conditions.

The ILO report estimates that as many as 4 million of the world's 13 million small-scale miners are female, though many work part-time. In Latin America, the proportion is somewhat higher, with women accounting for anywhere from 10 to 20 per cent of the workforce. In Africa the participation of women is even higher, reaching 60 per cent in some mining areas. In Asia the proportion of women workers is less than 10 per cent with most of their activities limited to sorting, packaging and preparing of materials for shipping.

Women in Africa are actively involved in the processing of raw materials, including crushing, grinding, sieving, washing and transporting minerals. In some mining centers, these activities are even dominated by women who undertake these activities in the home, exposing entire families to high risks from silicosis and mercury poisoning. Although women rarely work underground, they can be found panning for gold or raking the surface of deposits in search of small amounts of raw material.

Because of their size, even children

as young as nine may work in the bowels of the mine itself. They are used to set explosives, lift heavy loads and must work with dangerous tools. The hazards they face – from inundation, cave-ins, tuberculosis, dust, mercury and other chemicals – are the same as those faced by adults, but the risks to immature bodies are much more severe. Working in mines is one of the most dangerous tasks facing working children, and is more dangerous than work in the agricultural, construction and transport sectors.

In the case of both women and children, the almost total lack of access to health care makes it impossible to gauge the extent of occupational diseases, especially silicosis and mercury poisoning.

"With better safety regulation and support from government and financial sources," says the ILO's Jennings, "miners might one day find the way out of these mines to be the way out of poverty for them and for their families". □

– Miguel Schapira, ILO PRESSE,
and Norman Jennings

¹Social and labour issues in small-scale mines. Report for discussion at the Tripartite Meeting on Social and Labour Issues in Small-scale Mines. International Labour Office, Geneva, 1999. ISBN 92-2-111480-5. Price: 17.50 Swiss francs.

SMALL MINES: FACTS AND FIGURES

● As many as 80 to 100 million people worldwide depend for their livelihoods on small-scale mining, roughly the same as in the more visible, large-scale mining sector.

● Small-scale mining activity in 35 African, Asian and Latin American countries grew by an average of 20 per cent in the last five years, and is set to continue in most of the countries surveyed.

● Work in small-scale mines tends to be low-paid, seasonal and highly precarious. Most small-scale miners earn low wages, some selling as little as US\$1 worth of gold at a time.

● Policies are needed to put small-scale mining on a stable footing so that it can provide decent work for the millions of workers and entrepreneurs involved.

Working World

UNEMPLOYMENT

● Unemployment continues to decline in Europe. In **Spain**, for example, the rate went from over 18 per cent of the active population in the fourth quarter of 1998, to less than 17 per cent in the first quarter of 1999. In **Sweden**, the unemployment rate fell dramatically from 6.6 per cent to 5.3 per cent between April



Keystone

1998 and April 1999. In **Great Britain** the number of unemployed decreased by 17,400 between March and April 1999, while the average salary grew by 4.8 per cent annually. (*Le Temps*, 20/5/99).

● In **Japan**, where the unemployment rate has exceeded 4 per cent, the government is considering new measures to stimulate job creation; in particular, to facilitate temporary work and telework. The latter avoids long commuting between work and home, but

poses the problem of integration of the employees of the enterprise. (*Social International*, May 1999).

TRADE

● **Morocco** and **Tunisia** have signed a free trade agreement which allows for the immediate exemption of certain customs duties and the progressive abolition of trade barriers between now and 2007. This agreement, like that signed by these two countries with the European Union, constitutes a new step towards the realization of the greater Euro-Mediterranean market. (*Jeune Afrique Economie*, 19/4/99-2/5/99).

● Employers in **Cameroon** are trying to adapt to the changes in the economic climate, as indicated by the discussions in the Assembly of Inter-employer Organizations of Cameroon (GICAM) last April in Douala. Among its proposals is a document intended to revise those collective agreements judged to be in contradiction to the 1992

Labour Code. (*Jeune Afrique Economie*, 19/4/99-2/5/99).

LABOUR DISPUTES

● Teachers in **Benin** are threatening to call a general strike in support of their demands. They held a demonstration last April to call for a wide-ranging debate on the problems of teaching, the suppression of a decree on promotion based on merit, and the payment of unpaid allowances. (*Jeune Afrique Economie*, 3-16/5/99).

● A general strike called by the central union, PI-CNT, against escalating unemployment paralysed **Uruguay** on 18 May. The strikers demanded job creation, salary increases, the revival of tripartite dialogue, freedom of association and the defense of industry. (*El Mercurio de Santiago*, 19/5/99).

OCCUPATIONAL SAFETY

● As of April 1999, workers in **France** suffering from occupational diseases related

to the inhalation of asbestos dust can stop working at age 50. Those who had worked in certain establishments using asbestos can take early retirement from the age of 56 even without having been affected by one of these illnesses. (*Liaisons sociales*, 12/4/99).

MISCELLANEOUS

● The situation of a near shortage in the labour market of the **United States** has reopened the debate on the work of prisoners, whose population has doubled in ten years. Small businesses and trade unions are concerned about this unfair competition, which could lead to bankruptcy and unemployment, thus generating criminality. On the other hand, prisoners' work could help in their rehabilitation, lower the social cost of criminality, and have a multiplier effect on the economy of the country. (*Wall Street Journal Europe*, 25/5/99).

● A survey carried out among more than 8,500 businesses in the **United Kingdom**, at the request of the Federation of Small Businesses, indicates that the introduction of a statutory minimum wage is not having a noticeable impact on hiring, since most of the small companies are already paying their employees more than the minimum level. (*Financial Times*, 25/5/99).

(continued on p. 21 after the **Child Labour Convention pullout**)

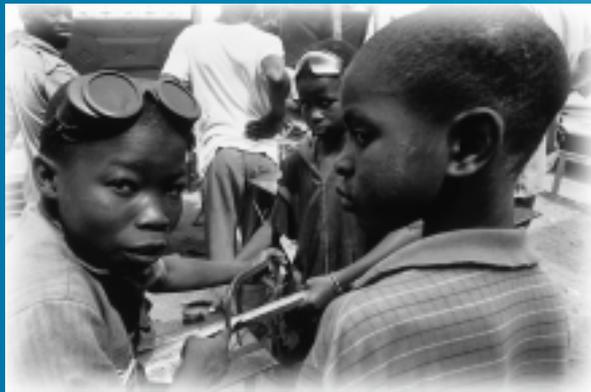


International Labour Organization

A new international convention to eliminate the worst forms of child labour



Georges Cabrera



Jacques Maillard

FULL TEXT

Convention and Recommendation on the worst forms of child labour, 1999



David Browne



E. Gianotti



Michel Barton



CONVENTION 182

CONVENTION CONCERNING THE PROHIBITION AND IMMEDIATE ACTION FOR THE ELIMINATION OF THE WORST FORMS OF CHILD LABOUR ADOPTED BY THE CONFERENCE AT ITS EIGHTY-SEVENTH SESSION, GENEVA, 17 JUNE 1999

The General Conference of the International Labour Organization, Having been convened at Geneva by the Governing Body of the International Labour Office, and having met in its 87th Session on 1 June 1999, and

Considering the need to adopt new instruments for the prohibition and elimination of the worst forms of child labour, as the main priority for national and international action, including international cooperation and assistance, to complement the Convention and the Recommendation concerning Minimum Age for Admission to Employment, 1973, which remain fundamental instruments on child labour, and

Considering that the effective elimination of the worst forms of child labour requires immediate and comprehensive action, taking into account the importance of free basic education and the need to remove the children concerned from all such work and to provide for their rehabilitation and social integration while addressing the needs of their families, and

Recalling the resolution concerning the elimination of child labour adopted by the International Labour Conference at its 83rd Session in 1996, and

Recognizing that child labour is to a great extent caused by poverty and that the long-term solution lies in sustained economic growth leading to social progress, in particular poverty alleviation and universal education, and

Recalling the Convention on the Rights of the Child adopted by the United Nations General Assembly on 20 November 1989, and

Recalling the ILO Declaration on Fundamental Principles and Rights at Work and its Follow-up, adopted by the International Labour Conference at its 86th Session in 1998, and

Recalling that some of the worst forms of child labour are covered by other international instruments, in particular the Forced Labour Convention, 1930, and the United Nations Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery, 1956, and

Having decided upon the adoption of certain proposals with regard to child labour, which is the fourth item on the agenda of the session, and

Having determined that these proposals shall take the form of an international Convention;

adopts this seventeenth day of June of the year one thousand nine hundred and ninety-nine the following Convention, which may be cited as the Worst Forms of Child Labour Convention, 1999.

