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**FOR DEBATE AND GUIDANCE**

## THIRD ITEM ON THE AGENDA

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

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## I. Introduction

1. The objective of this paper is to provide the Governing Body with an overview of how the fundamental principles and rights have been promoted and realized in each of the cases of non-ratification. In addition to the customary summary of the information obtained through the latest Annual Review questionnaires it also contains a recapitulation of important observations and lessons learned over the decade of Annual Reviews.

## II. A decade of Annual Reviews: An overview

2. Ten years after the first Annual Review in 2000, some general observations can be made on what has been achieved and what more could be done to promote and realize the principles and rights included in the ILO Declaration on Fundamental Principles and Rights at Work (1998 Declaration).
3. The follow-up under the Declaration has progressively established a dialogue with reporting States concerning respect, promotion and realization of the fundamental principles and rights at work. The first step in this dialogue is reporting. The general reporting rate by governments has increased from 56 per cent in 2000 to 99 per cent under the 2008 cycle. In fact, in 2008–09 all non-ratifying member States responded under each category of the fundamental principles and rights, with the exception of one government report that did not cover child labour.<sup>1</sup> In the current cycle, the reporting rate has been 86 per cent.
4. Since the 2006 reporting cycle, all member States that have not ratified all eight fundamental Conventions provided at least one report under the follow-up to the Declaration, the only exceptions being Marshall Islands and Tuvalu, which joined the ILO in 2007 and 2008 respectively. The Republic of Maldives which is an ILO member State since May 2009 should, in principle, start reporting under the Annual Review as from the next cycle in 2011.
5. This high response rate reflects the priority given to the 1998 Declaration by all member States, including new ones.<sup>2</sup> It has made it possible to highlight and follow up in a comprehensive way country situations that require greater attention in terms of targeted assistance, technical cooperation and capacity building.

<sup>1</sup> Under the 2008 Annual Review cycle, **Turkmenistan** was the sole country that did not report on the effective abolition of child labour.

<sup>2</sup> For further information on reporting rates by category of principles and rights, refer to Appendix III.

Figure 1. Number of reporting States under the 1998 Declaration Annual Review (2000–10)<sup>3</sup>

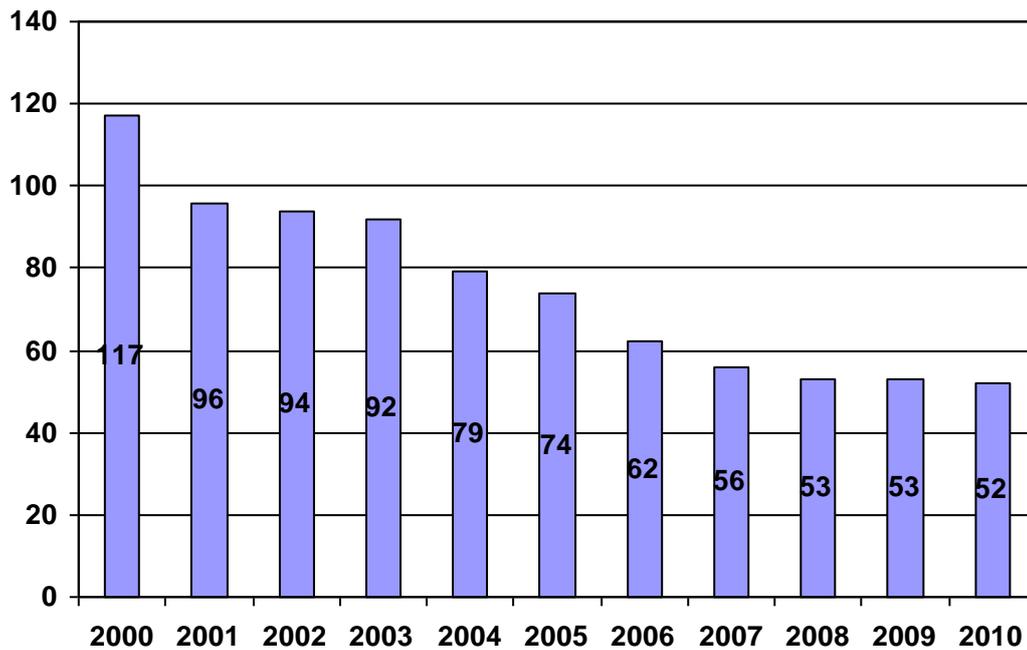
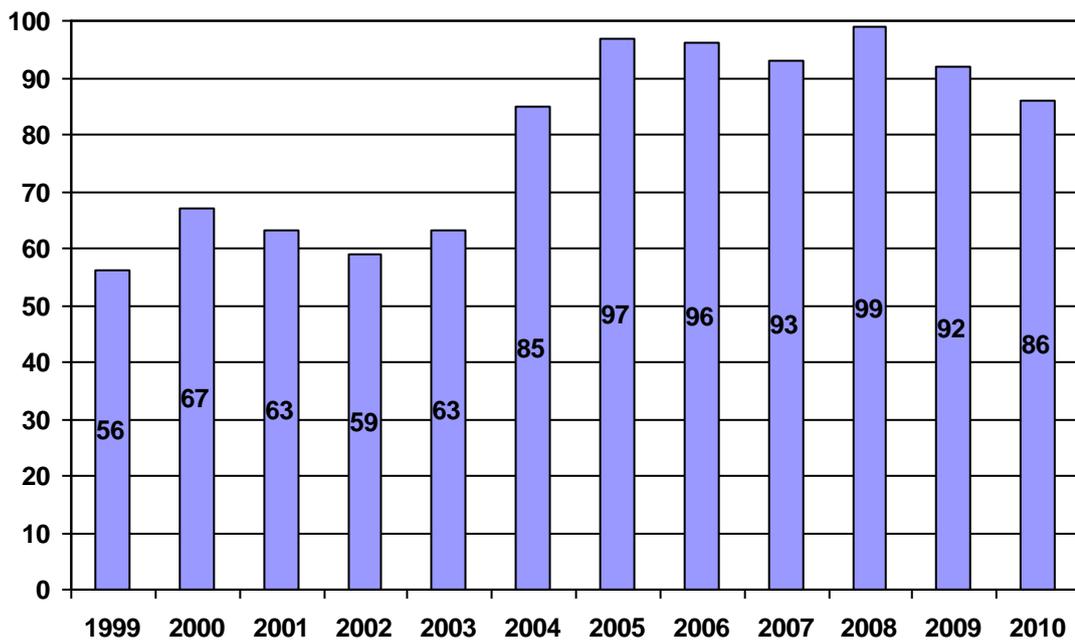


Figure 2. Reporting rates 2000–10 (percentages)



6. Observations by employers’ and workers’ organizations on the reports submitted by the governments increased more than fivefold from 2000 to 2008. The contents of the observations also continuously improved. One reason for the improved response rate by the social partners has been the strong support by the International Organisation of Employers (IOE) and the International Trade Union Confederation (ITUC) for the 1998 Declaration and its Follow-up. Interaction with the IOE and the ITUC has allowed the Office to have a more in-depth view of the different situations and obtain a larger picture of the effect given to the 1998 Declaration.

<sup>3</sup> Including one new member State under the 2010 Annual Review: Tuvalu.

## Country baseline information

7. Following the first few rounds of Annual Reviews and based on the information compiled from government reports and the observations by employers' and workers' organizations, an important knowledge tool has now been developed, known as Declaration country baseline information. The information is presented in tabular form and reflects each reporting country's original situation, current status and future plans as regards the promotion and realization of the fundamental principles and rights at work. It allows the Office to assess and monitor country-specific progress in moving towards fuller realization of the fundamental principles and rights at work.<sup>4</sup>
8. This baseline information does not contain conclusions or recommendations, but when combined with the information available through the supervisory system on ratified Conventions it has become possible to give a global picture covering all ILO member States. This was one of the specific aims of the Declaration and has been illustrated through the publication of annual Global Reports to the International Labour Conference on each of the fundamental principles and rights at work. The discussion at the Conference has been followed by a four-year action plan adopted by the ILO Governing Body.

## Ratification of ILO fundamental Conventions

9. The promotional dialogue under the Annual Review has given more momentum to further ratification of the fundamental Conventions, which were also subject to the ratification campaign after the World Summit for Social Development in Copenhagen in 1995. Before the adoption of the 1998 Declaration, there were a total of 862 ratifications of fundamental Conventions. This number has increased by almost 53 per cent to reach a total of 1,317 ratifications of ILO fundamental Conventions out of a potential of 1,464.<sup>5</sup> Thus, the rate of ratification of the eight fundamental Conventions stands at 90 per cent. The ratification pace has been particularly noteworthy in the case of the Worst Forms of Child Labour Convention, 1999 (No.182), which had reached a total of 171 ratifications by 31 January 2010.
10. With 174 ratifications, the Forced Labour Convention, 1930 (No. 29), remains the most widely ratified fundamental Convention. The Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), still gathers the lowest number of ratifications (150) among the fundamental Conventions, in spite of the fact that 2008 was the 60th anniversary of its adoption. About half of the world's working population live in countries that have not ratified this instrument. This highlights the importance of the 1998 Declaration as an instrument that permits the ILO to work and engage with the member States that have not yet ratified core labour standards as, under the 1998 Declaration, member States committed themselves to respect, promote and realize the fundamental principles and rights whether or not the relevant fundamental Convention has been ratified.
11. As a result of the general increase in the ratification of the fundamental Conventions, the number of reporting States under the 1998 Declaration has dropped by 56 per cent, from 117 in 2000 to 52 States in 2010,<sup>6</sup> this in spite of the admission of nine additional member

<sup>4</sup> Country baseline information can be accessed at [www.ilo.org/declaration](http://www.ilo.org/declaration).

