
INTERNATIONAL LABOUR OFFICE



Governing Body

309th Session, Geneva, November 2010

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Minutes of the 309th Session of the Governing Body of the International Labour Office

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The 309th Session of the Governing Body of the International Labour Office was held in Geneva, from Tuesday, 16 November to Thursday, 18 November 2010, with Mr Abdelwaheb Jemal (Tunisia) as Chairperson.

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

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**MINUTES OF THE 309TH SESSION
OF THE GOVERNING BODY
OF THE INTERNATIONAL LABOUR OFFICE**

Geneva, Tuesday, 16 – Thursday, 18 November 2010

First item on the agenda

APPROVAL OF THE MINUTES OF THE 308TH SESSION
OF THE GOVERNING BODY
(GB.309/1)

Governing Body decision:

1. *The Governing Body approved the minutes of the 308th Session, as submitted.*
(GB.309/1, paragraph 3.)

Second item on the agenda

AGENDA OF THE INTERNATIONAL LABOUR CONFERENCE

The agenda of the 101st Session (2012) of the Conference
(GB.309/2/1)

Proposals for the agenda of the 102nd Session (2013) of the Conference
(GB.309/2/2)

2. *The Chairperson* stated that, in order to complete the agenda of the 101st Session (2012) of the International Labour Conference (ILC), the Governing Body must select two of the eight proposals listed below, or select a single proposal and postpone examination of the other seven until a later session:
 - (a) employment and social protection in the new demographic context (*general discussion*);
 - (b) sustainable development, decent work and green jobs (*general discussion*);
 - (c) a possible follow-up to the recurrent discussion on social security;
 - (d) a possible Recommendation on policy coherence among economic, financial, employment and social policies (following the recurrent discussion on employment) (*standard setting*), with the programme of reduced intervals proposed in paragraph 10 of GB.309/2/1;
 - (e) decent work in global supply chains (*general discussion*);
 - (f) finance with a social purpose (*general discussion*);
 - (g) youth entrepreneurship: transforming jobseekers into job creators (*general discussion*);
 - (h) the right to information and consultation in the framework of economic restructuring (*general discussion*).

3. *The Employer Vice-Chairperson* stated that the two priority issues for the Employers' group were employment and social protection in the new demographic context and youth entrepreneurship.
4. *The Worker Vice-Chairperson* selected two proposals, the examination of which should lead to Recommendations: policy coherence and social protection. He noted that the Employers' group had chosen issues which were related to the broad subject of employment, which, in turn, was an underlying theme with regards to all eight of the proposals put forward. Referring to the last question contained in paragraph 55 of the Office paper, he specified, in line with the Employers' group, that employers' and workers' organizations were not in a position to promote compliance with codes of conduct in global supply chains because those codes did not always comply with ILO standards and were often determined unilaterally.
5. *A Government representative of Tunisia*, speaking on behalf of the Africa group, expressed a preference for the proposal concerning a possible follow-up to the recurrent discussion on social security, and welcomed the support of the Workers' group in that regard.
6. *A Government representative of Sweden*, also speaking on behalf of the Governments of Denmark, Finland, the Netherlands, Norway and Switzerland, expressed his deep discomfort at the way in which the examination of the list of proposals (some of which had not been foreseen) had been imposed, given that the respective countries had been unable to study or hold coherent consultations in that regard because the paper had only been distributed a week beforehand. The Governments on behalf of whom he was speaking often supported measures adopted by the ILO aimed at promoting policy coherence, at a national and an international level, because they contributed to improving the visibility of the ILO and increased the Organization's added value. If the ILO were to remain relevant then there was a need to improve the method used to determine the agendas of sessions of the ILC, in line with the ILO Declaration on Social Justice for a Fair Globalization. Given the circumstances, he proposed that the adoption of the decision should be postponed until the March 2011 session of the Governing Body.
7. *A Government representative of Egypt* supported the selection made by the Africa and Workers' groups.
8. *A Government representative of Burundi* backed the selection made by the Africa group and also supported the proposal regarding youth entrepreneurship.
9. *A Government representative of Argentina* chose the proposals regarding finance with a social purpose and the right to information and consultation in the framework of economic restructuring.
10. *A Government representative of India* supported the proposal regarding youth entrepreneurship.
11. *A Government representative of France* hoped that the work that was being carried out by the Working Party on the Functioning of the Governing Body and the International Labour Conference would allow for a more effective method of determining the agendas of sessions of the ILC to be defined. The four proposals selected by his Government for the 2010 and 2013 sessions concerned the following issues: policy coherence, a subject that might take the form of a Recommendation or declaration; the follow-up to the recurrent discussion on social security, given the coherence of constructing a universal social protection floor and the importance of that issue in the programme that the French Presidency of the G20 wished to propose; decent work in global supply chains; employment and social protection in the new demographic context.

12. *A Government representative of Germany* would prefer to see a follow-up to the recurrent discussion on social security, although that would depend on the outcome of the discussion set to take place at the 100th Session (2011) of the ILC. She also expressed interest in the proposal regarding the preparation of a concrete Recommendation on policy coherence, on the condition that agreement was reached beforehand on a clear definition of the term “policy coherence”. Furthermore, examination of the proposal concerning sustainable development, decent work and green jobs would depend on a broad consensus being achieved in that regard. If the proposals regarding policy coherence and social security failed to win sufficient support, she would then select the proposal on decent work in global supply chains.
13. *A Government representative of Japan* concurred with the statement made by the Government representative of Sweden to the effect that the document should have been received at an earlier date. Given the need to plan for two major structural changes which would soon affect the world in terms of demographic change and the environment, he selected the proposals regarding employment and social protection in the new demographic context and sustainable development, decent work and green jobs.
14. *A Government representative of the United States* agreed that the documents should have been distributed sooner. He proposed that, in future, eight proposals should be discussed in November, with only the four which had received the most support being discussed in March. He supported the proposals regarding employment and social protection in the new demographic context (as a part of which social protection for ageing workers should be addressed) and decent work in global supply chains. As to the proposal regarding sustainable development, decent work and green jobs, he requested the Office to set out clearly both what it intended to accomplish through the examination of that item and the possible role of the ILO in that field.
15. *A Government representative of Mozambique* supported the proposal on social security and policy coherence. With regards to the latter issue, he understood that the aim was not only to promote the coherence of national policies but also to improve the conditions in which ministries of labour and social actors carried out employment activities.
16. *A Government representative of Austria* supported the proposals regarding employment and social protection in the new demographic context and decent work in global supply chains. Like the Government representative of Germany, she felt that a consensus had yet to be reached within the ILO on the issues relating to social security and policy coherence.
17. *A Government representative of Singapore* reiterated her support for the proposal regarding the right to information and consultation in the framework of economic restructuring. She highlighted two proposals which were closely linked to changes in the workforce and the workplace: employment and social protection in the new demographic context and youth entrepreneurship.
18. *A Government representative of the United Kingdom* supported the three following proposals: employment and social protection in the new demographic context, youth entrepreneurship and decent work in global supply chains. His Government had already supported those items in previous discussions and, should none of them be selected for 2012, then they would all be priorities for 2013.
19. *A Government representative of China* selected the proposals concerning employment and social protection in the new demographic context and sustainable development, decent work and green jobs. Examination of the latter issue would allow for reflection on ways to adapt skills to an industrial landscape which was undergoing radical change and to protect the environment against a background of sustainable development. He also supported the

item regarding youth entrepreneurship, given the need to define measures aimed at tackling the issue of an ageing population.

20. *A Government representative of Canada* said that she would have preferred to have received the Office paper earlier on, in order to be able to carry out the necessary consultations. She reiterated the need to improve the method used to determine the agendas of sessions of the ILC in order to make it more transparent and strategic, while ensuring that governments and social partners were included in that process and that Conference discussions focused on issues that were current and relevant to the strategic objectives of the ILO. She did not support development of a Recommendation on social security. She preferred the proposals regarding decent work in global supply chains and employment and social protection in the new demographic context (including the issue of pensions). While she looked forward to relevant recommendations on social security, she did not believe that that issue should be included on the ILC agenda until the recurrent discussion had taken place. It was important to ensure that there was sufficient time for proper preparations to be carried out.
21. *A Government representative of Brazil* selected the issue of policy coherence, holding that it was too early to speak of a Recommendation in that regard.
22. *A Government representative of South Africa* supported the selection made by the Africa group, given the importance of social security for the development of Africa. Furthermore, he supported the proposal on sustainable development, decent work and green jobs, subjects rendered particularly relevant by climate change.
23. *A Government representative of Mexico* stated that her Government considered the following issues to be priorities: sustainable development, decent work and green jobs, youth entrepreneurship and decent work in global supply chains. She recalled that the United Nations Climate Change Conference would be held in Cancun, Mexico, in late November 2010.
24. *A Government representative of Australia* expressed a preference for the proposal concerning decent work in global supply chains, followed by that regarding policy coherence because he believed that standard setting was a vital aspect of the Organization's work. As to the proposal on social security, he felt that no decisions should be taken regarding the recurrent discussions until they had taken place and that a precedent should not be set which would create expectation that recurrent discussions would, as a matter of course, require a follow-up discussion the following year.
25. *A Government representative of the Republic of Korea* expressed a preference for the proposal regarding employment and social protection in the new demographic context. She also supported the item regarding youth entrepreneurship, in the hope that, through discussion of that topic, solutions could be found to address youth unemployment by examining policy alternatives and the role of the social partners.
26. *A Government representative of Bangladesh* supported the proposal regarding youth entrepreneurship, given the need to create an entrepreneurship culture among the young.
27. *A Government representative of Italy* confirmed her preference for the proposal on decent work in global supply chains. As to the issue of policy coherence, she felt that it would be preferable to prepare a declaration in that regard, as had been suggested by the Government representative of France. She was unable to comment on the proposal regarding social security as she had not had time to carry out internal consultations. A democratic way must be found to determine the agendas of sessions of the ILC.

28. *A Government representative of Nigeria* endorsed the statement made on behalf of the Africa group. He also backed the proposal on youth entrepreneurship, given the urgent need to transform the young into job creators.
29. *A Government representative of the Russian Federation* supported the proposals on employment and social protection in the new demographic context, social security and the right to information and consultation in the framework of economic restructuring.
30. *A Government representative of Portugal* backed the proposals concerning employment and social protection in the new demographic context, policy coherence and social security.
31. *A Government representative of the Czech Republic* supported the proposals on employment and social protection in the new demographic context and youth entrepreneurship. He welcomed the statement made by the Government representative of Canada regarding the method used to determine the agendas of sessions of the ILC.
32. *A representative of the Director-General* stated that, taking a mathematical approach, on the basis of the discussion, item (a) (employment and social protection in the new demographic context) was at the top of the list of preferences, closely followed by item (c) (a possible follow-up to the recurrent discussion on social security), which had received the support of a group of social actors, plus the Africa group and three Governments. Item (g) (youth entrepreneurship) lay in third place, with item (d) (a possible Recommendation on policy coherence) coming fourth. Consequently, he proposed that two items should be selected for the 2012 session and that a third item should be included on the agenda for the 2013 session.
33. *The Worker Vice-Chairperson* stated that, given its composition, the Africa group should carry more weight than was attributed to it by the mathematical calculations, rather than being reduced to the figure one.
34. *The Employer Vice-Chairperson* did not agree with the Worker Vice-Chairperson regarding the mathematics of the situation, however, the term “group” should be defined for the purposes of the current discussion. The items with the most support were (a), (g) and (c). The decision regarding the item on social security should be postponed because the speakers who had supported it had, in general, indicated that there was a need to wait for the outcome of the recurrent discussion that would take place in 2011, a position he shared.
35. *A Government representative of France* concluded that another method must be found for setting the agendas of the sessions of the ILC. There was a need to determine whether, when referring to a Government group, such as the Africa group, it was the total number of countries making up that group that was taken into account or merely the number of governments which were members of the Governing Body. In any case, the Africa group carried so much weight that, there was, in the end, no doubt which item it had supported. Referring to the proposals occupying second and third place, he suggested that the Government members who had expressed a general preference for a number of proposals should be requested to express a clear preference regarding those two items.
36. *A Government representative of Germany* shared the view of the Worker Vice-Chairperson and the Government representative of France with regards to the fact that the Africa group should be taken into consideration. She suggested that the four items which enjoyed the most support ((a), (c), (g) and (d)) should be examined in March 2011, when everyone would have a clearer idea of what kind of social security instrument was required.

37. *The Employer Vice-Chairperson* proposed that, given the unequivocal preference for the proposal on employment and social protection in the new demographic context, that item should be selected and that, in March 2011, the discussion on the two other proposals which had received significant support should be reopened.
38. *The Worker Vice-Chairperson* disagreed with the position of the Employer Vice-Chairperson. He held that, if the representatives of the African Governments had refrained from speaking then it had only been in order to avoid repeating the statement made by the Regional Coordinator. He affirmed that the Governing Body could not adopt any decision which did not take into account the intention of the parties in a fair manner.
39. *The Chairperson* proposed that the sitting should be suspended for a brief period to allow the Officers of the Governing Body to consult with the Office regarding the topic under discussion.

(The sitting was suspended.)

40. On reopening the sitting, the Chairperson reiterated that those items with the most support were, in order, (a), (c) and (g). While recognizing that the method used to determine the agendas of sessions of the ILC should be reviewed, he proposed that proposals (a) and (c) should be included on the agenda of the 101st Session (2012) of the ILC. Moreover, proposal (g) should be included on the agenda of the 102nd Session (2013) of the ILC, thus allowing for it to be examined in depth.
41. *A Government representative of Tunisia*, speaking on behalf of the Africa group, thanked the Chairperson and the Officers of the Governing Body for having recognized the importance that the group attached to the proposal concerning a possible follow-up to the recurrent discussion on social security. As to the other proposals, he would have to consult with the group.
42. *The Employer Vice-Chairperson* supported the Chairperson's proposal. He asked the members to view it as a compromise solution, an attempt to take into account the substance of the statements and to make it possible to adopt the decision at the current session.
43. *A Government representative of Germany* maintained her position to the effect that the four proposals with the most support should be examined in March 2011, with a view to adopting the final decision through a vote. She was not in favour of the procedure proposed by the Chairperson, under which an item would be selected forthwith for inclusion on the agenda of the 2013 session, as such an approach could give rise to a number of difficulties. Furthermore, her Government would be interested in examining, in the current year, the possibility of including an item concerning export processing zones.
44. *A Government representative of Argentina* said that the issue of procedure raised by the Government representative of Germany revealed the need to reform the functioning of the Governing Body. The rules governing the decision procedure should be clearly set out before any discussion was opened on the selection of items.
45. *The Chairperson* explained that the proposal on youth entrepreneurship could be included on the agenda of the 102nd Session (2013) of the ILC, on the condition that that was the decision taken when that proposal was examined.
46. *A Government representative of Tunisia* said that he could support the position adopted given that the proposal backed by the Africa group had been selected.

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47. *A Government representative of France* supported the Chairperson's proposal, however, he would prefer it if the outcome of the recurrent discussion were not prejudged and if each member were to be given the possibility to express a preference for the various proposals so that they might be rejected or selected based on the support received. He stressed that the fact of requesting that one single priority topic be chosen changed the way in which the proposals as a whole were examined.
48. *A Government representative of the United States* supported the proposal made by the Government representative of Germany, but did not wish to stand in the way of the consensus because he felt that the two items selected were appropriate. He recalled that the Conference agenda was usually determined following discussions in November and March. He wished to know whether the fact that a solution had been proposed meant that there would be no discussion in March. He also asked whether what was being proposed was the addition of item (g) to the list of proposals to be submitted for consideration at the 102nd Session (2013) of the ILC.
49. *The Chairperson* said that the proposal was that items (a) and (c) should be included on the agenda of the 101st Session (2012) of the ILC.
50. *The Employer Vice-Chairperson* was certain that, from a certain point of view, item (a) had gained the most support. It was also clear that item (g) had more backing than item (c), but that, taking into account the statement of the Workers' group, the opinion was that all three items had been selected, given that the discussion covered the agendas of two sessions of the ILC, on the condition that the final decision would be adopted following a concrete discussion of each of those three items. Should that not be the case, he agreed that the discussion should be postponed until March 2011.
51. *The Worker Vice-Chairperson* stated that the Workers' group would have supported the Chairperson's proposal if the Governments had also done so. However, it was clear that the Governments objected to the rules being settled after the fact. Noting that differences even existed concerning the issue of which proposals had received the most support, and conscious of the need to examine more thoroughly the items selected, he supported the proposal made by the Government representative of Germany to the effect that examination of that agenda item should be postponed until March 2011.
52. *The Chairperson* reiterated that, following a brief consultation midway through the discussion, it had been suggested that items (a) and (c) should be selected for the 2012 session and that item (g) should be proposed for 2013.
53. *A Government representative of Germany* regretted that her proposal had not received the necessary support because it would have been a good democratic solution. She therefore agreed that items (a) and (c) should be included on the agenda of the 101st Session (2012) of the ILC, but opposed the adoption at the present sitting of the decision to include subparagraph (g) on the agenda of the 102nd Session (2013) of the ILC (even as a compromise solution). Such a move would contradict the rules adopted.
54. *A Government representative of Belgium* said that she was finding it difficult to understand the procedure, perhaps because it was the first time that she had participated in a Governing Body discussion. It had not been explained to her that a vote was to take place. She admitted that she would find it difficult to explain to her authorities what the situation was regarding the discussion, just as she had had difficulty when consulting them in order to find out what their priorities were. Given the circumstances, she felt that the best way forward was to postpone the discussion until March 2011, as had been suggested by the Government representative of Sweden and proposed by the Government representative of Germany.

55. *The Government representative of Sweden* agreed that the situation was confusing and supported the proposal made by the Government representative of Germany.
56. *The Chairperson* regretted that the discussion had not culminated in a decision. He assured everyone that the procedure followed did not contradict any legal, constitutional or administrative provisions. The proposal presented had simply been the outcome of what could be considered to be an opinion poll and not a vote. He proposed that the discussion should be postponed until the 310th Session of the Governing Body (March 2011).
57. *The Worker Vice-Chairperson* reiterated that the Officers of the Governing Body had not been attempting to impose their decision but rather to submit it to the Governments so that they might accept it. However, the Governments had been unable to make a decision because they had not had the time to carry out the necessary consultations. Therefore, he felt that the proposal made by the Government representative of Germany should be accepted.
58. *The Employer Vice-Chairperson* reiterated his support for the compromise proposed by the Chairperson on behalf of the Officers of the Governing Body in an effort to find a solution. The proposal was an attempt to summarize the opinions expressed rather than to go behind the backs of the Governments. If it were decided to postpone the discussion until March, he would request that all concerned should be notified in advance of the rules under which decisions would be adopted, because, to date, decisions had been adopted following the procedure which had been applied concerning the present discussion.
59. *The Chairperson* asked the Governing Body whether it wished to adopt a decision immediately or whether his fellow Officers of the Governing Body would be willing to meet early the following morning to draw up a proposal to be presented to the Governing Body.
60. *The Worker Vice-Chairperson* and *the Employer Vice-Chairperson* agreed to hold a meeting of the Officers of the Governing Body the following morning.
- (The sitting was adjourned.)*
61. On reopening the examination of the second item on the agenda at the sitting on the following day, *the Chairperson* stated that, given the opinions expressed during the discussion, the late distribution of the documents and the lack of consensus, he proposed that the adoption of the final decision on the agenda of the 101st Session (2012) of the ILC should be postponed until March 2011; that an informal working group should be established (comprising the secretaries of the Employers' and Workers' groups and the regional coordinators of the Government group) with a view to building consensus on the items to be included on the agenda of the 101st Session (2012) and the 102nd Session (2013) of the ILC, and making recommendations which would facilitate the adoption of the decisions upon them by the Governing Body in March 2011.
62. *The Employer Vice-Chairperson* accepted the new proposal made by the Chairperson because he understood that it would satisfy those Governments which had expressed certain concerns during the discussion, which had, he stressed, been carried out in accordance with the standards and procedures of the Organization. However, if no agreement were reached following the informal consultations and a tripartite discussion then ensued, he would request that, in the absence of the application of other methods resulting from the process of reform of the Governing Body, the rule which would govern the process of adoption of decisions in March 2011 should be made known.

63. *A Government representative of Canada* said that she could only speak on behalf of her Government because she had not had an opportunity to consult with the IMEC group, however it was almost certain that the group would agree that the informal consultation would serve as a catalyst for the process and the definition of rules governing the process of determining ILC agenda items, as well as making it possible to examine the way in which a consensus could be reached in March 2011. However, she warned that, if the hope was to reach a consensus on the agenda items through the informal consultations, then she would need to consult the other countries in the group.
64. *A Government representative of Germany* agreed with the Government representative of Canada's position that an informal working group could help to define a procedure that would be governed by precise rules and would facilitate the adoption of a decision.
65. *A Government representative of Austria* stated that a tripartite working group could well make significant progress regarding the necessary review of the procedure. She recognized that it was very difficult to reach consensus in the various regions on the items selected and she could only admire the united position achieved by the Africa group. Recalling that, at the last session of the Governing Body, an item proposed at the last moment was included on the agenda of the 100th Session (2011) of the ILC, she stressed that it was important to hold a substantive debate on the proposals that would be presented to the Governing Body.
66. *A Government representative of Argentina*, reflecting the general feeling of the Governments of the group of Latin American and Caribbean States (GRULAC), supported the excellent proposal that had been made, the aim of which was to strengthen the decision mechanism and render the process more transparent, while guaranteeing that all were familiar with the rules prior to the beginning of the decision procedure.
67. *The Chairperson* announced that the informal working group would meet in the near future to present proposals to the Governing Body at its March 2011 session.

Governing Body decision:

68. *The Governing Body decided:*

- (a) *to postpone a final decision on the agenda of the 101st Session (2012) of the International Labour Conference until the 310th Session (March 2011) of the Governing Body;*
- (b) *that an informal Working Group be established, comprising the secretaries of the Workers' and Employers' groups and the regional coordinators of the Government group, with a view to building consensus on the items to be included in the agenda of the 101st Session (2012) and 102nd Session (2013) of the Conference and making recommendations which would facilitate decisions upon them by the Governing Body in March 2011.*

(GB.309/2/1 and GB.309/2/2.)

Third item on the agenda

MATTERS ARISING OUT OF THE WORK OF THE 99TH SESSION (2010) OF THE INTERNATIONAL LABOUR CONFERENCE

Follow-up to the adoption of the resolution concerning the recurrent discussion on employment (GB.309/3/1)

- 69.** *The representative of the Director-General* noted that the discussion was the first of its kind, as were the follow-up actions and the discussions. The Office was conscious of this in drafting the paper as well as of the need for more integrated work and policy approaches. This was not “business as usual”. The conclusions concerning the recurrent discussion were broad, comprising 58 paragraphs organized in nine sections, follow-up, which covered not only employment but also a series of Office-wide areas of work, would therefore not be easy.
- 70.** Several committees or working groups had addressed the specific issues of how the Office was acting on the conclusions to the recurrent discussions on employment. The papers prepared for these committees were referenced in the present paper. The Office had noted, in particular, the conclusions of the discussion in the Steering Group on lessons learned from the first discussion, and advice for the subsequent discussion.
- 71.** The Office had also taken note of the expectation expressed in the Programme, Financial and Administrative Committee (PFAC), that the detailed budgets to be submitted to the Governing Body in March 2011 should include information on how the proposed budgets for 2012–13 would reflect the priorities in the conclusions.
- 72.** There were four strategic orientations: firstly, the strengthening of the existing areas of work, be they better knowledge management, more timely and customized policy advice or more emphasis on employment targeting. The Office’s response to the priority of knowledge development, management and dissemination was reflected in the Office-wide knowledge strategy presented in the preview to the programme and budget. Secondly, there was emphasis on impact evaluation, policy analysis initiatives and review of what worked and what did not. Various policy analysis initiatives were being started, policy and country briefs published, and a database on crisis-related policy interventions for 90 countries was near roll-out. Thirdly, the priority of promoting better national and international policy coherence. Extensive discussion on this guidance had come from the Declaration and from the recurrent discussion in the Working Party. At country level, a central part of the challenge was to deliver unemployment objectives, extensive capacity building and social dialogue, in full consultation and collaboration with ACT/EMP and ACTRAV, by promoting coordination among relevant ministries and agencies. Fourthly, the priority on continued exploration of how to strengthen employment policy reviews on the necessary change in working methods to improve delivery across areas of work. The PFAC discussion at the present Governing Body had revealed the tremendous challenge of responding to a large number of demands for the first three outcomes of the Strategic Policy Framework.
- 73.** The paper summarized the steps taken so far by the Office to act on the conclusions drawn by the Conference. The Governing Body’s discussion should provide the opportunity to share ways that members were following up on actions recommended in the conclusions.
- 74.** *The Employer Vice-Chairperson* stated that the methodology was critical. Firstly, priorities must be established, concentrating on areas of the ILO’s own expertise, rather than entering into debates on macroeconomics, which was not a main area of ILO experience.

There was no doubt that in issues of employment and sustainable employment macroeconomics played a major role, but it was vital to focus primarily on the main objective as much from the point of view of the effects of the crisis as of the ILO's own mandate, which was employment. The focus had to be on obtaining results. In this respect, in addition to not being in phase with the macroeconomic political forums, he did not agree with the idea of political coherence as a mechanism. He wanted to return to the matter at the March 2011 session.

75. *The Worker Vice-Chairperson* said that the document still needed to be much more strategic in outlook and move to new planes and approaches. What the paper envisioned was an approach in which the Employment Sector would continue doing what it already did while adding other work while trying to improve the interaction with other sectors. This was not enough if the ILO was to deliver on the Declaration on Social Justice for a Fair Globalization. The crisis had shown the current model to be unsustainable and it was not enough just to shift the focus. Prioritization was needed to put employment and decent work at the centre of economic and financial policies. This should be the core of ILO work on employment and required research on economic, financial, trade, investment and industrial policies which maximized employment and decent work and the implementation of such policies at country level. These policies had to be the basis of country interventions, either as part of a national employment policy or of a Decent Work Country Programme (DWCP). This required emphasis on promoting policy coherence and therefore a Recommendation on policy coherence would be relevant in the circumstances.
76. The ILO should undertake policies aimed at specific groups in the labour market and promote sustainable enterprises. A national employment policy should be based on core labour standards and on other international labour standards. Ensuring such an integrated approach was an issue to be addressed and which required a different way of working across the entire Organization, including by decent work teams. This approach would avoid duplication and ensure best use of resources. For instance, implementing a youth employment programme without changes in trade and industrial policy did not make sense; a shift in the economic model was required.
77. Making statements such as “capacity needs to be expanded but stronger collaboration is the key” or that “business unusual calls for better integration and collective delivery” was not enough. Constituents needed to know how this would be achieved and how the Office would help. What was needed was integration of respect for core labour standards as well as wage policies in the delivery of integrated services on employment policies.
78. The Office admitted that it had ignored core components of the Global Employment Agenda and that this had impacted on its effectiveness. More weight must be given to the macroeconomic components of the Agenda. The paper gave the impression that when speaking of policy tools, standards were not considered to be part of the equation. There was no reference (paragraph 17) to standards relevant to the Global Jobs Pact or to Office action to promote them. There was mention of extending the Pact's scan methodology to DWCPs, but this should not be done before a careful review of implementation of this methodology.
79. Paragraph 22 stated that the Office was defining a new research agenda to clarify what a pro-employment macroeconomic framework was. In the Employment and Social Policy Committee, the Workers had suggested that such work should be carried out by the Institute in cooperation with the Office.
80. Regarding paragraphs 23 to 25, more information and clearer examples on how different organizations could work together concretely should be given.

- 81.** The Office should aim for an economic framework that maximized employment and decent work rather than an employment-friendly macroeconomic framework. It was uncertain that the Global Jobs Pact provided this framework for the Inventory of Crisis and Recovery Policies. In paragraph 26 on policy coherence, ministries needed to work together, as suggested, but links should also be made with policy options put forward by international bodies.
- 82.** More information should be provided on the Sustainable Enterprise Strategic Framework mentioned in paragraph 27. It should cover not only macroeconomic policies that favoured productive employment and decent work but should also cover trade, investment and industrial policies aimed at diversification and industrialization. In paragraph 28 he sought more clarity on the assessment methodology used in Swaziland. The Workers were concerned by the lack of respect for core labour standards in the country, in particular freedom of association. The action listed in paragraph 30 regarding advice was generic. How would this be put into practice?
- 83.** Paragraph 31 referred to the two cycles of employment policy work. The paper stressed the need to improve these cycles but did not elaborate. The Office should prioritize policy research and implementation and place emphasis on standards beyond the Employment Policy Convention, 1964 (No. 122). Incorporating labour law and wage policy advisory services in country employment policies was positive, but the limited reference to the work on cooperatives, the social economy and the public sector was regrettable.
- 84.** The group would have wished to see a reference to the decision to review, through a new promotional mechanism, the ILO Declaration of Principles concerning Multinational Enterprises. In paragraph 41, wage policies should be an integral part of national employment policies and include the promotion of minimum wages and collective bargaining through cooperation with the ILO. The Office should take a different approach rather than simply pursuing joint research or training activities with the World Bank, WTO and OECD, which were all pro-free trade organizations that did not promote diversification and industrialization in developing countries. More cooperation should be undertaken with UNCTAD and UNDESA.
- 85.** ILO engagement with other organizations should be based on ILO standards and their promotion. A clearer strategy needed to be formulated on industrial policies and their integration in the overall economic policy framework of countries. Linking up with value chains was not enough and could be counterproductive. More work should also be done on the role of trade policies and their part in diversification and industrialization. With respect to Africa, priority needed to be given to industrialization. This required regional integration not trade agreements.
- 86.** The Workers wanted to see a clearer strategy on how the promotion of standards could be improved and enhanced in employment-related work and national employment policies. Regarding paragraph 56 and the Global Jobs Pact integration, the tripartite committees and capacity building of constituents were other important elements of the implementation. It was surprising to see the Workers' requests for a forum on macroeconomic policy reduced in paragraph 61 to "the discussion of the paper prepared by the Working Party on the Social Dimension of Globalization" and the group formally requested that a forum be organized. In the same paragraph, rapid-response multidisciplinary teams were confused with the Global Jobs Pact country teams.
- 87.** Many relevant items missing in the conclusions: fair adjustment programmes, value added growth and industrialization policies; labour-intensive infrastructure investments; and high growth sectors all based on the standards relevant to the implementation of the Global Jobs Pact. The Workers felt that there was little clarity in the reference to budget allocations and

more information on the fine-tuning of workplans would be welcome. The group saw the shift of resources to macroeconomic issues as crucial; this shift should be reflected in the next programme and budget meeting.

- 88.** *A Government representative of Argentina*, speaking on behalf of the Group of Latin American and Caribbean States (GRULAC), agreed that the conclusions were a call for change. The focus should certainly be shifted and approaches modified to meet the challenges. The change should be concrete with better integration and collective delivery. Regarding Part II of the paper, on the follow-up by theme of the conclusions, the work done by the Office on analysis of macroeconomic policies was sufficient, and in line with the Conference resolution. The speaker approved ILO collaborative work with other international organizations and international financial organizations, complementing the various common themes. The work carried out on complementarity in the analysis of employment policies provided a tool for responding to addressing economic policies that made employment an integral component of the economic process rather than a result of the process. This was in line with the concept of including employment in national development frameworks and also with GRULAC thinking. He noted the Office's work with constituents on trade policies and to promote full employment, building technical capacity for analysis and evaluation. The resolution pointed to the need to integrate the four strategic objectives as a means of strengthening the Global Jobs Pact. Finally, the Office must strengthen its oversight and coordination processes. Transparency, creating synergies, greater participation of the social partners, and collaboration with other multilateral organizations were the Office's responsibility in its management of human, technical and material resources.
- 89.** *A Government representative of France* said that care must be taken in choosing how to implement the Declaration on Social Justice for a Fair Globalization and regarding the method used for the recurrent discussions and their integration into the plan of action. ILO capacity must be strengthened in order to produce, analyse and disseminate knowledge in the field of employment and social policy: this had been the central theme of the discussions and was the priority for the 2012–13 programme and budget. The economic crisis had highlighted the need for accurate and comprehensive analysis tools and the ILO must be the reference in the field. At international level, this requirement was absolute.
- 90.** The conclusions of the Conference Committee also aimed at improving national and international coherence of economic, financial and social policies. Globalization profoundly affected government action in macroeconomic and employment policies, which, in order to improve their efficiency, had to coordinate a coherent package at national and international level as the G20 discussions had shown. Analytical capacity and knowledge were therefore required on the one hand, and cooperation with the multilateral system on the other. These were the two keys to ILO added value in ensuring a response to the crisis.
- 91.** *A Government representative of Egypt* outlined the challenges in implementing decent work to ensure that they were taken into consideration when implementing ILO plans in the field. The first was the weakness of the infrastructure needed for sustainable development in many countries. Comprehensive and transparent databases and suitable information technology equipment were lacking. Secondly, to face the new challenges, developing countries had to improve levels of education and social protection and health. More technical assistance was required in the workplace so that labour standards and rights at work could be implemented. Other problems stemmed from inflation and growing poverty, especially in rural areas, lack of capacity and lack of donors, and increased indebtedness, fluctuations in exchange rates, the impact of the crisis on banks specialized in financing small and medium-sized enterprises, and climate change, which affected food supplies and caused countries to divert resources.