Article 1

Each Member which ratifies this Convention shall take immediate and effective measures to secure the prohibition and elimination of the worst forms of child labour as a matter of urgency.

Article 2

For the purposes of this Convention, the term “child” shall apply to all persons under the age of 18.

Article 3

For the purposes of this Convention, the term “the worst forms of child labour” comprises:

- (a) all forms of slavery or practices similar to slavery, such as the sale and trafficking of children, debt bondage and serfdom and forced or compulsory labour, including forced or compulsory recruitment of children for use in armed conflict;
- (b) the use, procuring or offering of a child for prostitution, for the production of pornography or for pornographic performances;
- (c) the use, procuring or offering of a child for illicit activities, in particular for the production and trafficking of drugs as defined in the relevant international treaties;
- (d) work which, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety or morals of children.

Article 4

1. The types of work referred to under Article 3(d) shall be determined by national laws or regulations or by the competent authority, after consultation with the organizations of employers and workers concerned, taking into consideration relevant international standards, in particular Paragraphs 3 and 4 of the Worst Forms of Child Labour Recommendation, 1999.

2. The competent authority, after consultation with the organizations of employers and workers concerned, shall identify where the types of work so determined exist.

3. The list of the types of work determined under paragraph 1 of this Article shall be periodically examined and revised as necessary, in consultation with the organizations of employers and workers concerned.

Article 5

Each Member shall, after consultation with employers' and workers' organizations, establish or designate appropriate mechanisms to monitor the implementation of the provisions giving effect to this Convention.

Article 6

1. Each Member shall design and implement programmes of action to eliminate as a priority the worst forms of child labour.

2. Such programmes of action shall be designed and implemented in consultation with relevant government institutions and employers' and workers' organizations, taking into consideration the views of other concerned groups as appropriate.

Article 7

1. Each Member shall take all necessary measures to ensure the effective implementation and enforcement of the provisions giving effect to this Convention including the provision and application of penal sanctions or, as appropriate, other sanctions.

2. Each Member shall, taking into account the importance of education in eliminating child labour, take effective and time-bound measures to:

- (a) prevent the engagement of children in the worst forms of child labour;
- (b) provide the necessary and appropriate direct assistance for the removal of children from the worst forms of child labour and for their rehabilitation and social integration;
- (c) ensure access to free basic education, and, wherever possible and appropriate, vocational training, for all children removed from the worst forms of child labour;
- (d) identify and reach out to children at special risk; and
- (e) take account of the special situation of girls.

3. Each Member shall designate the competent authority responsible for the implementation of the provisions giving effect to this Convention.

Article 8

Members shall take appropriate steps to assist one another in giving effect to the provisions of this Convention through enhanced international cooperation and/or assistance including support for social and economic development, poverty eradication programmes and universal education.

Article 9

The formal ratifications of this Convention shall be communicated to the Director-General of the International Labour Office for registration.

Article 10

1. This Convention shall be binding only upon those Members of the International Labour Organization whose ratifications have been registered with the Director-General of the International Labour Office.

2. It shall come into force 12 months after the date on which the

ratifications of two Members have been registered with the Director-General.

3. Thereafter, this Convention shall come into force for any Member 12 months after the date on which its ratification has been registered.

Article 11

1. A Member which has ratified this Convention may denounce it after the expiration of ten years from the date on which the Convention first comes into force, by an act communicated to the Director-General of the International Labour Office for registration. Such denunciation shall not take effect until one year after the date on which it is registered.

2. Each Member which has ratified this Convention and which does not, within the year following the expiration of the period of ten years mentioned in the preceding paragraph, exercise the right of denunciation provided for in this Article, will be bound for another period of ten years and, thereafter, may denounce this Convention at the expiration of each period of ten years under the terms provided for in this Article.

Article 12

1. The Director-General of the International Labour Office shall notify all Members of the International Labour Organization of the registration of all ratifications and acts of denunciation communicated by the Members of the Organization.

2. When notifying the Members of the Organization of the registration of the second ratification, the Director-General shall draw the attention of the Members of the Organization to the date upon which the Convention shall come into force.

Article 13

The Director-General of the International Labour Office shall communicate to the Secretary-General of the United Nations, for registration in accordance with article 102 of the Charter of the United Nations, full particulars of all ratifications and acts of denunciation registered by the Director-General in accordance with the provisions of the preceding Articles.

Article 14

At such times as it may consider necessary, the Governing Body of the International Labour Office shall present to the General Conference

a report on the working of this Convention and shall examine the desirability of placing on the agenda of the Conference the question of its revision in whole or in part.

Article 15

1. Should the Conference adopt a new Convention revising this Convention in whole or in part, then, unless the new Convention otherwise provides –

(a) the ratification by a Member of the new revising Convention shall *ipso jure* involve the immediate denunciation of this Convention, notwithstanding the provisions of Article 11 above, if and when the new revising Convention shall have come into force;

(b) as from the date when the new revising Convention comes into force, this Convention shall cease to be open to ratification by the Members.

2. This Convention shall in any case remain in force in its actual form and content for those Members which have ratified it but have not ratified the revising Convention.

Article 16

The English and French versions of the text of this Convention are equally authoritative.

The foregoing is the authentic text of the Convention unanimously adopted by the General Conference of the International Labour Organization during its Eighty-seventh Session which was held at Geneva and declared closed on 17 June 1999.

IN FAITH WHEREOF we have appended our signatures this eighteenth day of June 1999.

The President of the Conference,
ALHAJI MUHAMMAD MUMUNI

The Director-General of the International Labour Office,
JUAN SOMAVIA

The text of the Convention as here presented is a true copy of the text authenticated by the signatures of the President of the International Labour Conference and of the Director-General of the International Labour Office.

RECOMMENDATION 190

RECOMMENDATION CONCERNING THE PROHIBITION AND IMMEDIATE ACTION FOR THE ELIMINATION OF THE WORST FORMS OF CHILD LABOUR ADOPTED BY THE CONFERENCE AT ITS EIGHTY-SEVENTH SESSION, GENEVA, 17 JUNE 1999

The General Conference of the International Labour Organization, Having been convened at Geneva by the Governing Body of the International Labour Office, and having met in its 87th Session on 1 June 1999, and

Having adopted the Worst Forms of Child Labour Convention, 1999, and

Having decided upon the adoption of certain proposals with regard to child labour, which is the fourth item on the agenda of the session, and

Having determined that these proposals shall take the form of a Recommendation supplementing the Worst Forms of Child Labour Convention, 1999;

adopts this seventeenth day of June of the year one thousand nine hundred and ninety-nine the following Recommendation, which may be cited as the Worst Forms of Child Labour Recommendation, 1999.

1. The provisions of this Recommendation supplement those of the Worst Forms of Child Labour Convention, 1999 (hereafter referred to as "the Convention"), and should be applied in conjunction with them.

I. PROGRAMMES OF ACTION

2. The programmes of action referred to in Article 6 of the Convention should be designed and implemented as a matter of urgency, in consultation with relevant government institutions and employers' and workers' organizations, taking into consideration the views of

the children directly affected by the worst forms of child labour, their families and, as appropriate, other concerned groups committed to the aims of the Convention and this Recommendation. Such programmes should aim at, *inter alia*:

(a) identifying and denouncing the worst forms of child labour;

(b) preventing the engagement of children in or removing them from the worst forms of child labour, protecting them from reprisals and providing for their rehabilitation and social integration through measures which address their educational, physical and psychological needs;

(c) giving special attention to:

(i) younger children;

(ii) the girl child;

(iii) the problem of hidden work situations, in which girls are at special risk;

(iv) other groups of children with special vulnerabilities or needs;

(d) identifying, reaching out to and working with communities where children are at special risk;

(e) informing, sensitizing and mobilizing public opinion and concerned groups, including children and their families.