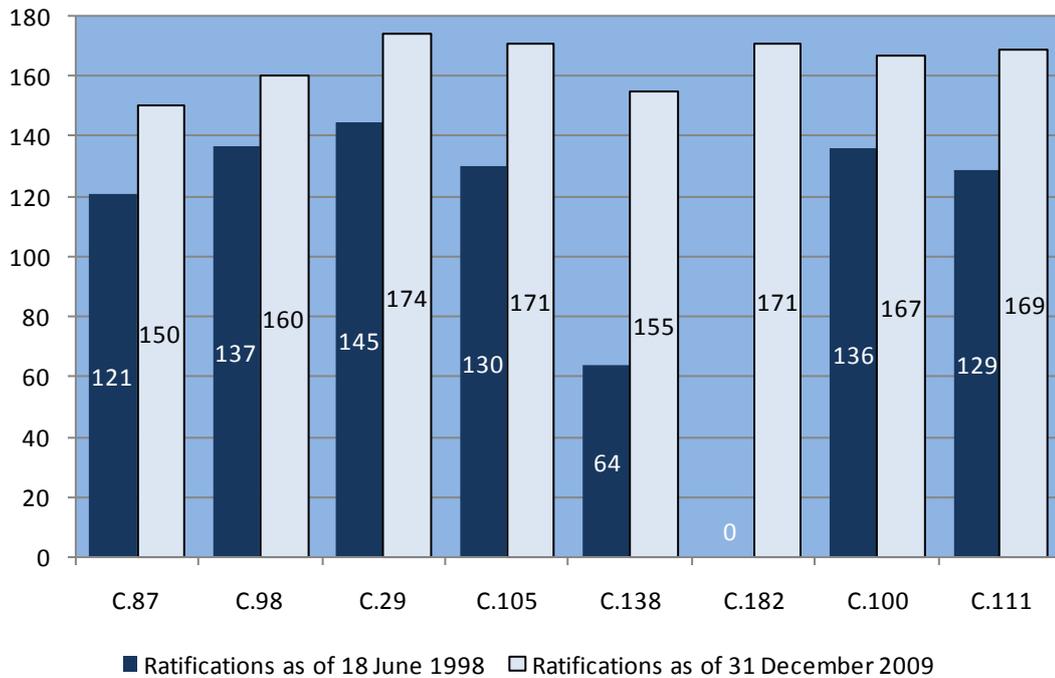
<sup>5</sup> Current figures in this paper are as of 31 January 2010.

<sup>6</sup> For further information on reporting States, refer to Appendix I.

States during this period. Today, 130 member States out of 183 have ratified all eight fundamental Conventions.

12. The figure below displays the numbers of ratifications of the fundamental Conventions before the adoption of the 1998 Declaration and at present.

**Figure 3. Number of ratifications of ILO fundamental Conventions, before the adoption of the 1998 Declaration (as of 18 June 1998) and as of 31 December 2009**



### Promotional efforts, new initiatives and successful examples

13. The analysis of the country baselines shows commitments made by member States in several major areas: to progress towards fuller implementation of the principles and rights or ratification of fundamental Conventions; to assess challenges; to develop a strategy or action plan with a time frame to overcome these challenges through tripartite dialogue and with the technical support of the Office; and to implement the strategy or action plan by developing national policies, new or revised legislation, creation of new mechanisms and other pertinent measures. In all such cases ILO technical assistance should be available to encourage and respond positively to the member States that wish to engage in technical cooperation with the ILO.
14. The overwhelming majority of reporting member States have indicated that their existing legislation recognizes the fundamental principles and rights, although some governments or employers' or workers' organizations indicated legal or practical gaps that needed to be filled and requested technical cooperation in that regard. In the replies received, a wide range of policy and institutional reforms, legislative and regulatory changes, creation of prevention, enforcement, monitoring and sanctions mechanisms, promotional, advocacy and capacity-building activities, data collection and dissemination as well as social dialogue activities at national, regional and international levels have been mentioned as

new initiatives and successful measures developed to achieve fuller implementation of the principles and rights at work.

15. Few countries sent “no change” replies in their reports. Given that the Declaration’s Follow-up requires positive measures to respect, promote and realize the fundamental principles and rights at work, sending almost systematically “no change” reports may mean that no efforts are being made by the governments concerned to meet their commitment under the 1998 Declaration.
16. Concerning ratification of Conventions, although the 1998 Declaration is in principle not an instrument focused on ratification, it does promote ratification by requiring member States to respect, promote and realize the principles and rights contained in the fundamental Conventions. Some governments have indicated their inability to ratify the relevant instrument because of legal, administrative, contextual or practical gaps but have not elaborated on any steps that are being taken to overcome those difficulties.
17. Country baselines show that most governments have reported various challenges in realizing the Declaration’s principles and rights, such as a lack of public awareness or support, lack of information and data, social and cultural traditions, social and economic circumstances, political situation, prevailing employment practices, lack of capacity of responsible government institutions, lack of capacity of employers’ and workers’ organizations, lack of social dialogue, etc.
18. The major issues noted over the last decade regarding the realization of freedom of association among reporting member States have been: (i) the low level of ratification of Convention No. 87 in particular and of the Right to Organise and Collective Bargaining Convention, 1949 (No. 98), to a lesser extent; (ii) failure of many government reports to provide information on how the concerned principles and rights are actually implemented in the national context; (iii) general restrictions on the principle and right in law and practice (legal trade union monopoly and government interference in the internal affairs of employers’ and workers’ organizations, restrictions on the right to establish and join organizations of their own choosing without previous authorization, right to draw up internal constitutions and rules, right to elect representatives in full freedom, etc.); (iv) the impact of perpetual changes in production and the new forms and relations of work and employment; and (v) the need to ensure full freedom of association and right to collective bargaining for all categories of workers, including those in the public service, agricultural workers, domestic workers, workers in export processing zones (EPZs), self-employed workers, temporary workers, those on precarious contracts, workers in the informal economy and migrant workers.
19. Concerning the elimination of all forms of forced or compulsory labour, the following major challenges were noted: (i) lack of political will or dialogue with the Office concerning (re)ratification of Convention No. 29 and/or the Abolition of Forced Labour Convention, 1957 (No. 105), and interpretation or application of exemptions by these instruments; (ii) lack of detailed and accurate information from governments and employers’ and workers’ organizations; (iii) legal gaps; (iv) lack of attention to the definition of forced or compulsory labour provided by Convention No. 29; (v) failure to acknowledge the existence of forced labour by some countries (though an increasing number of States is recognizing that forced labour does exist in their countries, whether in the form of classic slavery or bonded labour, forced child labour, serfdom, or several emerging modern forms of forced labour, in particular through the exploitation of children and migrants, the practice of bonded labour in new workplaces and increases in human trafficking); (vi) lack of public knowledge in many economically developed countries that forced labour may exist also in these economies; (vii) lack of capacity of governments and employers’ and workers’ organizations; and (viii) insufficient national and cross-border

cooperation, synergy and concerted tripartite approach to combat human trafficking for exploitative purposes.