92. A *Government representative of Mozambique* supported the statement made by United Republic of Tanzania, on behalf of the Africa group in the ESP Committee. The report presented the challenges and responsibilities accurately. It was important that coherent policies be designed so that national goals in the area of employment could be achieved and the role of the social partners strengthened. He welcomed the work done by the Regional Office for Africa in the organization of the Second African Symposium on Decent Work.
93. Mozambique was well aware of the difficulties faced by the ILO in responding to different requests for technical support. Practical measures to help solve the problem would be to strengthen the Turin Centre and provide support to national teams to devise appropriate policies. Emphasis should be on support to countries with fragile economies and a high level of unemployment, and where women and young people had difficulty in finding sustainable decent work.
94. A *Government representative of South Africa* reaffirmed his conviction regarding the central role of employment, especially in a crisis recovery period. He re-emphasized the notion of “business unusual” for the Office as it sought to change the manner in which it operated. The need for more efficiency in advising on employment policy rested on activities that were driven by the needs of the constituents. South Africa had already expressed support for knowledge management and the Office should ensure full involvement of constituents and, in the provision and dissemination of that information, seek to outline real-time understanding of country level challenges and realities through timely and customized policy advice.
95. He agreed with the advocacy and support and the initiatives taken for better national and international policy coherence. It was imperative to establish adequate institutional arrangements at national level, involving strong inter-ministerial coordination led by ministers of labour, and effective social dialogue through the inclusion and strengthened capacity of social partners. The Government noted the Office’s plan to provide customized advice and was optimistic about a positive outcome. It supported the alignment of all relevant policy components that impacted on employment; this would lead to better articulation of pro-employment policies.
96. A *Government representative of Australia* approved the Office’s commitment to extracting maximum value and setting in place good precedence regarding recurrent discussions. He understood the challenges in seeking to match the ever-growing list of priorities with static resources and stated that the greatest value was achieved through elaboration of realistic policies rather than simply making the list longer.
97. He made three points. Firstly, it was important to see how the components covered in paragraphs 6, 8, 9 and 10 needed to work together if they were to impact positively on decent work in practice; it was critical that the ILO did not fall into the trap of only pursuing knowledge management; it needed also to focus on knowledge deployment. If it accumulated knowledge without seeking to deploy it, constituents most in need of support would be the least able to benefit. Success of the Decent Work Agenda needed more than just accumulation of knowledge.
98. Secondly, the discussions on evaluation were positive but did not capture the key point regarding the evaluation of the EVAL function, which was that evaluations must be made use of to be worth doing. Paragraph 8 only spoke of gathering evidence on impacts. This was an essential step, but only a step. Changing policy approaches in the light of evidence gathered was the most critical component of making use of evaluations. The follow-up regarding evaluation should align with what had been recommended in the PFAC.

99. Thirdly, regarding macroeconomic frameworks, he noted that the ILO was explicit in supporting the potential value of this work, providing it was carried out in active cooperation with other relevant organizations. However, the paper showed an emphasis on this work which was disproportionate when compared with the conclusions. Office data showed that only around one third of countries had reliable data on unemployment and that any macroeconomic framework incorporating employment indicators would, in fact, require reliable employment data. The essential task was therefore the development of countries' capacity to collect basic employment data.
100. *A Government representative of India* hoped that the employment reviews would help improve the employment scenario across the globe. He appreciated the idea of "business unusual" with its emphasis on improving skills. India had already launched its national skills development policy. He also appreciated the conclusions on promoting better national and international policy coherence. Appropriate policy coherence at the country level was important, so that the policy was more effective when implemented. Employment policies were crucial to promote full, decent, productive and freely chosen employment. An integrated approach based on the Declaration on Social Justice for a Fair Globalization, the Global Jobs Pact, and the Global Employment Agenda, incorporating gender concerns, should improve coherence in national policy and provide a framework for social and economic development.
101. *A Government representative of Nigeria* supported the promotion of ratification and implementation of employment-related standards, as outlined in paragraph 50. Nigeria recognized that additional resources might be needed to deliver services to member States. The Office should strengthen the capacity of member States to deliver a job-rich approach, as highlighted earlier by the Government representative of Tunisia. He further welcomed the need for capacity building of social partners, which would help with the drafting of reports and of employment policy. Nigeria was using the tripartite framework to give effect to the Global Jobs Pact which would lead to a national jobs pact for the country. The Office had provided assistance to enable Nigeria to develop a roadmap to assist in speedy recovery from the crisis.
102. *The Employer Vice-Chairperson* stated that the Employers' major concern was that the ILO's efforts in work with multilateral organizations should be based on cooperation, respecting each organization's mandate. There were of course differences of opinion and positions on which there could be no compromise, but he preferred working in concert. Work on policy coherence was indispensable but he requested that all future work take into account the conclusions on the recurrent discussions on employment and the terms under which the Global Jobs Pact was set up.
103. *The representative of the Director-General* said that the need to satisfy constituents' requirements was a major orientation of the Declaration on Social Justice for a Fair Globalization and careful attention would be given to guidance both on areas of consensus and areas of divergence. This was an ongoing process and a learning curve of refining priorities. There were differences in some areas which it was important to tackle and on which more guidance was necessary. The comments made highlighted the challenge of work on employment. However, the list of challenges should not allow the ILO's impact over the years to be forgotten, especially during the current crisis. The ILO had had a positive influence in terms of knowledge sharing and policy advice to name but two.
104. The Workers had called for a more strategic approach. This was not a matter of shifting focus, but a need for a totally different way of working – a methodology of scans, not just as a knowledge product but scans embedded in the national process. There had been useful work done in drawing up a list of issues for employment, social protection, social dialogue and standards. This was made into a questionnaire that respected to the letter the agreed

structure. As a result, a method was found of operationalizing the Decent Work Agenda as applicable to the crisis. The Tunisian scan was distributed and published and was an assessment of policies across all the different areas and issues of the Global Jobs Pact. For the first time, therefore, the Office had to hand an integrated analysis of the issues and this was certainly a valuable knowledge product that could be applied as a first step for DWCPs, as it looked at national situations through the lens of the Decent Work Agenda.

- 105.** Regarding the need for databases and information technology in the developing world, work was in hand with the Department of Statistics on labour market information systems and in other areas. In reply to Australia, he pointed out that the process was not just about knowledge management but about the deployment of policy advice as well as about evaluations and the need to use them. There were four or five years before the next recurrent discussion on employment, during which work would continue with constituents and other committees to ensure the best possible outcome in terms of the implementation of the first recurrent item.

106. *The Governing Body took note of the report.*

*Follow-up to the adoption of the HIV and AIDS Recommendation, 2010 (No. 200),
and the related resolution concerning the promotion and implementation
of the Recommendation
(GB.309/3/2(Rev.))*

- 107.** *A representative of the Director-General*, in presenting the report, called on the Governing Body for support and commitment to help ensure that the Recommendation was presented to parliaments so that consideration was given to implementing its provisions through legislation and other means. The Office was promoting development of national tripartite workplace policies at national level with the active support of constituents, including organizations representing persons affected by HIV and AIDS. Implementation would in large part be determined by the extent to which the Office was able to provide timely technical and advisory support to constituents requesting it, particularly during the period following the submission of the Recommendation to the competent authorities. She hoped that prompt and effective action would help build a workplace where the vision of zero HIV infection, zero discrimination and zero AIDS-related deaths could be met by 2015.

- 108.** *The Worker Vice-Chairperson* welcomed the document and thanked the Office for the significant work that would lead to efficient implementation programmes. The Workers found the review of follow-up action to the Recommendation and resolution clear and detailed. It was important to integrate the follow-up into ILO activities mainstreaming HIV and AIDS issues into other programmes, both at headquarters and in the field. Governments should be proactive in national implementation of the Recommendation and the initial implementation plan should be included in the submission of the instrument to the competent authorities by 16 June 2011 with trade unions and employer involvement. The Workers believed that a programme should be drawn up before approaching the competent authorities. National implementation should be secured, with follow-up mechanisms at international level. The Workers had agreed to a new Recommendation rather than a Convention on condition that implementation of the instrument would be supported by regular follow-up. This was supported by the Employers and a majority of Governments. He therefore requested that implementation be addressed as the subject of a general survey and labour protection addressed in the follow-up to the Social Justice Declaration.

- 109.** He also requested that HIV and AIDS issues be included in Conference reports for discussion under the Social Justice Declaration. The discussion in 2012 on fundamental principles and rights at work offered an opportunity, notably on the Discrimination

(Employment and Occupation) Convention, 1958 (No. 111). The possibility of a regular review of action based on the Recommendation, a national report to UNAIDS, and reports under relevant national instruments, should also be examined in more detail by the Office. Although HIV and AIDS funds were decreasing, HIV and AIDS were not. Every day more than 5,000 people died of AIDS, making the implementation of the Recommendation and follow-up a matter of urgency, by adopting results-oriented steps, and reviewing governments' commitment to meet the Millennium Development Goal (MDG) on HIV and AIDS.

- 110.** The Workers supported the following issues raised in the Recommendation: the need for HIV and AIDS policies and programmes to be integrated into development plans and poverty reduction strategies; the need to secure a legislative framework for preventing HIV-related discrimination in recruitment and employment; the need to create income-generating opportunities for HIV-affected workers and families; the need to cover the informal economy; the need to deal with providing social security, without discrimination, on the basis of real or perceived HIV status; the need to link action to promote implementation of the Recommendation with action to promote other labour standards, especially fundamental Conventions highlighted, with a particular focus on Convention No. 111; the promotion of strong and effective labour administration and inspection systems; the importance of regional and national dimensions of implementation work; and the importance of capacity building for Employers' and Workers' organizations.
- 111.** An appropriate legislative and policy framework to ensure workers' rights was needed. Further action was also required in the field of HIV and AIDS data protection laws and regulations. He asked whether the ILO was involved in the work of the new UNAIDS–UNDP Global Commission on HIV and who would be part of the global task team to promote the Recommendation and how this would relate to ILO work on the instrument. The Workers' group supported the point for decision and asked the Office to take its comments into account when developing the follow-up work.
- 112.** *The Employer Vice-Chairperson* said that it was clear that the subject required the commitment of all social partners as a Recommendation and its follow-up had been chosen as the instruments through which the ILO sought to demonstrate the efficiency of its labour standards. He emphasized this because in March 2011 the issue of the Global Action Plan would be discussed. A practical vision was required for implementation at national level and realistically it had to be concrete. The Global Action Plan had to be developed and integrated with ACTRAV and ACT/EMP involvement. In respect of content, he noted that cooperation and alliances were very ambitious and he believed that they must have a strong practical aspect. Regarding paragraph 26, which stressed that the Office would continue to support the activities of Employers' and Workers' organizations, he asked for more information on how this would be done. Budgetary issues would be raised in relation to the plan of action at the next session. Concrete information should be given on how funding for promoting the Recommendation and its follow-up would be made available.
- 113.** The Employers were very satisfied with achievements to date but were concerned about how things would move forward. In the point for decision in paragraph 44, the group supported point (a), but points (b) and (d) should both involve ACTRAV and ACT/EMP if a concrete, practical and realistic Global Action Plan was to be established. On point (c), steps should be considered in the light of the plan of action to be presented in March 2011. The involvement of ACTRAV and ACT/EMP was critical.
- 114.** *A Government representative of Tunisia*, speaking on behalf of the Africa group, declared that the HIV/AIDS epidemic continued to have a negative impact on the social and economic development of the African continent, while causing immense suffering. The Office should continue to develop sector-specific tools and guidelines and he noted that the

Office remained committed to providing technical assistance to allow the social partners to formulate, adopt and implement policies and programmes.

- 115.** He reaffirmed the call by African Ministers of Labour to request the ILO to support member States to control and mitigate the effects of HIV/AIDS at the workplace. Following the downturn, there had been discrimination and stigmatization of workers as a result of real or perceived HIV status and there was a need for more awareness-raising activities among social partners. Africa had made sustained progress in tackling HIV and AIDS: HIV prevalence and mortality rates were decreasing; access to antiretroviral therapy had expanded in most African countries; and the number of adults and children newly infected had decreased by 17.4 per cent between 2001 and 2008, through aggressive programmes combined with better access to treatment and behavioural change. The Office should continue to provide capacity-building activities focused on training and urgently produce examples of good practices with regard to implementation of the Recommendation.
- 116.** He supported the inclusion of HIV and AIDS in article 19 reports, the recurrent reports of the Declaration on Social Justice, and the proposed article 19 general survey. Africa also supported ILO commitment to ensuring government and ministerial interaction on the implementation of policies on HIV, tuberculosis prevention and treatment, and support at national, subregional and international levels. Moreover, implementation of the Recommendation and resolution should be considered for the informal economy. The group supported the point for decision.
- 117.** A *Government representative of Kenya* endorsed the Africa group statement and commended the Office for initiative already in place regarding promotional and training materials and advocacy tools. Efforts to give effect to the Recommendation and resolution should take centre stage. Progress in tackling HIV and AIDS did not mean that the epidemic was being effectively managed. The number of newly infected persons continued to soar, hence the need for new strategies. The integration of HIV policies and programmes in the world of work had helped reduce the incidence of HIV and AIDS and these strategies should now be included in the DWCPs to create an opportunity for sustainable enterprises and income-generating strategies. Kenya therefore welcomed the ILO four-pillar strategic approach. Collaborative efforts by social partners and other development partners were important in ensuring that programmes and projects were quickly put in place. Knowledge dissemination and capacity building should be prioritized at all levels. The role of labour market institutions, particularly the labour inspectorate was critical. The Office's intention to engage constituents at national level in the promotion of service and campaigns for knowledge, action and recommendations to parliaments was encouraging. It was equally important to target joint strategies with other international organizations in a globalized effort, together with other development partners, to promote the Recommendation. The approach should be integrated. He supported the point for decision.
- 118.** A *Government representative of Mozambique* endorsed the Africa group statement and supported the point for decision. Mozambique had played an active part in the discussion on HIV at the workplace and he supported the Recommendation as it would allow the ILO to play an important role in combating the epidemic. The infection was still prevalent in countries such as Mozambique, in spite of all the efforts made. He called on donors to continue to support programmes, particularly now the ILO had adopted the first international working standard on HIV/AIDS. Mozambique considered AIDS to be an emergency, not just a passing epidemic and intended to implement the measures called for by the Recommendation and resolution, and counted on ILO support in disseminating the text in its official languages, without which it would be difficult to take the necessary steps.

- 119.** *A Government representative of South Africa* endorsed the Africa group statement and supported the point for decision. South Africa had already taken steps towards implementation of the Recommendation. The DWCP included an output on the management of the pandemic and made provision for technical assistance and support. The Department of Labour, together with the Commission for Employment Equity that included all social partners, had already begun the review process of existing tools such as the code of good practice, and technical assistance guidelines, with a view to aligning them with the Recommendation. He trusted that the ILO would provide technical support to allow the review process to be finalized in the coming year.
- 120.** *A Government representative of India* believed that formal adoption of the Recommendation would pave the way for legislation, policies and programmes in member States, by allowing them to see the need for integrating HIV/AIDS in workplace policies and programmes more effectively. The instrument would promote united action among key actors and help governments out of denial mode. He said that an estimated 2.2 million people lived with HIV and AIDS in India. The Government had already launched a national HIV/AIDS policy, with a high-level national steering committee to monitor implementation. The Ministry of Labour was making inroads in training and educating workers, especially in the informal sector, and chaired the ILO project on prevention in the world of work. Project activities included strengthening the capacity of employers' organizations, trade unions and enterprises in the private sector to undertake workplace programmes. The central trade unions and employers' organizations had issued statements of commitment. Action to lay the instrument before parliament had been taken. He asked the ILO to allocate resources in the budget and encourage extra-budgetary contributions to give effect to the provisions of the Recommendation. This would help member States to generate resources for funding awareness, prevention, care, support and treatment initiatives on a larger scale. He supported the point for decision.
- 121.** *A Government representative of Brazil* said that a working group under the Ministry of Employment and Social Security was working on drafting a national strategy to prevent HIV/AIDS and a policy as proposed in the Global Action Plan. The Ministry would set up a tripartite committee to submit a recommendation to the National Congress, a Portuguese version of which would be made available to the ILO. He supported the point for decision.
- 122.** *A Government representative of Nigeria* endorsed the Africa group statement and supported the decision point. Nigeria had responded to the pandemic since 1986 with the establishment of a multi-sectoral, multidisciplinary approach, in the shape of the National Action Committee on AIDS, the State Action Committee on AIDS and the Local Action Committee on AIDS. She noted with interest the request to integrate HIV/AIDS into development plans and policies and poverty reduction strategies; ILO technical assistance would be needed to review national workplace policy in line with the Recommendation. A section of the Labour Standards Bill, currently before the National Assembly, dealt with HIV/AIDS. The Ministry of Labour and Productivity had also mainstreamed HIV/AIDS into its budgets. However, funding continued to pose challenges and needed to be supplemented to meet rising demand.
- 123.** Nigeria looked forward to benefitting from the planned capacity building and training programmes. The Recommendation would challenge labour inspectors in areas of monitoring and implementation, and the Office should pay special attention to technical cooperation in that area.
- 124.** *A representative of the Director-General* said that the ILO was the organization within UNAIDS best equipped to take concrete action among populations. The ILO was active at the workplace because there were health and safety committees within enterprises, which helped prevent accidents and occupational illnesses. By contacting these committees, the

ILO could measure what had been done in each enterprise. The Organization could also measure the number of employers and workers in the informal sector and use cooperatives and associations to do the same in the rural sector. Through workers' organizations, it could develop statistics on migrants. It could thus measure the impact of its policies at global level. It could also count on members of parliament, economic and social experts, youth and women's organizations to disseminate the Recommendation at national level.

- 125.** *A representative of the Director-General* provided information about the UNAIDS global task team. This was intended as a time-limited team set up to profile the role of the world of work and was only a suggestion at present. It was planned to include tripartite constituents to help implement the Recommendation and they would be part of discussions with the social partners before the Global Action Plan was discussed in March 2011. She understood the Employers' concern that some points in the document seemed ambitious, but assured delegates that the plan would be realistic. On budgetary issues, the Office was working closely with the Department of Partnerships and Development Cooperation (PARDEV) and other departments to find ways of supporting constituents to implement the Recommendation. It was often commitment as much as money that counted. The Office would work closely with ACTRAV and ACT/EMP and was convinced that it would be possible to achieve goals in close collaboration with them.
- 126.** Several member States had requested technical assistance, which the Office would provide. There was a strong team at headquarters and subregional and regional specialists who could provide support. Regional directors were also ready to support implementation. The Office was therefore prepared at the legislative level to obtain changes in discriminatory laws and to support member States on policy development. The Office hoped that much practical work could be completed in the coming months and that, following feedback, the foundations would be laid in June 2011 to ensure that the Recommendation would change lives.

Governing Body decision:

127. *The Governing Body requested the Director-General to:*

- (a) communicate the text of the resolution concerning the promotion and the implementation of the Recommendation concerning HIV and AIDS and the world of work, 2010 in the standard manner to the governments of member States, and through them to the national employers' and workers' organizations;*
- (b) take all necessary steps for the establishment of the Global Action Plan called for in the resolution, including placing the Plan as an item on the agenda of the 310th Session of the Governing Body;*
- (c) make concrete proposals in due course to the Governing Body with a view to an effective follow-up to the HIV and AIDS Recommendation, 2010 (No. 200), and the related resolution concerning the promotion and implementation of the Recommendation; and*
- (d) continue to carry out the follow-up actions outlined in document GB.309/3/2(Rev.) in response to the pandemic.*

(GB.309/3/2(Rev.).)

Fourth item on the agenda

ILO RESPONSE TO THE CRISIS
(GB.309/4)

- 128.** On the Chairperson's proposal, the Governing Body agreed to consider the fourth item on the agenda in conjunction with the items listed below:

Fourteenth item on the agenda

REPORT OF THE COMMITTEE ON
EMPLOYMENT AND SOCIAL POLICY
(GB.309/14(Rev.))

Fifteenth item on the agenda

REPORT OF THE COMMITTEE ON SECTORAL AND
TECHNICAL MEETINGS AND RELATED ISSUES
(GB.309/15(Rev.))

Seventeenth item on the agenda

REPORT OF THE WORKING PARTY ON THE
SOCIAL DIMENSION OF GLOBALIZATION
(GB.309/17)

- 129.** *The Employer Vice-Chairperson* opened by endorsing the statements made by the Employer spokesperson in the Committee on Employment and Social Policy (ESP). The group wished to focus on the five proposals for future directions contained in paragraphs 19 to 26 of document GB.309/4. In so doing, it did not endorse the Office's analysis of the crisis in the preceding paragraphs. The first proposal was that the ILO should retain its capacity to react swiftly. It was unclear what this meant. Was it the capacity to change the Conference agenda at short notice, as in 2008, or to do with production of the G20 papers, or country scanning? The ILO should of course operate in a timely manner, and it could certainly move more quickly in certain areas, with closer integration of the Governing Body in the process. The second proposal, in paragraph 20 of the document, was to develop the country scan methodology to replace existing diagnostic tools. However, the scans were designed to provide a snapshot, intended to provide the basis for a national discussion on priorities. They were not a development programme in themselves. The scan methodology should remain separate from the precise options in the Global Jobs Pact which contained various crisis-specific measures. The Employers would explore the concept of integrating the scans into the preparation and revision of DWCPs in the ESP Committee and provide comment in that forum. The group also called on the Office to submit to the ESP Committee, at the 310th Session in March 2011, a post-Global Jobs Pact plan, including lessons learned from the Pact and setting out how the scanning process might be used to improve DWCP design and implementation.
- 130.** The third proposal, that the Office should generate real-time information, was potentially very useful. The Office should focus on providing objective, high-quality information, basing its information priorities on Members' needs; avoiding policy advocacy; and avoiding imposing too many requirements on Members who often experienced difficulty in gathering labour market information.

- 131.** The fourth proposal, in paragraphs 22–25, that the ILO should pursue and deepen its analysis of broader macroeconomic and social policy frameworks, required high-quality, balanced and objective research. If the ILO failed to engage with both sides of a particular policy consideration, it would struggle for relevance and impact. The ILO should remain within its remit and not work on the range of macroeconomic considerations scrutinized by the International Monetary Fund (IMF) or the Organisation for Economic Co-operation and Development (OECD). It should not address fiscal and taxation questions. The group did not agree with the suggestion, in paragraph 24 of the document, that macroeconomic objectives should be broadened to encompass social objectives, and believed this to be a further example of the ILO straying outside its mandate.
- 132.** The fifth proposal, that the ILO pursue and deepen its work on policy coherence across multilateral organizations, was not a panacea. Policy coherence would not create a single job. This question had been dealt with in the Working Party on the Social Dimension of Globalization. The concept of coherence should be clarified: specific aims should be identified so that a common idea of what coherence meant and what it should achieve could be established.
- 133.** In closing, the group questioned whether the ILO should continue to refer to “crisis” at this stage in the economic cycle. Document GB.309/4 referred to “crisis”, but global conversation was now centred on recovery. While it was true that recovery was differentiated, and significant outstanding problems remained, including unemployment, a great distance had been covered since the synchronized global meltdown in late 2008 and early 2009. The global recession was over, and it was now time to change the language and to begin focusing, for example, on unemployment challenges after the crisis, or on challenges during recovery.
- 134.** *The Worker Vice-Chairperson* stated that his group’s opinion differed fundamentally from the Employers’, asserting that the crisis was far from over for the vast majority of workers in many parts of the world. Neither did the group believe that the Global Jobs Pact had run its course and should be replaced by other mechanisms. The Pact should be maintained as a bastion against violence and chaos, right-wing extremism and discrimination. In the developing world the crisis was still very much present, and with protectionism on the rise, the problem was worsening. The challenge of increasing unemployment remained unresolved. This was clearly stated in the ILO’s report to the G20, which estimated that 210 million persons were unemployed in 2010, representing an increase of 30 million over 2007. The ILO should redouble its efforts to obtain accurate information on unemployment, underemployment and the working poor, to enable the 310th Governing Body in March to get a clear picture of the extent to which the crisis continued.
- 135.** The crisis was not likely to be remedied by the current banking system, which remained riddled with bad debt, risking a major fall of financial institutions around the world and consequent destabilization of the world economy, with particularly serious implications for the developing world. The sovereign debt crisis, as experienced by Greece, appeared to have triggered what the President of the Government of Spain, Mr José Luis Zapatero, referred to as “collective pessimism”, leading countries to introduce deficit reduction measures for fear of losing their credit ratings. The Workers’ group had warned of a crisis, particularly in developing countries, as early as November 2008: a crisis of food, of inequality, of badly balanced globalization. This situation had worsened, and many factors that had contributed to high and volatile prices remained unaddressed. Indeed, the root cause of the crisis – excessive deregulation of the United States financial arena, with investment banks leveraging assets to irresponsible levels – had not been addressed. The current situation should have prompted governments to discuss ways to find resources for far-reaching short- and mid-term measures to give new momentum to the world economy, but nothing appeared to have been done in this sense. On the contrary, governments in

Europe were taking the opposite path and cutting back on stimulus programmes and reducing public sector employment. The group had expected more action from the recent G20 Summit in these areas, though appreciating the G20's support for decent work as part of the recovery programme, along with the commitment to provide social protection for the most vulnerable. No measures had been taken to raise aggregate demand, thereby ensuring continued economic recovery, and the union movement was gravely concerned that the world economic situation was teetering on the brink of a double-dip recession.

- 136.** In view of these circumstances, the ILO should disseminate a comprehensive assessment of the impact of all existing and future IMF stand-by arrangements on income distribution and jobs. The Office should continue to put forward ideas for promoting employment as a policy priority at national and international level. The 99th Session of the Conference (June 2011) had called on governments to place employment at the heart of macroeconomic policy. The Office should improve its technical and analytical capacity to examine macroeconomic policies from the perspective of employment and engage further in international macroeconomic policy dialogues. It should pursue partnerships and dialogue with other relevant international organizations throughout the multilateral system in respect of integrating employment objectives into macroeconomic advice and policy frameworks. A strong macroeconomic team at the International Institute for Labour Studies should be established.
- 137.** While appreciating the lessons learned regarding the application of the Pact in the initial nine countries, the group felt that the Pact must treat all sectors, rather than being limited to a few only. In moving towards achieving sustainable recovery, there was a need to replace the model of profit-led globalization with an income- and wage-led recovery strategy. The failure of wages to keep track with productivity and insufficient growth of transfer incomes were the root cause of global imbalances, income inequalities, the over-concentration of resources in financial speculation, abject poverty in low-income countries and unsustainable expansion of household credit and indebtedness in much of the industrialized world. The G20 Labour Ministers came close to recognizing these linkages at their meeting in Washington (20–21 April 2010), however the recent G20 (Seoul, 11–12 November 2010) made no reference to any of them. The ILO must assert the importance of these linkages and encourage governments to take action to prevent a widening of social disparities that would lead to another crisis.
- 138.** Global rebalancing also required industrialized development and diversification of developing economies, especially in the least developed countries, many of which were stuck at low value-added production and investment. Industrialization and regional integration was essential in Africa, and the necessary policies should be promoted. The ILO had a key role to play in this area. It should also play a fuller role in training, social protection and in ensuring that private investment took place on the basis of the Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy. Training should aim to help people prepare for different jobs created as a result of the crisis. The standards mentioned in the Global Jobs Pact should be actively promoted in ILO activities at national level and included in DWCPs. The ILO should advocate the relevance of standards in international forums as a key element of crisis recovery, at the same time as promoting tripartite social dialogue. The group welcomed ILO support to the social partners in the national implementation of the Pact. The Office should seek further resources for the social partners through the Regular Budget Special Account and through partnership agreements. The ILO should extend Pact activities beyond the nine initial countries during this period of continued crisis, and should address the growing trend towards precarious employment.
- 139.** *A Government representative of Australia*, speaking on behalf of the Asia–Pacific group of countries (ASPAG), welcomed the wide scope of work undertaken by the ILO in response

to the crisis. He agreed with the Employer Vice-Chairperson that the ILO should be able to react swiftly to emergencies, also asking for more detail as to what this meant. Without becoming an emergency relief agency, the ILO should consider the additional needs of countries where natural disasters were worsening the effects of the economic crisis. ASPAG agreed that the Global Jobs Pact initiative could be integrated into DWCPs at a future date, but specific reference to the Pact should be maintained, as it drew particular attention to the issue of employment recovery. This was echoed in the Seoul G20 Declaration, which stated a determination to put jobs at the heart of recovery. In respect of the third initiative, to collect and disseminate real-time information, the ILO should be proactive in assisting member States to collect better quality data. ASPAG supported the fourth initiative, to pursue and deepen the ILO's analysis of broader macroeconomic and social policy frameworks. However, the ILO's expertise was in labour issues, and it should continue to form partnerships with other organizations on broader issues, rather than trying to move into their territory. ASPAG strongly supported policy coherence across international organizations. The tripartite ILO was uniquely placed to influence developments at global, regional, domestic and community levels.

- 140.** *A Government representative of Tunisia* said that the African States remained deeply concerned about the financial and economic crisis, which was still present, as the Workers had stressed. The Second African Decent work Symposium (Yaoundé, 6–8 October 2010) put forward, with the support of the ILO Regional Office for Africa, a new vision for inclusive growth with employment creation for Africa. The outcome document of the Symposium would guide the ILO in providing the support and technical assistance required. The Organization should pursue the activities initiated in response to the crisis, and should consolidate its support to African States by strengthening constituents' capacity effectively to apply results-based management; continue its support for the Ouagadougou road map in the context of the Global Jobs Pact; consolidate technical assistance activities to labour-intensive programmes to generate employment and increase public revenue; and support DWCPs, especially those in agriculture, vocational training, new technologies and the promotion of research and industrialization in Africa.
- 141.** *A Government representative of Belgium*, speaking on behalf of the European Union (EU), said that the EU agreed that the roots of short-term crisis situations were often to be found in deep-seated structural conditions. The crisis had intensified global debate and activity in the areas of employment and social policy at international level. Consensus from these debates was that stronger socio-economic governance was needed to overcome the crisis sustainably, and ensure fairer globalization. Coordination between economic, financial, employment and social policy must be strengthened further. Employment should be at the heart of economic recovery as a key macroeconomic objective, together with low inflation and sound fiscal accounts. Following the joint ILO/IMF Conference on the Challenges of Growth, Employment and Social Cohesion (Oslo, 13 September 2010), momentum was growing around the concept of a basic social protection floor for the most vulnerable in all countries. The EU welcomed IMF support for this concept, expressed during the Oslo Conference.
- 142.** The EU commended the ILO on its efforts to provide support and guidance in managing the effects of the crisis under the Decent Work Agenda and Global Jobs Pact. The EU had been developing a genuine partnership with developing countries to eradicate poverty, promote growth and achieve the Millennium Development Goals (MDGs). Strategic relationships should now be established with emerging economies to discuss common issues and promote cooperation. The G20 should regularly discuss employment and social policy as part of the framework for strong, sustainable and balanced growth; the dialogue initiated by the G20 Labour and Employment Ministers at their Washington meeting should continue in order to provide the G20 leaders with strong and coherent messages.

The EU fully supported the ILO's role within the G20 process, and its important contribution in respect of employment, labour standards and social protection.