II. HAZARDOUS WORK

3. In determining the types of work referred to under Article 3(d) of the Convention, and in identifying where they exist, consideration should be given, *inter alia*, to:

- (a) work which exposes children to physical, psychological or sexual abuse;
- (b) work underground, under water, at dangerous heights or in confined spaces;
- (c) work with dangerous machinery, equipment and tools, or which involves the manual handling or transport of heavy loads;
- (d) work in an unhealthy environment which may, for example, expose children to hazardous substances, agents or processes, or to temperatures, noise levels, or vibrations damaging to their health;
- (e) work under particularly difficult conditions such as work for long hours or during the night or work where the child is unreasonably confined to the premises of the employer.

4. For the types of work referred to under Article 3(d) of the Convention and Paragraph 3 above, national laws or regulations or the competent authority could, after consultation with the workers' and employers' organizations concerned, authorize employment or work as from the age of 16 on condition that the health, safety and morals of the children concerned are fully protected, and that the children have received adequate specific instruction or vocational training in the relevant branch of activity.

III. IMPLEMENTATION

5. (1) Detailed information and statistical data on the nature and extent of child labour should be compiled and kept up to date to serve as a basis for determining priorities for national action for the abolition of child labour, in particular for the prohibition and elimination of its worst forms as a matter of urgency.

(2) As far as possible, such information and statistical data should include data disaggregated by sex, age group, occupation, branch of economic activity, status in employment, school attendance and geographical location. The importance of an effective system of birth registration, including the issuing of birth certificates, should be taken into account.

(3) Relevant data concerning violations of national provisions for the prohibition and elimination of the worst forms of child labour should be compiled and kept up to date.

6. The compilation and processing of the information and data referred to in Paragraph 5 above should be carried out with due regard for the right to privacy.

7. The information compiled under Paragraph 5 above should be communicated to the International Labour Office on a regular basis.

8. Members should establish or designate appropriate national mechanisms to monitor the implementation of national provisions for the prohibition and elimination of the worst forms of child labour, after consultation with employers' and workers' organizations.

9. Members should ensure that the competent authorities which have responsibilities for implementing national provisions for the prohibition and elimination of the worst forms of child labour cooperate with each other and coordinate their activities.

10. National laws or regulations or the competent authority should determine the persons to be held responsible in the event of non-compliance with national provisions for the prohibition and elimination of the worst forms of child labour.

11. Members should, insofar as it is compatible with national law, cooperate with international efforts aimed at the prohibition and elimination of the worst forms of child labour as a matter of urgency by:

- (a) gathering and exchanging information concerning criminal offences, including those involving international networks;
- (b) detecting and prosecuting those involved in the sale and trafficking of children, or in the use, procuring or offering of children for illicit activities, for prostitution, for the production of pornography or for pornographic performances;
- (c) registering perpetrators of such offences.

12. Members should provide that the following worst forms of child labour are criminal offences:

- (a) all forms of slavery or practices similar to slavery, such as the sale and trafficking of children, debt bondage and serfdom and forced or compulsory labour, including forced or compulsory recruitment of children for use in armed conflict;
- (b) the use, procuring or offering of a child for prostitution, for the production of pornography or for pornographic performances; and
- (c) the use, procuring or offering of a child for illicit activities,

in particular for the production and trafficking of drugs as defined in the relevant international treaties, or for activities which involve the unlawful carrying or use of firearms or other weapons.

13. Members should ensure that penalties including, where appropriate, criminal penalties are applied for violations of the national provisions for the prohibition and elimination of any type of work referred to in Article 3(d) of the Convention.

14. Members should also provide as a matter of urgency for other criminal, civil or administrative remedies, where appropriate, to ensure the effective enforcement of national provisions for the prohibition and elimination of the worst forms of child labour, such as special supervision of enterprises which have used the worst forms of child labour, and, in cases of persistent violation, consideration of temporary or permanent revoking of permits to operate.

15. Other measures aimed at the prohibition and elimination of the worst forms of child labour might include the following:

(a) informing, sensitizing and mobilizing the general public, including national and local political leaders, parliamentarians and the judiciary;

(b) involving and training employers' and workers' organizations and civic organizations;

(c) providing appropriate training for the government officials concerned, especially inspectors and law enforcement officials, and for other relevant professionals;

(d) providing for the prosecution in their own country of the Member's nationals who commit offences under its national provisions for the prohibition and immediate elimination of the worst forms of child labour even when these offences are committed in another country;

(e) simplifying legal and administrative procedures and ensuring that they are appropriate and prompt;

(f) encouraging the development of policies by undertakings to promote the aims of the Convention;

(g) monitoring and giving publicity to best practices on the elimination of child labour;

(h) giving publicity to legal or other provisions on child labour in the different languages or dialects;

(i) establishing special complaints procedures and making provisions to protect from discrimination and reprisals those who legitimately expose violations of the provisions of the Convention, as well as establishing helplines or points of contact and ombudspersons;

(j) adopting appropriate measures to improve the educational infrastructure and the training of teachers to meet the needs of boys and girls;

(k) as far as possible, taking into account in national programmes of action:

(i) the need for job creation and vocational training for the parents and adults in the families of children working in the conditions covered by the Convention; and

(ii) the need for sensitizing parents to the problem of children working in such conditions.

16. Enhanced international cooperation and/or assistance among Members for the prohibition and effective elimination of the worst forms of child labour should complement national efforts and may, as appropriate, be developed and implemented in consultation with employers' and workers' organizations. Such international cooperation and/or assistance should include:

- (a) mobilizing resources for national or international programmes;
- (b) mutual legal assistance;
- (c) technical assistance including the exchange of information;
- (d) support for social and economic development, poverty eradication programmes and universal education.

The foregoing is the authentic text of the Recommendation unanimously adopted by the General Conference of the International Labour Organization during its Eighty-seventh Session which was held at Geneva and declared closed on 17 June 1999.

IN FAITH WHEREOF we have appended our signatures this eighteenth day of June 1999.

The President of the Conference,
ALHAJI MUHAMMAD MUMUNI

The Director-General of the International Labour Office,
JUAN SOMAVIA

The text of the Recommendation as here presented is a true copy of the text authenticated by the signatures of the President of the International Labour Conference and of the Director-General of the International Labour Office.

Working World

(cont'd from p. 16)

● Luc Soete, professor of international economics at the University of Maastricht, notes that the rate of inflation is underestimated because it does not take into account the improvement in the quality of information technology and products. This observation has a significant influence on economic policy. Thus, the monetary authorities of the US recognized this fact before their European counterparts and judged a 3 per cent inflation rate to be acceptable, while the European Central Bank remains at 2 per cent, with the restrictive policy this implies. (*Le Monde*, 18/5/99).

● Victims of mobbing in the workplace live under serious psychological stress and often have no other choice but to resign. Such acts are condemned by labour legislation in several countries, such as Germany, Australia, Italy, Switzerland and Sweden. In **France**, where this is not the case (except for sexual harassment) an association was created to assist the victims, in particular by psychological support and legal advice. (*Alternatives économiques*, April 1999).