20. Regarding the effective abolition of child labour, the experience of the last ten years highlights the following main challenges: (i) the pace of ratification of the Minimum Age Convention, 1973 (No. 138), and the Worst Forms of Child Labour Convention, 1999 (No. 182), has slowed down slightly since 2007, although the universal ratification of these instruments is no longer a distant objective, which can also be facilitated by tripartite discussion and ILO assistance; (ii) lack of practical information in several reports; (iii) need to combine compulsory schooling with the minimum age for admission to employment or work, including by means of legislation; (iv) the problem of child labour is affecting certain categories of population and sectors of the economy more seriously, in particular in the informal economy; and (v) the need to mainstream the elimination of child labour in the wider economic and social policies.
21. With respect to the elimination of discrimination in employment and occupation, the following major challenges have been identified: (i) there is a need for ILO technical cooperation for the overwhelming majority of governments that intend to ratify the Equal Remuneration Convention, 1951 (No. 100), and/or the Discrimination (Employment and Occupation) Convention, 1958 (No. 111), as well as the few governments that have not yet decided to ratify these instruments; (ii) the information provided by reporting governments and employers' and workers' organizations is often legalistic and too limited and does not address the full range of discrimination issues (such as those relating to race, age, ethnic groups, etc.) – whereas discrimination at the workplace can be a daily and subtle phenomenon and may essentially be in practice; (iii) not all the laws referred to in reports provide coverage for all grounds of discrimination and no information has been received on the mechanisms put in place to enforce these laws and to promote compliance with them; (iv) lack of tripartite dialogue in the reporting process; (v) in some cases the existence of discrimination is simply not acknowledged; (vi) migration, which is on the increase as one of the effects of globalization has on several occasions led workers to be more exposed to discrimination; (vii) on many occasions those subject to discrimination are at the same time suffering from multiple forms of discrimination and on multiple grounds; (viii) emergence of concerns on discrimination based on age (older workers), disability and HIV/AIDS; and (ix) lack of broader measures of empowerment to improve the education and capacity of excluded groups.
22. The employers' and workers' organizations at the international level have also responded to the Review over the last ten years, identifying legal or practical challenges in the member States. They have also suggested means to overcome them in order to better realize the fundamental principles and rights at work. The ITUC reported on a regular basis on challenges concerning the realization of the fundamental principles and rights at work in most reporting member States, in particular with respect to the violation of freedom of association and the right to collective bargaining, and restrictions on the right to strike.
23. The IOE has expressed concerns and requests regarding, for example: (i) the need to allocate appropriate human and financial resources with a view to meeting the ILO's strategic objectives through the effective promotion of the 1998 Declaration, the ongoing relevance of which has been emphasized by the ILO Declaration on Social Justice for a Fair Globalization; (ii) the need to link more closely promotion to impact in realizing the 1998 Declaration; and (iii) the need to adopt a promotional approach that yields results.

## Technical cooperation

24. With a view to overcoming the above challenges, most reporting member States have requested ILO technical cooperation in areas such as: (i) the assessment of the difficulties identified and their implication for realizing these principles and rights; (ii) awareness raising, legal literacy and advocacy; (iii) capacity building of labour inspection and administration; (iv) strengthening the capacity of employers' and workers' organizations; (v) strengthening tripartism and social dialogue; (vi) policy advice; (vii) legal reform; (viii) support in the ratification process; (ix) training of other officials (e.g. police, judiciary, social workers, teachers); (x) data collection and analysis/research; (xi) development of Decent Work Country Programmes; (xii) development of social protection systems; (xiii) employment creation, skills training and income generation; (xiv) special programme for the elimination of child labour or the worst forms of child labour including time-bound programmes; (xv) rural development policies; (xvi) development of policies for equal remuneration; (xvii) labour market policies that promote equality; (xviii) establishing or strengthening specialized institutional machinery, inter-institutional coordination; and (xix) sharing of experience across countries/regions.
25. In response to those requests, the ILO has provided assistance through a programme of technical cooperation with several projects implemented in both ratifying and non-ratifying member States. The 1998 Declaration itself recognizes the obligation on the Organization to assist its Members, in response to their established and expressed needs, to attain the objectives set in the Declaration. The technical cooperation is guided by the action plans that are adopted by the Committee on Technical Cooperation of the Governing Body each November, following the discussion of the relevant Global Report at the International Labour Conference.
26. Evaluation documents concerning the impact of technical cooperation activities on the realization of the fundamental principles and rights at work are available in the Programme on Promoting the Declaration and in the International Programme on Child Labour (IPEC). Such technical cooperation has certainly improved the global realization of the fundamental principles and rights at work and has built significant national capacities in many member States.

## Some general lessons drawn from the Annual Review

27. Over the last decade, the Annual Review, in combination with other follow-up procedures, has provided an indication of the status of the relative respect, promotion and realization of the fundamental principles and rights at work in member States that have not ratified all fundamental Conventions. In this regard, country baselines have gathered information provided by governments, supplemented by comments from employers' and workers' organizations where available.
28. The reporting process has helped reporting member States to develop their information base concerning those principles. This process of self-analysis and dialogue with the ILO has helped countries to assess progress against their starting point and to define strategies for reaching their objectives.
29. Although the situation may vary from one country to another, the information obtained through the Annual Review and the discussion at the Governing Body has shown that strategies for the promotion of the principles under the 1998 Declaration should take into consideration the following elements:

- (a) the need to accord full respect to the fundamental principles and rights at work by all member States, regardless of the specific political, economic, social and cultural circumstances of the country;
  - (b) respect for the principle of freedom of association and the effective recognition of the right to collective bargaining is indispensable if the other rights and principles contained in the Declaration are to be implemented;
  - (c) the need for an integrated approach to get results in the realization of the four fundamental principles and rights at work, promoting them together and in a way that they reinforce each other where respected;
  - (d) the key importance of political will of the governments concerned, as is illustrated by their own efforts regardless of external funds for technical cooperation;
  - (e) the need to assess both legal and practical situations, in particular through the provision of more information of a socio-economic nature on how principles and rights are provided for;
  - (f) the need for the government and the social partners to acknowledge the possible existence of problems related to these principles and rights;
  - (g) the need for a dialogue-based approach and national ownership and leadership in addressing the fundamental principles and rights at work;
  - (h) the need for involvement of employers' and workers' organizations throughout the promotion and implementation process;
  - (i) the need to maintain the distinction between the promotion of the rights and principles in follow-up to the 1998 Declaration with other ILO means of action, and in particular to ensure that follow-up procedures and technical cooperation on fundamental principles and rights at work under the Declaration would not duplicate, or affect the existing supervisory machinery relating to international labour standards, whose primary role is assessing compliance with ratified Conventions. Similarly, technical cooperation on fundamental principles and rights under the 1998 Declaration should continue to be available to member States irrespective of their ratification or non-ratification of the relevant Conventions.
- 30.** The Annual Review under the Declaration and the reports submitted help the ILO and donor agencies to focus on what technical cooperation should be developed and funded. Technical cooperation has been an important means of improving the implementation of principles and rights at work over the last decade.
- 31.** Projects under the 1998 Declaration related to freedom of association and the right to collective bargaining have provided renewed vigour to ILO operational work in this area. They have included labour law reform, capacity building for labour administrations and for employers' and workers' organizations, creation of dispute prevention and settlement mechanisms, and the strengthening of tripartism and social dialogue.
- 32.** The Special Action Programme to combat Forced Labour has developed national ownership and leadership of projects addressing forced labour. Operational work in eliminating discrimination has built up the capacity of the social partners to address this problem and to share experiences. Research has been carried out on the pay gender gap, minimum wage and pay equity. Projects were developed on job evaluation and on promoting equal opportunities for women and men. The links between collective bargaining and equality were also analysed as well as the nexus between discrimination

and forced labour and the need to tackle discrimination and forced labour together, especially as regards indigenous and tribal peoples and other ethnic minorities. Forced labour cannot be effectively eliminated if the widespread and systemic discrimination in employment and remuneration is not addressed as well.

33. Technical advice was provided on ethnic audit of differentiated treatment of indigenous and tribal peoples within the framework of poverty reduction strategies (PRSs) for 14 countries around the world, discrimination against migrant workers, discrimination at work in six African countries, and within a partnership agreement with the High Authority for the Fight Against Discrimination (HALDE) of France. Focusing on the links between categories of fundamental principles and rights at work will enhance the effectiveness of projects and policy interventions.
34. IPEC has developed innovative approaches and has launched time-bound programmes. These are based on a high-level political commitment and are aimed at preventing and eliminating a country's worst forms of child labour within a clearly defined time frame. Experience has shown that this approach, targeting the worst forms to start with, is also an effective way to mobilize society to address the problem of child labour as a whole. The programmes include policy planning and action, data collection, institutional capacity building and various direct interventions to help the children and their families. In adopting a multidimensional approach to child labour, IPEC has brought new partners and new approaches to the ILO.