- 143.** *A Government representative of Egypt* said that the ILO was contributing greatly to the work of the United Nations and to the G20. Her Government continued to provide assistance packages in various sectors, expanding the social security network to cover the poorest and those most affected by the crisis. The crisis was the result of insufficient financial regulation. The ILO had a role to play in raising awareness of the causes of the crisis to help prevent a recurrence. Another of these causes, manifest in Egypt, had been the inequitable distribution of the benefits of globalization. The Government was introducing measures to remedy this. The Global Jobs Pact must inform national policy on decent work, especially in respect of increasing social security cover. There was an important link between social and economic policy, and the ILO should cooperate, within its own mandate, with other specialized agencies of the multilateral system, to ensure this coordination. Over the past two years the ILO had shown itself to be capable of contributing to solutions to the social as well as economic effects of the crisis. The Organization should maintain this role.
- 144.** *A Government representative of Argentina* said that the financial crisis had become an economic, employment and social crisis of the economy. It was also apparent that certain emerging-economy countries were less adversely affected than the developed countries. Each country, according to its own circumstances, must seek the best manner of avoiding negative impact on employment and increased exclusion and poverty. Argentina's aim was to maintain a low unemployment rate (below 8 per cent when the crisis struck in 2008), keep employment at the centre of public policies, and to protect jobs, safeguarding both enterprises and workers. Measures included the reduction of taxation and especially social security contributions for small enterprises, to allow them access to credit; refund of export tax and of value added tax, particularly in the export sector; productive recovery programmes to allow enterprises in difficulty to maintain jobs and workers to maintain their income levels. National industry was protected by exercising a degree of control over importation of certain products. The fact that certain automotive enterprises in Argentina continued production, despite the extreme difficulties besetting their parent companies, showed that the policy of preserving jobs and sustaining enterprises in difficulty was a viable route to take. ILO technical assistance and advice had been invaluable in this connection and the Organization should continue its involvement in forums discussing the global economy. While recognizing the need for sustainable enterprises, it should not be forgotten that income should be better distributed, in order to reduce poverty and social exclusion. Increasing consumption and strengthening the domestic market were indispensable to promoting social justice. Precarious working conditions should be eliminated, together with illegal employment and child labour.
- 145.** *A Government representative of India* stressed that the crisis had taken a heavy toll on jobs and income around the world and severely affected the ability of the poor to feed their families. The 2010 MDG report pointed to highly unbalanced growth, with 1 billion hungry in the world; 1.4 billion subsisting on less than US\$1.25 a day; 80 per cent of the world's population did not have access to social protection, and 9 million children died annually before reaching the age of five. The new phase of the crisis was marked by a highly differentiated recovery, in which developing countries appeared less affected than many high-income countries. The Government appreciated the ILO's action in supplying constituents with information and analysis on the consequences on employment, enterprises and social and labour conditions. The Global Jobs Pact, the 2008 Declaration on Social Justice for a Fair Globalization and the Decent Work Agenda were likewise valuable contributions to mitigating the negative effects of the crisis. The Government noted the remarks in paragraph 23 of document GB.309/4 that indicated a trend of significant divergence between growth in value-added, investments to expand the

production base, and improvements in the material conditions of working men and women. An adequate response to the crisis called for a comprehensive approach addressing the financial, economic, trade, employment and social protection imbalances caused by the crisis. This realization had already prompted increased collaboration across the multilateral system.

- 146.** The Government of India had taken measures to mitigate the effects of the crisis, including the Mahatma Gandhi National Rural Employment Guarantee Act and the national insurance scheme. The Government strongly believed that education and health care must be available to all, and had initiated steps to this end in India. Compulsory education for all children, improved access to secondary education, promotion of female literacy and integrated child protection schemes figured among the steps taken. The main aim of the plan was inclusive growth. A national skills development policy had been formulated by the Government, in close cooperation with the ILO. The current five-year plan had a target of 500 million skilled persons by 2022.
- 147.** Macroeconomic objectives should be broadened to encompass social objectives through the growth of productive investment and employment through sustainable enterprises, the expansion and consolidation of social protection and the strengthening of labour institutions. Policy coherence between multilateral organizations should be reinforced. Continued cooperation was critical to securing greater balance in global growth. Decent work and sustained employment were essential to recovery.

(Presentation by His Excellency Mr Tayeb Louh, Minister of Labour of Algeria.)

- 148.** *Mr Tayeb Louh, Minister of Labour of Algeria* said that his presence before the Governing Body constituted an affirmation of his Government's support for the goals of the ILO and of the special relationship between Algeria and the Organization, a relationship which had been expressed clearly by His Excellency, President Abdelaziz Bouteflika who had been a special guest of the 93rd Session of the International Labour Conference (2005). Algeria had consolidated its legal arsenal in 2006 by ratifying the following Conventions: the Workers' Representatives Convention, 1971 (No. 135); the Occupational Safety and Health Convention, 1981 (No. 155); the Safety and Health in Construction Convention, 1988 (No. 167); the Private Employment Agencies Convention, 1997 (No. 181). In all the country had ratified 59 Conventions, including all four fundamental Conventions.
- 149.** Social dialogue in Algeria was the result of political will at the highest level. It led to social peace and economic development, progress and social well-being, and was the main means of attaining decent work. It was enshrined in the Constitution of Algeria, which upheld the right to organize and to bargain collectively, the workers' right to participation, to safety and health and a national health service; conciliation in individual or collective disputes; the right to strike and the reinforcement of the labour inspectorate. Social dialogue was practised at enterprise level, by sector and at national level. At national level, bilateral meetings, between workers and the Government, as well as tripartite meetings, were held to provide a space for dialogue to consider economic and social issues of national strategic importance, such as which measures to take to counter the global economic and financial crisis, questions concerning the National Social Security Institution, and such issues as maintaining purchasing power, employment questions and reducing unemployment. The presence within this framework of the Organization of Women Employers demonstrated the importance Algeria placed on women's participation in the economy and in social dialogue. Under an initiative of President Bouteflika, women's participation was further encouraged in different fields, including within national organs. This issue had been the subject of a constitutional amendment and its impact was evident in the judiciary, where 37 per cent of judges were women, as well as in other sectors, such as education and health, where women represented 50 per cent of employees.

- 150.** Eleven tripartite meetings had been held in 2005, resulting in an Economic and Social Pact between the Government and the social partners, signed in 2006, which ensured that workers were at the centre of development and of all development policy. The Pact upheld social dialogue as a means of solving problems and balancing economic aspirations of workers against the absolutes of commerce. It sought to promote a diversified, less oil-dependent, economy that would create jobs and wealth, encourage investment and reinforce economic development, at the same time establishing institutions capable of maintaining fair trading conditions. The Pact had been useful in addressing the financial and economic crisis, and tripartite decisions regarding action required had been taken. The Algerian delegation at the 98th Session of the International Labour Conference had called for a broadening of international dialogue to find rapid solutions to the crisis and mitigate its effects in developing countries, which were especially affected. Algeria had urged reform of the international financial system to ensure the presence of a social dimension within an efficient economy.
- 151.** At national level, the social partners had supported the President's decision to reduce public debt, which had reached US\$26.7 billion in 1992, by early repayment of loans. By 2009, public debt had fallen to US\$3.9 billion. Steps had been taken to protect the national economy from fluctuations in oil prices, which had allowed major infrastructure programmes to be launched, in preparation for a non-oil dependent economy. Foreign exchange reserves had been increased to US\$150 billion in 2010 and a number of national investment funds had been created. For example, at the suggestion of the General Union of Algerian Workers (UGTA) an investment fund for employment had been put in place. Various collective measures had been initiated to promote employment and combat unemployment resulting from the crisis, including the adoption of a specific plan in this connection, as well as by encouraging investment in enterprises that generated employment and, working through the National Social Insurance Fund and the National Agency for Youth Employment, by supporting micro-enterprises set up by young persons. Steps had been taken to facilitate the first employment of young persons, especially those with qualifications.
- 152.** Mean economic growth, discounting oil revenue, was between 6 per cent from 2005–08 and reached 9.3 per cent in 2009. Meanwhile, unemployment fell from 15.3 per cent in 2005 to 10.2 per cent in 2009 and was expected to fall further. In terms of social progress, 97.94 per cent of 6-year-olds were in schooling for 2009–10. Life expectancy was 76 years in 2009. The minimum wage had been increased twice between 2005 and 2010, and salaries in the civil service had also been increased. Wages were also rising in the private sector following revisions to sectoral collective agreements. Ninety-three per cent of the population had piped drinking water; 98 per cent were connected to the electrical grid and 44 per cent had natural gas in their houses. Social dialogue had provided the basis for this progress. Social protection had benefited from the establishment of a pensions reserve fund financed largely via an allocation of 2 per cent of tax revenue from annual oil sales. The social security system had been reformed and was a modern contributory system based on solidarity.
- 153.** Because of the good economic and social results achieved during the period of the Economic and Social Pact, the social partners had decided to prolong and reinforce the Pact, which now included a public investment programme amounting to US\$286 billion for 2010–14 aimed mostly at improving infrastructure to render the region more investment attractive. A target of 3 million new jobs was set for the period in question, with 54 per cent of the population linked to the natural gas network by 2014 and 100 per cent connected to the electrical grid by that year. Several tripartite groups were set up under the Pact to consider specific issues, including the overview of measures to be taken to improve the economic environment; mobilizing the social partners in the combat against fraud and the informal economy; and deepening dialogue between the Government and its

social partners in various areas, including pensions, family subsidies, and mutual insurance to increase social security coverage.

- 154.** *The Worker Vice-Chairperson* expressed admiration at the steps being taken by the Government of Algeria, which were an example to the African continent and to the rest of the world.
- 155.** *A Worker member from Guinea* stressed that the National Economic and Social Pact took account of the needs and interests of the workers of Algeria, and placed particular emphasis on the creation of decent jobs, the sharing of revenue, reducing unemployment, improving purchasing power and maintaining social peace. Algerian social dialogue was indeed a model for other nations, and the ILO should promote social dialogue among its constituents. The ILO had supported social dialogue in Guinea, and the workers in that country had been able to direct the National Transition Council. The Council had thus been trained in social dialogue, and the result was the Constitution of the Republic, and the Electoral Code, which had made it possible for Guinea to move towards democratic elections. Even countries at war ended up around a table. It would surely be better to follow the example of Algeria and begin around the table, discussing and listening in a spirit of tolerance in order to arrive at solutions to problems.
- 156.** *A Worker member from Belgium* welcomed the success of social dialogue in Algeria and encouraged other member States to follow this example. He noted that the UGTA had chosen to consider migration as an advantage, on the basis of the pertinent ILO Conventions. Algeria was thus more than ever becoming a bridge between Africa and Europe, and the dialogue within Euromed should be encouraged. Europe had a fundamental role to play as a motor for economic growth and sustainable, ecological development in the world and on the African continent. While the workers were not opposed to budgetary stability, Europe should view the austerity measures being introduced at the moment more critically: such policies could imperil the present economic recovery. The Minister's presentation had underlined the fact that social cohesion was the best buttress of political stability. For this reason, tripartite implementation of the Global Jobs Pact, with the assistance of the ILO, was essential.
- 157.** *The Employer Vice-Chairperson* thanked the Minister for his presentation, speaking for his group and, in particular his Employer colleague from Algeria, Mr Megateli, who had expressed enthusiasm as an employer for the National Economic and Social Pact. The Employers welcomed the measures outlined by the Minister in creating a social climate that reconciled an efficient economy, competitiveness and productivity with social justice. The group agreed with the Minister that social dialogue required political will if it was to be instrumental in building a country's development strategy. Social dialogue was fundamental to creating confidence between parties; confidence to confront the crisis and to create an environment favourable to investment and development and to the creation of enterprises and jobs. The example of Algeria should be followed not only in Africa, taking account of the specific conditions in each country, but in all regions of the world.
- 158.** *A Government representative of Tunisia* expressed gratitude to the Minister on behalf of the Africa group. The Minister's presence in the Governing Body, as well as President Bouteflika's presence at the 93rd Session of the International Labour Conference, were proof of Algeria's support for ILO principles and action. The Africa group followed closely Algeria's efforts to promote standards and decent work, generate employment and strengthen social protection and dialogue. It welcomed the National Economic and Social Pact which equipped the country with a tool for advancing economic development and social justice. This Pact was all the more relevant in the face of the current crisis. The group encouraged the Government and its social partners to continue to promote social dialogue to consolidate the progress already achieved. In closing, the speaker welcomed

the presence in the Governing Body of ministers from Benin, Burundi, Egypt and Nigeria, and the Deputy Permanent Secretary for Labour of United Republic of Tanzania, a clear sign of the importance African States accorded to the ILO.

- 159.** *A Government representative of France* approved the approach suggested by the Chairperson of regrouping all the questions before the Governing Body linked to the ILO's response to the crisis. He noted that the question of employment had never been so critical to debate on macroeconomic, financial and monetary policies to be put in place to resolve global imbalances. Globalization would not be stable if not equitable. A sustained increase in production depended on an equitable distribution of profit, together with a developed social system. The social pillar of policies designed to promote balanced, sustainable growth was of critical importance. The ILO had great expertise in this area, and the Government of France would count on this expertise during its period of chairing the G20.
- 160.** *A Government representative of Kenya* appreciated the ILO's response to the crisis. Many countries, including Kenya, had introduced economic stimulus packages to catalyse economic growth. Much remained to be done however. In Kenya, the provision of microfinance to small and medium enterprises, including in the informal economy, was the option that appeared to have functioned best. The speaker requested ILO support in implementing the roadmap adopted at the Second African Symposium on Decent Work. Further technical assistance, knowledge sharing and international policy dialogue would be welcome and could be delivered as part of the DWCPs. The Office should strive to ensure that measures taken to resolve the crisis should be long-term, reflective of national needs, were locally and collectively owned, human-centred and environmentally sustainable.
- 161.** *A Government representative of Australia* said that the continued recognition of the Global Jobs Pact in the G20 agenda and across the multilateral system bore witness to the effective approach adopted by the ILO in response to the crisis. Clear evidence of Office-driven, on-the-ground delivery and impact of the approach was now needed if the ILO wished to retain its position of central relevance in crisis recovery. Document GB.309/4 proposed that the Office should interact directly with requesting member States to implement the Pact, within the context of DWCPs. If done too soon, this could retard crisis response action. The document further suggested that the ILO should become an information bank on the crisis and recovery measures. Australia believed the Office should play a role not only in knowledge acquisition and management, but also in knowledge deployment. ILO action would be greatly more effective if it involved not just the provision of information, but advice, guidance and, where appropriate, assistance with implementation. The Office should be able to advise on what policies worked best, with what results and where. It should be an active contributor to the recovery, as well as an observer and reporter.
- 162.** *A Government representative of Tunisia* said that her Government attempted to adopt a pre-emptive approach to defend itself from global crises. It had taken a number of steps to promote development, including by supporting enterprises and sectors particularly hard-hit by the crisis, such as the export sector, in order to protect jobs, by whole or partial reduction of social costs where enterprises were obliged to reduce working hours or lay off workers. The Government continued to promote social dialogue at all levels, and to ensure regular tripartite negotiation. A round of negotiations was organized for the beginning of 2011 on a triennial programme of wage increases for 2011–13 in both the public and private sector. A national occupational safety and health strategy had been adopted, aimed at preventing occupational diseases and reducing occupational accidents. Fundamental reform of the health insurance system had been undertaken, which had been adopted with tripartite consensus, and which would guarantee the stability of the system and strengthen its capacity to deliver good service. Progress had been made in social security coverage, which in 2009 extended to 95 per cent of the working population and included such

categories as independent agricultural workers, artisans, craftsmen and artists. The Government's target was 98 per cent coverage by 2014. Jobs were an absolute priority, and the goal of the five-year economic and social development plan for 2010–14 was to reduce the unemployment rate to 11.6 per cent by 2014. Tunisia was convinced that the Global Jobs Pact and the 2008 ILO Declaration on Social Justice for a Fair Globalization were central to addressing the challenges of globalization and overcoming the crisis. These texts had been distributed accordingly to the ministerial departments concerned and to Parliament and the House of Councillors.

- 163.** *A Government representative of China* endorsed the statement made earlier on behalf of ASPAG. The ILO had responded well to the crisis. The process initiated with the Global Jobs Pact, and the closer involvement with the G20, had greatly aided member States to analyse and draw lessons from the crisis. The Government of China had realized that it must strengthen its own analytical capacities, introduce detailed policies and take firm action. The crisis should be approached from different angles – financial, social, and economic as well as from the point of view of employment. Countries had taken different measures to deal with the crisis and the ILO should continue to operate as a centre for information exchange.
- 164.** *A Government representative of Bangladesh* noted the fragility of the recovery, and the time-lag in job creation. For the post-crisis world to be truly different from the pre-crisis world a dramatic shift in economic policy orientation would be required, together with a change in global economic governance. The ILO represented the voices of the real economy and should continue to promote integration of employment and social policies into the broader macroeconomic framework. The country scan methodology used in the nine countries under the Global Jobs Pact appeared to be a successful analytical tool. The approach should be aligned, but with inbuilt flexibility, with the DWCPs. China noted a greater responsiveness to the ILO's message of social justice throughout the multilateral system, indicating improved ILO outreach. Recovery varied across the developing world, and the ILO should maintain an approach that was specific to individual countries, including the least developed ones. Prudent macroeconomic management and targeted emergency response had paid dividends in Bangladesh, but the employment and social sectors remained fragile. Measures were being taken to rectify this, and these included the National Industrial Policy 2010 and the National Labour Policy 2010, aimed at strengthening labour market institutions and sound industrial relations management. The Government was enhancing its cooperation with the ILO to build its capacity to implement the Decent Work Agenda.
- 165.** *A Government representative of El Salvador* welcomed the ILO's efforts, in collaboration with international financial institutions, to broaden macroeconomic policies to include employment and social elements, and to make the needs of the most vulnerable groups an essential component of strategies to overcome poverty and exclusion. The Government agreed with paragraph 17 of document GB.309/4, that the response to the crisis must be comprehensive, straddling the financial, economic, trade, employment and social protection imbalances revealed by the crisis. States must assume a major role in the regulation of the market and adopt redistributive policies to improve social cohesion in developing countries. Policies must be designed to promote decent work and consequently the approach set out in the Global Jobs Pact should be gradually integrated into the DWCPs. The Superior Labour Council had adopted a thematic priority agenda which included the approval of the DWCP, a roadmap for its implementation, and the formulation of a national employment policy. The Government was instigating a tripartite approach to the promotion of decent work.
- 166.** *A Government representative of Italy* appreciated the ILO's contribution to high-level international debate on policies needed for recovery and employment-rich growth. He

noted a shared awareness among States that strong coordination of economic policies and a system of global governance were called for, but saw little progress in this direction, despite several G8 and G20 meetings. On the contrary, macroeconomic approaches seemed to be diverging. There were no answers to issues such as the design of an international monetary system or a shared currency exchange system. The question of huge sovereign debt in some countries and huge sovereign credit in others had not been addressed: these issues should be covered under the next round of G8 and G20 meetings, under the French presidency. A meeting of labour ministers should be organized in relation to a meeting dedicated to solving the issue of the monetary system, as the different solutions to that issue would have a social impact. The crisis had shown that States had to take initiative for economic and political coordination. Multilateral organizations must provide more technical analysis and continue as a forum for policy dialogue.

- 167. *The Governing Body took note of the report and of the suggestions made and orientation given for the future work of the ILO during the discussions, and requested the Office to take account of the Governing Body's guidance.*** (GB.309/4.)

Fifth item on the agenda

ENHANCED PROGRAMME OF TECHNICAL COOPERATION FOR THE OCCUPIED ARAB TERRITORIES (GB.309/5)

- 168. *The Chairperson*** said that the meeting on ILO technical cooperation in the Occupied Palestinian Territory, which was held at ILO headquarters on Monday, 15 November 2010, had led to a constructive discussion concerning future technical cooperation activities and the extent to which those activities could be included in the framework of the multilateral system, given that it had been attended by high-level representatives of the United Nations (UN) system.
- 169. *The representative of the Director-General*** reviewed the information contained in the Office document and highlighted the fact that the joint ILO/United Nations Development Programme (UNDP) programme aimed at strengthening the capacity of the Ministry of Labour had been extended to cover three other ministries. Another important point was the revitalization of the Fund for Employment and Social Protection, which could serve as a catalyst in terms of employment strategy through seed investment and advisory services. Thanks to the technical assistance provided, various projects had been drawn up concerning the adoption of a unified cooperative law and the definition of a legal and regulatory framework for small and medium-sized enterprises (SMEs). As to entrepreneurship culture, a solid relationship based on cooperation had been established between the Ministries of Labour and Higher Education. Furthermore, the activities undertaken within that framework would be extended to universities in the near future. With regard to the situation in Gaza, an area affected by chronic poverty and extremely high levels of unemployment, a commitment had recently been obtained concerning funding for the skills development programme for the following year. That initiative would provide support for the construction of environmentally-friendly shelters, work on 36 of which had already been completed. As to the promotion of tripartism and social dialogue, the National Tripartite Committee had been revitalized and was addressing the most pressing issues affecting the labour sector. Moreover, the Turin Declaration outlined an ambitious programme for the review of labour agreements. A close working relationship had been established with the Swedish International Development Cooperation Agency (SIDA) in order to build the capacity of the Federation of Palestinian Chambers of Commerce, Industry and Agriculture (FPCCIA). The Palestinian General Federation of

Trade Unions (PGFTU) had been provided with support regarding legal and advisory services for Palestinian workers who had lost their jobs in Israel. As a result of work carried out on social protection through national think tanks, a solid body of data had been built up that provided a better understanding of the support the ILO could contribute in that area (one in which the World Bank and other agencies were also working).

- 170.** The work carried out jointly with the UNDP/Spain MDG Fund regarding women's economic empowerment had facilitated the work successfully carried out by the ILO with women entrepreneurs in Palestinian refugee camps in Lebanon. The Ministry of Labour had requested that the concept of decent work should be mainstreamed into a national labour strategy that would shape the activities carried out jointly with the international community. Employment promotion, rights at work, social protection and social dialogue would also be included.
- 171.** A high level of cooperation had been established with the UN and there were plans to establish a fund for the territory as a whole, which would be supported by various donors. The ILO thus had an excellent opportunity to obtain funding for its activities. In view of the wide variety of nation-building activities, efforts had been made to extend the circle of partners beyond the traditional tripartite constituents and, with their consent, to specifically include institutions focusing on the promotion of women's economic empowerment.
- 172.** It was necessary to monitor constantly the capacity to assimilate of the tripartite constituents of the region and care was therefore taken to avoid unnecessary haste and to undertake activities that would lead to tangible results. The various partners working together had agreed to proceed in that manner, and consequently the following year's activities would be carried out in a measured and gradual fashion.
- 173.** *The Worker Vice-Chairperson* was extremely impressed by the comments made by the representatives of the UN at the meeting held at ILO headquarters referring to the various activities carried out over recent years in the occupied territories. He wished to encourage the parties concerned to maintain and increase the support provided to those who were legitimately calling for the existence of a Palestinian nation. The Palestinian people had clearly demonstrated how industrious they were and how they could be a driving force for development in the region if local micro-enterprises and SMEs capable of generating employment could be promoted there. Much could be done to help the region if funds were made available to train the population to use and market the resources at their disposal and to train the workers. In order to achieve that aim, it was vital to remove the obstacle of the occupation, which prevented the land from being used productively. That was a fundamental prerequisite for peace. The region suffered from a lack of education opportunities. It was well known that development must be based on access to education providing the necessary level of skills to lift individuals out of poverty and into employment. The trade unions of the region could contribute to that process and the speaker therefore urged the ILO to assist the trade union organizations in consolidating their practices to enable them to participate in social dialogue across the region. The PGFTU could provide help in teaching the population about their rights and responsibilities as human beings and as workers, as well as in interacting with employers and governments in the region, with the aim of building a Palestinian region. The speaker reiterated that no real progress could be made while the Arab territories remained occupied.
- 174.** *The Employer Vice-Chairperson* said that the Employers' group appreciated the efforts made by the Office, which had proved fruitful. The ILO must continue with its activities in the occupied Arab territories in order to contribute to the peace process and the process of developing the region, given that the two processes were both interdependent and vital.

- 175.** The speaker highlighted existing ILO–SIDA collaboration aimed at contributing to the development of the private sector through the capacity building of the FPCCIA. Supporting employers’ organizations was the same as supporting private initiative, a fundamental element in terms of creating employment and, in particular, productive, sustainable decent work. Such was the guidance offered by the Employers’ group in response to the request made in paragraph 18 of the Office document. Furthermore, the speaker appreciated the efforts made regarding cooperatives and supported the revitalization of the National Tripartite Committee. He recognized that even though the solution to many of the problems affecting the region did not fall within the ILO’s mandate, from the point of view of that mandate the promotion of tripartism and social dialogue was a key element in easing the socio-economic burden of the peoples of the occupied Arab territories.
- 176.** *An Employer member from the United Arab Emirates* thanked the ILO for having responded favourably to the request for a meeting of donors to fund the Palestinian workers. The result of that meeting had been positive and gave rise to optimism with regard to improvements in socio-economic conditions in the region and the removal of certain obstacles that blocked technical cooperation and reconstruction in the country, in particular in Gaza, where drastic measures had been taken regarding the movement of individuals. Unemployment there had reached alarming levels and there was extreme poverty. The speaker called on the international community to provide all possible assistance to remove obstacles to the implementation of the economic development programme for the region. He urged the Office to continue to act on the basis of the assessments and conclusions contained in the document presented, and to implement measures that would boost ILO technical cooperation activities in the areas of training and the development of social dialogue forums. He requested that a follow-up should be carried out to the processes that would help revitalize the PFESP, one of the pillars of the actions undertaken with the aim of establishing sustainable development based on strengthening the region’s productive capacity.
- 177.** *A Government representative of Egypt* pointed out, firstly, that the date of the Governing Body session for the current year coincided with that of the Muslim festival of Eid Al-Adha and that the secretariat should bear that in mind when setting dates for meetings. The speaker welcomed all the positive activities undertaken by the ILO in the territories. She highlighted the economic and humanitarian issues affecting the territories as a consequence of the Israeli occupation and illegal practices such as the destruction of infrastructure, the embargo and the obstacles to communication in the West Bank and Gaza. Those factors were destroying the Palestinian economy, the very cement of an independent Palestinian State, the capital of which would be Jerusalem. Unemployment currently affected 25.5 per cent of the active population and many of those without jobs were university graduates. The ILO, together with other international organizations and donors, had actively worked to raise the level of skills and training of the Palestinian people.
- 178.** The speaker noted the financial revitalization of the PFESP, whose activities could be closely linked to the work being done within the framework of the Palestinian national strategy for the employment sector. She requested the ILO and the donor community to continue to provide funding to the Palestinian Authority in order to allow it both to withstand the measures implemented by the Israelis to destroy the economic and humanitarian infrastructure, and to ensure peace and security in the region.
- 179.** *A Government representative of Tunisia*, speaking on behalf of the Africa group, thanked the ILO and the donors for their tireless efforts to improve the situation and conditions of workers in the occupied Arab territories. The Africa group expressed profound concern at the worsening living conditions of Palestinian workers, which took the form of endemic

poverty, an unemployment rate of 25.5 per cent, unstable working conditions, a lack of social protection, the denial of the right to education and essential social services, all of which represented a violation of the fundamental rights of the Palestinians. The Africa group called on the ILO and all the parties concerned to continue to provide support for the policies drawn up by the Palestinian Ministry of Labour, in order to create employment as a national priority. He expected that the various activities undertaken, including the meeting held at ILO headquarters, would lead to greater mobilization in favour of the ILO, which in turn would make it possible to strengthen technical cooperation services for the occupied Arab territories (and in particular the PFESP) and to further develop micro-projects and vocational training, and to strengthen social dialogue. The speaker hoped that the Office would submit periodic reports on that project so that it could be examined at the following sessions of the Governing Body and of the International Labour Conference.

180. *A Government representative of the United States* thanked the ILO for the excellent work that had been carried out jointly with the Palestinian Authority to meet the challenges, particularly with regard to employment, which was the best long-term guarantee of peace and stability in the region. The Government of the United States had, the previous week, announced the transfer of a further US\$150 million to the Palestinian Authority, bringing the total sum of investments made that year to US\$600 million. The speaker thanked the ILO for its programme and welcomed the continued efforts in terms of its implementation.

181. *A Government representative of Jordan* expressed the hope that, given the significant needs of the occupied Arab territories, the ILO would continue to assume fully its responsibility to assist the tripartite constituents of the occupied Arab territories. He hoped that the generous financial contribution made by the State of Kuwait to the Palestinian programme would serve as an example to other donors.

182. *The Governing Body took note of the report.*

Sixth item on the agenda

DEVELOPMENTS CONCERNING THE QUESTION OF THE OBSERVANCE
BY THE GOVERNMENT OF MYANMAR OF THE FORCED
LABOUR CONVENTION, 1930 (NO. 29)
(GB.309/6)

183. *The Ambassador of Myanmar* explained that, as a responsible member of the international community, his country was bound to respect international standards, including those relating to labour. The workforce was one of the country's main assets with regard to development. During a period of democratic transition, it was inevitable that a country would be faced with various challenges, and Myanmar was no exception to that rule. Forced labour was one of those challenges. The Government of Myanmar had been working closely with the International Labour Organization for over ten years and a great deal of progress had been made. In his report to the 99th Session of the International Labour Conference (ILC), the Liaison Officer had recognized that there was a downward trend in terms of the use of forced labour, referring to the role played by the numerous awareness-raising activities. The measures taken by the Government responded to the recommendations of the Commission of Inquiry. Myanmar, which was a party to the Forced Labour Convention, 1930 (No. 29), had criminalized the use of forced labour under the provisions of section 374 of the Penal Code. The Constitution had been adopted by national referendum on 29 May 2008 and section 359 of that text had been drafted in the spirit of Convention No. 29.

- 184.** The speaker explained that, following the elections, newly formed legislative bodies would address all issues relating to national legislation. He recalled that a number of administrative measures had been taken by the Government to ensure the application of legal provisions for the elimination of forced labour. The civilian and military authorities had been instructed to carry out their functions without having recourse to forced labour. The successive renewals of the Supplementary Understanding bore witness to the Government's determination to make progress and to ensure that the complaints mechanism was maintained. Simply worded brochures had been distributed across the country to promote the mechanism. Awareness-raising and training activities had been organized both for civilian and military personnel and for the general public. The speaker gave the example of an awareness-raising workshop on Convention No. 29 held in the Kyaukyi and Tantabin townships on 13 and 14 September, involving the participation of representatives of the local authorities and the police force, as well as the judiciary and the military. Furthermore, training activities had been carried out, in particular in cooperation with TOTAL Oil and the Ministry of Labour.
- 185.** In addition to the legal and administrative provisions, implementation measures had also been taken. Complaints could be filed and perpetrators of forced labour would be punished in accordance with section 374 of the Penal Code. A total of 108 military personnel, including some officers, had been sanctioned for recruiting under-age workers. The Ministry of Labour received regular reports on cases that were of interest to the ILO. Despite the progress made in terms of the elimination of forced labour, certain anti-government groups in exile were attempting to denigrate the Government's achievements through unfounded allegations of forced labour. In order to ensure that cooperation between the ILO and the Government was not undermined, discussions should be based solely on information provided by the Government and the Liaison Officer.
- 186.** The Government of the Union of Myanmar attached great importance to cooperation with the ILO and the Liaison Officer with a view to the elimination of forced labour and took note of the recommendations of the Commission of Inquiry and the Committee of Experts on the Application of Conventions and Recommendations (CEACR) concerning both legislation and practice. Progress had been made regarding numerous aspects of the elimination of forced labour and such efforts should be encouraged. The only viable way of achieving the goal of the elimination of forced labour was through the strengthening of dialogue and cooperation between the Government and the ILO.
- 187.** *The Director-General* welcomed the recent release of Aung San Suu Kyi and the new prospects for dialogue for democracy in Myanmar created by that development. He hoped that the many activists who still remained in prison would be freed as soon as possible.
- 188.** *The Employer Vice-Chairperson* of the Governing Body reaffirmed his group's support for the work accomplished by the Office and in particular by the Liaison Officer. From the start, serious efforts had been made, focused on the achievement of concrete results. However, certain results could not have been attained without the collaboration and cooperation of the Government of Myanmar. The issue of Myanmar could not remain on the agenda forever and the goal was to find an effective solution. Document GB.309/6, which had been submitted to the Governing Body, recalled the first recommendation made by the Commission of Inquiry, namely that the relevant legislative texts should be brought into line with the Forced Labour Convention, 1930 (No. 29). Moreover, although the orders published by the Government of Myanmar represented a kind of follow-up to the recommendations of the Commission of Inquiry, they did not in themselves constitute an appropriate response. The Employers stressed the fact that those measures had yet to be transformed into reality.