● The European Commission and the European trade unions' and employers' confederations organized a conference last April on the theme, "European Works Councils: Practice and Development", which brought together 600 participants. They concentrated on the application of the European directive of 1994 creating the European Works Council, in view of its eventual review at the end of this year (*Social International*, May 1999). □

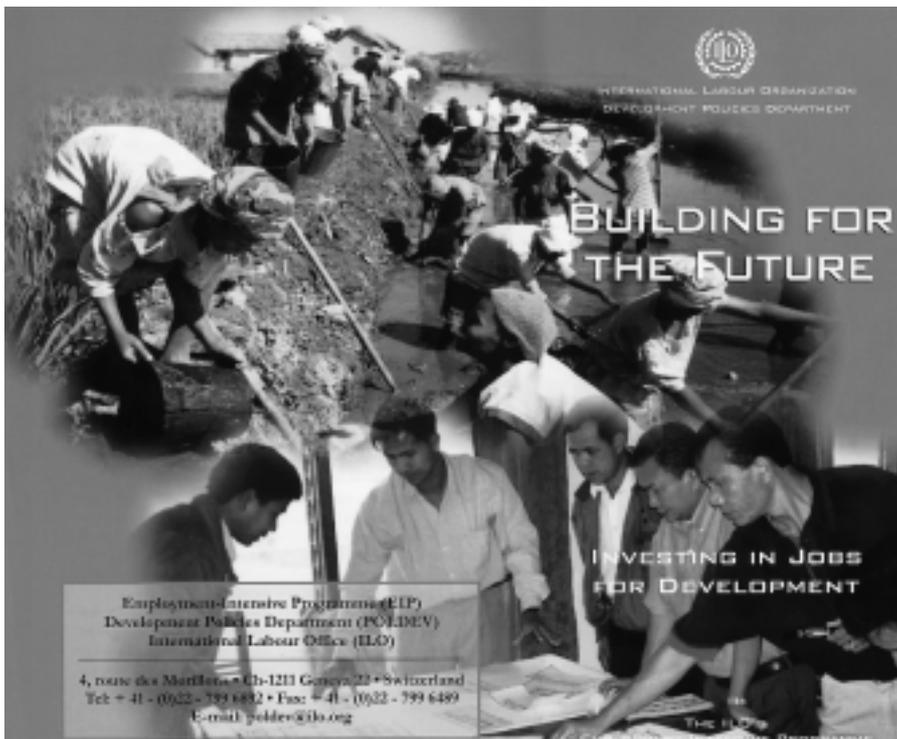
OCCUPATIONAL SAFETY

● A methane gas explosion in a coal mine in Ukraine killed 12 miners and injured 36 others. Before this accident, 80 miners had lost their lives in the country since the beginning of the year. In 1998, 358 deaths were reported in the mines, according to official data. (*International Herald Tribune*, 25/5/99).



Ukrainian miners leave the "Zasiadko" mine in Donetsk (East Ukraine, about 800 km from Kiev), following rescue work.

Keystone



This brochure may be obtained from ILO/POLDEV. See boxed information on photo.

just started. Although these reforms and adjustments were undoubtedly necessary, they should be implemented while accompanied by parallel programmes aimed at the alleviation of social problems resulting from them. This, however, has not always been the case.

Short-term problems

To these structural difficulties, short-term problems have been added in the form of the *El Niño* current, the effects of the Asian and Russian crises, and the recent financial problem in Brazil. This combination of factors has diminished hopes for economic growth in the near future. The recent financial crisis in Ecuador is a signal of the seriousness of the situation and demonstrates the need, besides the required reforms, for active employment policies.

The EIP: A direct job-creation programme

Within the range of possible policy recommendations, the construction and infrastructure sectors offer a considerable potential for employment generation. This in view of the key importance of infrastructure for overall development, the relative weight of the sectors in the National Product, and the possibility in

some works to adjust the capital-labour relation to a more favourable position for the latter of the two. This is exactly what the ILO project focuses on.

The project started its activities in January 1998, and concentrated initially on promoting the EIP concept, familiarizing potential counterparts in the countries concerned. The above-mentioned situation of structural and short-term problems has provoked an increasing interest in policies to absorb the vast group of under- and unemployed. There is an increasing awareness that a more rational utilization of funds for infrastructure work, contracting local, small entrepreneurs and using locally available resources, could have a positive impact on employment.

However, it became clear that the degree of awareness and application of employment-intensive interventions differed substantially between the three countries. Whereas in Peru an employment-intensive programme on rural road maintenance already existed (*Programa Caminos Rurales*, financed by IBRD, IADB and the Peruvian Government) with which the project could associate, in Bolivia and Ecuador there had not been similar activities so far. The second priority of the project has been to identify those areas of technical assistance where it could provide an added value. This has culminated in various national, as well as subregional projects.

Advantages of the employment-intensive approach

The main advantage of employment-intensive technologies is that planned investments in infrastructure have a higher rate of return; not only will the works be completed according to technical and budgetary norms, but in addition, the local private sector becomes involved in productive activities in areas where alternatives for job generation in general are scarce. Furthermore, the use of local human and material resources stimulates the local economy and creates self-reliance.

It is important to keep in mind that not all activities in construction or infrastructure work are suitable for an EIP approach. However, where feasible the concept fits in very well in an overall development strategy and contributes to a more equitable income distribution. Another issue emphasized by the project is that the country can save itself a lot of money through adequate maintenance of the infrastructure. Contracting small enterprises for roads maintenance to ensure their durability, is a lot cheaper than to have to reconstruct them in five years as a result of lack of conservation.

Reconstruction is extremely expensive and countries should be conscious of this vicious circle. It is more productive to spend on maintenance, providing incentives and employment opportunities to local workers and the local private sector. Equally important is to achieve a change in attitude of decision-makers and implementers, so that they will be able to make a fair judgement as to which technology, equipment- or labour-based, or a mixture of both, would be appropriate in all cases of investment. It might even be necessary to adjust legislation, because in some countries legal obstacles impede small contractors to have access to public works contracts.

A rising demand for EIP assistance

The interest in EIP programmes, and the demand for assistance that stems from it, is on the rise. This trend is observed not only in the three countries of the ILO project, but also elsewhere on the continent. In the present economic situation,

If one of your traditional roles in society is defending workers' interests in industrial negotiations, how are you going to handle the proliferation of new work forms?

If the workforce of your member companies has been located solely in-house at regular hours, how are you going to handle the trend to individualization and flexibility in terms of times and place of work in negotiations with worker organizations?

The MIRTI consortium was led by the European Institute of Social Studies based in Rome. Other members of the consortium included industrial partners such as Saritel in Italy, IBM Austria and Telehaus Wetter in Germany, as well as worker organizations such as the Workers' Educational Association Telematics Centre based in Manchester and research centres like IUK Dortmund.

In response to the challenge, the MIRTI consortium opted for a form of knowledge management, replying to the proclaimed knowledge revolution with its own means. Between 1996 and 1998, the consortium studied what is already being done in terms of industrial negotiations about working conditions in teleworking, with a view to spreading the awareness of that experience and building on it.

In so doing they themselves explored the use of the Internet as a tool for discussion and awareness-raising. The consortium limited its work to the question of industrial negotiations about telework, although to do so they had to get a better understanding of telework itself.

Making a handbook

Having identified teleworking experiments among the companies and cities studied so as to cover the multiple facets of the question, the consortium interviewed the pertinent people and obtained copies of their contractual agreements.



How are you going to handle the proliferation of new work forms?

On the basis of these interviews they drew up case studies.

To make their work coherent and communicable to others, the MIRTI consortium chose a number of categories of potential audiences for their work: employees, large companies, SMEs, freelancers, local initiatives, local authorities and public bodies. They identified subjects in the case studies likely to be of interest to the different audiences. These included working hours, data protection, software standards, management control and termination clauses.

For each type of audience, the material is presented in terms of types of telework, steps to telework including a check list, case studies and contracts. The material is cross-referenced using hypertext so that a couple of mouse clicks are enough for each user to find the pertinent data. The results are available in the form of a Handbook in English, French, German, Spanish and Italian on the World Wide Web (www.telework-mirti.org).

Some questions

The nature of the MIRTI Handbook raises a number of questions. First of

all, to what extent can the experience contained in the case studies be generalized to different circumstances? What is their relevance at a future date when technology and culture may well have changed? Such are the limitations of all knowledge systems which fix knowledge at a given moment on the basis of a particular context.

Secondly, the work of thinking out and writing the case studies was not necessarily carried out by the actors themselves. Thus, what is the relevance of such an outside perspective and the words used to express it? Such is the dilemma of creating expert knowledge and then trying to communicate it to lay actors rather than helping the actors develop their own knowledge.

