



## **Governing Body**

310th Session, Geneva, March 2011

**GB.310/PV**

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**Minutes of the 310th Session  
of the Governing Body of the  
International Labour Office**

## **Minutes of the 310th Session of the Governing Body of the International Labour Office**

The 310th Session of the Governing Body of the International Labour Office was held in Geneva, from Tuesday, 22 March to Thursday, 24 March 2011, with HE Ambassador Jerry Matthews Matjila of South Africa as Chairperson.

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

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**MINUTES OF THE 310TH SESSION  
OF THE GOVERNING BODY OF THE  
INTERNATIONAL LABOUR OFFICE**

Geneva, Tuesday, 22 – Thursday, 24 March 2011

1. The Governing Body noted that, on 31 January 2011 the Permanent Mission of the Republic of Tunisia had informed the Office that the group of ambassadors of African countries in Geneva had been asked to nominate a candidate for the post of Chairperson of the Governing Body during the remainder of the period 2010–11. The Government group had accordingly nominated HE Jerry Matthews Matjila, Ambassador of the Republic of South Africa, who had obtained the necessary support.
2. *The Chairperson*, taking the chair, expressed his solidarity with the people of Japan who were struggling to overcome the terrible devastation caused by the recent massive earthquake and tsunami. On behalf of the Governing Body, he conveyed sincere condolences to the people of Japan for the loss of human life.
3. *A Government representative of Japan* thanked the Governing Body, the Office, and the workers and employers of the world for the display of solidarity with the Government and people of Japan, and for the offers of assistance from many countries. The Japanese people were united in the face of the disaster and would undoubtedly come through it, thanks to the strong feeling of national solidarity.
4. Referring to the 15th Asian Regional Meeting, which had been planned to take place from 10–13 April 2011 in the city of Kyoto, the speaker said that after consultation with the Director-General, it had been decided to propose to the Governing Body that the meeting should be postponed, and confirmed that such a proposal, if made, would be accepted by the Government of Japan.
5. *In their statements during the course of the meeting, the members of the Governing Body expressed their sorrow and solidarity with the Government and people of Japan.*

**First item on the agenda**

APPROVAL OF THE MINUTES OF THE 309TH SESSION  
OF THE GOVERNING BODY  
(GB.310/1)

**Governing Body decision:**

6. *The Governing Body approved the minutes of the 309th Session, as amended.* (GB.310/1, paragraph 3.)

## Second item on the agenda

### AGENDA OF THE INTERNATIONAL LABOUR CONFERENCE

*The agendas of the 101st Session (2012) and  
102nd Session (2013) of the Conference  
(GB.310/2)*