### III. Highlights of the Annual Review 2010

#### Box 1

##### Governments that fulfilled their reporting obligations under the 2010 Annual Review, by category of principle and right

Freedom of association and the effective recognition of the right to collective bargaining (32 countries): **Afghanistan, Bahrain, Brazil, Brunei Darussalam, Canada, China, Guinea-Bissau, India, Islamic Republic of Iran, Iraq, Jordan, Kenya, Republic of Korea, Lao People's Democratic Republic, Lebanon, Malaysia, Mexico, Morocco, Myanmar, Nepal, New Zealand, Oman, Qatar, Saudi Arabia, Singapore, Somalia, Sudan, Thailand, United Arab Emirates, United States, Uzbekistan and Viet Nam.**

Elimination of all forms of forced or compulsory labour (13 countries): **Afghanistan, Brunei Darussalam, Canada, China, Japan, Republic of Korea, Lao People's Democratic Republic, Malaysia, Myanmar, Singapore, Timor-Leste, United States and Viet Nam.**

Effective abolition of child labour (24 countries): **Afghanistan, Australia, Bahrain, Bangladesh, Brunei Darussalam, Canada, Cape Verde, Cuba, Eritrea, Gabon, Ghana, India, Islamic Republic of Iran, Liberia, Mexico, Myanmar, New Zealand, Saudi Arabia, Sierra Leone, Somalia, Suriname, Timor-Leste, United States and Vanuatu.**

Elimination of discrimination in respect of employment and occupation (16 countries): **Bahrain, Brunei Darussalam, Japan, Kuwait, Liberia, Malaysia, Myanmar, Namibia, Oman, Qatar, Singapore, Somalia, Suriname, Thailand, Timor-Leste and United States.**

#### Box 2

##### Governments that did not meet their reporting obligations under the 2010 Annual Review, by category of principle and right

Freedom of association and the effective recognition of the right to collective bargaining (3 countries): **Marshall Islands, Solomon Islands and Tuvalu.**

Elimination of all forms of forced or compulsory labour (3 countries): **Marshall Islands, Solomon Islands and Tuvalu.**

Effective abolition of child labour (5 countries): **Marshall Islands, Saint Lucia, Solomon Islands, Turkmenistan and Tuvalu.**

Elimination of discrimination in respect of employment and occupation (3 countries): **Marshall Islands, Solomon Islands and Tuvalu.**

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

35. Freedom of association and the effective recognition of the right to collective bargaining is one of the founding principles of the Organization. Its observance is essential for the exercise of other principles and rights contained in the Declaration as well as decent work in general. The government reporting rate on this principle under the current Annual Review is 92 per cent, which is the highest compared to other principles. Through their comments national employers' and workers' organizations have allowed a better assessment of the situation.<sup>7</sup> However, a few countries reproduced their previous report or sent a "no change" report.
36. One country, **Timor-Leste**, ratified both Conventions Nos 87 and 98 in 2009. Convention No. 87 is still the least ratified fundamental Convention (150 ratifications). The two fundamental Conventions related to the principle of freedom of association and the effective recognition of the right to collective bargaining, namely Conventions Nos 87 and 98, together have the lowest number of ratifications among the four categories of fundamental principles and rights at work (310 ratifications), far behind the principle of the elimination of all forms of forced or compulsory labour, i.e. Conventions Nos 29 and 105, that gather together 345 ratifications and rank the highest among the four categories.
37. Many of the reporting member States that in previous reports expressed the intention to ratify Convention No. 87 and/or No. 98, have not yet done so or report that they are still considering ratification possibilities. **China** has not indicated its position vis-à-vis the ratification of these instruments. A few countries indicated that they were not in a position to ratify Convention No. 87 (**India, Malaysia, New Zealand, Singapore and United States**) or Convention No. 98 (**Canada, India, Mexico and United States**). The **United States**, while noting that federal legislation and practice appear to be in general conformance with these instruments, has also reported several new measures and decisions adopted in the course of 2009 that improve the coverage and implementation of these principles and rights.<sup>8</sup>
38. Most countries mention that the relevant principles and rights are recognized in their national constitutions, laws or regulations: **Afghanistan, Bahrain, Brazil, Canada, China, Guinea-Bissau, India, Jordan, Republic of Korea, Lao People's Democratic Republic, Malaysia, Morocco, Qatar, United Arab Emirates and United States.**
39. Some countries indicate that their national legislation is not in compliance with the provisions of Convention No. 87 and/or No. 98 and consider this fact as an obstacle to the ratification of these instruments: for example, **Jordan, Kenya, Republic of Korea, Lao People's Democratic Republic, Lebanon, Oman, Thailand and Viet Nam.**

<sup>7</sup> Appendix IV provides a list of observations received from the employers' and workers' organizations.

<sup>8</sup> For further information on ratification intentions, see Appendix II.

40. Various promotional activities are reported by governments or employers' and workers' organizations in the following countries: **Afghanistan, Brazil, Brunei Darussalam, Canada, China, Guinea-Bissau, Iraq, Kenya, Republic of Korea, Lao People's Democratic Republic, Morocco, Nepal, Oman, Thailand, United States and Viet Nam.**<sup>9</sup>
41. New initiatives were undertaken in **Bahrain** (establishment of monthly tripartite meetings with a view to concluding a collective agreement on working conditions and settling any disputes or problems that may emerge through daily contact at the workplace), **Canada** (following the suggestion by the Canadian Labour Congress to organize tripartite meetings to review non-ratified Convention No. 98 and assess the impact of the 2007 Supreme Court decision, the Government has planned a round table for early 2010), **Kenya** (deliberation on non-ratified Conventions and discussion on future promotional activities by the National Labour Board which is a tripartite body), and **Somalia** (establishment of a new employers' organization: the Somalia Chamber of Commerce and Industry).
42. In the reports received, under the challenges faced in the implementation of these principles, the following obstacles were most mentioned by governments and employers' and workers' organizations: (i) lack of public awareness; (ii) lack of information and data; (iii) social and cultural traditions; (iv) social and economic circumstances; (v) political situation; (vi) legal provisions; (vii) prevailing employment practices; (viii) lack of capacity of responsible government institutions; (ix) lack of capacity of employers' and workers' organizations; (x) lack of social dialogue; and (xi) lack of special attention to particular situations or problems.<sup>10</sup> Few Governments or employers' or workers' organizations sent updated figures and statistics.
43. In some countries, legislation currently provides for one trade union or federation (such as **Bahrain, China, Lao People's Democratic Republic and Oman**).
44. In a number of countries, some categories of workers tend to be excluded from the full coverage of the principles and rights concerned with freedom of association and the effective recognition of the right to collective bargaining, such as migrant workers (in **Lebanon, Malaysia, Singapore and Thailand**), domestic workers (in **Lebanon, Nepal and United Arab Emirates**) or workers in the informal economy (in **Afghanistan, India and United Arab Emirates**). Several workers' organizations and one employers' organization have also indicated restrictions on the right to strike in their country.
45. With a view to facing these challenges, several reporting member States have requested ILO technical cooperation for: (i) assessment of the difficulties identified and their implication; (ii) awareness raising, legal literacy and advocacy; (iii) capacity building of labour administrations; (iv) data collection and research; (v) policy advice; (vi) legal reform; (vii) strengthening tripartism and social dialogue; (viii) strengthening the capacity of employers' and workers' organizations; (ix) training of other officials (e.g. police, judiciary, social workers, teachers); (x) sharing of experience across countries/regions; and (xi) the launch of a Decent Work Country Programme.<sup>11</sup>

<sup>9</sup> For further information on these activities, see Appendix V.

<sup>10</sup> For further information on the challenges faced, see Appendix VI.

<sup>11</sup> For further information on the needs, see Appendix VII.

## The elimination of all forms of forced or compulsory labour

46. The reporting rate by governments under this principle has reached 81 per cent in the current reporting cycle, and numerous national employers' and workers' organizations have made comments on forced labour issues in their countries.
47. In 2009 **Timor-Leste** ratified Convention No. 29. No new ratifications of Convention No. 105 were registered. Among fundamental Conventions, Convention No. 29 registers the highest number of ratifications (174), while Convention No. 105 is ranked second (with 171 ratifications).
48. Among reporting States, **Afghanistan** stated that it intends to ratify Convention No. 29 and **Brunei Darussalam** said it is considering ratification. The Government of **United States** indicated that there are no ongoing efforts to ratify this instrument. **China** is the only country that has not yet indicated its position vis-à-vis the ratification of Conventions Nos 29 and 105. **Japan** has sent a "no change" report. Many other reporting member States that had earlier expressed their intention to ratify Convention No. 105 or had said that they are considering ratification possibilities through surveys and consultations, have not yet ratified these Conventions. The Governments of **Malaysia** and **Singapore**, which denounced Convention No. 105 in 1990 and 1979 respectively, are reconsidering the possibility of re-ratification of this instrument through ongoing tripartite social dialogue and consultations.<sup>12</sup>
49. Reporting member States mention that they recognize this principle in their national constitutions, national policy, laws or regulations. Various promotional activities have been reported by governments or employers' and workers' organizations in the following countries: **Afghanistan, Bahrain, Brunei Darussalam, Gabon, China, Lao People's Democratic Republic, Myanmar, Timor-Leste** and **United States**.<sup>13</sup> The Government of **Timor-Leste** reports that it has included the principle of combating forced labour in the scope of the new Labour Code currently being finalized in consultation with the employers' and workers' organizations. Except for the **United States**, reporting member States have not sent updated statistics and data concerning this principle.
50. As regards challenges in the implementation of this principle, two Governments (**Republic of Korea** and **Timor-Leste**) and two workers' organizations (the Federation of Korean Trade Unions (FKTU) and the Korean Confederation of Trade Unions (KCTU)) mentioned obstacles concerning legal provisions and the political situation. The FKTU and the KCTU observed that despite the general prohibition of forced labour in the **Republic of Korea**, various forms of forced and compulsory labour were observed (for example, the military service system and compulsory duties for public servants). In this regard, the Government of the **Republic of Korea** indicated that the challenges remained as follows: (i) the military service system; (ii) the current public interest service system; and (iii) the fact that the punishment of criminals in some cases includes forced prison labour. The Government further stated that the ILO's technical support concerning the conformity of the current military system with this principle may be needed and would be requested in due course.
51. Some other States requested technical cooperation under different headings to build up their national capacity to realize this principle. Though data collection on elimination of forced or compulsory labour seems to be a challenge for almost all reporting member

<sup>12</sup> For further information, see Appendix II.