For all these questions, the MIRTI Handbook remains a real achievement and should be of considerable use to those confronted with the development and management of teleworking. □

– Alan McCluskey is the editor of "Connected", an on-line newsletter



AROUND THE CONTINENTS

NEW REGULATORY SYSTEMS

▲ Competition, the pace of change and ideas about the role of the state in relation to markets, are the driving forces requesting new regulatory systems. The ILO Workshop on Regulatory Frameworks and their Economic and Social Impact organized by the ILO Transition Team, brought together some 40 experts from outside and inside the ILO in Geneva from 4 to 5 February 1999. The Workshop defined the term "regulatory frameworks" broadly, to encompass everything from international treaties to enterprise-level collective bargaining agreements. With respect to self-regulation, ILO findings were presented on various types of voluntary initiatives such as codes of conduct, social labelling schemes and the like, and the advantages and disadvantages of such approaches. There was a consensus at the meeting that this is a period of unique opportunity for the ILO to take an active part in the current debate and propagate its values in the public and private sectors alike.

For further information, please contact General Management (CABINET) at phone: +4122/799-6026; fax: +4122/799-8533; e-mail: cabinet@ilo.org

EMPLOYMENT POLICY PERSPECTIVES

▲ A similar Workshop on New Perspectives on Employment Policy also organized under the auspices of the ILO Transition Team, was held at

A regular review of the International Labour Organization and ILO-related activities and events taking place around the world.

The Hague (Netherlands) on 14 and 15 January 1999 focusing mainly on industrialized and middle-income countries. Participants discussed in two sessions issues related to globalization and employment as well as labour market interventions and employment. There was a consensus at the meeting that the challenge of globalization and the consequent necessity for coordination of economic and social policy at international and national levels make the ILO more relevant than ever.

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HUMAN RIGHTS IN ASIA

▲ Representatives of governments, employers and workers from 25 Asia-Pacific countries and one special administrative region gathered in Bangkok from 9 to 11 February 1999, to help bring to the region the benefits of the *Declaration on Fundamental Rights and Principles at Work* adopted last June by the International Labour Organization. Ms. Mitsuko Horiuchi, the ILO's Regional Director responsible for Asia and the Pacific welcomed Thailand's forthcoming ratification of the



ILO Convention on Equal Remuneration, and also noted that Indonesia had recently ratified the Convention on Freedom of Association and Protection of the Right to Organize. Kari Tapiola, the ILO's Executive Director responsible for fundamental principles and rights at work, reported to delegates on innovative procedures to assist member States in meeting their obligations under the Declaration.

For further information, please contact the Regional Office for Asia and the Pacific at phone: +662/288-1234; fax: +662/280-1735; e-mail: bangkok@ilo.org

REVITALIZING THE LABOUR MOVEMENT

▲ At a public lecture at the ILO's International Institute for Labour Studies on 24 May 1999, Lowell Turner, pro-

fessor at Cornell University, discussed the revitalization of the labour movement in the United States, Britain and Germany, focusing particularly on the relationship between institutions and social movements. Mr. Turner is the author of *Democracy at Work: Changing world markets and the future of labour unions*. His academic career was preceded by nine years as a union representative.

For further information, please contact the ILO's International Institute for Labour Studies, phone: +4122/799-6128; fax: +4122/799.8542; e-mail: inst@ilo.org

ALLIANCE FOR JOBS

▲ At another special public lecture at the ILO's International Institute for Labour Studies on 22 April 1999, Wolfgang Streeck, Director of the Max Planck Institute for the Study of Societies in Cologne (Germany), addressed the difficulties involved in the formation of national employment pacts. Speaking about the "German Alliance for Jobs", one of the central projects of the new German Government, Mr. Streeck discussed the possibilities for cooperation between governments, employers and unions to increase employment to strengthen the role of the state in industrial relations.

For further information, please contact the ILO's International Institute for Labour Studies, phone: +4122/799-6128; fax: +4122/799.8542; e-mail: inst@ilo.org



Sergio Pedreira

Michel Barton

IPEC AND THE WORST FORMS OF CHILD LABOUR: MANY PROGRAMMES ARE WORKING

▲ GENEVA – In 1998, ILO-IPEC continued to focus its efforts on tackling the worst forms of child labour, including: children in bondage; trafficking of children; and children in prostitution, domestic labour, commercial agriculture, mining, fishing, quarrying, manufacturing industries, and the informal sector.

Nearly half (47 cent) of the ILO-IPEC programmes implemented between 1992 and 1997 related to working children in hazardous work, and one-tenth to children in forced labour conditions.

Over 40 per cent of ILO-IPEC programmes during 1992-97 targeted children under 12 years of age, while another 40 per cent dealt with children between 12 and 14 years of age.

Here is a region-by-region roundup of IPEC's work in the area of the worst forms of child labour:

ASIA

● ILO-IPEC compiled an analysis on child trafficking in eight Asian countries; namely, Bangladesh, Cambodia, China, Nepal, Pakistan, Sri Lanka, Thailand, and Vietnam and is working at country- and sub-regional levels. In Pakistan a major pilot programme was launched in 1998 to prevent and eliminate bonded child labour, the first through concerted action by governmental organizations and NGOs, to address the issue in that country. In Nepal, ILO-IPEC (in collaboration with UNICEF) provides assistance to the government, NGOs, workers' and employers' organizations, to strengthen programmes in the removal and rehabilitation of "kamaiya" children (the children of bonded labourers in western Nepal) and in the prevention and elimination of child labour in carpet production, brick kilns, stone quarries, hotels and restaurants.

LATIN AMERICA AND THE CARIBBEAN

● In Central America, direct action programmes to eliminate the worst forms of child labour were launched in mid-1998. These include, among others, action programmes targeting children in prostitution (Costa Rica), child labour in stone quarries (Guatemala) and child labour in agriculture (Dominican Republic). An action programme to combat child labour in the mining industry in Peru was started in 1998. Since 1998, direct assistance projects are being implemented with ILO-IPEC support in Santa Filomena and Mollehuaca, two regions of Peru known for mining activities, benefiting approximately 1,000 children between the ages of 6 and 18 and their families.

AFRICA

● In Africa, an action programme to identify a strategy for the elimination of the (commercial) sexual exploitation of children in four Anglophone African countries, including Ethiopia, Kenya, Tanzania and Uganda, was approved in 1998. Action programmes focusing on child labour in commercial agriculture and children in domestic work and mining will also be implemented in Kenya, Tanzania, Uganda, Zambia and Zimbabwe. Several countries from the francophone African region joined ILO-IPEC over the last year. While activities in these countries (Benin, Burkina Faso, Madagascar, Mali and Senegal) are in their first phase, the focus has been from the beginning on the worst forms of child labour.

Ph. Lissac



Jacques Maillard



Miguel Schapira



IN THE PRESS...IN THE PRESS...IN THE PRESS...IN THE PRESS...

Child labour, occupational safety, mines, dominate headlines

THE NATION
THAILAND'S INDEPENDENT NEWSPAPER
(Thailand, 13 April 1999)

Work woes kill a million each year

Agence France-Presse

GENEVA – More than one million people die from work every year, which is more than the number killed by road accidents, war, violence or Aids, the International Labour Organisation (ILO) said yesterday.

The Guardian
INTERNATIONAL
(United Kingdom)
28 April 1999

More people killed at work than by war, Aids and accidents

Seumas Milne

More than 1m people are killed at work every year - including 12,000 children - and 250m suffer workplace injuries which force them to take time off, according to International Labour Organisation estimates.

The worldwide annual workplace death tally of 1.1m outstrips the numbers killed in road accidents, war, violence and Aids and costs 4% of the world's gross domestic product in terms of absence from work, treatment, disability and survivor benefits.

Mfanyakazi
January/April 17, 1999 (Tanzania)

'Ajali kazini zaua mamilioni'

Na Michael Mwakapuya

MKUU wa kitengo cha Afya na Usalama wa Shirika la Kazi Duniani (ILO) amesema kuwa zaidi ya wafanyakazi milioni moja hufa kila mwaka na mamilioni ya mamia humia ama kuugua kutokana na ajali na usalama mdogo uliopo mahala pa kazi ulimwenguni.

Knack
(Belgium) 21.4.99

ARBEID ALS DOODSOORZAAK

De Internationale Arbeidsorganisatie (IAO) berekende dat arbeidsongevallen en beroepsziekten de belangrijkste doodsoorzaak zijn. De concurrentie tussen de landen voor buitenlandse investeringen leidt tot een verslapping van de aandacht voor veiligheid, gezondheid en milieu.