- 189.** The second recommendation made was that in actual practice, no more forced or compulsory labour should be imposed by the military authorities. That issue was closely linked to the third recommendation concerning the refusal to accept any kind of impunity. It was necessary to demonstrate that the prescriptive provisions adopted were not merely declarations of intent. Much remained to be done and, given the seriousness of the issues, administrative sanctions which did not truly reflect either the importance or the gravity of the facts were not sufficient.
- 190.** As to paragraph 18, the increase in the number of complaints received highlighted both the importance of the presence of the Office and the persistent nature of the problem. The speaker also referred to paragraph 22, which drew attention to the relatively high number of cases of reprisals in a specific region and he supported the request made by the Liaison Officer to be granted full access to the court files in such cases in order to satisfy himself that the charges and subsequent prison sentences were indeed unrelated to the lodging of a complaint.
- 191.** For many years, the Employers had encouraged dialogue with the Government of Myanmar in order to minimize the negative effects of the forced labour practised in that country. They naturally supported the transition towards the democratic process but requested that, prior to the March 2011 meeting of the Governing Body, proof should be provided of the progress made in fields such as legislation, sanctions and the sentencing of individuals exacting forced labour. They also requested that the Liaison Officer and the ILO team on the ground should be provided with the necessary means to carry out their work. The Employers did, however, issue two warnings: first, they would continue to request that the item should be included on the agenda of the Governing Body and the ILO supervisory bodies until they were convinced that the situation was truly improving; and, second, expectations were now higher than in the past. No country could claim to have democratic institutions or be governed by the rule of law while it continued to be affected by a problem as grave as that of the violation of Convention No. 29.
- 192.** *The Worker Vice-Chairperson* also regretted that the issue of Myanmar should be included on the agenda of all the meetings of the Governing Body. Referring to the result of the recent elections, he expressed the hope that, with the formation of a Parliament and the encouraging remarks made by the Ambassador of Myanmar, the Towns Act and Villages Act would be removed from the statute books. It was essential that those acts, which dated back to 1907, should be repealed. The Workers would like to be able to rely on the reports issued by the Government and those produced by the Liaison Officer, but the Liaison Officer could only cover a limited number of issues and areas, depending on the goodwill of the Government. Experience showed that Government statements must be interpreted with caution. Words would not suffice; what was now required was action. The Workers wished to see a higher level of respect for Convention No. 29, with a greater number of people being taken out of forced labour at a faster rate, as well as real examples of action taken in the higher echelons of Government and throughout the system to remove all forms of forced labour.
- 193.** In that regard, the Workers welcomed the report of the Liaison Officer which made it possible to assess the progress achieved. Unfortunately, the advances made fell short of expectations. The Workers were pleased to see that Aung San Suu Kyi had been released but regretted that a number of people remained in jail for reasons that, in any other society, would not justify incarceration. They called on the new Government in power to set an example and demonstrate its goodwill by freeing the remaining prisoners.
- 194.** Much remained to be done in order to implement the recommendations of the Commission of Inquiry that had been set up many years previously. The Commission had in particular requested Burma to take the necessary steps to bring the relevant legislation, in particular

the Towns Act and Villages Act, in line with Convention No. 29. It had also asked the Government to ensure the total elimination of all forms of forced labour and the prosecution or punishment under the Penal Code of the perpetrators of forced labour, whether civilian or military. Those recommendations had been made by a highly respected Commission of Inquiry and not simply by the Workers' group.

- 195.** The Workers welcomed the news that trade unions had been assured by the Government that it would not interfere in their establishment and development, or in their activities in general. They hoped that such assurance was not merely a set of words and regretted the Government's attempt to compare certain trade unions, including the Federation of Trade Unions – Burma (FTUB), to terrorist groups.
- 196.** Returning to the issue of forced labour, he highlighted that the violation of human rights was an issue that could have a spillover effect in the region and even at an international level. Violations of rights, wherever they occurred, constituted a threat to the well-being and prosperity of all. The increase in the number of complaints made was a good thing but the Workers were not satisfied with the treatment of those complaints. A procedure was required whereby the ILO could lodge complaints itself rather than having Burmese citizens doing so and thereby running the risk of disappearing or being put in jail.
- 197.** In November of the previous year, the Governing Body had requested the distribution of a simply-worded brochure in the local languages with the aim of raising awareness among the population, as well as an authoritative statement by the leadership condemning the continued use of forced labour and referring to the need to respect freedom of association. The administration, which had claimed that it was willing to cooperate and follow the rules of the international organization of which it was a member, had agreed to the request but had subsequently failed to honour the solemn promise it had made to the Governing Body. In addition, the Workers' group had requested that the capacity of the ILO should be strengthened in order to allow it to deal with complaints throughout the country and the ILO had called on the Government to issue a visa in order to allow for the appointment of an internationally recruited professional by the ILO. No action had been taken in that regard. The Workers' group therefore called on the authorities to act without delay, as proof of their good faith, given that a parliament was now in place.
- 198.** The Workers thanked the Government of Germany for its support. Nevertheless, they felt that more needed to be done and requested the Office to allocate additional resources that would allow for more offices to be opened in other parts of the country. Should efforts be limited to the work carried out by the current Liaison Officer, it would not be possible to judge the way in which the Government was giving effect to the measures it had announced before the Governing Body.
- 199.** Finally, the Workers wished to emphasize the importance of the conclusions reached during previous sessions of the Governing Body and the International Labour Conference. They called for the implementation of the activities outlined in the conclusions, in particular, the strengthening of the Liaison Office, which should monitor the impact of oil and gas pipeline and dam construction work on forced labour and verify that forced labour had not been used in mines and other international projects. The visa required for the appointment of an internationally recruited professional beyond the Liaison Officer should be issued. The Workers also appealed for the release of all trade unionists and activists jailed because of their involvement with the complaints process and freedom of association.
- 200.** *A Government representative of Belgium*, speaking on behalf of the EU, said that the candidate countries, Iceland and Turkey; the countries participating in the stabilization and association process and potential candidates, Albania, Bosnia and Herzegovina,

Montenegro and Serbia, as well as the Republic of Moldova; Armenia and Georgia; and Switzerland supported that statement.

- 201.** The EU expressed, once again, its deep concern at the human rights situation in Burma/Myanmar and regretted that the elections of 7 November had not been carried out in accordance with internationally accepted standards. The EU was also concerned about reports of outbreaks of fighting along the border with Thailand. The EU called on the authorities to ensure that the recent elections marked the start of a more inclusive phase by allowing, in particular, representatives of all groups to participate in the life of the country and by releasing all political detainees. In that context, the EU welcomed the release on 13 November of the Nobel Peace Prize winner Aung San Suu Kyi. Her restored freedom must be unrestricted. The EU would observe closely the position of the Parliament and Government, as well as the way in which the new institutions would ensure respect for human rights and fundamental freedoms and contributed to a process leading towards reconciliation and democracy.
- 202.** Regarding the fight against forced labour, the EU took note of an apparent return of confidence in the complaints mechanism, the consecutive increase in the number of complaints, as well as a relative decrease of forced labour extracted by the civilian authorities. However, those improvements were still very much symbolic and the EU regretted that the Towns Act and Villages Act of 1907 had not yet been repealed or amended and that the orders issued in 1999 and 2000 did not prevent the requisition of labour by the civilian or military authorities. Facilitators for complaints and complainants were still being subjected to harassment and retaliation in the Thayet District of the Magwe Region. The EU was also concerned by the reluctance of the authorities to prosecute perpetrators of forced labour under section 374 of the Penal Code. It therefore strongly urged the Government of Burma/Myanmar to respect all its commitments and to implement the recommendations contained in the ILO's last report, notably, to introduce new legislation in conformity with Convention No. 29 and to enforce strictly the penalties which might be imposed under section 374 of the Penal Code.
- 203.** The EU reaffirmed the importance of the continuation of close cooperation with the ILO and encouraged the neighbouring countries, as well as the Association of Southeast Asian Nations (ASEAN) to pursue their efforts to help Burma/Myanmar to abolish forced labour and implement a process of national reconciliation. The speaker finished by thanking the ILO and the Liaison Officer for their efforts.
- 204.** *A Government representative of Thailand* thanked both the Ambassador of Myanmar for his update and the Liaison Officer for the report presented. Since the previous session of the Governing Body, cooperation between the Government of Myanmar and the ILO had continued, with progress being made in various areas. A series of awareness-raising activities had been organized and the number of complaints received under the Supplementary Understanding had continued to increase, thus reflecting greater understanding among the public, due, in large part, to the training activities. The Government of Myanmar should continue to examine carefully the cases brought before it with a view to their satisfactory conclusion. A number of challenges also needed to be addressed, including: the adoption of national legislation in accordance with the provisions of Convention No. 29, the full examination of complaints, the prosecution of perpetrators of forced labour and the need to find the necessary funding for additional staff to assist the Liaison Officer. As a neighbouring country, Thailand stood ready to provide support to Myanmar and reiterated its hope that Myanmar would build on the progress achieved and take steps to eliminate forced labour.
- 205.** *A Government representative of Canada* thanked the ILO and the Liaison Officer for their work and the Ambassador for the information provided in his statement. Canada welcomed

the long overdue release of Aung San Suu Kyi and stated that, along with many countries, Canada would continue to watch carefully to ensure that her release was not conditioned on restricted freedom of movement and speech. It was to be hoped that that measure would be followed by the release of other prisoners seen as political activists. Canada also hoped that the regime would address the situations of harassment of complainants in the Natmawk and Aunglan townships, including by giving the ILO Liaison Office full access to the court files for those cases.

- 206.** Canada was encouraged to see an increase in the application of disciplinary processes related to forced or under-age recruitment, as well as the staging of a number of awareness-raising activities over the past several months. Despite those encouraging signs, much remained to be done in order to achieve the elimination of forced labour. It was evident that the Liaison Office was faced with an increasing caseload and other demands. With the support of the Government of Germany, the Liaison Office had been able to secure some additional assistance, but more would be required. It was unfortunate that the Government had refused the visa application for an additional staff member and Canada urged the Government to provide positive and timely support for any such requests in the future.
- 207.** In conclusion, she said that, while Canada welcomed the progress made since the last report presented to the Governing Body, the continuance of forced labour, harassment and imprisonment of complainants and trafficking for forced labour remained unacceptable. Canada called upon the Government to strengthen further its commitment, in particular by taking more proactive and preventative measures, and hoped that the Government would confirm the renewal of the Supplementary Understanding at the March 2011 session of the Governing Body.
- 208.** *A Government representative of the Russian Federation* highlighted the need to eliminate forced labour throughout the world and welcomed the continued cooperation between Myanmar and the ILO within the framework of the Supplementary Understanding, which had been extended for one year. The examination of that issue by the Governing Body was taking place against the background of the general election held in early November. It was to be hoped that the Government of Myanmar would continue with the process of democratizing the country.
- 209.** The speaker again thanked the ILO representative in Myanmar for his tireless efforts, as a result of which over 150 forced labour complaints had been made and examined by the competent bodies in Myanmar. The Liaison Office in Myanmar required additional assistance. The various activities held in order to raise awareness among the population of Myanmar of the forced labour complaints mechanism were a positive sign. However, it remained clear that the Government of Myanmar must adopt additional measures to eliminate forced labour. The speaker hoped that the strengthening of cooperation between the ILO and the Government of Myanmar would make it possible to eliminate forced labour in the country as soon as possible.
- 210.** *A Government representative of India* said that he was encouraged by the progress made regarding Convention No. 29, as well as by the cooperation between the Government and the ILO. The recent developments, including the extension of the Supplementary Understanding for a period of 12 months beginning on 26 February 2010, provided yet more grounds for satisfaction. Moreover, the Government intended to submit legislation to Parliament which would be in conformity with Convention No. 29. The awareness-raising workshops jointly conducted by the Liaison Officer and the Ministry of Labour would allow the local population better to understand their rights and remedies. The mechanisms agreed on by the Government and the ILO, including the complaints mechanism, were

functioning properly, with punitive measures being applied in cases of under-age recruitment and forced labour.

- 211.** India had consistently encouraged dialogue and cooperation between the ILO and the member States and remained strongly opposed to the practice of forced labour which was expressly prohibited under the Indian Constitution. The speaker thanked the Director-General of the ILO and his team for their efforts in assisting Myanmar to tackle the problem of forced labour and he encouraged the Government of Myanmar to remain firmly engaged in that endeavour.
- 212.** *A Government representative of the United States* congratulated the Office and the Liaison Officer on the work carried out which had saved the lives of many Burmese citizens. He welcomed the long overdue release of Aung San Suu Kyi but called on the Government to release all of the country's political prisoners immediately and to guarantee respect for basic human rights. Unfortunately, much remained to be done and, as the paper showed, little had changed since the last review of the situation. However, thanks to the efforts of the ILO, there were signs of increased confidence in the complaints mechanism. The speaker was also encouraged by the rise in the number of cases that had been received and the number that had been satisfactorily resolved.
- 213.** The Government of the United States was extremely concerned by the limited capacity of the Office in Burma, both in terms of the processing of complaints and the coordination of awareness-raising and training activities. Notwithstanding recent temporary measures to increase staff support, further measures should be taken to ensure that the Liaison Officer had the necessary resources, facilities and expertise needed to carry out his work, for as long as ILO assistance was required.
- 214.** Numerous activities had been undertaken in recent months but they must be accompanied by concrete action relating to all elements of the Commission of Inquiry's recommendations. The speaker urged the Government to share with the ILO the draft legislation repealing the Towns Act and Villages Act prior to its submission to Parliament. The harassment of facilitators for filing complaints under the Supplementary Understanding and acts of retaliation against those persons also remained a source of concern.
- 215.** The document suggested that much remained to be done to implement the recommendations of the Commission of Inquiry. In June, the ILO Conference Committee on the Application of Standards had noted that none of the recommendations of the Commission of Inquiry had been implemented. According to the recommendations, the Government should: (i) bring the relevant legislative texts into line with the Forced Labour Convention, 1930, (No. 29); (ii) ensure that, in actual practice, forced labour was no longer imposed by the authorities and, in particular, by the military; and (iii) strictly enforce the criminal penalties which might be imposed under section 374 of the Penal Code for the exaction of forced or compulsory labour, in accordance with Article 25 of the Convention. The Conference Committee had laid out ten very specific measures that the Government should take without delay to implement the recommendations of the Commission of Inquiry and the observations of the CEACR. The document presented to the Governing Body made it clear that nothing had been done in that regard. Finally, the speaker urged the Government to respect human rights, including the rights of workers, and to begin dialogue towards national reconciliation and genuine democratic transition.
- 216.** *A Government representative of Singapore* recalled that it was not the role of the Governing Body to comment on political developments in Myanmar. He felt, however, that the convening of the new legislature would have a major bearing on the task ahead. He recalled that the first of the Commission of Inquiry's recommendations was that the

relevant legislative texts should be brought into line with the Forced Labour Convention, 1930 (No. 29). However, as pointed out in paragraph 3 of the report presented to the Governing Body, the Towns Act and Villages Act had not been repealed or amended because of the absence of a Parliament and the Government had issued orders stipulating that the civilian and military authorities should not requisition work or services and that breaches of those orders constituted offences under the Penal Code. The Government of Myanmar had recently indicated that legislation encapsulating those orders and repealing or amending the Towns Act and Villages Act was being drafted and would be introduced to the Parliament after the elections of November 2010. There was a window of opportunity and the Governing Body should, at its current session, issue a clear message to the Government of Myanmar that, with the elections over, and with the formation of a legislature, it should strive to bring the relevant texts into line with Convention No. 29. The conclusions of the Governing Body should be forward-looking, expressing the hope that a cooperative relationship could be forged with the newly elected representatives in order to bring about improvement to the lives of the people of Myanmar.

- 217.** *A Government representative of Cuba* reaffirmed her country's opposition to all forms of forced labour. In the light of the document presented by the Office, the speaker praised the efforts made to achieve the objectives of Convention No. 29 and, aware that further work needed to be done, she stressed the spirit of cooperation and shared work established between the International Labour Organization and the Government of Myanmar and hoped that the ILO and the Government of Myanmar would cooperate ever more closely in the future.
- 218.** *A Government representative of Australia*, speaking also on behalf of New Zealand, expressed appreciation for the work of the ILO and the Liaison Officer. According to the Liaison Officer's report, the Government Working Group for the Elimination of Forced Labour was responding in a reasonably timely manner to complaints lodged under the Supplementary Understanding, while progress was being made regarding the Office's proposals concerning training and awareness-raising activities. As a result of those activities and the growing familiarity of local authorities with Convention No. 29 and the ILO complaints mechanism, it seemed that forced labour organized by civilian authorities had been reduced, at least in some parts of the country. Legislation repealing or amending the Towns Act and Villages Act of 1907 was to be submitted to Parliament. The speaker highlighted that Security Council Resolution 1612 (S/RES/1612) establishing a monitoring and reporting mechanism on children and armed conflict could assist the Liaison Officer in his work and stated that Australia and New Zealand urged the Government of Myanmar to facilitate the Liaison Officer's work by agreeing to a time-bound joint action plan.
- 219.** Notwithstanding certain positive developments, forced labour remained a problem. Cases of exaction of forced labour by the military continued to be an issue of particular concern. The speaker urged the Myanmar authorities to take meaningful action against all those responsible for perpetrating those practices and to impose adequate penalties. The Liaison Office received some 50 complaints per month about forced labour, but it faced considerable obstacles and capacity constraints in carrying out its work. The Government of Myanmar should support the Liaison Office in its efforts to develop its capacity to fulfil its mandate, for example, by granting the visas required.
- 220.** The long-awaited elections had now taken place, but Australia and New Zealand were concerned that they had been neither free nor inclusive. The country's electoral laws had prevented the full participation of opposition parties. Australia and New Zealand called on the Myanmar authorities to embark on an inclusive and genuine process of political reform and national conciliation, as well as to release all political prisoners and to abide by international norms of good governance and human rights. Finally, although Aung San Suu

Kyi's release on 13 November was a welcome development, more than 2,000 political prisoners remained in detention in Myanmar.

- 221.** *A Government representative of Japan* expressed his country's appreciation to the ILO for its efforts to improve the situation, including its active engagement on the ground. The cooperation between the Government of Myanmar, the military and the ILO to tackle the issue of child soldiers, in the context of the Supplementary Understanding, had produced concrete results.
- 222.** Awareness-raising activities were essential and the distribution of simply-worded brochures explaining the complaints mechanism was an encouraging development. However, there were still cases of forced labour on the part of military personnel, who had not been subjected to the appropriate penalties. Furthermore, the central Government's policy for the elimination of forced labour had still not been transmitted to all branches of the military. Japan urged the new administration to prioritize the issue of forced labour and encouraged it to engage in dialogue with the ILO in order to prepare a draft Trade Unions Act to be submitted to Parliament for approval.
- 223.** Finally, although Japan was pleased with the functioning of the Supplementary Understanding, it was important to bear in mind that the Liaison Office's workload was increasing and that additional resources would be required to meet the growing needs.
- 224.** *A Government representative of Viet Nam* noted with satisfaction the recent improvements, in particular the awareness-raising activities, the Government's cooperation with the Liaison Officer and the decline in the use of forced labour in Myanmar. The new Constitution and the activities being carried out should serve as a basis for further improvements, in particular regarding the implementation of the recommendations of the Committee of Experts and the Governing Body. Cooperation with the ILO and other Governments and constituents would play an important role in the light of the principles set out in Convention No. 29.
- 225.** *A Government representative of China* highlighted the progress made regarding cooperation since the last session of the Governing Body. Training and awareness-raising activities concerning the complaints mechanism had been carried out and the report presented by the Liaison Officer to the 99th Session of the ILC had shown a decline in forced labour.
- 226.** The Government of China was convinced of the need to eliminate forced labour, a practice that was contrary to human rights. The Government of Myanmar had adopted legislation prohibiting forced labour and the Penal Code contained sanctions for perpetrators of such activities. It was to be hoped that cooperation with the ILO would continue, assisting the Government of Myanmar to make progress in terms of economic development in order to eliminate fully forced labour.
- 227.** *A Government representative of Cambodia* welcomed the progress made by the Government of Myanmar regarding cooperation with the ILO. The speaker recalled that, since the implementation in 2007 of a forced labour complaints mechanism, 207 cases had been received by the Government Working Group for the Elimination of Forced Labour, through the Liaison Officer. In all, 150 cases had been resolved and 46 complaints had been transmitted to the Liaison Officer. In his report to the 99th Session of the ILC, the Liaison Officer had noted that there had been a decline in the number of cases of forced labour.
- 228.** Cambodia welcomed the extension of the Supplementary Understanding between the ILO and the Government of Myanmar, which enabled the continuation of the complaints

mechanism. The release of the opposition leader, Aung San Suu Kyi, was an important step in the process of democratic transition and national reconciliation. Cambodia believed in the constructive dialogue and approach undertaken by the Government of Myanmar and hoped that continued cooperation with the ILO would lead to the achievement of the common goal of improved working conditions in the country.

- 229.** *The Ambassador of Myanmar* recalled that the elections of 7 November were an internal affair and had been held in a free and inclusive manner. When vote counting had been completed in all constituencies, the results would be formally announced. Anyone contesting the results of the election would be free to file a complaint within 60 days. The Government of Myanmar was systematically implementing the roadmap. The international community should support the process of democratization rather than criticize and discredit it. Finally, he once again requested that his country should be referred to by its official name, in keeping with the accepted practice in all UN forums.

The Governing Body's conclusions:

- 230.** *The Governing Body took note of the report of the Liaison Officer, the statement made by the Permanent Representative of the Government of the Union of Myanmar and the subsequent discussion. In light of the debate, it adopted the following conclusions:*

- *The Governing Body welcomes the release of Daw Aung San Suu Kyi and urges that other persons still in detention, including labour activists and persons associated with the making of, or supporting the submission of, complaints under the Supplementary Understanding, will similarly be given their liberty as soon as possible. In particular, it reiterates its previous call for the release of U Zaw Htay, U Htay Aung, U Nyan Myint, Daw Su Su Nway, U Min Aung, U Myo Aung Thant, U Thurein Aung, U Wai Lin, U Nyi Nyi Zaw, U Kyaw Kyaw, U Kyaw Win and U Myo Min.*
- *In light of the commitment made by the Permanent Representative of the Government, the Governing Body calls on the new Parliament to proceed without delay to bring legislation into line with the Forced Labour Convention, 1930 (No. 29), starting with the repeal of the relevant provisions of the Villages Act and Towns Act as called for by the Commission of Inquiry.*
- *Notwithstanding the reported progress in increased awareness of both government personnel and the community at large of their rights and responsibilities under the law, much remains to be done to eliminate the use of forced labour. Further committed action is required to end all forms of forced labour, including under-age recruitment into the military and human trafficking. Bringing an end to the impunity which allows forced labour to continue requires the strict application of the Penal Code to all perpetrators.*
- *The Governing Body calls for the continuation and intensification of awareness-raising activities undertaken jointly and severally by the Government and the ILO Liaison Officer encompassing government personnel, the military and civil society. It again calls on the Government to continue to actively support the wide distribution of the agreed brochure and its translation into all local languages.*

- *The Governing Body notes the increased number of forced labour complaints received but considers it essential that the movement towards an environment free from harassment or fear of retribution be sustained. In this context, the Government is requested to grant the Liaison Officer access to court files and detainees for the purpose of verifying the absence of judicial retribution.*
- *The Governing Body calls upon the Government to cooperate with the Liaison Officer on cases raised at the Officer's own initiative.*
- *The Governing Body notes that the Liaison Officer has engaged additional temporary resources to assist in meeting the demands of the increasing workload. However, that does not meet the need that the Governing Body has consistently identified for the strengthening of capacity to deal with complaints and associated activities. Therefore, the Governing Body calls on the Government to ensure the conditions and facilities necessary for the effective and timely receipt and processing of complaints throughout the country.*
- *The Governing Body recalls and reconfirms all of its previous conclusions and those of the ILC and calls upon the Government and the Office to work proactively towards their realization.*

(GB.309/6.)

Seventh item on the agenda

COMPLAINT CONCERNING THE NON-OBSERVANCE BY MYANMAR OF THE FREEDOM OF ASSOCIATION AND PROTECTION OF THE RIGHT TO ORGANISE CONVENTION, 1948 (NO. 87), MADE BY DELEGATES TO THE 99TH SESSION (2010) OF THE INTERNATIONAL LABOUR CONFERENCE UNDER ARTICLE 26 OF THE ILO CONSTITUTION
(GB.309/7)

- 231.** *The Worker Vice-Chairperson* requested that the complaint against Burma be accepted.
- 232.** *A representative of the EU* spoke on behalf of the candidate countries, Turkey, Iceland, and the countries of the stabilization and association process and potential candidates, Albania, Bosnia and Herzegovina, Montenegro, Serbia, as well as the Republic of Moldova, Armenia and Georgia. Switzerland also supported the statement.
- 233.** The EU strongly supported the ILO's recommendation made at the June Conference and supported the Office's suggestion to postpone to a later stage the decision on whether this complaint should be referred as a whole to a Commission of Inquiry. The European Union took note of the drafting of specific legislation on trade union rights and underlined the importance of continued close cooperation between the ILO and the Government. Discussion on the issue at the March 2011 session of the Governing Body would be an opportunity for the Government to provide an update on the evolution of the legislative process and the start of effective implementation of the new law.
- 234.** *A Government representative of China* noted that Myanmar had established a tripartite system to protect workers' rights and was drafting a law concerning trade unions with ILO technical assistance. China believed that dialogue and cooperation were the main measures

in dispute settlement and hoped that the Liaison Officer could play a leading role in assisting the Government.

- 235.** *A Government representative of India* appreciated collaborative efforts between the Government and the ILO on labour-related issues, the new Constitution, the rights of citizens and on labour laws in line with Convention No. 87. India encouraged technical assistance to supplement these efforts, which showed that the Government was committed to addressing the issues relating to Convention No. 87 and to encouraging a climate of dialogue.
- 236.** *A Government representative of Cuba* considered that technical cooperation and dialogue were basic elements in efforts to ensure effective implementation of Convention No. 87. The imposition of sanctions on the other hand could hinder progress made. She called for continuation of technical cooperation, open and unconditional dialogue and analysis of national conditions as the only way of ensuring effective implementation of Convention No. 87.
- 237.** *A Government representative of the Russian Federation* wished the Government every success in drafting national legislation on trade union rights and expressed the hope that the ILO would provide technical support in order to guarantee that the legislation would comply with Convention No. 87.

Governing Body decision:

238. *The Governing Body decided:*

- (a) that the Government of Myanmar be requested by the Director-General to communicate its observations on the complaint so as to reach him not later than 31 January 2011;*
- (b) that the Government of Myanmar be invited to send a representative to take part in the proceedings of the Governing Body concerning this matter at its future sessions, in accordance with article 26, paragraph 5, of the Constitution. When so inviting the Government of Myanmar, the Director-General should inform it that the Governing Body intends to continue its discussion of this case at its 310th Session, which is to take place in Geneva in March 2011;*
- (c) that the decision on whether the complaint should be referred as a whole to a Commission of Inquiry in accordance with article 26, paragraph 4, of the Constitution be postponed to a later stage, in the light of the information provided to the Governing Body in connection with the complaint.*

(GB.309/7, paragraph 12.)

- 239.** *A Government representative of Myanmar* stated that, as reported to the 99th Session of the Conference, his country was in the process of drafting a dedicated law for the formation of workers' associations. Progress had been made and the process would be completed as soon as possible. During the 2010 ILO mission, discussions took place between the Government Working Group and ILO legal experts on the principles of the bill. Once drafting was completed and approved, the rights of the workforce provided under the new Constitution and Convention No. 87 would be fully guaranteed.

240. His Government would be inviting an ILO expert team in early 2011 in order to intensify cooperation. Advice would be sought on a draft law on the setting up of workers' organizations in line with Convention No. 87. The Government had also responded to the ILO on issues raised by the Office and would continue to do so. He noted the recommendations regarding the complaint lodged by the Workers and would submit a communication on the matter to the Director-General within the time frame set by the Governing Body. Myanmar would cooperate with the ILO on the issue of observance of Convention No. 87.

Eighth item on the agenda

REPORTS OF THE COMMITTEE ON FREEDOM OF ASSOCIATION (GB.309/8)

358th Report

241. *The Chairperson of the Committee on Freedom of Association* explained that, at the time of that session, the Committee had before it 140 cases, 33 of which had been examined on their merits. The Committee had also held a general discussion on its procedure, visibility and impact, as well as examining the proposal to amend the number of annual meetings of the Committee, a proposal on which a consensus had not been reached.
242. He turned to the urgent appeals and highlighted that, in the cases concerning Costa Rica, Djibouti, El Salvador, Islamic Republic of Iran, Mali, Montenegro, Peru, Philippines and Russian Federation, the Committee observed that, despite the time which had elapsed since the submission of those complaints, it had not yet received the complete observations of the governments concerned. He therefore called on those governments to transmit their observations as a matter of urgency. As to the follow-up given to the recommendations of the Committee, in other words, the impact of the Committee, the Committee had examined 38 cases in which the governments had kept it informed of the measures taken to give effect to those recommendations and had noted, with satisfaction or interest, developments in seven of those cases. More specifically, in Case No. 2624 concerning Peru, more than 200 workers had been reinstated and an agreement had been reached in a number of cases regarding Colombia following a call from the Government for an ILO contacts mission.
243. The Chairperson then moved on to the serious and urgent cases, beginning with Case No. 2726 (Argentina). That case concerned allegations of a smear campaign initiated by the authorities of the Province of Chubut against the Argentinean Building Workers' Union (UOCRA). The Committee was still awaiting the comments from the provincial authorities and regretted that, despite the time that had elapsed since the submission of the complaint, the Government had only responded to one of those allegations. The Committee urged the Government to ensure that investigations were carried out into all of those serious allegations and that UOCRA could once again use its headquarters in the town of Comodoro Rivadavia. Finally, he requested the Government to send its comments concerning a possible direct contacts mission that should focus its cooperation efforts on freedom of association in the Province of Chubut.
244. Case No. 2318 (Cambodia) was another long-standing serious and urgent case, with regard to which the Committee had requested the Government to carry out a full and independent investigation into the murders of trade union leaders Chea Vichea, Ros Sovannareth and Hy Vuthy, with the aim of identifying the actual murderers and instigators of those assassinations, punishing the guilty parties and bringing an end to the prevailing situation of impunity regarding violence against trade union leaders. The Committee deplored that it had not received any information on that point and urged the Government to take the

necessary measures. As to Thach Saveth, the Committee urged the Government to ensure that he could exercise his right to a full appeal before an impartial and independent judicial authority. More generally, the Committee called upon the Government to take steps for capacity building of the judiciary and the institution of safeguards against corruption necessary for ensuring the independence and effectiveness of the judicial system. Finally, the Committee deeply regretted the fact that the Government had provided no information regarding the other long-standing recommendations made concerning the acts of violence committed against trade union leaders and the convictions and dismissals of trade unionists for acts undertaken in connection with a strike.

- 245.** Case No. 2723 (Fiji) was another serious and urgent case. The Committee noted that that case concerned the dismissal of a trade union leader in the public service education sector and allegations of ongoing anti-union harassment and interference with internal trade union affairs. The Committee noted that the allegations that Mr Koroi had been dismissed following a statement he had made concerning the organization of a campaign to return the country to parliamentary rule had not been contested. The Committee highlighted the importance of the respect for the basic civil liberties of trade unionists and employers' organizations, including freedom of expression. The Committee requested that Mr Koroi should be reinstated immediately, without loss of pay or benefits, and urged the Government to refrain from any further interference which would hinder the exercise of his representation functions in the relevant forums. The Committee noted the extremely serious allegations of detention, torture and attacks on trade union leaders, and invited the complainant organizations to provide additional information, while urging the Government to reply without delay. Finally, the Committee requested the Government to respond in detail to the most recent allegations concerning restrictions placed on union meetings, the freedom of movement of trade unionists and union membership, and invited it to accept an advisory tripartite mission from the ILO.
- 246.** In the serious and urgent case concerning Panama (Case No. 2706), the Committee observed that that case concerned serious allegations of murder, acts of violence against trade union leaders and members, the detention of trade unionists, violation of the right to collective bargaining, the establishment of a trade union by an enterprise and dismissals related to trade union membership. While it noted the efforts made to arrest and convict those responsible for the murder of a trade union leader of the Sole Union of Workers of the Construction and Related Industries (SUNTRACS), the Committee deeply regretted the allegations of violence and requested that the ongoing investigations should be concluded without delay. He urged the Government to send its observations concerning the allegations of injuries incurred by trade union leaders, the detention of SUNTRACS officials and police attacks on peacefully striking workers.
- 247.** The last serious and urgent case concerned the Bolivarian Republic of Venezuela (Case No. 2727). The complaint presented by the Venezuelan Workers' Confederation (CTV) concerned the murders of five trade union officials and delegates from the construction sector, as well as those of more than 200 workers and union officials from the same sector by contract killers, as well as the criminalization of the protest movement and the persistent refusal of the public authorities to bargain collectively. The Committee once again requested the complainant organization to provide the Government without delay with a list of the 200 individuals murdered by contract killers and to describe those murders so that the Government could undertake the appropriate investigations without delay. As to the allegations regarding the boycotting charges, the Committee requested the Government to have the criminal proceedings against those trade union officials dropped, to ensure their release without delay and to amend the relevant legislative provisions.
- 248.** *An Employer member of the Committee*, speaking on behalf of the Employer spokesperson, recalled that the Committee had examined a significant number of cases and that over half

of the 35 cases listed were new, one of which (Case No. 2740, concerning Iraq) had been submitted by an employers' organization. The Employers noted with satisfaction the spirit of cooperation in which the Worker and Government members of the Committee had carried out their work, and observed that, while understanding the need for fiscal tightening and priority setting, the Committee was faced with an increasing workload. He recalled that, ideally, working papers should be received a month before sittings. To avoid any additional delays, the Employer members urged the Government to respond as quickly as possible to Office requests, and urged employers to cooperate with governments when the latter requested a response from an employers' organization. The Employers had taken part in a special sitting of the Committee to discuss its working methods. Those special sittings were important because they provided members with an opportunity to discuss procedure and substantive matters away from the details of a particular case or set of cases. Issues such as the visibility of the Committee and the frequency of its meetings were addressed, and the Governing Body could rest assured that the Employer members of the Committee were working with the Committee and the Office to improve working methods within the framework of the established norms of conduct.