<sup>13</sup> For further information, see Appendix V.

States, no requests were made for technical cooperation in this regard. Meanwhile, cooperation with the IOE and the ITUC on activities against forced labour, through the Special Action Programme to Combat Forced Labour, has served to strengthen the global alliance against forced labour and trafficking.

## The effective abolition of child labour

52. Ensuring that every child is free of the compulsion to work and has access to quality education is crucial. Fighting for the effective abolition of child labour is also a means to combat a root cause and symptom of poverty and the gap in decent work. As long as poverty pushes some families to send their children to work, the next generation may be condemned to the same fate. Ending child labour is breaking the vicious circle of poverty and developing human resources for sustainable development.
53. The reporting rate by governments in the current cycle on this principle has reached 83 per cent. Many national employers' and workers' organizations have supplied their comments on child labour issues in their countries. **Bahrain, India** and **Saudi Arabia** sent "no change" reports.
54. In the course of 2009, Convention No. 138 registered four new ratifications, by **Guinea-Bissau, Haiti, Kiribati** and **Uzbekistan**, while Convention No. 182 registered two new ratifications by **Kiribati** and **Timor-Leste**.
55. Some reporting States indicated their intention to ratify Conventions Nos 138 or 182 or said they are considering ratification. Few governments, however, expressed either their inability to ratify or having "no ongoing efforts" to ratify Convention No. 138 (**Australia, India, Mexico** and **United States**) or Convention No. 182 (**India**). For example, the Government of **Australia** mentions that while Australian national law and practice fully meet the objectives of Convention No. 138, **Australia** is currently unable to ratify it due to technical compliance reasons. The Government is currently consulting state and territory authorities with a view to determining whether and to what extent their legislation complies with the requirements of the Convention, but also conducting research to determine compliance gaps. **Turkmenistan** is the only country that has not yet indicated its position vis-à-vis the ratification of Conventions Nos 138 and 182.<sup>14</sup>
56. Several promotional activities have been reported by governments or employers' and workers' organizations in the following countries: **Afghanistan, Australia, Bahrain, Bangladesh, Brunei Darussalam, Cuba, Gabon, Ghana, Islamic Republic of Iran, Liberia, Sierra Leone, Suriname, Timor-Leste** and **United States**.<sup>15</sup> The **United States** Government indicated that the Trafficking Victims Protection Reauthorization Act of 2008 was enacted in December 2008 for four years and authorized new measures to combat human trafficking, including efforts to increase effectiveness of anti-trafficking in persons programmes, providing interim assistance for potential child victims of trafficking, and enhancing the ability to criminally punish traffickers.<sup>16</sup> Moreover, in February 2008, the Wage and Hour Division of the Department of Labor implemented an initiative to

<sup>14</sup> The Government of **Turkmenistan** has reported only once under the 2001 Annual Review, and its draft baseline is yet pending approval.

<sup>15</sup> For further information, see Appendix V.

<sup>16</sup> This legislation may be found at [www.usdoj.gov/olp/materials-ww-tvpra.htm](http://www.usdoj.gov/olp/materials-ww-tvpra.htm).

investigate establishments likely to employ minors in violation of Hazardous Order No. 12 relating to balers and compacters used to process waste materials.<sup>17</sup>

57. Concerning challenges faced in the implementation of this principle, many replies indicated: (i) social and cultural traditions; (ii) social and economic circumstances (illiteracy, lack of school infrastructures); (iii) legal provisions; (iv) lack of capacity of responsible government institutions; (v) lack of capacity of employers' and workers' organizations; and (vi) lack of social dialogue.<sup>18</sup> More specific obstacles to the effective abolition of child labour were identified, for example, in **Bangladesh** (socio-economic conditions), **Cape Verde** (child domestic workers and child labour in rural areas), **Eritrea** (child labour and worst forms of child labour in the informal economy and lack of national survey on the worst forms of child labour), **Gabon** (irregular migration and poverty), **New Zealand** (continuing economic recession, lack of adequate information/training of young people on risks at work and their employment rights and obligations and some employment practices) and **Somalia** (war situation).
58. Technical cooperation requests were made under all headings for: (i) assessment of the difficulties identified and their implication for elimination of child labour; (ii) awareness raising, legal literacy and advocacy; (iii) capacity building of labour inspections and administrations; (iv) data collection and research; (v) policy advice; (vi) legal reform; (vii) rehabilitation programmes; (viii) strengthening tripartism and social dialogue; (ix) strengthening the capacity of employers' and workers' organizations; (x) training of other officials (e.g. police, judiciary, social workers, teachers); (xi) social protection systems; (xii) school infrastructures development; (xiii) sharing of experience across countries/regions; (xiv) inter-institutional coordination; (xv) employment creation, skills training and income generation for parents; (xvi) special programme for the elimination of the worst forms of child labour; and (xvii) launch of a Decent Work Country Programme.<sup>19</sup>
59. Technical cooperation projects undertaken by IPEC have become a major means of intervention by the ILO to meet these challenges. IPEC is also linking action against child labour to national development efforts and to the Decent Work Agenda.

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

60. The reporting rate by governments under this principle reached 84 per cent for this Review and many national employers' and workers' organizations also made comments on discrimination and equality issues in their countries. One country, **Kiribati**, ratified both Conventions Nos 100 and 111 in 2009.
61. While some reporting governments expressed their intention to ratify Conventions No. 100 or No. 111, others indicated that they are considering ratification possibilities through surveys and consultations. **Japan** and **Qatar** sent "no change" reports. The **United States** indicated that at present it is not actively considering ratification of Convention No. 100, while **Malaysia** stated that much needs to be done before it is ready to ratify Convention

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<sup>17</sup> Its YouthRules! web page continues to provide a gateway to child labour compliance information on the Internet ([www.youthrules.dol.gov/index.htm](http://www.youthrules.dol.gov/index.htm)).

<sup>18</sup> For further information, see Appendix VI.

<sup>19</sup> For further information, see Appendix VII.

No. 111 and hence it would prefer to comply with the spirit of the Convention through administrative measures, which allow greater flexibility, rather than ratify the Convention.

- 62.** Promotional activities have been reported by governments or employers' and workers' organizations in the following countries: **Afghanistan, Bahrain, Kuwait, Liberia, Malaysia, Namibia, Oman, Suriname, Thailand, Timor-Leste, United States** and **Viet Nam**.<sup>20</sup> In this regard, new initiatives were undertaken by the Government of **Timor-Leste** which indicates that it has seriously tackled gender issues within the legal framework, in particular by providing for gender balance in some employment and vocational training bodies and by prohibiting any discrimination on the grounds of colour, race, marital status, gender, national extraction, language, social position or economic capacity, ideological or political opinion, religion and physical or mental condition. The **United States** Government reported the adoption of new acts on non-discrimination and fair pay. The **United States** was the only country that provided information regarding judicial decisions related to the principle of non-discrimination.
- 63.** Regarding the obstacles to the implementation of this principle, a variety of social, economic, cultural and contextual factors were raised in the reports that affect both the legislation and practice in the country. Lack of capacity of responsible government institutions and lack of capacity of employers' and workers' organizations were also mentioned.<sup>21</sup> Some specific issues concerning ratification and equality at work were raised regarding **Japan** by the Japanese Trade Union Confederation (JTUC-RENGO) which believes that there is a lack of political will to promote ratification of Convention No. 111 with the Parliament (the Diet). The Liberia Chamber of Commerce considers that the main challenge in **Liberia** is the reluctance of foreign investors who believe that ratification of Convention No. 100 would entail an increase in local salaries and hence make their products not competitive on the international market. The Government of **Namibia** pointed to the conditions in mining and fishing sectors as not in line with Convention No. 100.
- 64.** To overcome these challenges a variety of technical cooperation needs have been indicated in the reports received. Such requests range from an assessment in collaboration with the ILO of the difficulties identified and their implication for realizing this principle to awareness raising, legal literacy and advocacy, capacity building of labour administrations, policy advice and assistance to legislative reforms, strengthening tripartism and social dialogue, strengthening the capacity of employers' and workers' organizations, training of other officials (e.g. police, judiciary, social workers, teachers), sharing of experience across countries/regions, and launch of a Decent Work Country Programme.
- 65.** The elimination of discrimination will continue to be a priority for the ILO. This aim should be achieved by adopting an integrated approach to addressing discrimination and equality, in particular through Decent Work Country Programmes, implementation of the Global Jobs Pact as well as regional and country-specific projects.
- 66.** The Governing Body is invited to take note of the information given in this paper and to provide guidance on further action to promote fundamental principles and rights at work in the light of the information contained in the country baselines.

Geneva, 1 March 2010.

<sup>20</sup> For further information, see Appendix V.

<sup>21</sup> For further information, see Appendix VI.