Jaarlijkse doedental
(ramingen voor de hele wereld)

- Arbeidsongeval of beroepsziekte: 1,1 miljoen
- Verkeer: 660.000
- Geweld: 563.000
- Gevoelende conflicten: 502.000
- Aids: 312.000

Dagelijks sterven er 3000 mensen ten gevolge van een arbeidsongeval of beroepsziekte.

Belangrijkste arbeidsrisico's

1. Aanraking met gevaarlijke stoffen
2. Arbeid
3. Beroepsziekten (in de ontwikkelingslanden)
4. Kinderarbeid

Dagbladet ARBEJDEREN
(Denmark) 24.4.99

Massemord

Mere end en million arbejdere dør hvert år som følge af arbejdsulykker og erhvervsygdomme. Tallene stammer fra ILO – den internationale arbejdsorganisation.

Hvert år rammes mindst 12 mill. børnearbejdere af ulykker i forbindelse med arbejdet, heraf er de 12.000 alvorlige.

Die Presse
ERSCHIEINUNGSORT: WIEN
ÖAK - GEPRÜFTE DRUCKAUFLAGE:
MO-MI : 945.84, DO-FR : 105.365
SA: 163.825

IN KÜRZE

Arbeitsunfälle. Weltweit sterben mehr als eine Million Menschen bei Arbeitsunfällen. Laut der Internationalen Arbeitsorganisation (ILO) der Vereinten Nationen stiftet jedes vierte Opfer an schweren Krankheiten, die von giftigen Substanzen an der Arbeitsstelle ausgelöst wurden. Häufige Todesursachen sind Krebs, Herzstörungen und Nervenkrankheiten.

EL MERCURIO
(Chile, 12.4.99)

Informó la OIT

Muere más de un millón de trabajadores al año

GINEBRA.— Más de un millón de personas mueren cada año en el trabajo, lo que supone dos fallecimientos por minuto, según la Organización Internacional del Trabajo (OIT).

Además, anualmente se producen 250 millones de accidentes derivados de la actividad profesional; es decir, 685 mil accidentes diarios, 475 por minuto y ocho por segundo.

La "hecatombe del trabajo", que representa 1,1 millón de muertes anuales, excede el promedio anual de los fallecimientos por accidente de tránsito (999 mil personas), guerras (502 mil), violencia (563 mil) y Sida (312 mil).

GAZETA MERCANTIL
(Brazil) 13.4.99

Trabalho mata 1,1 milhão por ano

Congresso aponta vínculo entre produtividade e saúde ocupacional

Regina Scharf de São Paulo

As perdas econômicas associadas a doenças e acidentes do trabalho chegam a 4% do Produto Interno Bruto (PIB) mundial — mais do que os PIBs da África, dos países árabes e de alguns asiáticos somados. Estresse, falta de segurança e a exposição a toxinas matam mais de 1,1 milhão de trabalhadores por ano no mundo, ultrapassando a média anual de mortes no trânsito (999 mil), em guerras (502 mil), pela violência (563 mil) ou Aids (312 mil).

Segundo Jukka Takala, chefe do Programa de Saúde e Segurança da Organização Internacional do Trabalho (OIT), tal quadro pode piorar ainda mais. A incidência de doenças ocupacionais deverá dobrar até 2020. Takala participou, ontem, da abertura do XV Congresso Mundial sobre Segurança e Saúde no Trabalho, em São Paulo.

Doenças ocupacionais
Participação no custo total por tipo (em %)

Fonte: OIT



Le Monde

(France) 19 juin 1999

La Birmanie est exclue « de facto » de l'OIT pour son recours systématique au travail forcé

GENÈVE. Décision sans précédent, la Birmanie a été exclue de facto, jeudi 17 juin, de l'Organisation internationale du travail (OIT) en raison des pratiques de travail forcé imposées par la junte au pouvoir à des milliers de personnes. Dans une résolution adoptée à une large majorité au terme de leur assemblée annuelle, les représentants des 174 pays membres de l'OIT se sont dits « horrifiés par l'utilisation continue, sur une vaste échelle, du travail forcé, y compris pour des projets d'infrastructure et pour le portage dans l'armée ».

FINANCIAL TIMES

(United Kingdom)

FRIDAY JUNE 18 1999

By Frances Williams in Geneva

ILO bars Burma over forced labour

The annual conference of the International Labour Organisation (ILO) yesterday overwhelmingly approved a resolution barring Burma from virtually all ILO activities until it puts a stop to forced labour.

Bill Brett, chairman of the ILO workers' group and chief sponsor of the resolution, said that if Burma did not take immediate action to halt forced labour, he would ask the ILO's governing body in November to recommend sanctions be applied by all United Nations bodies, as well as by the International Monetary Fund and World Bank.

LE TEMPS

(Switzerland) 18 juin 1999

GENÈVE • La 87e Conférence internationale du travail s'est terminée hier. L'Assemblée a adopté à l'unanimité une convention contre les pires formes d'exploitation des enfants

• Une première, les Etats membres ont également adopté une résolution contre la Birmanie. Ce pays, qui refuse de renoncer au travail forcé, est de fait exclu

La convention adoptée par l'OIT n'est qu'une promesse pour les enfants au travail

C'est la toute première fois qu'un président des Etats-Unis se rendait à l'Organisation internationale du travail (OIT), depuis sa création en 1919. La visite de Bill Clinton mercredi au Palais des Nations a été un signe prémoniteur: les grands obstacles à l'adoption de la Convention sur les pires formes de travail des

enfants (notamment la limite d'âge, 18 ans, que les Etats-Unis auraient souhaité voir fixée plus basse) avaient été gommés auparavant. Hier, à l'issue de leur 87e session annuelle - la première sous la houlette du nouveau président Juan Somavia, entré en fonctions en mars -, les 174 Etats membres de l'OIT ont donc effectivement adopté la nouvelle convention à l'unanimité.

The Guardian

INTERNATIONAL

● The Guardian Friday June 18 1999

(United Kingdom)

Child slavery ban endorsed

A coalition of governments, employers and trade unions from 174 countries has unanimously adopted an International Labour Organisation convention seeking to eliminate the worst forms of child labour, including slavery, debt

bondage, trafficking, prostitution for under 18-year-olds and work likely to harm their health, safety or morals.

But individual states must still pass the convention into domestic law and enforce it. Peter Capella, Geneva

THE WALL STREET JOURNAL EUROPE.

17 June 1999

Clinton Backs Global Bid To Reduce Child Labor

By BOB DAVIS

Staff Reporter

GENEVA — U.S. President Bill Clinton endorsed international efforts to curb child labor as part of an uphill campaign to convince ordinary workers that trade helps them and to increase support in Congress for trade pacts.

"A failure to expand trade further could choke off innovation and diminish the very possibilities of the information economy,"

Mr. Clinton told a gathering of the International Labor Organization here. "Unfortunately, working people the world over do not believe this."

Mr. Clinton said he would urge the U.S. Senate to approve a new ILO pact to outlaw the most abusive forms of child labor, such as forced labor, child prostitution and hazardous work. He also said that over the next few days he would work with leaders of other major industrial nations to expand debt relief for poor nations.



Bill Clinton

FRATERNITE MATIN

(Côte d'Ivoire)

11 juin 1999

LE DÉVELOPPEMENT PARTAGÉ

DANS SON IMPORTANT DISCOURS DÉLIVRÉ HIER À LA TRIBUNE DES NATIONS UNIES, LE PRÉSIDENT HENRI KONAN BÉDIÉ A PLAIDÉ POUR "UNE NOUVELLE VISION DU DÉVELOPPEMENT PARTAGÉ DES SOCIÉTÉS HUMAINES AVEC UNE ÉTHIQUE QUI ALLIE LA DÉMOCRATIE, LA MONDIALISATION, LA SOLIDARITÉ ET LA JUSTICE..."