- 249.** The Employer members had also raised a number of issues of procedure and were in favour, for example, of the early publication of the next edition of the *Digest of decisions and principles of the Freedom of Association Committee* of the Governing Body of the ILO in order that the principles recently established by the Committee could be communicated, not only to the members of the Governing Body, but also to governments and the wider world of work.
- 250.** Turning to issues of a substantive nature, he referred to the principle of exhausting national remedies before having recourse to the Committee, the respect required for national legal and judiciary processes, the independence of the employers' organizations and trade unions in conducting their affairs and the management of their property, the internal relationship between freedom of speech and freedom of association and the right of enterprises to undertake restructuring without being in breach of the principles of freedom of association. Thus, Case No. 2739 (Brazil) concerned the status of union security clauses in collective agreements. The discussions which had taken place in 1949 at the time of the adoption of the Right to Organise and Collective Bargaining Convention, 1949 (No. 98), showed that the Convention should not in any way be interpreted as authorizing or prohibiting union security clauses, such issues being a matter of national practice. The issue was an important aspect of freedom of association and the original intention of Convention No. 98 should be respected. In the case concerning Brazil, the Committee had furthermore invited the Government to consider the possibility of ratifying the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), and to keep it informed of national discussions on that matter.
- 251.** Case No. 2704 (Canada) concerned agricultural workers from Ontario and raised the question of whether the legislation of that province conformed to the principles of collective bargaining. The question was before the Supreme Court of Canada, the decision of which was as yet unknown. In its proceedings, the Committee had made it clear that it sought to provide observations that might guide a domestic court and legislators and not to second guess the outcome of a national dispute. The Committee considered that there was a need for machinery capable of promoting and facilitating collective bargaining. The Committee also recognized the voluntary nature of collective bargaining and that appropriate machinery could be adapted to national circumstances, provided the principles recalled in its conclusions were respected.
- 252.** The Committee had examined three cases concerning Colombia, Cases Nos 2644, 2710 and 2730. The Employer members of the Committee noted with satisfaction and interest what appeared to be an improvement in the nature of the Government's replies and the

conclusions reached by the Committee. Unfortunately, the same could not be said for Case No. 2740 (Iraq), regarding which the employers' organization was not in a position to operate effectively owing to what the Committee, in its conclusions, considered to be government interference.

- 253.** The third case (Case No. 2730, Colombia) concerned the restructuring of an enterprise. The Committee had not considered that the dismissal of workers, even trade union officials, as the result of the liquidation of the enterprise on economic grounds constituted a violation of the Convention. The issue was one of some importance for the Employers. The Committee had, however, stressed that any company taking over the enterprise, in the present case a labour cooperative, must fully respect freedom of association and collective bargaining rights.
- 254.** The Employers, as well as other members of the Committee, wished to draw attention to Case No. 2723 (Fiji). That case was serious and urgent and concerned a trade union leader who had been dismissed for having exercised his freedom of speech in support of the Movement for Democracy and its political cause, at a location removed from his workplace. The Committee had concluded that the Government's action constituted a violation of freedom of association which, as the Committee had already pointed out, implied the right to freedom of expression. The Employers urged the Government of Fiji to reinstate the school principal in his position and to offer him compensation.
- 255.** Case No. 2729 (Portugal) raised an issue similar to that highlighted by Case No. 2739 (Brazil), the implementation of Convention No. 98 with regard to non-unionized workers. The Committee considered that non-unionized workers were in a better position to determine which union could best defend their interests, and that that right to choose did not undermine the principle of promoting free and voluntary collective bargaining. The principle was an important one which needed to be reflected in the next edition of the *Digest of decisions and principles of the Freedom of Association Committee* of the Governing Body of the ILO.
- 256.** Case No. 2716 (Philippines) was particularly difficult because it concerned some unusual facts and because a period of seven years had passed before the complainant organization submitted the issue to the Committee. That delay reflected the distortion of national processes which ended in a decision being handed down by the Supreme Court. The case concerned a group of workers in the hospitality sector who had shaved their heads in protest against a deadlock affecting a collective bargaining process. The hotel management considered that the workers had violated the hotel's grooming standards and could be dismissed. The Committee had not commented on the dismissals for non-respect of the standards of the enterprise as those issues were local labour relations or human resources matters. However, the Supreme Court having ruled that the action constituted an illegal strike, the Committee came to the conclusion that a simple expression of discontent demonstrated in a peaceful and legal way could not constitute a violation of Convention No. 98. However, the Committee did not take a position as to whether the dismissals were founded for other reasons and recognized that the decision handed down by the Supreme Court covered that point.
- 257.** The Committee also had before it Case No. 2750 concerning collective bargaining in France, but had decided to postpone that case to its next session pending receipt of additional information from the Government.
- 258.** Finally, the Committee had before it four cases concerning the Bolivarian Republic of Venezuela, in each of which the Committee had found that the Government had failed to meet its obligations under Conventions Nos 87 or 98. Case No. 2727 was particularly serious and urgent. Furthermore, the Employer spokesperson of the Committee,

Mr Anderson, had drawn the Committee's attention to a request made by the International Organisation of Employers (IOE) on the first day that the Committee had met that, owing to new and alarming allegations, Case No. 2254 should be brought back before the Committee at its March session. Those allegations concerned events that occurred on 27 October in Caracas when five armed men kidnapped four officials of the Venezuelan Federation of Chambers of Commerce and Manufacturers' Associations (FEDECAMARAS). The Employer member of the current Governing Body and former President of FEDECAMARAS, Ms Mounios, was seriously injured. Those events appeared to bear witness to a wish to decimate the most representative employers' organization in the Bolivarian Republic of Venezuela and called to mind Case No. 2254, which concerned the harassment of leaders of employers' organizations and the destruction of their premises. The Employer members of the Governing Body expressed their solidarity with FEDECAMARAS and called on the Government of the Bolivarian Republic of Venezuela to take measures to safeguard the lives and security of its citizens and institutions, including free trade unions and employers' organizations and their elected officials and property.

- 259.** *The Worker spokesperson* praised the quality of the Committee's discussion and insisted that he was determined to ensure that any conclusions reached were consensual and effective with regard to the implementation of the principles of freedom of association and the right to collective bargaining. The Workers' group considered that the work of the Committee and the follow-up given to its recommendations should be highlighted. He agreed with the Employers' group on the need to grant the Committee the necessary resources. The possible reform of the functioning of the Committee on Freedom of Association fell within the framework of the debate regarding the reform of the functioning of the Governing Body. The Workers' group stressed that there was a need to maintain the efficiency of the Committee and confidentiality with regard to the processing of complaints, as well as the holding of three sessions a year. He regretted the fact that certain Governments had been somewhat less than prompt in responding to the requests made.
- 260.** He turned to a certain number of serious and urgent cases involving worker victims. Case No. 2318 (Cambodia) concerned the murders of several trade unionists and the Government had provided insufficient information in that regard. The Workers' group was very concerned at the situation of the families of the victims and hoped that the spotlight thrown by the Governing Body on that case would push the international community to encourage the Government to implement the recommendations made.
- 261.** With regard to Case No. 2723 (Fiji), the Workers' group also hoped that the international community would bring pressure to bear on the authorities.
- 262.** As to Case No. 2706 (Panama), an international trade union delegation had visited the area and the extremely serious situation required prompt implementation by the Government of the recommendations made.
- 263.** Case No. 2726 (Argentina) concerned allegations of violence against trade union officials and protestors, and it was to be hoped that the Government would respond promptly to the recommendations made in that regard. That remark could equally be applied to Case No. 2660 which also concerned allegations of kidnapping.
- 264.** Case No. 2727 (Bolivarian Republic of Venezuela) was again before the Committee and the Workers' group stressed that the Government should provide, as the complainant organizations had already done, all the information required. The Government of the Democratic Republic of the Congo had not sent a reply regarding Case No. 2715.

- 265.** In-depth discussions had led to progress in two cases in which questions of principle arose. The first of those cases was Case No. 2704 (Canada), as a part of which it had been recalled that freedom of association could not be dissociated from the effective right to collective bargaining, a right which must be explicit and accompanied by mechanisms for the promotion of collective bargaining. The second case was Case No. 2716 (Philippines), in which a clear distinction had been made between the right to strike and a peaceful and legal collective protest action.
- 266.** The Workers also wished to draw attention to specific issues linked to provisions concerning collective bargaining, which must conform to the principles set out by the Committee regarding freedom of association. Here, he referred in particular to Cases Nos 2739 (Brazil), 2734 (Mexico) and 2729 (Portugal).
- 267.** With regard to Case No. 2620, the Workers invited the Government of the Republic of Korea to register without delay a trade union established to defend the interests of migrant workers and recalled that the question of delayed registration of trade unions and interference by the authorities arose in other cases, such as Case No. 2764 (El Salvador).
- 268.** All too often, the conclusions and recommendations of the Committee on Freedom of Association referred to anti-union discrimination leading in particular to dismissals, as in Cases Nos 2732 (Argentina), 2646 (Brazil), 2737 (Indonesia) and 2594 and 2661 (Peru). The situation was even more serious when there existed allegations of criminal charges or the intervention of police officers against trade unionists exercising their right to strike (Case No. 2742, concerning the Plurinational State of Bolivia and Case No. 2710, concerning Colombia) or when assaults had been carried out, as in Cases Nos 2576 (Panama) and 2648 (Paraguay).
- 269.** In Cases Nos 2730 (Colombia), 2735 (Indonesia) and 2724 (Peru), the Workers had had to recall that the provisions of collective bargaining agreements must be respected. Case No. 2733 (Albania) concerned the right of trade unions to enjoy property. In conclusion, he requested the Governing Body to adopt the recommendations and conclusions of the Committee.
- 270.** *A Government representative of Argentina*, referring to Case No. 2726, recalled that Argentina was a federal State and that the case concerned the Government of the Province of Chubut and UOCRA. It was, therefore particularly difficult to obtain information. She wished, however, to provide information she had received from the government of the province dated 20 October 2010. Firstly, she highlighted that, although the headquarters of the union delegation had been occupied and then later recovered by the trade union, the case had been shelved without the trade union presenting itself as the complainant organization or initiating any procedure. As to the firearm attack on the home of the UOCRA delegate in the town of Comodoro Rivadavia, the complaint had been lodged at the local police station by the delegate's wife and an investigation was being carried out. With regard to the events of 11 November 2009, the province had provided the national Government with an account of the incidents that differed from that contained in the complaint. Criminal charges had been brought and Mr Mateo Suárez had been accused of insubordination, blocking traffic and incitement to commit an offence.
- 271.** In those circumstances, the national Government was obliged to look more closely into the matter in order to provide the Committee with the most objective information possible. She therefore requested that the Government of Argentina should be given until March, the occasion of the next session of the Governing Body, to seek out common ground between the parties and to find a solution.

- 272.** *A Government representative of Panama*, referring to Case No. 2706, highlighted the importance his Government attached to the principle of freedom of association, a right which, in his view, was fundamental to labour relations and played a significant role in the consolidation of the democratic process and social harmony. He recalled that, in that serious case which concerned the murders of three SUNTRACS members, criminal proceedings had been initiated against those individuals suspected of being responsible. Furthermore, acting in a responsible manner, the Government regularly provided information to the ILO on the ongoing processes in order to clarify the situation. As to the murder of Mr Iromi Smith, an appeal against the ruling had been lodged with the Second Chamber of the Supreme Court of Justice. As to the murder of Mr Luiyi Argüelles, the Second High Court of Justice of the Province of Panama had issued a ruling clearing two individuals of any charges. With regard to Mr Oswaldo Lorenzo, the Second High Court of Justice had sentenced Mr Morgan Melchior and Mr Angel Ibarra to 25 years' imprisonment and Mr Ramos Armargo to 20 years' imprisonment. Unfortunately, the ILO had received that information too late in the day for it to have been taken into account when preparing the report of the Committee on Freedom of Association.
- 273.** He highlighted that his Government was not opposed to peaceful demonstrations, which were an established right, but the protest held by SUNTRACS had been anything but peaceful and had affected traffic and order in the town. The national police had therefore intervened and, given the high number of protestors detained (over 200), they had been transferred to the penitentiary centres of La Joya and La Joyita for the duration of the investigations. The detainees had not, however, been put in with the other inmates. The protestors had been detained pending judgement and had had the right to a legal representative.
- 274.** He concluded by stating that a number of the complaints presented by SUNTRACS were unfounded and he stressed that his Government fully respected Convention No. 87.
- 275.** *A Government representative of the Bolivarian Republic of Venezuela*, referring to Case No. 2727, regretted that that case had been classified as extremely serious and urgent, and wished to highlight a number of inconsistencies between the Committee's conclusions and recommendations. In paragraph 123 of the report, the Committee indicated that it had received information from the Government of the Bolivarian Republic of Venezuela concerning that case, which it would examine at its next session. The Government, which had requested the trade union organization to provide without delay detailed information so that it could carry out the corresponding inquiries as soon as possible, was vindicated by paragraph 983 of the report. The Committee on Freedom of Association requested not the Government but the complainant organization to provide a list of the allegations relating to the presumed murders of over 200 workers and trade union leaders of the building sector. The Government was therefore opposed to the Committee on Freedom of Association treating that case as though it were extremely serious and urgent, because it was awaiting examination by the Committee, at the time of its next session, of its most recent responses and it lacked the information which must be provided by the complainant organization.
- 276.** It was impossible for the Government to prepare its own arguments as long as the complainant organization failed to provide that information.
- 277.** Finally, with regard to the regrettable acts of violence against FEDECAMARAS trade union leaders, which were not connected to the case in question but which had been brought up elsewhere, the Government had provided information to the ILO International Labour Standards Department (NORMES), the Office of the Director-General and the secretariat of the Committee on Freedom of Association. He stressed that that statement should be recorded in the minutes of the sitting.

Governing Body decision:

278. *The Governing Body took note of the introduction to the report of the Committee on Freedom of Association, contained in paragraphs 1–123, and adopted the recommendations made in the following paragraphs of the report: 157 (Case No. 2733: Albania); 171 (Case No. 2660: Argentina); 219 (Case No. 2726: Argentina); 241 (Case No. 2732: Argentina); 280 (Case No. 2742: Plurinational State of Bolivia); 288 (Case No. 2646: Brazil); 320 (Case No. 2739: Brazil); 334 (Case No. 2318: Cambodia); 361 (Case No. 2704: Canada); 381 (Case No. 2644: Colombia); 422 (Case No. 2710: Colombia); 446 (Case No. 2730: Colombia); 461 (Case No. 2620: Republic of Korea); 490 (Case No. 2764: El Salvador); 522 (Case No. 2759: Spain); 558 (Case No. 2723: Fiji); 612 (Case No. 2735: Indonesia); 643 (Case No. 2737: Indonesia); 660 (Case No. 2740: Iraq); 700 (Case No. 2734: Mexico); 723 (Case No. 2576: Panama); 764 (Case No. 2706: Panama); 771 (Case No. 2648: Paraguay); 780 (Case No. 2594: Peru); 797 (Case No. 2661: Peru); 826 (Case No. 2724: Peru); 867 (Case No. 2716: Philippines); 892 (Case No. 2729: Portugal); 910 (Case No. 2715: Democratic Republic of the Congo); 933 (Case No. 2422: Bolivarian Republic of Venezuela); 953 (Case No. 2674: Bolivarian Republic of Venezuela); 983 (Case No. 2727: Bolivarian Republic of Venezuela); and 1016 (Case No. 2763: Bolivarian Republic of Venezuela); and adopted the 358th Report of the Committee on Freedom of Association in its entirety. (GB.309/8.)*

Ninth item on the agenda

REPORT OF THE WORKING PARTY ON THE FUNCTIONING OF THE
GOVERNING BODY AND THE INTERNATIONAL LABOUR CONFERENCE
(GB.309/9)

Oral report by the Chairperson

- 279.** *The Chairperson of the Working Party* said that the work achieved had allowed a better understanding of needs and concerns. Further informal debates, in consultative groups without power of decision, would be helpful. The point for decision called on the Office to draw up a roadmap with a timetable for meetings, including an inter-sessional meeting of the Working Party, to allow concrete proposals to be submitted to the 310th Session of the Governing Body.
- 280.** *The Chairperson of the Government group* noted that the report did not mention one aspect that concerned governments: that reports for the Governing Body should be made available in timely fashion. The discussions in the Working Party had demonstrated a commitment to reaching a consensus on improvements to the functioning of the Governing Body and a better understanding of the positions, interests and concerns. The group endorsed the recommendation that a roadmap should be developed for further work. This should be concrete and clearly set out a strategy for arriving at a decision in March 2011. Full involvement by all constituents was critical to success, and the group also supported an inter-sessional Working Party meeting, possible in February 2011. Further consultations would also be helpful, on areas where there was general agreement, and more discussion on implementation was required. The group looked forward to further discussion, conducted by the Chairperson of the Working Party, on the form of the support structure within the Office for the Government group. Lastly, it should not be forgotten that the Working Party's mandate also covered the International Labour Conference.

- 281.** *The Employer Vice-Chairperson* said that his group fully supported the point for decision presented in the report, and was also able to endorse the statement made by the Chairperson of the Government group.
- 282.** *A Government representative of Tunisia*, on behalf of the Africa group, endorsed the Government group's statement. The report of the Chairperson of the Working Party was an excellent summary of the discussions. The Africa group noted with satisfaction that the Chairperson was available to continue guiding discussions and consultations on the Office support structure for governments and other issues for improving the functioning of the Governing Body and the Conference. The group supported the point for decision.
- 283.** *A Government representative of Sudan* endorsed the statements made by his two government colleagues. However, the reforms proposed in the Working Party were procedural and partial and did not go far enough. Sudan believed that it was necessary to examine the constitutional amendments again, as these had been hampering the work of the Governing Body since 1989. The Government wished to reiterate its proposal that personal computers should be used at meetings, replacing printed documents. Other United Nations agencies already worked in this way, altogether a more ecological process. It was important that documents should be available well in advance of meetings. Proposals on administrative reform should be limited in scope, to prevent them impinging on other areas. The Government also believed that attention should be paid to following up on Governing Body decisions. In this area, transparency of procedure was of paramount importance, particularly regarding the work of the Committee on the Application of Conventions and Recommendations, where issues could be politicized. The current system of case selection should be reviewed, and possibly be replaced by a universal periodic review, free from any kind of political interference. Sudan believed that close attention should be given to equitable representation, to ensure respect for full tripartism.
- 284.** *A Government representative of Cuba* expressed satisfaction that the Chairperson of the Working Group was available to continue to direct the Group's debates. He supported the report presented as well as the proposal for a roadmap. However, the roadmap should not reduce the scope of the discussion: it should be possible to take up other points, not included in the roadmap, where necessary. Haste should be avoided if the result was to be a Governing Body fully able to ensure effective follow-up of the Organization's priorities.

Governing Body decision:

- 285.** *The Governing Body requested the Office to draw up a roadmap setting out a timetable for informal thematic consultations, which would allow in-depth discussion, as well as an additional inter-sessional meeting of the Working Party, to allow concrete reform proposals to be submitted to the 310th Session (March 2011) of the Governing Body.* (GB.309/9, paragraph 10.)

Tenth item on the agenda

REPORT OF THE STEERING GROUP ON THE FOLLOW-UP TO THE
DECLARATION ON SOCIAL JUSTICE FOR A FAIR GLOBALIZATION
(GB.309/10)

*Oral report by the Chairperson of the Steering Group,
H.E. Mr A. Jemal, Ambassador of Tunisia and Permanent
Representative of Tunisia to the United Nations in Geneva*

- 286.** *The Employer Vice-Chairperson* applauded the spirit of collaboration that had reigned during the Steering Group's evaluation of the methodology used for the first recurrent

discussion on employment. He agreed with the Office that there should be no single model for all recurrent discussions. He felt that the reports prepared for these discussions should be very concrete and should be made available sufficiently in advance, as should all documentation for the Governing Body. In his opinion, there should be coordination between the recurrent discussions and the General Surveys covering the same subject area. He stressed the importance of the participation of the Bureau for Employers' Activities (ACT/EMP) and the Bureau for Workers' Activities (ACTRAV) in the implementation of the follow-up plan for the 2008 ILO Declaration. He added that the recurrent discussion should be clearly differentiated from a general discussion, not only in respect of the elaboration of the respective reports, but also in the working methods which, in the case of recurrent discussion, should be more interactive and should focus on the particular objective in the Declaration that was under discussion. Lastly, he insisted that the persons responsible for drawing up the reports for the recurrent discussion and for the technical organization of the debates should be present at the meetings of the Steering Group, in order to receive information directly.

287. *The Worker Vice-Chairperson* trusted that the comments made by the Workers' group during the discussion would be taken into account.

Governing Body decision:

288. *The Governing Body noted the actions taken to date by the Office to implement the plan and requested the Office to take into account the guidance provided by the Steering Group on priorities for future action.* (GB.309/10, paragraph 20.)

Eleventh item on the agenda

REPORT OF THE PROGRAMME, FINANCIAL AND ADMINISTRATIVE COMMITTEE
(GB.309/11(REV.))

Financial questions

*Programme and Budget for 2010–11:
Regular budget account and Working Capital Fund*

*Preview of the Programme and Budget
proposals for 2012–13*

Use of the Special Programme Account

Implementation of the revised field structure

Evaluation

(a) Annual evaluation report 2009–10

289. *The Governing Body took note of these sections of the report.* (GB.309/11(Rev.), paragraphs 6–120.)

(b) Independent evaluation of the ILO's DWCP for the United Republic of Tanzania: 2004–10

Governing Body decision:

290. *The Governing Body requested the Director-General to take into consideration the findings and recommendations set out in document GB.309/PFA/5/2, together with the deliberations of the Programme, Financial and Administrative Committee, for continuing support to the United Republic of Tanzania through the ILO's DWCP. (GB.309/11(Rev.), paragraph 138.)*

(c) Independent evaluation of the ILO's DWCP for Kyrgyzstan: 2006–09

Governing Body decision:

291. *The Governing Body requested the Director-General to take into consideration the findings, recommendations and lessons learned set out in document GB.309/PFA/5/3, together with the deliberations of the Committee, for continuing support to Kyrgyzstan through the ILO's DWCP. (GB.309/11(Rev.), paragraph 153.)*

(d) Independent evaluation of the ILO's strategy to extend the coverage of social security

Governing Body decision:

292. *The Governing Body requested the Director-General to take into account the findings and recommendations set out in document GB.309/PFA/5/4, together with the deliberations of the Committee, to reinforce integrated approaches to extend social security. (GB.309/11(Rev.), paragraph 165.)*

(e) Independent external evaluation of the ILO's evaluation function

293. *The Governing Body took note of this section of the report. (GB.309/11(Rev.), paragraphs 166–187.)*

Report of the Building Subcommittee

Governing Body decision:

294. *The Governing Body:*

- (a) approved the comprehensive plan for the renovation of the headquarters building as set down in document GB.309/11(Rev.), subject to the financing being available;*
- (b) authorized the Director-General to commence the first phase of the renovation project immediately at an estimated cost of CHF89.1 million;*
- (c) authorized the use of the Working Capital Fund and/or a loan should this be necessary to complete the first phase of the renovation project; and*

- (d) *noted that the decision to transfer one half of the 2008–09 net premium, amounting to CHF14,869,967, to the Building and Accommodation Fund for the headquarters renovation project is subject to development by the Office, and endorsement by the Governing Body, of a long-term strategy for the financing of future maintenance and renovation of ILO buildings.*

(GB.309/11(Rev.), paragraph 196.)

Report of the Information and Communications Technology Subcommittee

*Financial questions relating to the International Institute for Labour
Studies: Authorization to accept contributions and gifts*

International Training Centre of the ILO, Turin

*Matters relating to the Joint Inspection
Unit (JIU): Reports of the JIU*

- 295. *The Governing Body took note of these sections of the report.*** (GB.309/11(Rev.), paragraphs 198–230.)

Other financial questions

(a) Replacement of elevators

Governing Body decision:

- 296. *The Governing Body decided that the cost of replacing the 16 main elevators in the headquarters building, estimated at CHF4.3 million, would be charged to the Building and Accommodation Fund.*** (GB.309/11(Rev.), paragraph 235.)

*(b) Financial arrangements relating to appointments to be made
with respect to the Seafarers' Identity Documents
Convention (Revised), 2003 (No. 185)*

Governing Body decision:

- 297. *The Governing Body decided that, when making appointments to the Review Group and Special Review Board for Convention No. 185:***

- (a) an honorarium at the rate of US\$310 per day be paid to each member of the Review Group and Special Review Board;*
- (b) the total cost in 2010–11, estimated at US\$52,000, be financed in the first instance from savings in Part I of the budget or, failing that, through Part II, on the understanding that, should this subsequently prove impossible, the Director-General would propose alternative methods of financing at a later stage in the biennium.*

(GB.309/11(Rev.), paragraph 238.)

*Personnel questions**Statement by the Staff Union representative***298. *The Governing Body took note of this section of the report.***¹*Report of the International Civil Service Commission***Governing Body decision:****299. *The Governing Body:***

(a) *accepted the recommendations of the ICSC, subject to their approval by the United Nations General Assembly, on the following entitlements:*

(i) *an increase of 1.37 per cent in the base/floor salary and consequent increases in separation payments, for staff in the Professional and higher categories;*

(ii) *revised levels of children's (US\$2,929), disabled children's (US\$5,858) and secondary dependants' (US\$1,025) allowances, as described in paragraph 5 of document GB.309/PFA/13;*

(b) *authorized the Director-General to give effect in the ILO, through amendments to the Staff Regulations, to the measures referred to in subparagraph (a), subject to their approval by the General Assembly.*

(GB.309/11(Rev.), paragraph 252.)

300. *A Government representative of Tunisia, speaking on behalf of the Africa group, explained that while understanding the reasons for the budgetary cuts and the economy measures, the resources given over to the ILO were among the best ways of dealing with the crisis by creating employment and putting in place an environment favourable to sustainable economic growth. The challenges posed by globalization required strengthened solidarity, and the establishment of programmes for African States depended on the generosity of donor countries. In this connection, the speaker welcomed the meeting organized in Addis Ababa in September 2010, at the invitation of the Director-General, which concentrated particularly on the Programme and Budget for 2012–13 and on the principal lines of ILO programmes.*

301. *Sufficient resources had to be allocated to answer to the many decent work needs of the region. The Africa group was deeply concerned at the reduction in technical cooperation resources for Africa and urged that everything should be done to ensure that the financial restrictions did not diminish the ILO's actual capacities. Finally, the group once again highlighted the under-representation of Africa in the staff of the Organization and requested that efforts should be made to remedy this persistent situation.*

¹ The Director-General's reply to the issues raised by the Staff Union of the ILO and the Governing Body's comments in this connection are contained in Appendix I to these minutes.

*Amendments to the Staff Regulations***Governing Body decision:**

- 302.** *The Governing Body approved the amendment to article 11.15 (repatriation grant) of the Staff Regulations contained in paragraph 8 of document GB.309/PFA/14, and confirmed the provision in article 11.14 of the Staff Regulations concerning eligible beneficiaries of the grant on death. (GB.309/11(Rev.), paragraph 257.)*

Matters relating to the Administrative Tribunal of the ILO

Governing Body decision:

- 303.** *The Governing Body decided:*

- (a) to introduce a one-time fee of US\$2,000 for each new organization to be applied prospectively;*
- (b) to introduce a minimum contribution to overhead costs in the amount of US\$1,000 per annum, to be paid by all organizations irrespective of their size, thus superseding subparagraph (c) of paragraph 30 of the decision taken by the 274th Session of the Governing Body; and*
- (c) to request all organizations concerned to make payment of their contribution to remaining overhead costs in two instalments, the first consisting of the lesser of 80 per cent of the amount paid in the previous year, or US\$1,000, to be paid at the beginning of the year, and the second covering the remaining shares of actual overhead costs, at the end of the year.*

(GB.309/11(Rev.), paragraph 261.)

Twelfth item on the agenda

REPORTS OF THE COMMITTEE ON LEGAL ISSUES AND
INTERNATIONAL LABOUR STANDARDS

First report: Legal issues
(GB.309/12/1(Rev.))

*Measures relating to the representation of Employers and Workers
at the International Labour Conference: Addressing tripartite
imbalance within delegations*

Governing Body decision:

- 304.** *The Governing Body requested the Office to:*

- (a) review and, as appropriate, revise the information concerning the composition of Conference delegations relevant to the question of tripartite imbalance in delegations, which is provided with the letter of convocation of the Conference;*

- (b) *bring the content of the debate on this question in the Governing Body to the attention of the Credentials Committee of the Conference; and*
- (c) *submit a new document, taking into account the discussion in the Committee and any relevant developments and findings, for review by the LILS Committee at the 312th Session (November 2011) of the Governing Body.*

(GB.309/12/1(Rev.), paragraph 11.)

*Constitution of the International Labour Organization:
Proposals to introduce inclusive language for the
purpose of promoting gender equality*

Governing Body decision:

- 305.** *The Governing Body requested the Office to prepare revised texts of a draft resolution of the International Labour Conference and an editor's note, taking account of the discussion in the LILS Committee, for submission to the Committee at the 310th Session of the Governing Body (March 2011).*
(GB.309/12/1(Rev.), paragraph 27.)

Second report: International labour standards and human rights
(GB.309/12/2(Rev.))

- 306.** *A Government representative of Sudan recalled that international labour standards were the fruit of tripartite dialogue, and that the aim of supervisory activities was now to ensure application of these instruments in the countries. Rather than concentrating on routine matters, it would be better to look for results and promote respect of standards by providing technical assistance to the countries that needed it.*

Improvements in the standards-related activities of the ILO

Governing Body decision:

307. The Governing Body:

- (a) *invited the Office to prepare a paper for submission to the 310th Session (March 2011) of the Governing Body containing further details on the implementation of the standards policy component of the standards strategy, including draft terms of reference of a possible standards review mechanism; and*
- (b) *approved the Action Plan (2011–16) to improve conditions of work of fishers through widespread ratification and effective implementation of the Work in Fishing Convention, 2007 (No. 188), and the effect given to the Work in Fishing Recommendation, 2007 (No. 199), as revised in light of the discussion, and contained in the appendix to document GB.309/12/2(Rev.).*

(GB.309/12/2(Rev.), paragraph 33.)

*General status report on ILO action concerning
discrimination in employment and occupation*

308. *The Governing Body took note of this section of the report.* (GB.309/12/2(Rev.), paragraphs 34–40.)

309. *A Government representative of Tunisia*, speaking on behalf of the Africa group, recalled that ILO standards were very well respected in African countries. The aim of the standards policy and supervisory mechanisms was to encourage respect for labour law in member States, improve working conditions and promote social dialogue. The reason that the Organization had adopted solid, rational governance was to help attain these objectives of improved law and practice. The ILO should therefore seek to improve the choice and consideration of cases to be examined without giving the impression that political motivation guided these choices. He repeated his earlier call for an increase in technical cooperation in order to build capacities of member States, especially of labour ministers and connected organs. In this way the constituents would be encouraged to ratify a greater number of Conventions and to cooperate fully with a view to improving the situation.

Thirteenth item on the agenda

REPORT OF THE SUBCOMMITTEE ON MULTINATIONAL ENTERPRISES
(GB.309/13(Rev.))

Overview of Office activities

*Awareness raising and promotion of the MNE Declaration
through intergovernmental collaboration*

310. *The Governing Body took note of these parts of the report.* (GB.309/13, paragraphs 2–18.)

The 2010 ILC recurrent discussion on employment

Governing Body decision:

311. *The Governing Body:*

- (a) *decided to establish a tripartite ad hoc working group of the Subcommittee, composed of three representatives each from the Workers' and Employers' groups and up to five Government representatives, to meet once prior to the 310th Session of the Governing Body in March 2011 and once prior to the 312th Session of the Governing Body in November 2011 for the purpose of undertaking a review of the follow-up mechanism of the Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy with a view to developing promotional options;*
- (b) *requested the Director-General to modify the Office's workplan to accommodate the costs of the ad hoc working group within existing resources;*
- (c) *requested the Director-General to communicate a summary of the working group's views and recommendations on the promotional options for the*

follow-up mechanism to the Governing Body, through the MNE Subcommittee.

(GB.309/13, paragraph 28.)

Fourteenth item on the agenda

REPORT OF THE COMMITTEE ON EMPLOYMENT AND SOCIAL POLICY
(GB.309/14(Rev.))