*Submitted for debate and guidance.*

## Appendix I

### Annual Review 2010: List of the 52 reporting States (and the fundamental Conventions not yet ratified by them)

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

**GB.307/3(&Corr.)**

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

Source: ILO: Country reports and baselines under the Annual Review 2010.

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## Appendix II

### Numbers of ratifications and statements under the Annual Review concerning ratification of fundamental Conventions

ILO fundamental Convention	Ratifications before adoption of the Declaration (as of 17.06.1998)	Number of ratifications on 31.01.2010	Ratification intentions	Ratification under consideration	Ratification position not indicated	Unable to ratify or no intention to ratify at present
No. 87	121	150 (including one ratification in 2009: Timor-Leste)	Afghanistan, Bahrain, Guinea-Bissau, Islamic Republic of Iran, Iraq, Jordan, Kenya, Lao People's Democratic Republic, Lebanon, Myanmar, Nepal, Oman, Qatar, Solomon Islands, Somalia, United Arab Emirates	Brazil, Brunei Darussalam, Republic of Korea, Morocco, Saudi Arabia, Sudan, Thailand, Uzbekistan, Viet Nam	China	India, Malaysia, New Zealand, Singapore, United States
No. 98	137	160 (including one ratification in 2009: Timor-Leste)	Afghanistan, Bahrain, Islamic Republic of Iran, Iraq, Lao People's Democratic Republic, Myanmar, Oman, Qatar, Solomon Islands, Somalia, United Arab Emirates	Brunei Darussalam, Republic of Korea, Saudi Arabia, Thailand, Viet Nam	China	Canada, India, Mexico, United States
No. 29	145	174 (including one ratification in 2009: Timor-Leste)	Afghanistan	Brunei Darussalam, Canada	China	Republic of Korea, United States
No. 105	130	171 (No ratifications in 2009)	Lao People's Democratic Republic, Myanmar, Solomon Islands, Timor-Leste, Viet Nam	Brunei Darussalam, Japan, Malaysia, Singapore	China	Republic of Korea
No. 138	64	155 (including four ratifications in 2009: Guinea-Bissau, Haiti, Kiribati, Uzbekistan)	Afghanistan, Bangladesh, Cape Verde, Gabon, Ghana, Islamic Republic of Iran, Liberia, Myanmar, Saint Lucia, Saudi Arabia, Sierra Leone, Solomon Islands, Somalia, Suriname, Timor-Leste, Vanuatu	Bahrain, Brunei Darussalam, Canada, India, New Zealand	Turkmenistan	Australia, India, Mexico, United States
No. 182	0	171 (including two ratifications in 2009: Kiribati, Timor-Leste)	Afghanistan, Cuba, Eritrea, Myanmar, Sierra Leone, Solomon Islands, Somalia	India	Turkmenistan	India

ILO fundamental Convention	Ratifications before adoption of the Declaration (as of 17.06.1998)	Number of ratifications on 31.01.2010	Ratification intentions	Ratification under consideration	Ratification position not indicated	Unable to ratify or no intention to ratify at present
No. 100	136	167 (including one ratification in 2009: Kiribati)	Bahrain, Kuwait, Liberia, Myanmar, Namibia, Oman, Solomon Islands, Somalia, Suriname, Timor-Leste	Brunei Darussalam		United States
No. 111	129	169 (including one ratification in 2009: Kiribati)	Myanmar, Oman, Solomon Islands, Somalia, Suriname, Thailand, Timor-Leste	Brunei Darussalam, Japan, Singapore, United States		Malaysia
<b>Total</b>	<b>862</b>	<b>1 317</b>	<b>73</b> (by 33 States)	<b>29</b> (by 16 States)	<b>6</b> (by 2 States)	<b>19</b> (by 9 States)

## Appendix III

### Annual Review 2000–10: Reports due/received by category of principle and right and reporting rates

Principle and right	Number due and per cent received																					
	2000		2001		2002		2003		2004		2005		2006		2007		2008		2009		2010	
	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%
Freedom of association/ collective bargaining	52	67	47	70	42	83	38	71	37	73	39	87	38	97	33	94	35	100	34	97	32	92
Forced labour	41	51	36	53	28	61	27	52	23	65	23	83	19	100	15	88	15	100	14	93	13	81
Child labour	92	51	72	68	102	56	72	56	56	54	50	86	41	93	28	85	32	97	28	88	24	83
Discrimination	43	56	38	74	31	68	26	58	22	68	23	83	21	100	17	89	20	100	17	89	16	84
<b>Total</b>	<b>228</b>	<b>56</b>	<b>193</b>	<b>67</b>	<b>203</b>	<b>63</b>	<b>163</b>	<b>59</b>	<b>138</b>	<b>63</b>	<b>135</b>	<b>85</b>	<b>119</b>	<b>97</b>	<b>93</b>	<b>89</b>	<b>102</b>	<b>99</b>	<b>93</b>	<b>92</b>	<b>85</b>	<b>86</b>

Source: ILO: Country reports and baselines under the Annual Review 2010.

## Appendix IV

### Annual Review 2010: Observations by employers' and workers' organizations by category of principle and right and by country

Country	Observations by national employers' organizations <sup>1</sup>	Observations by national workers' organizations
Afghanistan		AMKA Trade Union Confederation – AMKA (FACB, CL); All Afghanistan Federation of Trade Unions – AAFTU (FACB); National Union of Afghanistan Employees – NUAЕ (FL)
Australia		Australian Council of Trade Unions – ACTU (CL)
Bahrain		General Federation of Bahrain Trade Unions – GFBTU (FACB, CL, DISC)
Bangladesh		The Jatio Sramik League – JSL (CL)
Brunei Darussalam	National Chamber of Commerce and Industry – NCCI (DISC, FL)	The Brunei Oilfield Workers Union – BOWU (DISC, FL)
Cape Verde	<i>Association commerciale industrielle et agricole de Barlavento – ACIAB (CL)</i>	<i>Union nationale des travailleurs capverdiens – Centrale syndicale – UNTC–CS (CL)</i>
Canada		Canadian Labour Congress – CLC (FACB, CL)
China	China Enterprise Confederation – CEC (FACB)	All China Federation of Trade Unions – ACFTU (FACB)
Cuba		<i>Central de Trabajadores de Cuba – CTC (CL)</i>
Eritrea	Eritrea Federation of Employers – EFE (CL)	National Confederation of Eritrean Workers – NCEW (CL)
Ghana	Ghana Employers' Association – GEA (CL)	Ghana Trade Union Congress – GTUC (CL)
Guinea-Bissau		<i>Union nationale des travailleurs de Guinée – UNTG (FACB)</i>
India	The PHD Chambers of Commerce and Industries – PHDCCI (FACB, CL)	All India Trade Union Congress – AITUC (CL); Indian National Trade Unions Congress – INTUC (FACB)
Iraq	Iraq Federation of Industries – IFI (FACB)	General Federation of Iraqi Workers – GFIW (FACB)
Japan	Nippon Keidanren International Cooperation Center – NIKKI (FL)	Japanese Trade Union Confederation – JTUC–RENGO (DISC)
Jordan	Jordan Chamber of Commerce – JCC (FACB)	General Federation of Jordanian Trade Unions – GFJTU (FACB)
Kenya	Federation of Kenya Employers – FKE (FACB)	Central Organisation of Trade Unions – COTU–KENYA; Union of Kenya Civil Servants – UKCS (FACB)
Korea, Republic of		Federation of Korean Trade Unions – FKTU (FACB, FL) Korean Confederation of Trade Unions – KCTU (FACB, FL)
Lao People's Democratic Republic		Lao Federation of Trade Unions – LFTU (FACB, FL)
Lebanon	Federation of Chamber of Commerce, Industry and Agriculture of Lebanon – FCCIAL (FACB)	General Confederation of Lebanese Workers – CGTL (FACB)
Liberia	Liberia Chamber of Commerce – LCC (CL, DISC)	Liberia Labour Congress – LCC (CL, DISC)
Malaysia	Malaysian Employers Federation – MEF (FL)	Congress of Unions of Employees in the Public and Civil Services – CUEPCS; Malaysian Trades Union Congress – MTUC (FACB)
Mexico	<i>Patronal de la República Mexicana – COPARMEX (CL, FACB)</i>	<i>Confederación Revolucionaria de Obreros y Campesinos – CROC (FACB, CL)</i>

Country	Observations by national employers' organizations <sup>1</sup>	Observations by national workers' organizations
Morocco	<i>Confédération générale des entreprises du Maroc</i> – CGEM (FACB)	<i>Confédération démocratique du travail</i> – CDT (FACB)
Myanmar	Union of Myanmar Federation of Chambers of Commerce and Industry – UMFCCI (FL)	
Namibia	Namibia Employers Federation – NEF (DISC)	National Union of Namibian Workers – NUNW (DISC)
Nepal		All Nepal Federation of Trade Unions – ANFTU; General Federation of Nepalese Trade Unions – GEFONT; Nepalese Trade Union Congress – NTUC (FACB)
New Zealand	Business New Zealand – BNZ (FACB, CL)	New Zealand Council of Trade Unions – NZCTU (FACB, CL)
Saudi Arabia	Council of Saudi Chambers of Commerce and Industry – SCCI (CL, FACB)	
Singapore		National Trade Union Congress – SNTUC (FACB)
Somalia	Somalia Chamber of Commerce and Industry – SCCI (CL, DISC, FACB)	
Sudan	Sudan Businessmen and Employers' Federation – SBEF (FACB)	Sudan Workers' Trade Union Federation – SWTUF (FACB)
Suriname		<i>Algemeen Verbond Van Vakverenigingen</i> in Suriname – AVVS (DISC)
Thailand	Confederation of Thai International Employers – CTIE (DISC); Employers' Confederation of Thai Trade and Industry – ECONTTHAI (FACB)	National Congress of Thai Labour – NCTL (FACB, DISC); National Free Labour Union Congress – NFLUC (DISC); State Enterprise Workers' Federation of Thailand – SEWFOT (DISC, FACB)
United Arab Emirates		United Arab Emirates Coordinating Committee of Professional Associations – UAECCPA (FACB)

<sup>1</sup> The IOE also made a general statement containing information on its efforts to promote the 1998 Declaration in cooperation with the Office and its action in the context of the Global Reports, corporate social responsibility and the Global Compact, as well as on initiatives to promote and support the realization of the fundamental principles.