Le Monde

(France) 17 juin 1999

L'OIT approuve une convention contre le travail des enfants

de notre correspondant

Après plusieurs années de tractations, les représentants des gouvernements, des travailleurs et des employeurs des 174 pays membres de l'Organisation internationale du travail (OIT) ont enfin réussi à se mettre d'accord sur une nouvelle convention internationale visant à éliminer « les pires formes de travail des enfants » à travers le monde. Le texte de la nouvelle convention doit être formellement approuvé en séance plénière avant la clôture, jeudi 17 juin, de la session annuelle de l'OIT.

EL PAIS

(Spain)

EL PAIS, viernes 18 de junio de 1999

174 países prohíben el abuso laboral, sexual y militar contra los menores

La OIT pide sanciones penales con urgencia

L. V. Ginebra

Los 174 países reunidos en la Conferencia Mundial de la Organización Internacional del Trabajo (OIT) aprobaron ayer, por unanimidad y sin abstenciones, un convenio para prohibir las "peores formas" de trabajo para menores de 18 años. Unos 250 millones —el equivalente a la población de Estados Unidos— de niños entre los 5 y los 14 años trabajan en el mundo, y entre 50 y 60 millones tienen ocupaciones peligrosas. ...

Los países que ratifican el convenio deberán establecer, en conjunción con las organizaciones patronales y sindicales, mecanismos de vigilancia de lo acordado.

En el tema que suscitó más pasión en la Conferencia, el de los niños soldado, la idea de prohibir la participación en conflictos bélicos de menores de 18 años choca con potencias como Estados Unidos y Reino Unido, que rechazan a muchachos de 17 años.

Herald Tribune

THURSDAY, JUNE 17, 1999

Clinton Asks Ban on Child Labor Abuse

World Economy Can Be 'Free and Fair,' He Says

By Jane Perlez
New York Times Staff

GENEVA — Appealing for a "human face" on the global economy, President Bill Clinton urged the International Labor Organization to adopt a treaty that would ban the most abusive child labor practices, including the use of children in pornography and prostitution.

The speech to the 174-member organization, Mr. Clinton's first appearance of a six-day European trip, underlined the administration's insistence that free trade did not have to mean increased abuse of impoverished workers in developing countries.

In short, the administration argues that the global economy can be both "free and fair."

"As we press for more open trade, we must do more to ensure that all our people are lifted by the global economy," Mr. Clinton said before delegates of the labor organization gathered for their annual conference at the United Nations center here.

Every day, Mr. Clinton said that tens of millions of children work in conditions that "shock the conscience." "These are not some archaic practices out of a Charles Dickens novel. These are things that happen in too many places today."

Media shelf

In print

■ **Improve Your Business: Basics. International Edition.** By Mats Borgenvall, Hakan Jarskog, Barbara Murray and Cecilia Karlstedt. This edition adapted by Hakan Jarskog. ILO, 1999, ISBN 92-2-110853-8. Price: 30 Swiss francs; US\$19.95; £11.95.

Few publications are simple and clear enough to be easily understood by people with little or no business training, and yet still communicate the basic management skills required by entrepreneurs to run small businesses successfully. *Improve Your Business: Basics* fills that gap. This new international edition, drawing on more than a decade of operational experience, deals with various topics related to small-enterprise development such as training, business counselling, monitoring and evaluation, and networking. Providing useful management skills needed for profitability in a competitive environment, this book is a comprehensive, practical guide for entrepreneurs.

■ **Managing the Cooperative Difference. A survey of the application of modern management practices in the cooperative context.** Dr. Peter Davis. ILO, 1999, ISBN 92-2-111582-8.

This study explores the relation between current management thinking, in a broad sense, and the

particularities of managing a cooperative enterprise. The author firmly believes that enterprises based on mutuality and community are better placed than other types of enterprises to apply modern management concepts. He also advocates that it is the cooperative values, principles and structures which provide cooperatives with their competitive advantage.

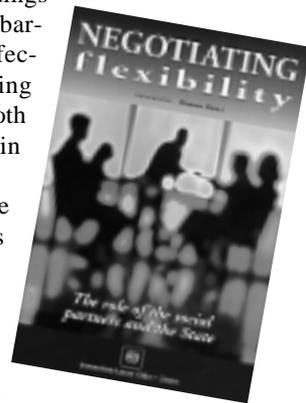
■ **Negotiating Flexibility: The role of the social partners and the State.** General editor Muneto Ozaki. 1999, ISBN 92-2-110865-1. Price: 25 Swiss francs; US\$14.95; £10.95.

This timely volume discusses the extent to which the labour market is becoming more flexible and evaluates collective bargaining in introducing this flexibility. Providing detailed information from 22 country studies, the book covers industrialized and developing nations across Western Europe, North and South America, and Asia. It analyses the introduction of flexibility in four areas: employment contracts, pay, working time and work organization. It also looks at the changing role of the State in industrial relations, and the positions of employers and

trade unions on labour market flexibility.

While closely examining the means of achieving greater labour market flexibility, this highly topical study addresses the various ways in which flexibility has been introduced, through legislative action, collective bargaining, individual employment contracts, and unilateral employers' decisions. The findings suggest that collective bargaining is the most effective means of introducing flexibility, as it engages both employers and workers in the process of change.

In addition, the volume examines the outcomes of negotiations on flexibility at the central, sectoral and enterprise levels, paying special attention to the trade-offs which arise, particularly in the areas of job security, working time and workers' lifestyles.



■ **Employment-Intensive Infrastructure Programmes: Capacity building for contracting in the construction Sector. Guidelines.** Peter Bentall, Andreas Beusch and Jan de Veen. Development Policies Department, ILO Geneva. ISBN 92-2-111581-X.

Despite progress in some developing countries, widespread unemployment, underemployment and poverty continue to characterize many low-income countries. In response to this challenge, the ILO has emphasized "employment-intensive growth" through the design of policies and programmes which aim at increasing the employment impact of investments. In this regard, the large-scale public sector investments in infrastructure are ideal areas for action by governments and funding agencies wishing to maximize the employment content of growth.

These guidelines present the current experience of contractor development pro-



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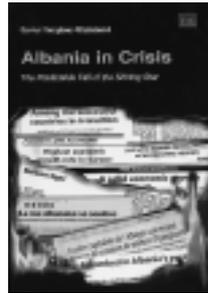
grammes which aim to introduce cost-effective employment-intensive approaches to infrastructure works while respecting basic labour standards and correct working conditions. These guidelines should contribute to the development of a healthy domestic construction industry in developing countries, where basic workers' rights are respected and fair working conditions are provided, thus contributing to the long-term objectives of productivity improvement and growth. (See article, p. 24).



Central and Eastern European Team, ILO, Budapest, Hungary.

■ **Albania in Crisis: The Predictable Fall of the Shining Star.** ISBN 1-84064-070-7. Price: UK£59.95.

The author, Daniel Vaughan-Whitehead is Senior Adviser,



The book can be ordered directly from the publisher: Edward Elgar Publishing, Glensanda House, Montpellier Parade, Cheltenham, Glos, GL50 1UA, UK. Tel: +44 (0) 1242 226934. Fax: +44(0) 1242 262111. E-mail: Info@elgar.co.uk. In the United States: 6 Market Street, Northampton, MA 01060. Tel: +1 413 584 5551, Fax: +1 413 584 9933. E-mail: rhenning@elgar.com. For further information: <http://www.elgar.co.uk>

At the beginning of the 1990s, the first encouraging results

on GDP growth combined with the fulfilment of international requirements led many to believe that Albania was a 'shining star' in Central and Eastern Europe. But in 1997, this progress was reversed by unprecedented institutional, political and social turmoil leading to a spiral of violence and chaos.

This book presents a comprehensive analysis of the different factors behind the 1997 crisis in Albania. Using extensive and detailed evidence, the author identifies the major reasons for the growing discontent and final explosion: the increase in unemployment, the collapse of industrial production, the inefficiency of the banking system, the limitations and drawbacks of foreign investment, the failure of mass privatization, falling living standards and rising poverty.

This book will be essential reading for all academics working in the area of transition as well as policy-makers from international organizations involved in transition economies.