312. *A Government representative of Tunisia* delivered a political message from the Africa group. Firstly, he thanked the ILO for the valuable collaboration furnished, in particular, through the ILO Social Security Department (SEC/SOC) and the ILO Regional Office for Africa, in respect of the organization of the Second African Decent Work Symposium on Building a Social Protection Floor with the Global Jobs Pact (Yaoundé, Cameroon, 6–8 October 2010). The holding of this successful Symposium after that held in Ouagadougou, in December 2009, was a demonstration of the firm will of the African countries to provide more effective assistance to the population, as well as of the ILO's determination to ensure that the Decent Work Agenda should be implemented effectively in Africa. The Symposium had concluded with the adoption of a Tripartite Declaration on the implementation of the Social Protection Floor in Africa. The speaker affirmed that the African countries recognized the State's primary responsibility in promoting, improving and broadening social security coverage, but were aware that globalization today limited the State's capacity to finance social protection systems. For this reason the Africa group urged the ILO to consider the possibility of creating a mechanism aimed at helping the countries to construct a national social protection floor. To this end, the ILO should provide them with technical assistance, promote social dialogue at the moment of implementing the said mechanism, and contribute to building the social security institutions' capacity to design, establish and administer national social security systems. Through its technical cooperation programme, and in collaboration with governments and the social partners, the ILO should provide support in the following fields: elaborating and, where appropriate, adapting social security systems according to the evolving social, demographic and economic contexts; improving and increasing the coverage of social security; formulating and implementing new strategies to shift from the informal to the formal sector of the economy; improving the governance, financing and administration of social security systems; and training to allow the social partners to take part in elaborating appropriate policies and fulfil their role in joint or tripartite steering bodies in the social security institutions. The ILO should be the protagonist in the field of social security and the speaker postulated the drawing up of an action plan based on the Yaoundé Declaration. The Africa group intended to propose that this question should be placed on the agenda of the 2012 International Labour Conference.

313. *A Government representative of Panama* reviewed the positive changes that had been introduced in her country, in line with the Global Jobs Pact, with a view to encouraging decent work and promoting a favourable macroeconomic environment, on the basis of sustainable and balanced growth. She mentioned in particular: the fixing of a historic new minimum wage and the decision of the National Minimum Wage Council to meet monthly, so as to maintain permanent social dialogue; progress made in implementing the Labour Market Insertion Support Programme; the strengthening of the public employment service programme, under which the final touches were being put to a database for the use of enterprises containing the work profiles of the active labour force; the Beca Universal programme for young students; the new impulse given to combating child labour through the Committee for the Eradication of Child Labour and the Protection of Female

Adolescents; the development of the “My First Job” training programme, which had fixed itself a goal of training 125,000 young workers before 2014.

- 314.** The speaker referred to Act No. 30 of 2010. The text of this Act had been drawn up on the basis of interpretations of recommendations made by the Committee on the Application of Standards in respect of Case No. 1931, concerning the complaint submitted by the Employer representatives of Panama for non-observance of freedom of association, requesting the derogation of article 493 of the Labour Code of Panama, which imposed immediate closure of an enterprise in the event of a strike being declared. The promulgation of Act No. 30 answered this concern. However, some trade union leaders judged that Act No. 30 in fact eliminated trade union rights and, in disruption of constitutional order, they provoked serious public disorder in the most distant and impoverished area of the country, Changuinola, in Bocas del Toro Province, which had resulted in a regrettable death and injury toll. The Government of Panama then called for national dialogue, which culminated in the derogation of Act No. 30 and in the promulgation of six Acts in different areas. One of these, Act No. 68 of 2010, took account of the recommendations made by the Committee on Freedom of Association in respect of Case No. 1931.
- 315.** The Government of Panama, wishing to strengthen worker–employer relations, had presented to the Office an initiative which aimed at establishing a permanent body for social dialogue. With this in view, it had undertaken to examine the possibility of setting up a Higher Labour Council, of which the primary objective would be to promote dialogue and social harmony, with ILO support. She said that the Government foresaw the establishment of an international training centre in the City of Knowledge, which would be specialized in maritime themes and would be regulated by a law prohibiting the possibility of striking, as there were activities which could not be interrupted. Finally, the speaker recalled that the ratification by Panama of the Maritime Labour Convention, 2006 (MLC, 2006), meant that one of the conditions for the entry into force of that instrument had been met.
- 316.** *The Worker Vice-Chairperson* declared his disagreement with the statement made by the Government representative of Panama, in anticipation of the discussion of the report of the Committee on Freedom of Association, which must make reference to the assassinations of trade unionists in the country.
- 317.** *The Government representative of Panama* regretted the position adopted by the Worker Vice-Chairperson. She admitted that archaic legislation still existed in her country, which regrettably did not respect the right to strike, but she affirmed that Panama respected trade unionists.
- 318.** *The Governing Body took note of the report.*

Fifteenth item on the agenda

REPORT OF THE COMMITTEE ON SECTORAL AND
TECHNICAL MEETINGS AND RELATED ISSUES
(GB.309/15(Rev.))

The sectoral dimension of the ILO's work

*Update of sectoral aspects regarding the global economic
downturn: Public administration*

- 319.** *The Governing Body took note of this part of the report.* (GB.309/15(Rev.), paragraphs 6–22.)

*Review of sectoral initiatives on HIV and AIDS***Governing Body decision:**

- 320. *The Governing Body authorized the publication of the Joint ILO–WHO policy guidelines on improving health workers’ access to HIV and TB prevention, treatment, care and support services, and the WHO–ILO Global Framework for National Occupational Health Programmes for Health Workers as joint ILO–WHO publications.*** (GB.309/15(Rev.), paragraph 34.)

Effect to be given to the recommendations of sectoral and technical meetings

*Tripartite Meeting of Experts to Adopt Port State Control Guidelines for Implementation of the Work in Fishing Convention, 2007 (No. 188)
(Geneva, 15–19 February 2010)*

*Upskilling out of the downturn: Global Dialogue Forum on Strategies for Sectoral Training and Employment Security
(Geneva, 29–30 March 2010)*

Governing Body decision:

- 321. *The Governing Body:***

- (a) *authorized the Director-General to publish the Guidelines for port State control officers carrying out inspections under the Work in Fishing Convention, 2007 (No. 188), and to promote them together with Convention No. 188;*
- (b) *authorized the Director-General to communicate the final report of the Global Dialogue Forum on Strategies for Sectoral Training and Employment Security to governments, requesting them to communicate the text to the employers’ and workers’ organizations concerned; and to the international employers’ and workers’ organizations and other international organizations concerned;*
- (c) *requested the Director-General, when drawing up proposals for future work of the Office, to bear in mind the recommendations of the Meeting of Experts as set out in paragraph 5 of GB.309/STM/2, and the recommendations made by the Global Dialogue Forum, as set out in paragraph 9 of the same document.*

(GB.309/15(Rev.), paragraph 38.)

Maritime and transport

Proposal for the convening of the Subcommittee on Wages of Seafarers of the Joint Maritime Commission

Governing Body decision:

- 322. *The Governing Body approved the convening of the Subcommittee on Wages of Seafarers of the Joint Maritime Commission, in mid-2011, at no cost to the Office.*** (GB.309/15(Rev.), paragraph 44.)

Progress report on work on the Safety recommendations for decked fishing vessels of less than 12 metres in length and undecked fishing vessels

Governing Body decision:

- 323. *The Governing Body approved the publication by the International Maritime Organization (IMO) of the Safety recommendations for decked fishing vessels of less than 12 metres in length and undecked fishing vessels as a joint FAO–ILO–IMO publication.*** (GB.309/15(Rev.), paragraph 48.)

Other questions

Sectoral activities 2010–11

- 324. *The Governing Body approved:***

- (a) *a change in the title of the “Global Technical Workshop” to “Global Dialogue Forum on Safety in the Supply Chain in Relation to Packing of Containers”;*
- (b) *that one additional Worker and one additional Employer participant, selected after consultations with their respective groups, be invited to attend the Global Dialogue Forum on New Developments and Challenges in the Hospitality and Tourism Sector and their Impact on Employment, Human Resources Development and Industrial Relations.*

(GB.309/15(Rev.), paragraph 55.)

Developments with respect to the issue of medical supplies for seafarers

- 325. *The Governing Body took note of this section of the report.*** (GB.309/15(Rev.), paragraphs 56 and 57.)

Sixteenth item on the agenda

REPORT OF THE COMMITTEE ON TECHNICAL COOPERATION
(GB.309/16)

Capacity development for ILO tripartite constituents

Governing Body decision:

- 326. *The Governing Body:***

- (a) *requested the Office to take concrete and specific actions to ensure that results-based capacity-development measures for the tripartite constituents were mainstreamed into technical cooperation programmes and projects, within the framework of the outcome-based work-planning process, and to ensure adequate support for such measures. Such actions should be reported to this Committee for consideration and debate;*

- (b) *encouraged ILO constituents to engage fully in a results-based approach to capacity development to ensure ownership, impact and sustainability. In the case of the social partners, such capacity-development programmes should be developed under the guidance of ACT/EMP and ACTRAV;*
- (c) *requested the Office to highlight to donors and potential donors the value of supporting the strategic role of the tripartite constituents and providing funding for capacity-development measures, including for core institutional capacity, aligned with the ILO's outcome-based work-planning process;*
- (d) *requested the Office, in cooperation with the International Training Centre of the ILO in Turin, to develop operational capacity-building strategies for constituents through technical cooperation, in relation to the principles set out in the 2008 ILO Declaration on Social Justice for a Fair Globalization, and in line with the current programme and budget and with the next one, which will be submitted to the Governing Body at its March 2011 session.*

(GB.309/16, paragraph 32.)

*ILO technical cooperation and Decent Work Country
Programmes, 2008–09*

327. The Governing Body took note of this section of the report. (GB.309/16, paragraphs 33–57.)

*Follow-up to the ILO Declaration on Fundamental Principles
and Rights at Work: Technical cooperation priorities and
action plans regarding abolition of child labour*

328. The Governing Body:

- (a) *re-endorsed the 2006 Global Action Plan, summarized in paragraph 11 of document GB.309/TC/3;*
- (b) *endorsed the 2010 Global Action Plan contained in paragraphs 21–28 of document GB.309/TC/3, taking into account the Roadmap adopted by the Hague Conference;*
- (c) *reconfirmed its commitment to the elimination of child labour as one of the Organization's highest priorities, and the role of the International Programme on the Elimination of Child Labour (IPEC) in supporting efforts to eliminate child labour.*

(GB.309/16, paragraph 76.)

Seventeenth item on the agenda

REPORT OF THE WORKING PARTY ON THE SOCIAL DIMENSION OF GLOBALIZATION
(GB.309/17)

*Oral report by the Chairperson of the Working Party, H.E. Mr A. Jemal,
Ambassador of Tunisia and Permanent Representative of Tunisia
to the United Nations in Geneva*

329. The Governing Body took note of the report.

Eighteenth item on the agenda

REPORT OF THE DIRECTOR-GENERAL
(GB.309/18 and GB.309/18(Add.))

Obituaries

Governing Body decisions:

330. The Governing Body paid tribute to the memory of Ms Shirley Carr, former Worker member of the Governing Body and invited the Director-General to convey its condolences to the President of the Canadian Labour Congress (CLC), and to Ms Carr's family; to the memory of Mr Gibson Sibanda, former Worker member of the Governing Body and invited the Director-General to convey its condolences to the President of the Zimbabwe Congress of Trade Unions (ZCTU), to the Government of Zimbabwe and to Mr Sibanda's family; to the memory of Mr Dietrich Willers, former Government member of the Governing Body, and invited the Director-General to convey its condolences to the Government of Germany and to Mr Willers' family; and to the memory of Mr Charles Gray, and invited the Director-General to convey its condolences to the President of the AFL-CIO and to Mr Gray's family. (GB.309/18, paragraphs 7 and 14, and GB.309/18(Add.), paragraphs 5 and 10.)

*First Supplementary Report: Appointment of the Executive Director of the
Standards and Fundamental Principles and Rights at Work Sector
(GB.309/18/1)*

331. The Governing Body noted that, in accordance with the Staff Regulations and after duly consulting the Officers of the Governing Body, the Director-General has appointed Mr Guy Ryder as Executive Director of the Standards and Fundamental Principles and Rights at Work Sector, at the Deputy Director-General level, with effect from 1 September 2010. Mr Ryder made and signed the prescribed declaration of loyalty before the Governing Body in public session, as stipulated under article 1.4(b) of the Staff Regulations of the ILO. (GB.309/18/1.)

*Second Supplementary Report: Measuring decent work
(GB.309/18/2)*

332. The representative of the Director-General introduced the report, which provided an update on the establishment of a methodology to assess progress in the application of

fundamental principles and rights at work, which constituted an important aspect of the effort to improve the measurement of decent work.

- 333.** A detailed working paper could not be completed on time but would be shortly uploaded to the website in due course. This would be available for the Tripartite Meeting of Experts which the paper proposed as a next step in the work, in paragraph 24.
- 334.** The final product of the process would be a coding spreadsheet providing information on freedom of association and collective bargaining at the national level, and was a simple method of extracting information published in ILO supervisory system reports, enabling constituents to see at a glance where there were gaps and if they were narrowing.
- 335.** *The Employer Vice-Chairperson* said that his group found this to be a subject of significance and deserving of careful thought. The issue of coding was a delicate question that had already been discussed. Much work had been done to arrive at the pilot project and the group felt that it was important to review the working paper to which the representative of the Director-General had referred, to have a full grasp of the information. Moreover, before taking a decision on a meeting of experts, an evaluation should be carried out with ACT/EMP and ACTRAV participation and a report thereon should be submitted to the March 2011 session of the Governing Body.
- 336.** *The Worker Vice-Chairperson* welcomed the progress made. Major issues had been addressed and indicators based on textual documents and findings of the supervisory bodies were reliable and evidence-based. He welcomed the fact that the indicators measured complaints in the law and in practice, allowing the Office to better target technical assistance to member States. The large number of evaluation criteria showed that the ILO had high-quality indicators and that the work was worth the effort. The ultimate test of any methodology was practical application, and the Office should now provide findings of the pilot and which methodology was used. He asked if the methodology had been tested in a substantial number of countries and if the pilot studies could be made available in order to assess the need for a further tripartite meeting. Rather than hold another meeting of experts, the Office should speed up the process of delivering results, providing as many country profiles as possible. Information on the general progress made in measuring decent work should also be provided. Finally, he inquired how many country profiles had been produced to date and if the decent work indicators had been produced in table format for each report, and how many states were producing profiles, if the timetable for covering more states was available and if sufficient resources were allocated to do this work on a continuous basis.
- 337.** *A Government representative of Australia*, speaking on behalf of ASPAG, welcomed the work and was pleased that the methodology provided further support to countries in monitoring progress and identifying gaps. He noted that the work was not a substitute for the supervisory mechanism and would not lead to duplication. The development of indicators should aim at facilitating member States to voluntarily track the progress of decent work without additional reporting burdens or obligations, while taking into account the effectiveness of the ILO at country level. The lack of information on the evaluation criteria and the lack of clear explanation of the coding mechanism was regrettable. Four issues required clarification: the key evaluation criteria and how they were selected; how the coding system worked; how the Office would apply the methodology; and how the outcome of the progress report on decent work would be used.
- 338.** *A Government representative of Benin* stated the importance of decent work to his country, where significant actions were being taken. Promotion of social dialogue was a reality in Benin and social protection was even extended to the informal sector. The combat against child labour had seen children progressively withdrawn from dangerous work and the

capacity of the social partners had been increased to promote the creation of productive and sustainable jobs through policy reduction policies.

- 339.** *A Government representative of China* endorsed the ASPAG statement. He emphasized that the exercise should not add a reporting burden on member States and should not overlap with the current mechanism. He was also concerned by the number of criteria that had been developed. The methodology ran the risk of becoming unmanageable if similar numbers of criteria were developed for the other three categories of core Conventions.
- 340.** *A Government representative of India* endorsed the ASPAG statement and appreciated the work done by the Office. Given the diverse socio-economic conditions around the world, an in-built system was required to measure progress against country-specific conditions. The ILO Declaration on Social Justice for a Fair Globalization gave importance to national priorities in the implementation of the Decent Work Agenda. Indicators should be adapted to countries' circumstances and priorities, as proposed by the Tripartite Meeting of Experts on the Measurement of Decent Work (Geneva, 8–10 September 2008).
- 341.** He reiterated India's stand on ratification of core Conventions. Complaints to the Committee on Freedom of Association should not be used as indicators for measuring decent work. Such information had to be seen in conjunction with the legal and institutional mechanisms at national level. He appreciated the objectives of the methodology but had reservations on the parameters. Developing suitable indicators was a challenge for developing countries and indicators had to be flexible in terms of availability of data and its usefulness. More information on the 168 indicators being used should be provided, including the weight given to each and the methodology for securing data. A practical approach was preferable, without a strict timeline, beginning by enhancing the infrastructure and competence for data collection at national level. The Government was making continuous efforts to prepare useful DWCPs.
- 342.** *A Government representative of Australia* endorsed with ASPAG statement and recalled that Australia had identified the work as positive and significant. Reports should concentrate more on the synergies anticipated between the work and other Office work. Broader thinking was required regarding the variety of uses that could be made of the indicators. Further information would be welcome from the Office on the value it hoped to extract from the measurement of decent work in the context of the core goals of the Organization, and how this work could improve the realization of decent work for all, linked to the outcomes and programmes being pursued under the Strategic Policy Framework and the programme and budget. The measurement of decent work could potentially add great value to the ILO's field work. Synergies should exist in work under way to develop indicators of the performance of field offices. Identifying the contribution made by ILO field projects to enhance decent work became possible with a strong data set. Making these linkages would also enhance the quality of evaluations made at field level. The measurement of decent work could potentially play a promotional role enabling constituents to track progress against goals.
- 343.** *A Government representative of Mexico* considered that the methodology used in the pilot project in 2009 was in phase with the work of the Committee of Experts and with the supervisory mechanisms of the ILO. She believed that the project did not replace the mechanism established for the follow-up to the Declaration on Fundamental Principles and Rights at Work. There was no need for duplication or reduction of this work nor for the introduction of an additional supervisory mechanism. However, she thought it would be appropriate to await further information on evaluation criteria and on the methodology applied.

344. *A Government representative of Canada* thanked the Office for the paper and hoped to receive more practical information on the results of the pilot project. Canada noted that this initiative was not intended to replace established supervisory mechanisms or establish a new mechanism. A number of constituents had expressed preference for a minimal number of criteria and she was concerned that as many as 168 criteria had been developed, applying only to Conventions Nos 87 and 98.
345. *The representative of the Director-General* said that it was important to distinguish between the present paper and the profiles, which covered all four pillars of decent work and endeavoured to provide both statistical and legal framework information. Three had been produced to date with ten more in the pipeline. Governments were not being asked to do additional reporting; existing reports would be used. These were consistent and would be used to extract the required information. The 168 criteria were simple and made assessment easy. Fewer criteria resulted in generalization and difficulty in tracing back the source of the information. The mechanism was efficient and cost-effective. It was regrettable that a full report could not be provided to the meeting. The proposal to hold an experts meeting was made to allow detailed examination of the information and the report. The main objective was to produce information that constituents could use to assess their performance and identify gaps. The information fed into the follow-up to the ILO Declaration on Social Justice for a Fair Globalization and would also feed into the proposals for the new knowledge-management system. The base criteria came from detailed examination of the recurring texts in the ILO's supervisory bodies' work and essentially followed the way in which those bodies broke down principles and rights. The work was pioneering and had the potential to strengthen the Organization, both in terms of enabling countries to be able to use the information as an advocacy mechanism and as an evaluation foundation.

Governing Body decision:

346. ***The Governing Body took note of the progress report; it requested the Office to organize further consultations on the methodology and results of the pilot project on measuring progress towards the application of fundamental principles and rights at work, and to provide a further report to be submitted to the 310th Session (March 2011) of the Governing Body.*** (GB.309/18/2.)

*Third Supplementary Report: Promotion of the ratification
of the 1986 Instrument of Amendment of the Constitution
of the International Labour Organization*
(GB.309/18/3)

347. *The Chairperson* informed the Governing Body that, by means of a *note verbale* dated 15 November 2010, the Kingdom of Morocco had communicated to the ILO the Council of Ministers' decision to ratify the Instrument of Amendment of the Constitution of the International Labour Organization, 1986. This brought the number of ratifications and acceptances to 95. The Chairperson recalled that for the Instrument of Amendment to enter into force, 122 ratifications or acceptances were required, including five by the ten Members of chief industrial importance.
348. *The Worker Vice-Chairperson* approved the point for decision and urged the governments of the member States concerned to act without delay.
349. *The Employer Vice-Chairperson* supported the statement made by the Worker Vice-Chairperson and requested the Office to provide the Governing Body, in March 2011, with information regarding obstacles encountered by governments regarding this Instrument of Amendment.

350. *A Government representative of Tunisia* again expressed the gratitude of the Africa group for the support given to its request to renew the ratification campaign for the 1986 Instrument of Amendment. He urged the ILO and in particular the Department of Communication and Public Information (DCOMM), to multiply efforts to renew and widen this campaign. The speaker argued that to provide for equitable representation of the constituents within the Governing Body was part of the aspiration for equality and transparency that constituted a value of the ILO. The group regretted however that the Governing Body decision, which was adopted in March 2009, had been implemented in a tardy and limited manner. The group applauded the decision adopted by the Kingdom of Morocco in this connection, and called again on the States Members from which ratification was required to enable the Instrument of Amendment to come into force. Finally, he announced that the Africa group would give the secretariat a modification to the text of the point for decision in paragraph 7 of the Office document.
351. *A Government representative of Kenya* thanked the Office for its constant efforts to promote ratification of the 1986 Instrument of Amendment. He applauded the 95 States Members, including India and Italy, which had ratified it and urged the other member States to do likewise. He called on the ILO to promote the ratification campaign more strongly.
352. *A Government representative of Nigeria* endorsed the statement made on behalf of the Africa group and felt that the ratification process of the 1986 Instrument of Amendment was discouragingly slow, given its importance in maintaining equity and transparency. He urged member States to respond favourably to the ratification campaign. He supported the point for decision and called on the ILO not to delay its efforts to encourage ratification.
353. *A Government representative of Egypt* endorsed the statement made on behalf of the Africa group. He thanked the Office for the document submitted on a subject as important as the equity and transparency of the Governing Body, an organ on which the African countries were insufficiently represented. He called on the Office to encourage member States to ratify the 1986 Instrument of Amendment.
354. *The Chairperson* read out the text of the amendment, composed of three paragraphs, proposed by the Africa group in respect of the point for decision. The main modification was to request that the Office, in particular through the DCOMM, to widen and diversify its action with regard to the ratification of the 1986 Instrument of Amendment. The Chairperson added that the text of the amendment submitted was legally acceptable in its form and its substance.
355. *The Employer Vice-Chairperson* supported the amendment submitted.
356. *A Worker member* supported the Employer Vice-Chairperson's statement with regard to the adoption of the report.

Governing Body decision:

357. *The Governing Body:*

(a) took note of the report in document GB.309/18/3;

(b) reiterated its request to the Office to widen and diversify its action, in particular through the Department of Communication and Public Information (DCOMM) of the ILO, with regard to promoting ratification of the 1986 Instrument of Amendment of the Constitution of the International Labour Organization;

- (c) *invited the Director-General to submit periodic reports on the implementation of the present decision.*

(GB.309/18/3, paragraph 7, and amendment of the Africa group.)

Fourth Supplementary Report: Developments in relation to the International Organization for Standardization (ISO)

(GB.309/18/4 and GB.309/18/4(Add.))

- 358.** *The Employer Vice-Chairperson* noted that this was not the first time that the International Organization for Standardization (ISO) had attempted to step into ILO territory on standards and social responsibility. He requested the Office to inform the ISO that it could not agree with its proposal and that it should abstain from adopting the proposed standard.
- 359.** *The Worker Vice-Chairperson* agreed with the Employers that there was no interest in an arrangement with the ISO. The Workers had been willing to work with the ISO on the understanding that the ISO would deal with technical areas of work. But the ISO seemed to have changed its attitude and the Workers had no intention of joining forces with an organization that believed it had a mandate in areas covered by the ILO. There were cases where a number of companies had taken a position where they put ISO standards before ILO standards. The standards were not the same and the Workers could not agree with such a situation.
- 360.** *A Government representative of France* shared the concerns of the social partners. Each organization had a mandate and procedures to ensure respect for that mandate. The ISO offer intruded on the ILO mandate, without offering the same guarantees. He said that the offer should not be taken up, even if, where more technical issues were concerned, there were possibilities for cooperation with the ISO. There were private standards used by some, which took the place of ILO standards and these must be resisted at all costs, with the ILO vigorously promoting its own standards.
- 361.** *A Government representative of India* agreed with the previous speakers that there was no need to follow up on the ISO proposal. He asked if the Office had agreed to a Memorandum of Understanding with the ISO on standards related to social responsibility.
- 362.** *The representative of the Director-General* said that the views of the Governing Body were crystal clear and that the ISO would be informed accordingly. He would establish whether the Memorandum of Understanding previously concluded with the ISO had been discussed by the Governing Body.

Governing Body decision:

- 363.** *The Governing Body, on the basis of the views expressed in the discussion, instructed the Office to inform the International Organization for Standardization (ISO) that the ILO is not in agreement with the ISO's proposed activity in the field of human resource management as it would interfere with the work of the ILO, and that the ISO should abstain from any further action in this field.* (GB.309/18/4 and GB.309/18/4(Add.))

Fifth Supplementary Report: Progress on the Seafarers' Identity Documents Convention (Revised), 2003 (No. 185)
(GB.309/18/5)

Governing Body decision:

364. *The Governing Body requested the Office to:*

- (a) follow up the ideas set out in document GB.309/18/5, with a view to defining concrete proposals or options for implementing Convention No. 185 in a cost-effective way having regard to the different situations of interested ILO Members;*
- (b) report to the Governing Body on the result, if possible at its 310th Session in March 2011; and*
- (c) convey to ISO the ILO's appreciation for the assistance provided to it by ISO, and in particular for the ISO-IEC 24713-3 standard relating to the biometrics-based verification and identification of seafarers.*

(GB.309/18/5, paragraph 16.)

Sixth Supplementary Report: Appointments to be made with respect to the Seafarers' Identity Documents Convention (Revised), 2003 (No. 185)
(GB.309/18/6)

Governing Body decision:

365. *The Governing Body decided to postpone the formal appointment of the members of the Review Group and of the Special Review Board until its 310th Session (March 2011).* (GB.309/18/6, paragraph 4.)

Seventh Supplementary Report: Appointment of a Regional Director
(GB.309/18/7)

366. *The Governing Body noted that, in accordance with the Staff Regulations and after duly consulting the Officers of the Governing Body, the Director-General has appointed Ms Susanne Hoffmann as Regional Director of the Regional Office for Europe and Central Asia, with effect from 1 May 2010.* (GB.309/18/7.)

Eighth Supplementary Report: Chief Internal Auditor position
(GB.309/18/8)

367. *The Governing Body took note of the report.*

Nineteenth item on the agenda

THE INTERNATIONAL INSTITUTE FOR LABOUR STUDIES

Report of the 52nd Session of the Board
(GB.309/19)

368. *The Governing Body took note of the report.*

Twentieth item on the agenda

REPORTS OF THE OFFICERS OF THE GOVERNING BODY

Arrangements for the 15th Asia–Pacific Regional Meeting (GB.309/20/1)

Governing Body decision:

- 369.** *The Governing Body decided, on the recommendation of its Officers, that the 15th Asia–Pacific Regional Meeting would be held in Kyoto, Japan, from Sunday, 10 April to Wednesday, 13 April 2011.* (GB.309/20/1, paragraph 7.)

Arrangements for the 17th American Regional Meeting (Santiago de Chile, 14–17 December 2010) (GB.309/20/2)

Governing Body decision:

- 370.** *The Governing Body, on the recommendation of its Officers, approved the agenda of the 17th American Regional Meeting, which would be to examine, on the basis of the Director-General’s two-volume report, the progress made by the countries of the region towards achieving the objectives established by the Hemispheric Agenda for Decent Work four years ago, and to examine the advances of the hemispheric policies that give priority to promoting good quality employment; and confirmed that arrangements made for the holding of this Regional Meeting set out in document GB.309/20/2, that is, that the Meeting would be held in Santiago de Chile from 14 to 17 December 2010, that the official languages of the Meeting would be English and Spanish and, as for previous American Regional Meetings, and after consultation with the Officers of the Governing Body, the Governments of Portugal and Spain had been invited to be represented as observers at the Meeting and that, in addition to the intergovernmental organizations for which invitations were submitted to the Governing Body at its 308th Session (June 2010), the Secretaria General Iberoamericana (Ibero-American Secretariat) had been invited to be represented at the Meeting as an observer.* (GB.309/20/2, paragraph 7.)

Additional information concerning the situation in *the Bolivarian Republic of Venezuela* (GB.309/20/3)

- 371.** *The Chairperson* said that the document submitted contained additional information concerning the situation in the Bolivarian Republic of Venezuela. He then opened the floor for comments.
- 372.** *A Government representative of the Bolivarian Republic of Venezuela* said that his Government objected to the lack of transparency and objectivity in the way in which the document had been presented. The document referred to an issue that had not been included on the agenda, had been distributed on the day that it had been submitted to the plenary of the Governing Body for decision and contained neither the replies nor the information provided by the Government. He added that the information that had not been attached to the document was in his possession and was available to anyone who wished to read it.

- 373.** The speaker stressed that his Government rejected and investigated any act of violence perpetrated against persons living in his country and therefore noted with regret and condemned what had happened on 27 October 2010 to Ms Albis Muñoz and the leaders of the Venezuelan Federation of Chambers of Commerce and Manufacturers' Associations (FEDECAMARAS). He said that, in a communication dated 9 November 2010, the Government of the Bolivarian Republic of Venezuela had informed the International Labour Standards Department, the secretariat of the Committee on Freedom of Association (CFA) and the Office of the Director-General of the ILO, that the competent state bodies had launched an inquiry into the matter with a view to throwing light on the incident, identifying its perpetrators and bringing them to justice. On 12 November 2010, the Government had again informed the International Labour Standards Department, the Committee on Freedom of Association and the Office of the Director-General of the ILO that two individuals had also been arrested on 10 November 2010 for their direct involvement in the incident, who belonged to a criminal group given over to theft. They had been brought before the courts and justice was taking its course. His Government thus refuted the unfounded suggestion that these acts of violence were linked to the public institutions and high representatives of the Venezuelan State.
- 374.** The Government representative of the Bolivarian Republic of Venezuela was opposed to the establishment of a Commission of Inquiry, given that it had responded to all the requests made by the ILO supervisory bodies, some of which had not been analysed and many of which referred to the allegations contained in the complaint filed in 2004 under article 26 of the ILO Constitution (the same as those contained in Case No. 2254, which was currently before the CFA). The speaker recalled that the Government had accepted two direct contacts missions, in 2002 and 2004, and a high-level technical assistance mission, in 2006, and had cooperated fully with each of those missions. The Government had responded to the invitations made by the Committee on the Application of Standards for nine consecutive years, and had submitted complete and detailed reports on the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), and the Right to Organise and Collective Bargaining Convention, 1949 (No. 98). In its 358th Report, the CFA had stated that, at its next meeting, it would examine the replies sent by the Government regarding Case No. 2254, lodged by the International Organisation of Employers (IOE) and FEDECAMARAS which dealt with the same issues as those referred to in the article 26 complaint. The speaker stated that the use of the complaint mechanism was being reduced to a political strategy to discredit the Government of the Bolivarian Republic of Venezuela, diminishing the supervisory mechanisms of the ILO, and emphatically rejected the proposal contained in paragraph 4 of the Office paper and called for its position to be taken into account by the Governing Body, whose members had not been provided by the Office with all the information necessary to make an objective decision.
- 375.** *A Government representative of China* noted that the Government of the Bolivarian Republic of Venezuela had provided the replies requested by the ILO on issues relating to the freedom of association and was willing to cooperate. He trusted that the ILO would continue to work with the Government to resolve those issues through dialogue and cooperation.
- 376.** *A Government representative of Argentina*, speaking on behalf of the group of Latin American and Caribbean States (GRULAC), regretted that the document, on an issue that had not been included on the agenda, had been distributed on the day on which it had been submitted to the Governing Body. GRULAC advocated transparency and compliance with all the procedures of the ILO supervisory bodies. Referring to the information provided by the Government representative of the Bolivarian Republic of Venezuela in his statement, the speaker said that the Office should have circulated the replies sent by the Government

to allow the Governing Body to reach a decision. Under such circumstances, GRULAC was not in a position to support the point for decision.

- 377.** *A Government representative of El Salvador* said that the parties should be guaranteed transparent and impartial procedures. She noted the statement made by the Government representative of the Bolivarian Republic of Venezuela concerning the replies provided by the Government and the fact that they had not yet been subjected to the serious in-depth examination that was required. She cited paragraph 4 of the *Digest of decisions and principles of the Freedom of Association Committee of the Governing Body of the ILO*, which stated that:

The object of the special procedure on freedom of association is not to blame or punish anyone, but rather to engage in a constructive tripartite dialogue to promote respect for trade union rights in law and practice.

- 378.** She could not support the point for decision because the document, which had been distributed at the last minute, did not contain the necessary information.