7. *A representative of the Director-General* recalled that, in November 2010, the Governing Body had been unable to reach agreement on the items that would complete the agendas of the 101st and 102nd Sessions. The informal working group established by the Governing Body on that date with a view to making recommendations which would facilitate decisions needed more time for its deliberations and wanted the final decision on the item in question to be postponed until the last day of the present session of the Governing Body.
8. He recalled that the informal working group, when starting its work, had asked the members of the Governing Body, through the Office, to indicate their preferences for three of the eight proposals contained in paragraph 3 of the Office paper. The following three proposals had been rejected, namely: (iv) a possible Recommendation on policy coherence among economic, financial, employment and social policies; (vi) finance with a social purpose; and (viii) the right to information and consultation in the framework of economic restructuring. Given the strong support for proposal (i) employment and social protection in the new demographic context, and the interest shown in proposal (vii) youth entrepreneurship: transforming jobseekers into job creators, the group had considered the possibility of combining the proposals in question into one item, in view of the complementary nature of the themes. It had also thought of the possibility of selecting proposal (iii) a possible follow-up to the recurrent discussion on social security, but had concluded that only the Governing Body would be able to take a decision on the follow-up to the Conference discussion in June 2011.
9. *It was decided that a final decision on the second item on the agenda would be postponed until the last day of the Governing Body meeting.*
10. When the discussion resumed, *the representative of the Director-General* said that following intensive work sessions, the informal working group had decided, contrary to its original idea, that it would not be appropriate to combine proposals (i) and (vii) into one item because that might water down the key elements of the items concerning youth employment or the policy implications of the item concerning demographic change. The group recommended instead that, in view of the critical youth employment situation in many developed and developing countries, a situation that had been demonstrated by the recent events in a number of Arab countries, an item on the youth employment crisis be included on the agenda of the 2012 Session of the Conference. In order to examine that item, certain elements of proposal (vii) would be adopted and incorporated into the broader context of comprehensive integrated action and global policies aimed at promoting decent work opportunities for young people. If the Governing Body were to approve the proposal, a detailed paper on the substance of the proposal would be presented in June.
11. With regard to proposal (iii), a possible follow-up to the recurrent discussion on social security that would take place in June 2011, the informal working group unanimously agreed that it would be very useful for the Conference to examine so important a topic. However, given that the outcome of the discussion could not and should not be anticipated, the group recommended that the second item be selected following the recurrent discussion on social security, on the understanding that preference would be given to a follow-up to that discussion on the basis of needs and timing, as well as the nature of the follow-up to be decided. The scope of the discussion would be determined by the outcome of the

recurrent discussion during the Conference. The informal working group considered that, by selecting topics such as youth employment and follow-up to the recurrent discussion on social security, the Governing Body was responding to current needs, which should guide the choice of subjects for discussion at the Conference.

12. With regard to the 2013 Session of the Conference, the informal working group recommended proposal (i) employment and social protection in the new demographic context, originally selected for the 2011 session of the Conference.
13. *The Employer Vice-Chairperson* thanked the Office for the thorough presentation of the recommendation made by the informal working group, and noted that some of the ideas examined in the context of Governing Body reform were being applied in the process in question. He supported the proposal presented.
14. *The Worker Vice-Chairperson* accepted the proposal that had been presented. Many people had worked hard to reach a conclusion, and everyone was pleased that a selection group had been formed which, if not the ideal solution, would enable progress to be made in the process of determining the agendas of the ILO's principal bodies.

**Governing Body decision:**

15. *The Governing Body decided:*

- (a) *to include in the agenda of the 101st Session (2012) of the Conference an item on the youth employment crisis (general discussion);*
- (b) *that the second technical item for the completion of the 2012 Conference agenda would be selected following the June 2011 Conference recurrent discussion on social protection (social security); preference would be given to a follow-up to the recurrent discussion on social protection (social security) on the basis of need and timing, as well as the nature of the follow-up to be decided. The scope of the discussion would be determined by the outcome of the Conference discussion;*
- (c) *that the 102nd Session (2013) of the Conference would be held in Geneva;*
- (d) *to include the following items in the agenda of the 102nd Session (2013) of the Conference:*
  - (i) *the recurrent discussion on the strategic objective of social dialogue;*
  - (ii) *employment and social protection in the new demographic context (general discussion);*

*it being understood that the finalization of the 2013 Conference agenda would depend on the final decision to be taken in June 2011 as regards the follow-up to the recurrent discussion on social protection (social security) in the context of the 2012 Conference agenda.*

(GB.310/2, paragraphs 12, 18 and 19, as amended.)