Notes: FACB: Freedom of association and the effective recognition of the right to collective bargaining; FL: Elimination of all forms of forced or compulsory labour; CL: Effective abolition of child labour; DISC: Elimination of discrimination in employment and occupation.

## Appendix V

### Annual Review 2010: Reported activities by member States to promote and realize fundamental principles

Types of promotional efforts	Governments	Employers' organizations <sup>1</sup>	Workers' organizations
Training activities	Afghanistan (FACB, FL) Brazil (FACB) Brunei Darussalam (FACB, FL, CL, DISC) Canada (FACB) China (FACB) Guinea-Bissau (FACB) Iraq (FACB) Kenya (FACB) Lao People's Democratic Republic (FACB, FL) Lebanon (FACB) Liberia (DISC) Morocco (FACB) Oman (FACB, DISC) Sierra Leone (CL) Suriname (DISC) Thailand (DISC) Timor-Leste (FL, CL, DISC)	Chamber of Commerce of Kabul (Afghanistan) – CCK (FACB) Federation of Kenya Employers – FKE (FACB) <i>Confédération Générale des Entreprises du Maroc</i> – CGEM (FACB) Liberia Chamber of Commerce – LCC (CL, DISC)	AMKA Workers' Confederation (FACB, CL) General Federation of Bahrain Trade Unions – GFBTU (DISC) The Jatio Sramik League (Bangladesh) – JSL (CL) <i>Union nationale des travailleurs de Guinée</i> – UNTG (FACB) Lao Federation of Trade Unions – LFTU (FACB) Malaysian Trades Union Congress – MTUC (FACB, DISC) National Congress of Thai Labour – NCTL (FACB) United Arab Emirates Coordinating Committee of Professional Associations – UAECCPA (FACB) <i>Algemeen Verbond Van Vakverenigingen</i> in Suriname – AVVS (DISC)
Consultation process	Afghanistan (FACB) Bahrain (FACB) Canada (FACB) China (FACB) Guinea-Bissau (FACB) Kenya (FACB) Republic of Korea (FACB) Kuwait (DISC) United States (DISC)	China Enterprise Confederation – CEC (FACB) Union of Myanmar Federation of Chambers of Commerce and Industry – UMFCCI (FL) Saudi Chambers of Commerce and Industry – SCCI (FACB)	All China Federation of Trade Unions – ACFTU (FACB)
Policy initiatives/ legislative developments	Bahrain (CL) Brunei Darussalam (CL) Gabon (CL) Guinea-Bissau (FACB) Kenya (FACB) Republic of Korea (FACB) Thailand (FACB) Viet Nam (FACB)		General Federation of Bahrain Trade Unions – GFBTU (FACB, CL)
Labour inspection/ monitoring	China (FACB) Myanmar (FACB) Oman (FACB)		Central Organization of Trade Unions – COTU-KENYA (FACB)
Judicial decisions	United States (DISC)		

Types of promotional efforts	Governments	Employers' organizations <sup>1</sup>	Workers' organizations
Research	Afghanistan (FACB, FL and CL) Australia (CL) China (FL) Cuba (CL) Gabon (CL) Islamic Republic of Iran (FACB, CL) Namibia (DISC)		
Information/data	Lebanon (FACB) Myanmar (FACB) New Zealand (FACB) United States (FL, CL, DISC) Uzbekistan (FACB)		
Public awareness raising and related practical activities	Bahrain (FACB) Brunei Darussalam (FACB) China (FACB) Guinea-Bissau (FACB) Liberia (CL, DISC) Republic of Korea (FACB) Morocco (FACB) Nepal (FACB) Viet Nam (FACB)	China Enterprise Confederation – CEC (FACB) Ghana Employers Association – GEA (CL) Federation of Chamber of Commerce, Industry and Agriculture of Lebanon – FCCIAL (FACB) Saudi Chambers of Commerce and Industry – SCCI (FACB)	General Federation of Bahrain Trade Unions – GFBTU (FACB) The Jatio Sramik League (Bangladesh) – JSL (CL) All China Federation of Trade Unions – ACFTU (FACB) Canadian Labour Congress – CLC (FACB) General Confederation of Trade Unions for Lebanon – CGTL (FACB) Central Organisation of Trade Unions – COTU–KENYA (FACB) Korean Confederation of Trade Unions – KCTU (FACB) Lao Federation of Trade Unions – LFTU (FACB) Malaysian Trades Union Congress – MTUC (DISC) <i>Confédération démocratique des travailleurs</i> – CDT (FACB) National Congress of Thai Labour – NCTL (FACB) <i>Algemeen Verbond Van Vakverenigen</i> in Suriname – AVVS (DISC) Federation of Labour Unions in Suriname – RAVAKSUR (DISC)
Institutions to promote equality	United States (DISC)		
Special attention to particular situations/problems (sectors of activities, categories of workers, etc.)	Canada (FACB) Timor-Leste (FL, DISC)	Saudi Chambers of Commerce and Industry – SCCI (FACB)	

<b>Types of promotional efforts</b>	<b>Governments</b>	<b>Employers' organizations <sup>1</sup></b>	<b>Workers' organizations</b>
Other initiatives	Bahrain (CL) Brunei Darussalam (FACB) Kenya (FACB) Morocco (FACB) Timor-Leste (FL, DISC) United States (FACB, FL, CL, DISC)	Saudi Chambers of Commerce and Industry – SCCI (FACB)	General Federation of Bahrain Trade Unions – GFBTU (FACB, CL) Canadian Labour Congress – CLC (FACB) <i>Union nationale des travailleurs de Guinée – UNTG (FACB)</i> Central Organisation of Trade Unions – COTU-KENYA (FACB)

The IOE has sent also general information concerning promotional activities regarding all categories of principles and rights.

Notes: FACB: Freedom of association and the effective recognition of the right to collective bargaining; FL: Elimination of all forms of forced or compulsory labour; CL: Effective abolition of child labour; DISC: Elimination of discrimination in employment and occupation.

Source: ILO: Country reports and baselines under the Annual Review 2010.

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## Appendix VI

### Annual Review 2010: Reported challenges by category of principles and rights

Types of difficulties	Governments	Employers' organizations	Workers' organizations
Lack of public awareness and/or support	Brunei Darussalam (FACB) Guinea-Bissau (FACB)		National Confederation of Eritrean Workers – NCEW (CL)
Lack of information and data	Brunei Darussalam (FACB) Morocco(FACB)		
Social values, cultural traditions	Guinea-Bissau (FACB) Korea (FACB) Saudi Arabia (CL)	Saudi Chambers of Commerce and Industry – SCCI (CL)	
Social and economic circumstances	Iraq (FACB) Liberia (DISC) Nepal (FACB) New Zealand (FACB) Sierra Leone (CL) Somalia (FACB) Sudan (FACB) United Arab Emirates (FACB)	PHD Chambers of Commerce and Industries – PHDCCI (CL) The Liberia Chamber of Commerce – LCC (CL) Namibia Employers Federation – NEF (DISC) Somalia Chamber of Commerce and Industry – SCCI (FACB)	All Afghanistan Federation of Trade Unions – AAFTU (FACB) AMKA Workers' Confederation (FACB) <i>Congrès syndical du Gabon</i> – CSG (CL) General Federation of Bahrain Trade Unions – GFBTU (FACB) Indian National Trade Unions Congress – INTUC (FACB) Central Organisation of Trade Unions – COTU–KENYA (FACB) Liberia Labour Congress – LLC (CL) <i>Confédération démocratique des travailleurs</i> (Morocco) – CDT (FACB) <i>Algemeen Verbond Van Vakverenigingen</i> in Suriname AVVS (DISC)
Political situation	Iraq (FACB) Nepal (FACB) Somalia (FACB) Sudan (FACB)	Iraq Federation of Industries – IFI (FACB) Sudan Businessmen and Employers' Federation – SBEF (FACB) Somalia Chamber of Commerce and Industry – SCCI (FACB)	General Federation of Iraqi Workers – GFIW (FACB) Central Organisation of Trade Unions – COTU–KENYA (FACB) Union of Kenya Civil Servants – UKCS (FACB) Korean Confederation of Trade Unions – KCTU (FL) Federation of Korean Trade Unions – FKTU (FL) Malaysian Trades Union Congress – MTUC (DISC) <i>Confédération démocratique des travailleurs</i> (Morocco) – CDT (FACB)