- 379.** *A Government representative of Cuba* supported the comments made by the Government representative of the Bolivarian Republic of Venezuela. She stressed the fact that the Government of the Bolivarian Republic of Venezuela had sent abundant information, replies and observations to the ILO supervisory bodies, with regard to progress and results attained in the country and noted that a number of the replies sent by the Government had not yet been examined. She considered that prejudgements should be avoided. The replies and the information submitted by the Government of the Bolivarian Republic of Venezuela should be carefully analysed. The tripartite nature of the ILO, also applied in the decision-making process, must be respected. She believed that the imposition of measures without the consent of the implicated State and without the support of all the groups would deflect the Governing Body from the road of cooperation and respect that should prevail within the ILO. The Government of Cuba was therefore opposed to the introduction of the proposed measures against the Government of the Bolivarian Republic of Venezuela.

- 380.** *A Government representative of the Russian Federation* said that there was insufficient information on which to base a decision. Although he was not acquainted with the information provided in writing by the Government of the Bolivarian Republic of Venezuela, he noted that the representative of that Government was present in the room which, in his view, was proof of willingness to cooperate. He proposed that the examination of the issue should be postponed until March 2011, in order to allow the Government to transmit the information requested of it and to give the members of the Governing Body the time and information necessary to understand the matter.

- 381.** *A Government representative of India* was unable to support the point for decision owing to a lack of information. The Government of the Bolivarian Republic of Venezuela should be given the time necessary to submit all the information, so that the decision could be adopted in a transparent way.

- 382.** *A Government representative of Viet Nam* noted the statement made by the Government representative of the Bolivarian Republic of Venezuela. He felt that the examination of the issue should proceed, based on the replies received, and he regretted that, owing to a lack of information, it would not be possible for him to support the point for decision.

- 383.** *The Employer Vice-Chairperson* clarified that the procedure under which the issue in question had been submitted conformed to the rules established for urgent cases. He referred to the 358th Report of the CFA, which had been adopted by the Governing Body at the current meeting, paragraph 11 of which stated that:

As regards the article 26 complaint against the Government of the Bolivarian Republic of Venezuela, the Committee deeply regrets that the Government has still not given any follow-up to its recommendation made five years ago for a direct contacts mission to the country. ...

- 384.** He said that there was every reason to treat the case as urgent, not only in view of the background to the complaint under article 26 of the ILO Constitution, but also in view of the attacks against FEDECAMARAS (an organization affiliated to the IOE) and against a member of the Governing Body, who was present in the room and still had two of the three bullets that had hit her lodged in her body. He read out the text of the point for decision to make it clear that the proposal was that the decision should be taken in March 2011, once the Government of the Bolivarian Republic of Venezuela had provided the requested information. The Employers' group supported the point for decision because, as had been stated, it related not to the establishment of a Commission of Inquiry, but rather to a request for information.
- 385.** *The Worker Vice-Chairperson* said that, when matters such as the one in question were submitted to the Governing Body, it was not with the aim of determining who was guilty. During the discussion, it had been acknowledged that there was a need to give the Government of the Bolivarian Republic of Venezuela the opportunity to provide clarification regarding certain matters that gave cause for concern. The issue had been legitimately raised by an employers' organization, in accordance with the constitutional procedures and provisions in force. The Government representative of the Bolivarian Republic of Venezuela had an excellent case, which could be presented at the March 2011 meeting. The position adopted by the Officers of the Governing Body should be both respected and accepted.
- 386.** *The Chairperson* confirmed the statements made by his fellow Officers, in so far as the aim was to request information from the Government and to adopt measures on the basis of its reply.
- 387.** *The Government representative of the Bolivarian Republic of Venezuela* reiterated that he had in his possession the two letters that his Government had sent to the competent bodies of the ILO regarding the attack on the leaders of FEDECAMARAS and that those documents had not been distributed to the members of the Governing Body. In June 2010, a real accusation had been levelled against President Chávez to the effect that he would take reprisals against business leaders for the comments they had made at the International Labour Conference. He wished to know whether the Employers' group had proof of any such claims. He asked whether the Officers of the Governing Body were aware that the Government of the Bolivarian Republic of Venezuela had provided information regarding the issue under discussion.
- 388.** *The Chairperson* asked whether, despite the reservations expressed, the Governing Body was willing to adopt the point for decision.
- 389.** *A Government representative of Nigeria* stated that, in the case in question, it was the sacred nature of life itself that was at stake. The constitutional provisions of the ILO should be respected. It would seem that the Government of the Bolivarian Republic of Venezuela had provided information in its reply but that the Governing Body had not had access to those documents. If progress was to be made in the discussion, then perhaps the two issues in question should be separated so that the matter of the armed attack could be examined independently of the case that was currently before the CFA. In that way, the Government could be requested to provide further information on the armed attack and then a decision could be taken as to whether the issue would be submitted for discussion in March 2011.

- 390.** *A Government representative of Cuba* reiterated that his Government, together with other Government representatives, was opposed to the adoption at that time by the Governing Body of the decision proposed in the document.
- 391.** *A Government representative of Argentina* reiterated that the Office should have transmitted the information provided by the Government of the Bolivarian Republic of Venezuela to the Governing Body, as the representative of that Government had said. The speaker wished to know whether the Officers of the Governing Body had been aware of that information.
- 392.** *A Government representative of El Salvador* supported the statement made by GRULAC and objected to the proposal contained in the Office paper.
- 393.** *A Government representative of the Russian Federation* reiterated that his Government could not support the point for decision in its current form. From the statements made by the Government representative of the Bolivarian Republic of Venezuela, it seemed that the Government had sent the information, although the Government delegation of the Russian Federation had not had access to it. Paragraph 4 of the Office paper contradicted that statement and for that reason the Governing Body could not support the point.
- 394.** *The Worker Vice-Chairperson* stressed that the only thing that was being requested of the Government of the Bolivarian Republic of Venezuela was that it should send information to help the Governing Body make appropriate decisions. In doing so, the Government would be complying with the rules governing the functioning of the Governing Body.
- 395.** *The Chairperson* understood that the Worker Vice-Chairperson had not received the reply in question. He asked the Employer Vice-Chairperson whether he had received it.
- 396.** *The Employer Vice-Chairperson* said that he had received a letter, but that the content had not been satisfactory. He explained that the procedure formally initiated by the Officers of the Governing Body would make it possible to hold a comprehensive debate in March 2011, based on any additional information that might be provided to the Director-General in due time. He called for the adoption of the point for decision.
- 397.** *The Government representative of the Bolivarian Republic of Venezuela* confirmed that his Government had received a letter, dated 4 November 2010, and that the Office had received a reply from the Government, dated 9 November 2010, detailing the progress made regarding the inquiry. The Office should have informed not only the Vice-Chairpersons, but also the Chairperson and the members of the Governing Body, of the existence and content of that letter. He said that it was vital to protect the Organization from the aspirations of certain groups or countries which attempted to benefit when decisions were adopted without regard for the sense of responsibility that should prevail within the Governing Body and the supervisory bodies of the ILO. He again asked why the document had not been distributed in the room.
- 398.** *The Chairperson*, summarizing the discussion, announced that the Employers' and Workers' groups were in favour of adopting the decision, while one regional group and one country were against adoption. That meant that there was a clear majority in favour of adopting the decision to request additional information from the Government of the Bolivarian Republic of Venezuela. Therefore, the Governing Body would adopt the decision and would take note of the objections raised, which could also be reflected in the text of the decision.
- 399.** *A Government representative of Argentina* reiterated that GRULAC had raised a point of procedure because it was important to know why the reply received from the Government

of the Bolivarian Republic of Venezuela had not been circulated. She proposed that the Office should draw up an addendum to the document to resolve the issue.

- 400.** *A Government representative of Nigeria* suggested that, in the interest of consensus, the reference to the complaint that was before the CFA should be deleted from the proposal. He understood that information that would shed more light on the issue in question would be made available before March 2011.
- 401.** *The Chairperson* confirmed that any further information provided would be examined in March 2011. In the meantime, the text of the proposed decision would be adopted and reference would be made to any reservations or objections.
- 402.** *The Government representative of the Bolivarian Republic of Venezuela* affirmed that his Government would continue to provide information on all ongoing cases. However, he stressed that the position regarding the recently provided information was unclear. The decisions of the Governing Body were adopted by consensus and, in the present case, the consensus required under paragraph 24 of the Compendium of rules applicable to the Governing Body of the International Labour Office had not been achieved. The speaker proposed that paragraph 4 of the document under discussion should not be adopted.
- 403.** *The Worker Vice-Chairperson* said that paragraph 4 was written in a sufficiently clear manner to allow the Governing Body to continue its examination of the issue in March 2011, with all the elements to hand. He said that the decision should be adopted as it stood, with a reference to the reservations expressed.
- 404.** *The Government representative of the Russian Federation* said that he upheld his position. If the root of the problem lay in the fact that the information necessary for the further examination of the issue in March 2011 could be requested only through the Director-General, then that was all that should be reflected in paragraph 4. However, in his opinion, the current wording of that paragraph went beyond that, prejudging the outcome of a discussion that had not yet taken place.
- 405.** *The Chairperson* invited his fellow Officers to consult with him briefly.

(The sitting was suspended.)

- 406.** On reopening the sitting, *the Chairperson* said that, in accordance with the rules in force, having taken account of the observations and suggestions made and having carried out consultations, the Officers proposed that the text of the decision should read:

However, in light of the short period of time between the decision to include this item on the agenda and the end of the session, the Governing Body may wish to decide to request the Director-General urgently to communicate the letter to the Government of the Bolivarian Republic of Venezuela for further comments, acknowledging the information already received, so the Governing Body can discuss at its 310th Session (March 2011), in the light of the information provided to it, the action that may be considered necessary, including whether the complaint filed initially in 2004 should be referred as a whole to a Commission of Inquiry in accordance with article 26, paragraph 4, of the Constitution.

- 407.** *The Government representative of the Bolivarian Republic of Venezuela* said that he could not accept the prejudging of the outcome of an ongoing inquiry. He opposed the manner in which this matter had been brought before the Governing Body. The Government of the Bolivarian Republic of Venezuela continued to show a positive attitude, and was prepared to supply further information regarding Case No. 2254, at present being examined by the Committee on Freedom of Association, thus complying with its commitment to the ILO.

408. *The Government representative of the Russian Federation* believed that the text that had been read out by the Chairperson was in some ways an improvement on the initial text; however, it still failed to reflect satisfactorily the opinion of his Government. He trusted that the opinion of the Government of the Russian Federation would be clearly reflected in the minutes. Furthermore, he stressed that his delegation was one of the many that had not been consulted during the break in the discussions.

409. *The Government representative of the Bolivarian Republic of Venezuela* wished it to be reflected in the minutes that GRULAC and a number of Government members of the Governing Body had objected to the point for decision in paragraph 4 of the Office paper and to the adoption of this decision without tripartite consensus, in violation of paragraph 24 of the *Compendium of rules applicable to the Governing Body*.

Governing Body decision:

410. *The Governing Body decided, in light of the short period of time between the decision to include this item on the agenda and the end of the session, to request the Director-General urgently to communicate the letter received by the Chairperson of the Governing Body to the Government of the Bolivarian Republic of Venezuela for further comments, acknowledging the information already received, so the Governing Body can discuss at its 310th Session (March 2011), in the light of the information provided to it, the action that may be considered necessary, including whether the complaint filed initially in 2004 should be referred as a whole to a Commission of Inquiry in accordance with article 26, paragraph 4, of the Constitution.* (GB.309/20/3, paragraph 4.)

Twenty-first item on the agenda

COMPOSITION AND AGENDA OF STANDING BODIES AND MEETINGS
(GB.309/21)

*Committee of Experts on the Application of
Conventions and Recommendations*

Reappointments

Governing Body decision:

411. *The Governing Body reappointed, on the recommendation of its Officers, for a period of three years, the following members of the Committee on the Application of Conventions and Recommendations:*

- *Mr Mario Ackerman (Argentina);*
- *Mr Denys Barrow, SC (Belize);*
- *Mr Raymond Ranjeva (Madagascar).*

(GB.309/21, paragraph 1.)

412. *A Government representative of Panama*, with reference to the appointment of a new member of the Committee of Experts on the Application of Conventions and Recommendations, expressed genuine surprise at having learned the evening before of the

candidature of Dr Graciela Dixon for this post. The speaker confirmed that Dr Dixon was a brilliant legal expert and that it was not her capacities that were in question, but the fact that she lacked experience in the labour field, as she herself recognized in her curriculum vitae. The speaker admitted that the candidatures, selection and the responsibility of the experts were matters that were largely internal to the ILO and which fell outside the ambit of governments. However, as there was another Panamanian candidate, it was known that the tripartite constituents were also unaware of Dr Dixon's candidature. On the other hand, the constituents supported the candidature of Dr Rolando Murgas Torrazza, a teacher given over to research, the author of books and essays on labour issues, the current President of the Ibero-American Academy of Labour Law and Social Security, ILO and ECLAC labour consultant and former Minister of Labour and Social Development of Panama. The speaker wished to point out that, to allow a clearer understanding of this issue, the delegation of the Republic of Panama would have preferred that this decision should come before the March 2010 Session, given that the matter had moreover been pending since 2008.

New appointment

Governing Body decision:

- 413. *The Governing Body, on the recommendation of its Officers, appointed Ms Graciela Josefina Dixon Carton (Panama) as a member of the Committee for a period of three years.*** (GB.309/21, paragraph 2.)

*Global Dialogue Forum on Safety in the Supply Chain
in Relation to Packing of Containers
(Geneva, 21–22 February 2011)*

Invitation of intergovernmental organizations

- 414. *The Governing Body noted that its Officers had authorized the Director-General to invite the following intergovernmental organizations to be represented at the Global Dialogue Forum as observers:***

- *Economic Commission for Latin America and the Caribbean (ECLAC);*
- *European Union (EU);*
- *International Maritime Organization (IMO);*
- *Organisation for Economic Co-operation and Development (OECD) International Transport Forum;*
- *United Nations Economic Commission for Africa (ECA);*
- *United Nations Economic Commission for Europe (UNECE);*
- *United Nations Economic and Social Commission for Asia and the Pacific (UNESCAP);*
- *United Nations Economic and Social Commission for Western Asia (UNESCWA);*

- *World Bank;*
- *World Customs Organization (WCO).*

(GB.309/21, paragraph 3.)

Invitation of international non-governmental organizations

Governing Body decision:

415. *The Governing Body, on the recommendation of its Officers, authorized the Director-General to invite the following international non-governmental organizations to be represented at the Global Dialogue Forum as observers:*

- *Global Shippers' Forum;*
- *International Association of Ports and Harbours (IAPH);*
- *International Federation of Freight Forwarders (FIATA);*
- *International Organization for Standardization (ISO);*
- *International Road Transport Union (IRU);*
- *International Safety Panel (ISP) of ICHCA International Limited;*
- *International Shipping Federation;*
- *International Union of Marine Insurance (IUMI);*
- *International Union of Railways (UIC);*
- *World Shipping Council.*

(GB.309/21, paragraph 5.)

*15th Asia–Pacific Regional Meeting
(Kyoto, 10–13 April 2011)*

Invitation of intergovernmental organizations

416. *The Governing Body took note of the invitation of the following intergovernmental organizations that have a standing arrangement of mutual representation with the ILO, to be represented at the Meeting as observers:*

- *Arab Labour Organization (ALO);*
- *Asian Development Bank (ADB);*
- *Asian Productivity Organization (APO);*
- *Association of Southeast Asian Nations (ASEAN);*
- *European Union (EU);*

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- *Food and Agriculture Organization (FAO);*
 - *International Civil Aviation Organization (ICAO);*
 - *International Fund for Agricultural Development (IFAD);*
 - *International Maritime Organization (IMO);*
 - *International Monetary Fund (IMF);*
 - *International Telecommunication Union (ITU);*
 - *League of Arab States;*
 - *United Nations Educational, Scientific and Cultural Organization (UNESCO);*
 - *United Nations Industrial Development Organization (UNIDO);*
 - *United Nations (UN);*
 - *Economic and Social Commission for Asia and the Pacific (ESCAP);*
 - *Inter-Parliamentary Union (IPU)*
 - *Joint United Nations Programme on HIV/AIDS (UNAIDS);*
 - *Office for the Coordination of Humanitarian Affairs (OCHA);*
 - *Office of the High Commissioner for Human Rights (OHCHR);*
 - *United Nations Children’s Fund (UNICEF);*
 - *United Nations Conference on Trade and Development (UNCTAD);*
 - *United Nations Development Programme (UNDP);*
 - *United Nations Disaster Relief Coordinator (UNDRO);*
 - *United Nations Environment Programme (UNEP);*
 - *United Nations Fund for Population Activities (UNFPA);*
 - *United Nations High Commissioner for Refugees (UNHCR);*
 - *United Nations Inter-Agency Project on Human Trafficking in the Greater Mekong Subregion (UNIAP);*
 - *UN Women;*
 - *United Nations Office on Drugs and Crime (UNODC);*
 - *United Nations Office for Project Services (UNOPS);*

- *United Nations University;*
- *United Nations International Strategy for Disaster Reduction (UNISDR);*
- *World Food Programme (WFP);*
- *Universal Postal Union (UPU);*
- *World Bank;*
- *World Health Organization (WHO);*
- *World Intellectual Property Organization (WIPO);*
- *World Tourism Organization.*

417. *The Governing Body noted that its Officers had authorized the Director-General to invite the following intergovernmental organizations and institutions:*

- *Afro–Asian Rural Development Organization (AARDO);*
- *Colombo Plan for Cooperative Economic and Social Development in Asia and the Pacific;*
- *Gulf Cooperation Council;*
- *Islamic Development Bank (IDB);*
- *International Organization for Migration (IOM);*
- *Organization of the Islamic Conference (OIC);*
- *South Asian Association for Regional Cooperation (SAARC);*
- *Southeast Asian Ministers of Education Organization (SEAMEO);*
- *Secretariat of the Pacific Community (SPC);*
- *World Trade Organization (WTO).*

418. *The Governing Body also noted that, following previous practice, the Officers of the Governing Body had also authorized the Director-General to invite the secretariats of the Asia–Pacific Economic Cooperation (APEC) and of the Pacific Island Forum (SPFS). (GB.309/21, paragraphs 6–8.)*

Invitation of international non-governmental organizations

419. *The Governing Body noted that its Officers had authorized the Director-General to invite the following international non-governmental organizations to be represented at the Meeting as observers:*

- *ASEAN Confederation of Employers (ACE);*

- *ASEAN Trade Unions Council (ATUC);*
- *Building and Woodworkers International (BWI);*
- *Confederation of Asia–Pacific Employers (CAPE);*
- *Disabled Peoples’ International (DPI);*
- *Education International (EI);*
- *General Confederation of Trade Unions (GCTU);*
- *General Union of Chambers of Commerce, Industry and Agriculture for Arab Countries;*
- *International Confederation of Arab Trade Unions (ICATU);*
- *International Federation of Chemical, Energy, Mine and General Workers’ Unions (ICEM);*
- *International Federation of Journalists (IFJ);*
- *Institution of Occupational Safety and Health (IOSH);*
- *International Council of Nurses (ICN);*
- *International Social Security Association (ISSA);*
- *International Transport Workers’ Federation (ITF);*
- *International Textile, Garment and Leather Workers’ Federation (ITGLWF);*
- *International Union of Food, Agricultural, Hotel, Restaurant, Catering, Tobacco and Allied Workers’ Association (IUF);*
- *Public Services International (PSI);*
- *South Asian Regional Trade Union Council (SARTUC);*
- *UNI Global Union (UNI);*
- *South Pacific and Oceanic Council of Trade Unions (SPOCTU);*
- *Trade Union Advisory Committee to the Organisation for Economic Co-operation and Development (TUAC–OECD).*

(GB.309/21, paragraph 10.)

*Tripartite Meeting of Experts to Examine the Termination of Employment Convention, 1982 (No. 158), and the Termination of Employment Recommendation, 1982 (No. 166)
(Geneva, 18–21 April 2011)*

Composition

Governing Body decision:

- 420. *The Governing Body, on the recommendation of its Officers, approved the composition proposed for this Meeting, which would be attended by six representatives of Governments nominated after consultation with the Government group, six representatives of Employers nominated after consultation with the Employers' group and six representatives of Workers, nominated after consultation with the Workers' group of the Governing Body.*** (GB.309/21, paragraph 13.)

Agenda

Governing Body decision:

- 421. *The Governing Body, on the recommendation of its Officers, approved the agenda for this Meeting, as follows: to examine the Termination of Employment Convention, 1982 (No. 158), and the Repatriation of Seafarers Convention (Revised), 1987 (No. 166); to identify obstacles to ratification and implementation and other relevant current trends in law and practice. On the basis of the outcome of the Meeting, the Office would prepare proposals to the Governing Body for its consideration.*** (GB.309/21, paragraph 15.)

*Tripartite Meeting of Experts on Working-time Arrangements
(Geneva, 17–21 October 2011)*

Composition

Governing Body decisions:

- 422. *The Governing Body, on the recommendation of its Officers, approved the composition proposed for this Meeting, which would be attended by six experts nominated after consultation with the Governments, six experts nominated after consultation with the Employers' group and six experts nominated after consultation with the Workers' group of the Governing Body. According to the established practice for meetings of experts, this Meeting will be chaired by an independent chairperson.***
- 423. *The Governing Body noted that, in order to obtain the Government nominations, the Director-General intended to approach the Governments of Australia, Brazil, Bulgaria, Germany, Japan and Tunisia. Should any of those Governments prove to be unable to nominate an expert, the Director-General would approach one of the Governments of the following countries: Argentina, France, Hungary, Indonesia, South Africa and Thailand.*** (GB.309/21, paragraph 19.)

Agenda

Governing Body decision:

424. *The Governing Body, on the recommendation of its Officers, approved the agenda for this Meeting, as follows: to review and advise on modern working-time arrangements, which would include identifying the main policy issues that would need to be addressed to develop future ILO guidance for advancing decent work in the area of working time.* (GB.309/21, paragraph 21.)

Invitation of intergovernmental organizations

425. *The Governing Body noted that its Officers had authorized the Director-General to invite the following international intergovernmental organizations to be represented at the Meeting as observers:*

- *European Union (EU);*
- *European Foundation for the Improvement of Living and Working Conditions (Eurofound);*
- *Organisation for Economic Co-operation and Development (OECD);*
- *UN Women;*
- *World Bank;*
- *World Health Organization (WHO).*

(GB.309/21, paragraph 22.)

Information notes

PROGRAMME OF MEETINGS AS APPROVED BY THE OFFICERS OF THE GOVERNING BODY
(GB.309/Inf.1(Rev.))

APPROVED SYMPOSIA, SEMINARS, WORKSHOPS AND SIMILAR MEETINGS
(GB.309/Inf.2)

REQUESTS FROM INTERNATIONAL NON-GOVERNMENTAL ORGANIZATIONS
WISHING TO BE REPRESENTED AT THE 100TH SESSION (2011) OF
THE INTERNATIONAL LABOUR CONFERENCE
(GB.309/Inf.3)

426. *The Governing Body took note of the information presented.*

Appendix I

The Director-General's reply to the issues raised by the Staff Union of the ILO

1. *The Director-General* provided an update on the measures taken to resolve the conflict with the Staff Union. He had initiated a number of steps which could address the immediate situation and help move towards long-term solutions to the underlying issues. The previous week he had received a letter from the Staff Union which informed him of the decisions adopted by the Extraordinary General Assembly of the Staff Union, and a list of demands mandated by it. There was no doubt that the positions taken by the Staff Union and the events at the PFAC reflected matters of considerable importance and of real concern, by virtue of the fact that they had not been resolved, despite the long period of time that they had been in dispute.
2. It was necessary to explore new avenues as a matter of urgency. In a spirit of goodwill, he had proposed that the Union and management agree to have recourse to an external independent mediator. He had informed the Officers of the Governing Body of this approach.
3. As the matters concerned were complex, both sides would benefit from professional expertise. He had also proposed that a tight timeframe be set for the mediation process that would allow a report on progress at the March session. There were issues for which he considered that some solutions could be found and he had expressed them to the Union. The proposals were based on discussions with the Union and he had sent a letter to the Staff Union in which he conveyed his suggestions and which reflected his present statement.
4. The Office had to restore trust and respect between the parties, including in public announcements, in the shortest time possible. Whatever the differences, the Office must safeguard the higher interests of the Organization and its constituents, its stature, dignity and the values which guided it. Management would approach this process in that spirit and he urged the Union to do so as well. He was certain that all shared the will to find the common ground and interests needed to move forward. Copies of the letter were available in the room.
5. *The Worker Vice-Chairperson* stated that his position was that the ILO was the first consideration and that the interests of management and staff should be taken seriously in reviewing the matter. The Workers' group deplored the fact that both sides had allowed differences to fester.
6. He had been asked to help in the matter and had accepted the challenge in good faith. He was proud that the parties had demonstrated a willingness and commitment to put the higher interests of the ILO at the centre of their efforts.
7. The Director-General's letter represented a sound attempt to bring the parties together and the staff would study it in a spirit of goodwill. The first achievement had been to get them to lift the threat of a strike. What he had seen was positive; the staff were, after all, the same people who had given advice around the world on social dialogue and labour relations. His discussions showed that dialogue could be re-established and he was hopeful that the parties would be able to have issues resolved in a manner that would let both sides win and retain the integrity of the Office, the management's role unchallenged and the Union's position as an independent organization recognized and respected.

8. *The Employer Vice-Chairperson* applauded the Director-General's prudence in such a complex situation. He would establish a permanent dialogue with the Worker Vice-Chairperson and be at his disposal to help find a way out. As employers, industrial relations were part of normal life and solutions were all that were of interest. Dialogue was central to the employers' strategy. He thanked the Director-General for providing the information and for making the first step towards the search for a solution.
9. *A Government representative of Tunisia*, speaking on behalf of the Africa group, welcomed the Director-General's intervention and the possible end of the crisis. This demonstrated the spirit of goodwill on all sides and the Director-General's respect for the values of the Organization, and that dialogue had won the day.
10. *A Government representative of France* said that as Chairperson of the Conference he had met with the social partners to keep them informed, but also to report on the atmosphere and the tensions which seemed to him somewhat artificial. He was therefore happy to hear the Director-General's proposal for finding a way out via the high road. It was important to move away from a situation where all parties felt misunderstood and mediation was a good solution. Time was required for tensions to ease and a new start to be made that would be to the credit of the Organization, which at a time of such economic crisis needed to be entirely up to its mission.
11. *A Government representative of Panama* said that he was grateful for the news that dialogue would take place and asked to be kept informed of the results. He trusted that a solution would be found as soon as possible.
12. *A Government representative of the Islamic Republic of Iran* stated that the Islamic Republic of Iran was the first country in the Government group to comment on the issue, and governments had been patient in giving the Office and the Staff Union time to settle the matter. He was happy that the Union had dropped its strike threat and appreciated the Director-General's statement. Mediation would be in the interests of the Office, but there was a long road ahead, though he was confident that an amicable solution could be found.
13. *A Government representative of Italy* welcomed the responsible way out of a tense atmosphere. He had listened to the presentation of the strategic decisions that the Governing Body had adopted, including the Human Resources Strategy and therefore welcomed the Director-General's proposals.
14. *A Government representative of the Bolivarian Republic of Venezuela* wished to be associated with all the other speakers who had praised the initiative and hoped for a satisfactory solution. The mechanism gave hope but it was only a mechanism. He hoped that both parties would follow the process in a spirit of constructive dialogue and understanding for the functions of the ILO.
15. *A Government representative of Brazil* encouraged a spirit of constructive dialogue and hoped that both parties would take the opportunity to open a new phase of dialogue in a spirit of goodwill, respect and mutual trust.
16. *A Government representative of Jordan* thanked the Director-General for his proposals and appreciated his initiative and hoped that they would lead to a constructive and lasting resolution.
17. *A Government representative of Australia* was sure that he was expressing the sentiments of all his colleagues in the Asia-Pacific group in thanking the Director-General for keeping the Governing Body informed and for making this progress. He urged the Office and the

Union to make every effort to find a solution for the long term in both the relationship and dialogue.

18. *A Government representative of Uruguay* welcomed the search for an agreement between the parties and hoped for a satisfactory solution. He thanked the Director-General for his intervention and the Worker Vice-Chairperson for his offer of mediation. He hoped that talks would take place with the interests of the ILO at the forefront.
19. *A Government representative of Egypt* commended the Director-General for his proposals and hoped that the outcome would be positive. It would certainly set an example of how to proceed in such matters.
20. *A Government representative of China* commended the Director-General and hoped that the situation could be reversed and the problem solved amicably in the interests of everyone. He was happy that the Worker Vice-Chairperson would be part of the process.
21. *A Government representative of the Russian Federation* was grateful to the Director-General and hoped that the current situation was not the end of the road but only a small bump on the way to real tripartism and social dialogue. He wished all parties a successful outcome.

Appendix II

Bureau international du Travail - Conseil d'administration International Labour Office - Governing Body Oficina Internacional del Trabajo - Consejo de Administración

309^e session - Genève - novembre 2010
309th Session - Geneva - November 2010
309.^a reunión - Ginebra - Noviembre de 2010

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Membres gouvernementaux titulaires
Miembros gubernamentales titulares

Regular Government members

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Chairperson of the Governing Body:
Presidente del Consejo de Administración:

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Misi n Permanente, Ginebra.

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M^{me} T. BOUTSEN, conseillère générale, division des affaires internationales, service public fédéral Emploi, Travail et Concertation sociale.

M^{me} M. DENEFFE, conseillère, mission permanente, Genève.

M^{me} S. KEPPENS, attachée, service public fédéral Affaires étrangères, Commerce extérieur et Coopération au développement.

M. J. TEMPELS, attaché, division des affaires internationales, service public fédéral Emploi, Travail et Concertation sociale.

M^{me} J. BYNENS, déléguée du gouvernement flamand auprès des organisations multilatérales à Genève.

M. W. CARLIER, Policy Officer, Flemish Department of Foreign Affairs.

M^{me} R. VAN PEER, chargée de mission, Sociaal-Economische Raad van Vlaanderen.

M. M. CLAIRBOIS, conseiller, délégué de la communauté française de Belgique et de la région wallonne à Genève.

M^{me} A. MONCAREY, conseillère de la communauté française de Belgique et de la région wallonne à Genève.

M. T. BUELENS, expert administratif, division des affaires internationales, service public fédéral Emploi, Travail et Concertation sociale.

Bénin Benin

M. G. KOUASSI AGBOKPANZO, ministre du Travail et de la Fonction publique.

suppléant(s):

M. K. GBANI, directeur de cabinet du ministre du Travail et de la Fonction publique, ministère du Travail et de la Fonction publique.

accompagné(s) de:

M^{me} M. KORA ZAKI LEADI, directrice générale du travail, ministère du Travail et de la Fonction publique.

M. J. TOSSAVI, secrétaire exécutif, Fonds de développement de la formation professionnelle continue et de l'apprentissage, ministère du Travail et de la Fonction publique.

Bulgarie Bulgaria

M. G. GANEV, ambassadeur, représentant permanent, mission permanente, Genève.

suppléant(s):

M. V. BOJKOV, conseiller, mission permanente, Genève.

M^{me} D. PARUSHEVA, premier secrétaire, direction des droits de l'homme, ministère des Affaires étrangères.

accompagné(s) de:

M^{me} Y. ILCHEVA, expert, direction «Affaires européennes et Coopération internationale», ministère du Travail et de la Politique sociale.

**Cambodge Cambodia
Camboya**

Mr S. SUN, Ambassador, Permanent Representative, Permanent Mission, Geneva.

substitute(s):

Mr S. SAKDA, Director-General, Ministry of Labour and Vocational Training.
 Mr S. LONG, Second Secretary, Permanent Mission, Geneva.
 Mr R. NGUY, Deputy Director, International Cooperation Department, Ministry of Labour and Vocational Training.

accompanied by:

Mr C. SEANGHONG, Bureau Chief, Ministry of Labour and Vocational Training.
 Mr S. TOUSITTA, Officer, Ministry of Labour and Vocational Training.

Canada Canadá

Ms D. YOUNG, Director-General, International and Intergovernmental Labour Affairs, Human Resources and Skills Development Canada.

substitute(s):

Ms A. LECLAIRE CHRISTIE, Minister Counsellor, Deputy Permanent Representative, Permanent Mission, Geneva.
 Ms D. ROBINSON, Director, International Labour Affairs, Human Resources and Skills Development Canada.

accompanied by:

Ms J. HAMILTON, Counsellor, Permanent Mission, Geneva.
 Mr S. BOULERICE, Policy Analyst, International Labour Affairs, Human Resources and Skills Development Canada.
 Ms N. GUENOVA, Junior Officer, Permanent Mission, Geneva.

Congo

M. L. OKIO, ambassadeur, représentant permanent, mission permanente, Genève.

suppléant(s):

M^{me} F. M^eVILA, conseillère, mission permanente, Genève.