It has been prepared in cooperation with the ILO Labour Law and Labour Relations Branch. It recalls the social and economic benefits to be derived from collective agreements. Three eminent specialists furnish a historical overview of the topic, stressing the dynamic and flexible character of collective bargaining in selected countries around the world as well as its capacity to adjust to changing conditions of work, thus conferring legitimacy to measures adopted and affording both parties the possibility to choose the nature of the changes, to determine the pace at which such changes should be introduced and the manner of doing so. The publication is aimed at unlocking the full potential of the institution of collective bargaining in behalf of workers around the world who strive daily and universally in defence of their interests.

International Labour Review

■ **The latest issue of the *International Labour Review*, Vol. 138 (1999), No. 2.** ISSN 0020-7780. Price: 90 Swiss francs; US\$72; UK£44 for a one-year subscription.

A social conscience in the global marketplace?

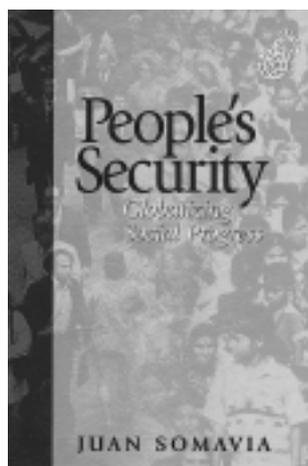
There are numerous signals in the markets for goods, services and finance which convey an image of social responsibility. Brand names assume a social image as a result of advertising, codes of conduct are publicized, social labels are accorded by NGOs to companies that meet their norms, mutual funds announce investments only in "socially responsible firms", and so on. *Janelle Diller* explains the

■ **Collective bargaining: A fundamental principle, a right, a Convention.** *Labour Education 1999/1-2, Nos. 114-115, ILO, Geneva, 1999. ISSN 0378-5467*

As a balancing force, as a buffer to absorb what would otherwise spill over in violent form, as a formal mechanism for arriving at written agreements between employers and workers, collective bargaining has still to find a substitute. This issue of the quarterly of the ILO Bureau for Workers' Activities (ACTRAV) appears on the eve of the 50th anniversary of the adoption by the ILO of Convention No. 98 in 1949.

■ **People's security: Globalizing social progress.** By Juan Somavia. 1999. Foreword. Preface. Acknowledgements. Price: 25 Swiss francs. ISBN 92-2-111777-4. Can be obtained through ILO Publications.

"People's Security" shows the thinking Juan Somavia during the decade before he assumed the leadership of the ILO. It contains speeches delivered to audiences around the world, and covers the period leading up to and including the World Summit for Social Development in 1995, which he was responsible for organizing. The reader will find material on the development of social policy at the international level, covering poverty, ex-



clusion, conflict, civil society, democracy, and gender. This book shows how a focus on the individual human being and people's security leads to his formulation of the paradigm of "Decent Work."

diverse "voluntary" initiatives that signal a social conscience, but notes that the labour content of most codes and labels is limited, and references to the principles of freedom of association and collective bargaining rare. The article constitutes an invaluable guide to this important and complex subject, including the state of discussions at the international level and ideas on how to promote greater coherence and social value.

Working time

Though the long-term trend has been for working time to fall and real wages to rise, that result is only partly due to legislative change and collective bargaining over working time and pay; changes in work organization that accompanied reductions in working time have been an important source of productivity gains and economic growth. *Gerhard Bosch* explains the ILO standards on working time and provides data on many countries, industrialized and developing. This thoughtful review discusses the link between educational attainment and economic activity, the impact of the unequal distribution of household work between men and women, incentives presented by tax and social security systems, changes in work organization, collective bargaining, and the oft-debated question of working time and aggregate employment levels, and concludes with constructive suggestions for further analysis.

Wages, employment and workers' rights in Latin America, 1970-1998

The fact that Latin America is exceptionally urban compared to other developing re-

gions has implications for the way the region is integrated into the world economy. *John Weeks* analyses the extent to which workers have participated in the gains from growth, and finds that in only one country has the long-term rate of increase in real wages exceeded the trend in per-capita income. In most of Latin America and the Caribbean, the economic gains were not passed on to workers. He argues for respect for core labour rights – basic civil and human rights – and for acceptable minimum standards at the workplace, so that the gains from growth can be equitably shared.

Compensation for employment injuries in southern Africa

Employment injury schemes, which provide social protection against accidents at work and occupational diseases, are widespread in southern Africa, as is explained by *Elaine Fultz* and *Bodhi Pieris*. After outlining the main ILO instruments which guide social protection in this area, they analyse current practice in the region and make suggestions for improvement. Most existing compensation there is in the form of individual employer liability, though there is a tendency toward social insurance where risks are pooled through a national employment injury fund. This is an informative overview of the present provision of compensation – in law and in practice – and also a source of encouragement for those who seek to extend this kind of protection to excluded groups and for additional risks.

Social aspects of the follow-up to the Asian financial crisis – a perspective

While the financial crisis in the region shows signs of ebbing, the levels of unemployment and poverty are still rising and the institutional means of alleviating those social costs are still largely inadequate. To take stock of action to date, especially that taken by the ILO, and to guide the next stage, a tripartite symposium was recently held in Geneva; the reporter's conclusions to that symposium are presented in this *perspective*, for they have the virtue of presenting in brief form the priorities as agreed at that international meeting.

Books

The books reviewed and noted in this issue of the *ILR* cover some timely issues: the management of large multinational corporations, irregular migration, the right to a fair trial, labour relations in a context of economic integration, the social deficit, the relationship of globalization and economic inequality, social security in India, and unemployment insurance in the United States. Also presented are the memoir of Michel Hansenne on his years as Director-General of the ILO and the views of Juan Somavia during the decade prior to becoming Hansenne's successor at the ILO.



■ **Hazardous small-scale mining on the increase.** ILO video, 1999. Duration: 5 minutes. VHS PAL, VHS NTSC 1999. (Available only in English).

From darkened tunnels in Bolivia to the hospitals for crippled miners above ground, *Hazardous small-scale mining on the increase* shows how the search for mineral riches is taking an increasingly devastating toll. Among some 100 million people working in the sector worldwide today, the human cost in terms of illness, injury and death is rising rapidly. But the news is not all bad. The film shows how the ILO is addressing these dangers, providing ways of bringing mines and miners around the world out of the Stone Age and into the present.

■ **The Face of Decent Work.** ILO video 1999. Duration: 17 mins. VHS PAL, VHS NTSC. Available in English, French and Spanish

Each day, 4 billion of us go to work. So begins *The Face of Decent Work*, a new video showing how the quest for dreams, goals and desires often involves misery, indecency and danger. Showing working conditions which are nearly impossible to imagine, the film also presents a vision of what the world of work can be; that is, decent, if we can only find a way to make it so. Director-General Juan Somavia calls the desire for decent work "one of the most generalized aspirations of the people in the world". Decent work is an issue which affects nearly every man, woman and child on the planet. This film urges the creation of a human face for work, so that everyone can reap its rewards. □

For further information or to obtain a copy, please contact: *Miguel Schapira, ILO Bureau of Public Information, Geneva. Tel: +4122/799-6575; fax: +4122/799-8577; e-mail: schapira@ilo.org*

International Training Centre



With its large residential training facility located in Turin, Italy, the International Training Centre provides a wide variety of programmes in areas of priority concern to the ILO and the United Nations system at large. Designed to support economic and social development of member States and their constituents, the Centre facilitates training and learning opportunities carries out training for senior and mid-level managers in private and public enterprises and enterprise development services; directors of vocational training institutions and systems, decision makers and managers in professional training

and skills development institutions; leaders of workers' and employers' organizations; government officials and national counterparts responsible for social and employment policy formulation and implementation, women in development gender equality and management of human resources. Over 70,000 men and women from 172 countries and territories have been trained since the Centre opened in 1965. Also located at the Centre is the United Nations Staff College. Established in June 1996 for 5 years in a pilot phase, the College was founded as a system-wide training and learning project.

The main objective of the Staff College is to facilitate and support the process of reform and change of the United Nations system by building on the talents of its staff. It is helping to strengthen the overall performance and effectiveness of the UN by creating new partnerships and developing innovative learning opportunities.

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