Types of difficulties	Governments	Employers' organizations	Workers' organizations
			All Nepal Federation of Trade Union – ANFTU (FACB); General Federation of Nepalese Trade Unions – GEFONT (FACB); Nepalese Trade Union Congress – NTUC (FACB) Sudan Workers' Trade Union Federation – SWTUF (FACB)
Legal provisions	Brunei Darussalam (FACB) Canada (CL) Guinea-Bissau (FACB) Republic of Korea (FL) Lebanon (FACB) Oman (FACB) Sudan (FACB) Timor-Leste (DISC, FL) Thailand (FACB) Viet Nam (FACB)	The Liberia Chamber of Commerce – LCC (CL) Sudan Businessmen and Employers' Federation – SBEF (FACB)	Canadian Labour Congress – CLC (FACB) Indian National Trade Unions Congress – INTUC (FACB) Federation of Korean Trade Unions – FKTU (FACB); Korean Confederation of Trade Unions – KCTU (FACB) Sudan Workers' Trade Union Federation – SWTUF (FACB) National Congress of Thai Labour – NCTL (FACB); State Enterprise Workers' Federation of Thailand – SEWFOT (FACB) United Arab Emirates Coordinating Committee of Professional Associations – UAECCPA (FACB)
Prevailing employment practices	Guinea-Bissau (FACB) Republic of Korea (FACB)		National Congress of Thai Labour – NCTL (FACB); State Enterprise Workers' Federation of Thailand – SEWFOT (FACB)
Lack of capacity of responsible government institutions	Afghanistan (CL) Brunei Darussalam (FACB) Lao People's Democratic Republic (FACB) Oman (FACB, DISC) Sudan (FACB) Somalia (FACB)	Federation of Chamber of Commerce, Industry and Agriculture of Lebanon – FCCIAL (FACB) Somalia Chamber of Commerce and Industry – SCCI (FACB)	United Arab Emirates Coordinating Committee of Professional Associations – UAECCPA (FACB)
Lack of capacity of employers' and workers' organizations	Afghanistan (CL) Brunei Darussalam (FACB) Lao People's Democratic Republic (FACB) Oman (FACB) Somalia (FACB) Sudan (FACB)	Employers' Confederation of Thai Trade and Industry – ECONTHAI (FACB) Federation of Chamber of Commerce, Industry and Agriculture of Lebanon – FCCIAL (FACB) Somalia Chamber of Commerce and Industry – SCCI (DISC) Sudan Businessmen and Employers' Federation – SBEF (FACB)	All Afghanistan Federation of Trade Unions – AAF TU (FACB) AMKA Workers' Confederation (FACB) Liberia Labour Congress – LLC (DISC) Malaysian Trades Union Congress – MTUC (FACB) Sudan Workers' Trade Union Federation – SWTUF (FACB)

Types of difficulties	Governments	Employers' organizations	Workers' organizations
		Confederation of Thai- International Employers – CTE (DISC)  China Enterprise Confederation – CEC (FACB)	<i>Algemeen Verbond Van VaKverenigingen</i> in Suriname – AVVS (DISC)  Federation of Labour Unions in Suriname – RAVAKSUR (DISC)  State Enterprise Workers Federation of Thailand – SEWFOT (DISC)  United Arab Emirates Coordinating Committee of Professional Associations – UAECCPA (FACB)
Lack of social dialogue	Brunei Darussalam (FACB) Republic of Korea (FACB) Liberia (CL, DISC) Nepal (FACB) Suriname (CL)		Canadian Labour Congress – CLC (FACB)  <i>Congrès syndical du Gabon</i> – CSG (CL)  All India Trade Union Congress – AITUC (CL)  Indian National Trade Unions Congress – INTUC (FACB)  Malaysian Trades Union Congress – MTUC (FACB)  <i>Confédération démocratique du travail</i> (Morocco) – CDT (FACB)  National Congress of Thai Labour – NCTL (FACB); State Enterprise Workers' Federation of Thailand – SEWFOT (FACB)

Notes: FACB: Freedom of association and the effective recognition of the right to collective bargaining; FL: Elimination of all forms of forced or compulsory labour; CL: Effective abolition of child labour; DISC: Elimination of discrimination in employment and occupation.

## Appendix VII

### Annual Review 2010: Reported needs/requests for technical cooperation by category of principle and right <sup>1</sup>

Type of technical cooperation	Freedom of association/ collective bargaining	Forced or compulsory labour	Effective abolition of child labour	Elimination of discrimination
Assessment of the difficulties identified and their implication for realizing the principles and rights	Afghanistan, Brazil, Brunei Darussalam, Republic of Korea, Nepal, Sudan, United Arab Emirates, Uzbekistan, Viet Nam	Afghanistan, Brunei Darussalam	Afghanistan, Brunei Darussalam, Eritrea, Gabon, Ghana	Kuwait, Thailand
Awareness raising, legal literacy and advocacy	Afghanistan, Brazil, Brunei Darussalam, Iraq, Kenya, Lebanon, Morocco, Nepal, Oman, Uzbekistan	Republic of Korea (KCTU)	Liberia, Suriname	Afghanistan, Liberia, Malaysia (MTUC), Namibia, Oman, Suriname
Capacity building for governments	Brazil, Brunei Darussalam, Guinea-Bissau, Kenya, Lao People's Democratic Republic, Lebanon, Nepal, Oman, Sudan, Somalia (when possible), Uzbekistan	Lao People's Democratic Republic, Timor-Leste	Afghanistan, Canada, India, Sierra Leone	Liberia, Malaysia, Somalia, Suriname, Oman, Timor-Leste
Data collection and analysis/research	Brunei Darussalam, Kenya, Uzbekistan		Bangladesh, Brunei Darussalam, Eritrea, Gabon, Islamic Republic of Iran, Suriname	
Policy advice	Iraq	Lao People's Democratic Republic, Timor-Leste	Eritrea, India, Islamic Republic of Iran	Timor-Leste
Legal reform	Brunei Darussalam, China, Kenya, Sudan, Viet Nam	Timor-Leste	Brunei Darussalam, Islamic Republic of Iran, Liberia	Afghanistan, Suriname, Thailand
Rehabilitation Programmes			Afghanistan	
Strengthening tripartite social dialogue	Brazil, Brunei Darussalam, Kenya, Lao People's Democratic Republic, Lebanon (CGTL only), Malaysia (MTUC and CUEPCS only), Nepal, Sudan, Uzbekistan	Timor-Leste	Brunei Darussalam, Eritrea, Islamic Republic of Iran, Suriname	Malaysia (MTUC), Thailand, Timor-Leste

Type of technical cooperation	Freedom of association/ collective bargaining	Forced or compulsory labour	Effective abolition of child labour	Elimination of discrimination
Strengthening capacity of employers' and workers' organizations	Brunei Darussalam, Guinea-Bissau, Kenya, Lao People's Democratic Republic, Lebanon, Malaysia (MTUC and CUEPCS only), Morocco, Nepal, Oman, Somalia, Sudan, Uzbekistan	Lao People's Democratic Republic	Eritrea, Sierra Leone	Afghanistan, Liberia, Malaysia (MTUC), Oman, Suriname, Thailand
Training of other officials (e.g. police, judiciary, social workers, teachers)	Brunei Darussalam, Iraq, Oman, Sudan	Malaysia, Timor-Leste	Afghanistan, Gabon	Afghanistan, Liberia, Malaysia, Oman, Somalia, Thailand, Timor-Leste
Social protection systems			Bangladesh, Eritrea	
School infrastructures development			India	
Sharing of experience across countries/ regions	Brunei Darussalam, Uzbekistan	Brunei Darussalam, Viet Nam	Bangladesh, Brunei Darussalam, Eritrea	Brunei Darussalam
Inter-institutional coordination			Bangladesh	
Employment creation, skills training and income generation			Gabon	
Special programme for the elimination of child labour or the worst forms of child labour			Eritrea, India, Mexico, Solomon Islands, Suriname	
Decent Work Country Programme	Oman, Somalia (when possible), Thailand, United Arab Emirates		Bahrain	Oman, Somalia

<sup>1</sup> For further information on technical cooperation needs or requests, refer to each country baseline table under the 1998 Declaration Annual Review (2000–10), available at [www.ilo.org/declaration](http://www.ilo.org/declaration).

Source: Country reports and baselines under the Annual Review 2010.