République de Corée Republic of Korea República de Corea

Mr S. PARK, Ambassador, Permanent Representative, Permanent Mission, Geneva.

substitute(s):

Mr H. IM, Ambassador, Deputy Permanent Representative, Permanent Mission, Geneva.
 Mr J. KIM, Labour Attaché, Permanent Mission, Geneva.
 Mr C. KIM, Director, International Labour Affairs Division, Ministry of Employment and Labour.
 Ms S. BAE, Deputy Director, International Labour Affairs Division, Ministry of Employment and Labour.

accompanied by:

Ms H. KOO, Assistant Director, International Labour Affairs Division, Ministry of Employment and Labour.

Cuba

Sr. R. REYES RODRÍGUEZ, Embajador, Representante Permanente, Misión Permanente, Ginebra.

suplente(s):

Sr. J. QUINTANILLA ROMÁN, Tercer Secretario, Misión Permanente, Ginebra.

acompañado(s) de:

Sra. J. ROMÁN ARREDONDO, Attaché, Misión Permanente, Ginebra.

Egypte Egypt Egipto

Ms A. ABDEL-HADY, Minister of Manpower and Migration.

substitute(s):

Mr H. BADR, Permanent Representative, Permanent Mission, Geneva.
 Mr I. GAMALELDIN, Deputy Permanent Representative, Permanent Mission, Geneva.

accompanied by:

Mr Y. HASSAN, Counsellor, Permanent Mission, Geneva.
 Mr R. EL-MESLAWY, Labour Attaché, Permanent Mission, Geneva.
 Mr G. SOROUR, Head, Foreign Relations Department, Ministry of Manpower and Migration.
 Mr A. NAZMY, General Department of Organizations and Conferences, Ministry of Manpower and Migration.
 Ms Z. BAGHDADY, Chief of Cabinet, Ministry of Manpower and Migration.

El Salvador

Sr. B. LARIOS LÓPEZ, Embajador, Representante Permanente, Misión Permanente, Ginebra.

suplente(s):

Sr. E. ARÈNE GUERRA, Embajador, Representante Permanente Adjunto, Misión Permanente, Ginebra.

acompañado(s) de:

Sra. C. CASTILLO-GALLANDAT, Ministra Consejera, Misión Permanente, Ginebra.
 Sr. F. ULLOA ALVARENGA, Ministro Consejero, Misión Permanente, Ginebra.
 Sr. E. GÓMEZ VALENZUELA, Asesor, Despacho Ministerial, Ministerio de Trabajo y Previsión Social.
 Sra. S. RIVERA FLORES, Directora de Relaciones Internacionales de Trabajo, Ministerio de Trabajo y Previsión Social.
 Sra. H. AGUILAR MORENO, Primer Secretario, Misión Permanente, Ginebra.

Espagne Spain España

Sr. J. DE LUXAN MELÉNDEZ, Subsecretario de Trabajo e Inmigración, Ministerio de Trabajo e Inmigración.

suplente(s):

Sr. J. GARRIGUES FLÓREZ, Embajador, Representante Permanente, Misión Permanente, Ginebra.

acompañado(s) de:

Sr. B. MONTESINO, Embajador, Representante Permanente Adjunto, Misión Permanente, Ginebra.
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 Sra. M. RODRÍGUEZ-TARDUCHY DÍEZ, Consejera de Trabajo e Inmigración, Misión Permanente, Ginebra.
 Sr. J. PARRONDO BABARRO, Consejero, Misión Permanente, Ginebra.
 Sra. N. MARTÍ NIKLEWITZ, Asistente Consejera de Trabajo, Misión Permanente, Ginebra.

Ghana

Ms E. NEE-WHANG, Ambassador Extraordinary and Plenipotentiary, Permanent Representative, Permanent Mission, Geneva.

substitute(s):

Ms H. NYARKO, Minister Counsellor, Permanent Mission, Geneva.

Guinée Guinea

M. M. CAMARA, ambassadeur, représentant permanent, mission permanente, Genève.

suppléant(s) :

M. A. KABA, ministre conseiller, mission permanente, Genève.

accompagné(s) de:

M. P. MONLMOU, conseiller chargé des affaires sociales et humanitaires, mission permanente, Genève.

Hongrie Hungary Hungría

Mr I. MAJOR, Ambassador, Permanent Mission to the WTO, Geneva.

substitute(s):

Mr L. FÁRI, Head of Division, Ministry of Economy.

Ms G. TÖLGYES, Senior Adviser, Ministry of Economy.

accompanied by:

Mr J. JÁRAI, Expert, Hungarian Labour Inspectorate.

Mr Z. PAPP, First Secretary, Permanent Mission, Geneva.

Ms K. PELEI, Third Secretary, Permanent Mission, Geneva.

République islamique d'Iran
Islamic Republic of Iran
República Islámica del Irán

Mr S. SAJJADI, Ambassador, Permanent Representative, Permanent Mission, Geneva.

substitute(s):

Mr T. HABIBZADEH, Deputy Minister for International Affairs, Ministry of Labour and Social Affairs.

accompanied by:

Mr M. SEPEHRI, President of the Institute of Labour and Social Studies, Ministry of Labour and Social Affairs.

Mr P. SADATI, Director of the International Affairs Department, Ministry of Labour and Social Affairs.

Mr M. SIGARCHI, Adviser to the Deputy Minister for International Affairs, Ministry of Labour and Social Affairs.

Mr J. AGHAZADEH, First Secretary, Permanent Mission, Geneva.

Mr A. SHAHMIR, Labour Attaché, Permanent Mission, Geneva.

Mr R. BEHZAD, Senior Expert of the Labour Statistics Bureau, Ministry of Labour and Social Affairs.

Mr M. MOHAMMAD ESMAEILY, OSH Expert, Ministry of Labour and Social Affairs.

Mr H. GHOBADI, Senior Expert, Labour and Vocational Counselling and Guidance, Ministry of Labour and Social Affairs.

Ms E. REZAIE, Expert, International Affairs Department, Ministry of Labour and Social Affairs.

Kenya

Mr T. MBOYA, Ambassador, Permanent Representative, Permanent Mission, Geneva.

substitute(s):

Mr A. ANDANJE, Ambassador, Deputy Permanent Representative, Permanent Mission, Geneva.

accompanied by:

Dr S. NYAMBARI, Labour Commissioner, Ministry of Labour.

Mr P. WAMOTO, Principal Counsellor (Labour), Permanent Mission, Geneva.

Liban Lebanon Líbano

M^{me} N. RIACHI ASSAKER, ambassadeur, représentant permanent, mission permanente, Genève.

suppléant(s):

M. J. GEMAYEL, conseiller du ministre du Travail, Ministère du Travail.

M. A. FAYAD, chef de cabinet, ministère du Travail.

M^{me} D. DAHROUJ, directrice *a.i.*, section des relations extérieures, ministère du Travail.

accompagné(s) de:

M. A. ARAFA, premier secrétaire, mission permanente, Genève.

M. B. SALEH AZZAM, premier secrétaire, mission permanente, Genève.

M. H. CHAAR, mission permanente, Genève.

Lituanie Lithuania Lituania

Mr J. RUDALEVICIUS, Ambassador, Permanent Representative, Permanent Mission, Geneva.

substitute(s):

Ms K. JUODPUSYTE, Deputy Head, International Law Division, Ministry of Social Protection and Labour.

accompanied by:

Ms R. ALISAUSKIENE, First Secretary, Permanent Mission, Geneva.

Pakistan Pakistán

Mr Z. AKRAM, Ambassador, Permanent Representative, Permanent Mission, Geneva.

substitute(s):

Mr A. AZIM, Secretary, Ministry of Labour and Manpower.

accompanied by:

Mr S. KHAN, Deputy Permanent Representative, Permanent Mission, Geneva.

Mr M. KHAN, First Secretary, Permanent Mission, Geneva.

Mr H. MANZOOR, Personal Assistant, Permanent Mission, Geneva.

Pérou Peru Perú

Sr. F. ROJAS SAMANEZ, Embajador, Representante Permanente, Misión Permanente, Ginebra.

suplente(s):

Sr. C. CHOCANO BURGA, Ministro Consejero, Representante Permanente Alterno, Misión Permanente, Ginebra.

acompañado(s) de:

Sr. I. ZEVALLOS AGUILAR, Segundo Secretario, Misión Permanente, Ginebra.

Sr. C. SIBILLE RIVERA, Segundo Secretario, Misión Permanente, Ginebra.

Portugal

M. F. XAVIER ESTEVES, ambassadeur, représentant permanent, mission permanente, Genève.

suppléant(s):

M. A. MONTEIRO FERNANDES, ministère du Travail et de la Solidarité sociale.

M. A. VALADAS DA SILVA, conseiller, mission permanente, Genève.

acompañé(s) de:

M. J. ALBUQUERQUE, cabinet de stratégie et de planification, ministère du Travail et de la Solidarité sociale.

M^{me} S. CORVELO, cabinet de stratégie et de planification, ministère du Travail et de la Solidarité sociale.

M. J. MACEDO, direction générale de l'emploi et des relations de travail, ministère du Travail et de la Solidarité sociale.

Qatar

Mr A. AL-KHULAIFI, Minister Plenipotentiary and Representative of the Ministry of Labour, Permanent Mission, Geneva.

Soudan Sudan Sudán

Mr D. BISHOK, Minister of Labour.

substitute(s):

Mr J. UKEC, Ambassador, Permanent Representative, Permanent Mission, Geneva.

Mr M. EL-HASSAN HAMID, Director-General, International Relations Department, Ministry of Labour.

accompanied by:

Mr A. MOHAMED, Second Secretary, Permanent Mission, Geneva.

Suède Sweden Suecia

Mr C. ERIKSSON, Director, Special Expert, Ministry of Employment.

substitute(s):

Mr S. ÖSTBERG, Counsellor, Permanent Mission, Geneva.

Thaïlande Thailand Tailandia

Ms J. KESORNSUTJARIT, Deputy Permanent Secretary, Ministry of Labour.

substitute(s):

Mr S. PHUANGKETKEOW, Ambassador, Permanent Representative, Permanent Mission, Geneva.

accompanied by:

Mr V. ISARABHAKDI, Ambassador, Deputy
Permanent Representative, Permanent
Mission, Geneva.
Mr A. NUALSRI, Minister Counsellor (Labour),
Permanent Mission, Geneva.
Ms E. PINTARUCHI, Minister Counsellor,
Permanent Mission, Geneva.
Ms C. THONGTIP, Senior Labour Specialist,
Ministry of Labour.
Ms S. TUPPASOOT, Senior Labour Specialist,
Ministry of Labour.

Uruguay

Sr. E. BRENTA, Ministro de Trabajo y
Seguridad Social.

suplente(s):

Sra. L. DUPUY, Embajadora, Representante
Permanente, Misión Permanente, Ginebra.
Sr. G. WINTER, Consejero, Misión Permanente,
Ginebra.

Viet Nam

Mr D. VU, Ambassador, Permanent
Representative, Permanent Mission, Geneva.

substitute(s):

Mr Q. DAO, Counsellor, Permanent Mission,
Geneva.
Mr X. NGUYEN, Counsellor, Permanent
Mission, Geneva.

accompanied by:

Mr T. PHAM, Senior Official, Ministry of
Labour, Invalids and Social Affairs.
Mr K. NGUYEN, Senior Official, Ministry of
Labour, Invalids and Social Affairs.

Zambia Zambia

Mr K. CHIVUNDA, Director, Occupational
Safety and Health Services, Ministry of
Labour and Social Security.

| Membres employeurs titulaires Regular Employer members Miembros empleadores titulares | |
|--|--|
| Vice-président du Conseil d'administration: Vice-Chairperson of the Governing Body: Vicepresidente del Consejo de Administración: | Sr. D. FUNES DE RIOJA (Argentina) |
| Secrétaire du groupe des employeurs: Secretary of the Employers' group: Secretario del Grupo de los Empleadores: | Sr. A. PEÑALOSA (IOE) |
| Secrétaire adjoint du groupe des employeurs: Deputy Secretary of the Employers' group: Secretario adjunto del Grupo de los Empleadores: | Mr B. WILTON (IOE) |

Mr S. ALLAM (Egypt), Chairman of the Labour Committee, Federation of Egyptian Industries.

Mr P. ANDERSON (Australia), Chief Executive, Australian Chamber of Commerce and Industry.

Sr. J. DE REGIL (México), Vicepresidente, Comisión Laboral, Confederación de Cámaras Industriales de los Estados Unidos Mexicanos.

Sr. D. FUNES DE RIOJA (Argentina), Vicepresidente del Consejo de Administración de la OIT, Funes de Rioja y Asociados.

Ms R. GOLDBERG (United States), Executive Vice-President and Senior Policy Officer, United States Council for International Business.

Ms R. HORNUNG-DRAUS (Germany), Managing Director, European Affairs and International Social Policy, Confederation of German Employers' Associations.

Mr M. JAVED (Pakistan), President, Employers' Federation of Pakistan (EFP).

M. E. JULIEN (France), directeur adjoint, Affaires sociales, européennes et internationales, Mouvement des entreprises de France (MEDEF).

Mr H. MATSUI (Japan), Co-Director, International Cooperation Bureau, Nippon Keidanren.

Mr Y. MODI (India), Chairman and CEO, Great Eastern Energy Corp. Ltd.

Mr A. MOORE (United Kingdom), Special Adviser, Confederation of British Industry (CBI).

Mr O. OSHINOWO (Nigeria), Director-General, Nigeria Employers' Consultative Association.

Mr P. PRIOR (Czech Republic), Member of the Board, Confederation of Industry of the Czech Republic.

Mr J. RONNEST (Denmark), Director, International Affairs, Confederation of Danish Employers.

M. A. SAVANÉ (Guinée), secrétaire général, Conseil national du patronat guinéen (CNP-Guinée).

Mr B. PANT, accompanying Mr Modi.

Mr C. SYDER, accompanying Mr Moore.

Mr M. THORNS, accompanying Ms Hornung-Draus.

Membres employeurs adjoints Deputy Employer members
Miembros empleadores adjuntos

- M^{me} F. AWASSI ATSIMADJA (Gabon), secrétaire générale SIMPEX, Confédération patronale gabonaise.
- Mr L. CHEN (China), Executive Vice-President and Director-General, China Enterprise Confederation (CEC).
- Sr. A. ECHAVARRÍA SALDARRIAGA (Colombia), Vicepresidente de Asuntos Jurídicos y Sociales, Asociación Nacional de Industriales (ANDI).
- Ms L. HORVATIC (Croatia), Director of International Relations and EU Affairs, Croatian Employers' Association (CEA).
- Sr. J. LACASA ASO (España), Director, Relaciones Internacionales, Departamento de Relaciones Internacionales, Confederación Española de Organizaciones Empresariales (CEOE).
- Sr. D. LIMA GODOY (Brazil), Consulto Senio, Confederación Nacional de la Industria (CNI).
- Sr. A. LINERO MENDOZA (Panamá), Asesor y Miembro de la Comisión Laboral, Consejo Nacional de la Empresa Privada (CONEP).
- Mr K. MATTAR (United Arab Emirates), Board Director, Federation of United Arab Emirates Chambers of Commerce and Industry (FCCI).
- Mr M. MDWABA (South Africa), Deputy CEO, The Kelly Group.
- M. A. M'KAISSI (Tunisie), conseiller, directeur central du social, Union tunisienne de l'industrie, du commerce et de l'artisanat (UTICA).
- Ms M. MOSKVINA (Russian Federation), Director-General, Coordinating Council of Employers' Unions of Russia (CCEUR).
- Ms J. MUGO (Kenya), Executive Director, Federation of Kenya Employers.
- Sra. A. MUÑOZ (Venezuela (Rep. Bolivariana de)), Matemática - Economista, Federación de Cámaras y Asociaciones de Comercio y Producción de Venezuela.
- Mr P. O'REILLY (New Zealand), Chief Executive, Business New Zealand.
- Mr K. RAHMAN (Bangladesh), Former President, Bangladesh Employers' Federation.
- Mr A. RAMADASS (Malaysia), Vice-President, Malaysian Employers Federation (MEF).
- Mr C. RENIQUE (Netherlands), Head, Education and Training Department, VNO-NCW.
- M. L. TRAORE (Mali), secrétaire général, Conseil national du patronat du Mali.
- Sr. A. URTECHO LÓPEZ (Honduras), Asesor Legal, Consejo Hondureño de la Empresa Privada (COHEP).
- Mr F. WELZIJN (Suriname), Legal Adviser, Suriname Aluminum Company LLC.
- Mr P. WOOLFORD (Canada), President, Clairmark Consulting Ltd.

Ms H. LIU, accompanying Mr Chen.
Mr R. MACEDO, accompanying Mr Lima Godoy.
Mr D. MAJETIC, accompanying Ms Horvatic.
Mr O. ROMANOVSKY, accompanying Ms Moskvina.

Membres suppléants assistant à la session:

Substitute members attending the session:

Miembros suplentes presentes en la reunión:

M. M. BARDE (Suisse), secrétaire général, Fédération des syndicats patronaux.
Mr H. BRAUNER (Austria), Representative, Federation of Austrian Industries.
M. E. MEGATELI (Algérie), secrétaire général, Confédération générale des entreprises algériennes (CGEA).

| Membres travailleurs titulaires Regular Worker members Miembros trabajadores titulares | |
|---|-----------------------------------|
| Vice-président du Conseil d'administration: Vice-Chairperson of the Governing Body: Vicepresidente del Consejo de Administración: | Sir Roy Trotman (Barbados) |
| Secrétaire du groupe des travailleurs: Secretary of the Workers' group: Secretario del Grupo de los Trabajadores: | Sra. R. GONZÁLEZ (ITUC) |
| Secrétaire adjoint du groupe des travailleurs: Deputy Secretary of the Workers' group: Secretario adjunto del Grupo de los Trabajadores: | Ms E. BUSSE (ITUC) |

Mr N. ADYANTHAYA (India), Vice-President, Indian National Trade Union Congress.

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

M^{me} R. DIALLO (Guinée), secrétaire générale, Confédération nationale des travailleurs de Guinée (CNTG).

Ms S. FOX (United States), AFL-CIO European Office.

Sr. J. GÓMEZ ESGUERRA (Colombia), Secretario General, Confederación General del Trabajo (CGT).

Mr S. GURNEY (United Kingdom), Policy Officer, EU and International Relations Department, Trade Union Congress.

Ms H. KELLY (New Zealand), President, New Zealand Council of Trade Unions (NZCTU).

Mr S. NAKAJIMA (Japan), International Representative, Japanese Trade Union Confederation, JTUC-RENGO.

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

Mr M. SHMAKOV (Russian Federation), President, Federation of Independent Trade Unions of Russia (FNPR).

M. A. SIDI SAÏD (Algérie), secrétaire général, Union générale des travailleurs algériens.

Mr M. SOMMER (Germany), President, Confederation of German Trade Unions (DGB).

Ms T. SUNDNES (Norway), Confederal Secretary, Norwegian Confederation of Trade Unions (LO-Norway).

Sir R. TROTMAN (Barbados), Vice-Chairperson of the ILO Governing Body and General Secretary, Barbados Workers' Union.

Ms M. HAYASHIBALA, accompanying Mr Nakajima.

Mr F. ZACH, accompanying Mr Sommer.

Mr A. ZHARKOV, accompanying Mr Shmakov.

Membres travailleurs adjoints Deputy Worker members
Miembros trabajadores adjuntos

Mr K. AHMED (Pakistan), General Secretary, Pakistan Federation of Trade Unions.

Mr M. AL-MA'AYTA (Jordan), President, General Federation of Jordanian Labour Unions.

Sra. H. ANDERSON NEVÁREZ (México), Secretaria de Acción Femina del Comité, Confederación de Trabajadores de México.

Mr F. ATWOLI (Kenya), General Secretary, Central Organization of Trade Unions (COTU).

Sr. A. BENEDETTI (Brazil), Secretario de Relaciones Internacionales, Unión General de Trabajadores (UGT).

M. R. DE LEEUW (Belgique), président, Fédération générale du travail de Belgique (ABVV-FGTB).

Ms C. DEL RIO (Italy), Head of the International Department, Unione Italiana del Lavoro (UIL).

M^m M. FRANCISCO (Angola), secrétaire, Relations internationales, Union nationale des travailleurs de l'Angola - Confédération syndicale (UNTA-CS).

M. B. HOSSU (Roumanie), président, Confédération nationale syndicale.

Mr A. HUSSAIN (Bahrain), General Federation of Bahrain Workers.

Mr G. JIANG (China), Executive Committee Member, All China Federation of Trade Unions (ACFTU).

Sr. G. MARTÍNEZ (Argentina), Confederación General del Trabajo.

Ms L. MATIBENGA (Zimbabwe), Vice-President, Zimbabwe Congress of Trade Unions (ZCTU).

Mr B. NTSHALINTSHALI (South Africa), Deputy General Secretary, Congress of South African Trade Unions (COSATU).

M. A. PALANGA (Togo), secrétaire général, Confédération nationale des travailleurs du Togo (CNTT).

Mr R. SILABAN (Indonesia), Chairman, Confederation of Indonesian Prosperity Trade Union (K-SBSI).

M. Y. VEYRIER (France), secrétaire confédéral, CGT Force-ouvrière.

Ms A. WOLANSKA (Poland), Head, International Department NSZZ "Solidarnosc".

Ms H. YACOB (Singapore), Deputy Secretary-General, National Trade Union Congress.

M^m J. BLONDEEL, accompagnant M. de Leeuw.

M^m C. DRION, accompagnant M. de Leeuw.

M. S. GALON, accompagnant M. de Leeuw.

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

Algérie Algeria Argelia

- M. T. LOUH, ministre du Travail, de l'Emploi et de la Sécurité sociale
- M. I. JAZAIRY, ambassadeur, représentant permanent, mission permanente, Genève.
- M. F. ZAIDI, directeur des études et des systèmes d'information, ministère du Travail, de l'Emploi et de la Sécurité sociale.
- M. GUEDOUH, chargé d'études et de synthèse, ministère du Travail, de l'Emploi et de la Sécurité sociale.
- M. GUEDIRA, chargé du protocole, ministère du Travail, de l'Emploi et de la Sécurité sociale.
- M. M. BOUKADOUM, conseiller, mission permanente, Genève.

Bélarus Belarus Belarús

- Mr I. STAROVOYTOV, Deputy Minister of Labour and Social Protection.
- Mr M. KHVOSTOV, Ambassador, Permanent Representative, Permanent Mission, Geneva.
- Mr A. USOLTSEV, Counsellor, Permanent Mission, Geneva.

Burkina Faso

- M. P. VOKOUMA, ambassadeur, représentant permanent, mission permanente, Genève.
- M^{me} S. BAKYONO, deuxième conseiller, mission permanente, Genève.

**Cameroun Cameroon
Camerún**

- M. A. NKOU, ambassadeur, représentant permanent, mission permanente, Genève.
- M. F. NGANTCHA, ministre conseiller, mission permanente, Genève.

Chili Chile

- Sr. P. OYARCE, Embajador, Representante Permanente, Misión Permanente, Ginebra.
- Sr. L. PARODI, Ministro Consejero, Representante Permanente Alterno, Misión Permanente, Ginebra.
- Sra. X. VERDUGO, Primera Secretaria, Misión Permanente, Ginebra.
- Sr. F. LETURIA, Agregado Laboral, Misión Permanente, Ginebra.

Chypre Cyprus Chipre

- Mr A. HADJICHRYSANTHOU, Ambassador, Permanent Representative, Permanent Mission, Geneva.
- Ms M. MICHAEL, Counsellor, Deputy Permanent Representative, Permanent Mission, Geneva.
- Ms M. SPATHI, Second Secretary, Permanent Mission, Geneva.
- Ms N. ANDREAOU PANAYIOTOU, Administrative Officer, Ministry of Labour and Social Insurance.

Colombie Colombia

- Sra. A. ARANGO, Embajadora, Representante Permanente, Misión Permanente, Ginebra.
- Sra. A. MENDOZA AGUDELO, Ministra Consejera, Misión Permanente, Ginebra.
- Sra. A. CAMACHO, Misión Permanente, Ginebra.

Côte d'Ivoire

- M. G. GAUZE, ambassadeur, représentant permanent, mission permanente, Genève.
- M. K. KOUADIO, premier conseiller, mission permanente, Genève.

M^{me} B. QUACOE, conseillère en charge
des questions du BIT, mission permanente,
Genève.

**Danemark Denmark
Dinamarca**

Ms Z. LILJEQVIST, Head of Section, Ministry
of Employment.
Mr U. RASMUSSEN, Head of Section, Ministry
of Employment.
Ms A. ASKGAARD, Attaché, Permanent
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Ms M. KJELDEN, Permanent Mission,
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Djibouti

M. M. DOUALEH, ambassadeur, représentant
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**Emirats arabes unis
United Arab Emirates
Emiratos Árabes Unidos**

Ms S. AL ZABBI, First Secretary, Permanent
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Equateur Ecuador

Sr. M. MONTALVO, Embajador, Representante
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Sr. J. THULLEN, Asesor, Ministerio de
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Finlande Finland Finlandia

Mr H. HIMANEN, Ambassador, Permanent
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Ms S. MODEEN, Ministerial Adviser, Ministry
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Ms E. MYLLYMÄKI, Counsellor, Ministry of
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Mr V. LAHELMA, Second Secretary, Permanent
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Grèce Greece Grecia

Ms M. GKOUVA, Ministry of Labour and
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Ms M. BOUSI, Permanent Mission, Geneva.

Guatemala

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Haïti Haiti Haití

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Indonésie Indonesia

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Mr D. PERCAYA, Ambassador, Deputy
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Mr A. HABIB, First Secretary, Permanent
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Israël Israel

Mr A. LESHNO-YAAR, Ambassador,
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Mr R. ADAM, Deputy Permanent
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Lesotho

Mr L. RAMONE, Minister Counsellor,
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Malaisie Malaysia Malasia

Mr A. AMINUDDIN, Labour Attaché,
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Maroc Morocco Marruecos

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M. A. LASSEL, ministre plénipotentiaire,
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M. M. EL BOUAZZAOUI, conseiller, mission
permanente, Genève.

Myanmar

Mr W.M. LWIN, Ambassador, Permanent
Representative, Permanent Mission, Geneva.
Mr H. LYNN, Minister Counsellor, Permanent
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Ms K.T. AYE, First Secretary, Permanent
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Norvège Norway Noruega

Ms G. YTTERDAL, Adviser, Ministry of
Labour.
Mr K. STORMARK, Minister Counsellor,
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Ms T. EVENSEN, Adviser, Ministry of Foreign
Affairs.
Mr S. SKAARE, Adviser, Ministry of Foreign
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Ms J. JOKSTAD, Permanent Mission, Geneva.

Nouvelle-Zélande New Zealand Nueva Zelandia

Ms T. THOMPSON, Deputy Director,
International Services, Department of Labour.

Ms J. RUSSELL, Adviser, International
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Pays-Bas Netherlands Países Bajos

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Affairs, Ministry of Social Affairs and
Employment.
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Mr E. DRIESSEN, First Secretary, Permanent
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Ms I. PISO, Policy Adviser, Ministry of Social
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Social Affairs and Employment.

Philippines Filipinas

Mr E. GARCIA, Ambassador, Permanent
Representative, Permanent Mission, Geneva.
Mr M. IMSON, Labour Attaché, Permanent
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Ms V. EASTWOOD, Attaché, Permanent
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Roumanie Romania Rumania

M^{me} M. CIOBANU, ambassadeur, représentant
permanent, mission permanente, Genève.
M^{me} A. SPANU, troisième secrétaire, mission
permanente, Genève.

**Saint-Siège The Holy See
Santa Sede**

M^{gr} M. TOMASI, Nonce apostolique,
observateur permanent du Saint-Siège,
mission permanente, Genève.

M^{gr} M. DE GREGORI, attaché, mission
permanente, Genève.

M. P. GUTIÉRREZ, mission permanente,
Genève.

Serbie Serbia

Mr U. ZVEKIC, Ambassador, Permanent
Mission, Geneva.

Ms V. FILIPOVIC-NIKOLIC, Counsellor,
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**Slovénie Slovenia
Eslovenia**

Mr M. KOVACIC, Ambassador, Permanent
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Mr B. JERMAN, Deputy Permanent
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Ms K. STERBENC, Senior Adviser, Ministry of
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Suisse Switzerland Suiza

M. J. ELMIGER, ambassadeur, Secrétariat
d'Etat à l'Economie (SECO), Affaires
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M^{me} V. BERSET BIRCHER, Secrétariat d'Etat
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M^{me} A. RUPPEN, mission permanente, Genève.

M^{me} A. FLEURY, mission permanente, Genève.

M. M. AMMANN, division politique III, section
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M. D. LEDERGERBER, Secrétariat d'Etat
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Swaziland Swazilandia

Ms T. DLAMINI, Ambassador, Permanent
Representative, Permanent Mission, Geneva.

Tchad Chad

M^{me} K. TAHIR KOUMBAL, premier secrétaire,
mission permanente, Genève.

Togo

M. S. TOBA, chargé d'affaires en pied, mission
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M^{me} M. AGBA, deuxième secrétaire, mission
permanente, Genève.

Turquie Turkey Turquía

Mr E. BATUR, Counsellor, Permanent Mission,
Geneva.

Mr H. OYMAN, Expert, Permanent Mission,
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**Représentants d'organisations internationales gouvernementales
Representatives of international governmental organizations
Representantes de organizaciones internacionales gubernamentales**

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

Ms T. CLERICO, Livelihood Officer, Operational Solutions and Transition Section, Division for Programme Support and Management.

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

Mr F. GEORGE, External Relations Officer.

**Banque mondiale
World Bank
Banco Mundial**

Ms S. JACKSON, World Bank's Special Representative in Geneva.

**Organisation mondiale du commerce
World Trade Organization
Organización Mundial del Comercio**

Mr P. RATA, Counsellor, Trade and Environment Division.
Mr S. EL HACHIMI, Counsellor, Information and External Relations Division.
Ms D. STOYANOVA, Information and External Relations Division.

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

Mr S. HAQUE, Director, Department of International Cooperation and Partnerships.
Ms I. VOJACKOVA-SOLLORANO, Director, Department for Migration Management.
Mr F. SODA, Head, Labour and Facilitated Migration.
Ms M. BECK, Department of International Cooperation and Partnerships.

Organisation internationale de la francophonie

M. L. BARARUNYERETSE, représentant permanent.
M^{me} S. COULIBALY LEROY, Représentante permanente adjointe.
M^{me} C. LEQUE-FOLCHINI, conseillère aux affaires économiques et de développement.

Union africaine

African Union

Unión Africana

Ms K. MASRI, Permanent Representative, Permanent Delegation of the African Union in Geneva.

Ms B. NAIDOO, First Secretary, Permanent Delegation of the African Union in Geneva.

Organisation arabe du travail

Arab Labour Organization

Organización Árabe del Trabajo

Mr A. LUQMAN, Director-General.

Mr R. GUISSOUMA, Head, Permanent Delegation of the ALO in Geneva.

Ms D. SAEED, Chief of Cabinet of the ALO Director-General.

Ms Z. KASBAOUI, Permanent Delegation of the ALO in Geneva.

Union européenne

European Union

Unión Europea

Mr J. CLARKE, Chargé d'Affaires a.i., Acting Head of the Permanent Delegation of the European Union in Geneva.

Ms J. HIVONNET, Head of the UN Section, Permanent Delegation of the European Union in Geneva.

Ms S. BOEHMERT, Policy Officer, Directorate-General for Employment, Social Affairs and Enlargement, International Affairs and Enlargement Unit, European Commission, Brussels.

Mr C. DUFOUR, UN Affairs Officer, Permanent Delegation of the European Union in Geneva.

Mr S. VAN THIEL, Counsellor, Geneva Liaison Office.

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

**Fédération syndicale mondiale
World Federation of Trade Unions
Federación Sindical Mundial**

Mr H. MAHADEVAN, WFTU Deputy General Secretary for the Asia-Pacific Region.
Mr E. MOUSSAVOU, General Secretary CGT-FL.
Ms O. OVIEDO DE LA TORRE, WFTU Permanent Representative in Geneva.

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

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

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

Mr D. DIOP, Assistant Secretary-General.
Mr A. DIALLO, Permanent Representative of OATUU to the ILO and the UN Office in Geneva.

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

Mr H. KONKOLEWSKY, Secretary-General.
Ms D. LEUENBERGER, Head of Resources and Services.

**Confédération syndicale internationale
International Trade Union Confederation
Confederación Sindical Internacional**

Ms S. BURROW, General Secretary.
Ms R. GONZÁLEZ, Director, Geneva Office.
Ms E. BUSSER, Assistant Director, Geneva Office.

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

Palestine Palestina

Mr A. MAJDALANI, Minister of Labour.

Dr I. KHRAISHI, Ambassador, Permanent Mission, Geneva.

Mr T. AL-ADJOURI, Counsellor, Permanent Mission, Geneva.

Mr A. ATIEH, Counsellor, Permanent Mission, Geneva.

Mr S. SHAHER, Secretary-General of the Union of the Syndicates' Work of Palestine.