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**Third item on the agenda****REVIEW OF ANNUAL REPORTS UNDER THE FOLLOW-UP TO THE ILO DECLARATION  
ON FUNDAMENTAL PRINCIPLES AND RIGHTS AT WORK  
(GB.310/3)**

16. *The Employer Vice-Chairperson* expressed concern at the link that was being established between follow-up to the Declaration and ratification of Conventions, despite the fact that the Declaration was clearly a promotional instrument. It promoted fundamental principles and rights at work, as paragraph 5 in the document recognized, which was something other than ratification, and this was an issue that the Employers had raised several times, and were called to do so again. From this point on, however, the document, particularly paragraphs 15 and 90, insisted on the idea of ratification.
17. He stressed, firstly, that promotion and ratification were different activities. Secondly, it was important to note that ratification and implementation were not the same. Ratification in many developing countries did not mean the same as implementation. The aim of the Declaration was to raise awareness on values and principles, and to promote them through appropriate mechanisms and to follow them up through the Global Report and the annual reports.
18. The revision of the Global Report mechanism was proof that the 1998 Declaration had not disappeared and must not disappear as support for the fundamental principles and rights at work was tantamount to a prerequisite for membership of the ILO. The ratification of Conventions was a voluntary act and a decision by governments per se. Therefore, once again, although they were satisfied with the information contained in the report, the Employers were not in agreement with the Office that ratification was the Declaration's main objective.
19. *The Worker Vice-Chairperson* remarked that the Employers had introduced elements into the discussion that were of great importance to both Workers and Employers. The group agreed that there was a fundamental difference between ratification and respect, implementation and ongoing observance, although these were two parts of a whole. The Workers believed that a level of respect needed to accompany ratification of an instrument and that ratification should not simply be thought of as a means to avoid continued reminders to ratify. However, for decent work to be a fundamental value in all countries, promotion required greater attention. In this connection, there was a need for leadership by the more privileged countries, not only in economic matters but also in moral, ethical and value-driven matters.
20. The Workers supported the report, but it had to be used to promote greater involvement and greater efforts not only towards ratification but also towards full respect for the core Conventions and the Decent Work Agenda. The Office should ensure that technical cooperation was carried through so that countries could develop national strategies to effectively promote and implement the Conventions that they had ratified.
21. *A Government representative of Burundi* spoke of the issue of the effective elimination of child labour, which was especially fundamental in situations of conflict and disaster. The ILO had helped Burundi, through its International Programme on the Elimination of Child Labour (IPEC), since 2003 to remove more than 3,000 children who had been forcibly recruited into armed groups. Those who were of school age had been returned to school and others had been given vocational training. The Government of Burundi had taken steps to make primary education free in order to ensure that children attended school and were protected from exploitation. The Government was implementing a national plan of action on the worst forms of child labour and had drafted a report in 2010 on the application and

implementation of the Worst Forms of Child Labour Convention, 1999 (No. 182). The action plan identified annual priorities and provided a list of the worst forms of child labour in the country. The Government was currently investigating how different ways of protecting children and of punishing those guilty of involving children in the worst forms of child labour could be included in national legislation. Other activities involved combating the sexual exploitation of children for commercial purposes. A study was due to be launched in June 2011. Another problem involved child domestic labour, which urgently needed to be eliminated in Burundi. A status report was planned for the near future and ILO support was indispensable in promoting the planned Convention on domestic workers.

22. *A Government representative of Sudan* commended the report and hoped that his country would be able to benefit from such reports. He noted the progress in implementation and ratification, and even in adherence where ratification had not yet taken place. The report also had the merit of taking countries in need of technical and promotional assistance into consideration. Sudan was in great need of such technical assistance, as stressed in the report. With Sudan now effectively dividing into two States, this need was more pressing still.
23. *A Government representative of Bangladesh* agreed that ratification was an important building block in translating national obligations into action, but that it was equally important to create an enabling environment. The report should therefore take a broader view and objectively assess national efforts to implement the principles and provisions of ILO instruments, even if they were not yet ratified. Bangladesh had always underlined the importance of awareness raising and capacity building to set the stage for ratification, and appreciated ILO technical cooperation in this regard, which was beneficial irrespective of a country's level of development.
24. Bangladesh remained engaged with the social partners concerning ratification of the Minimum Age Convention, 1973 (No. 138), and noted the reference in the report to the country's National Education Policy 2010, which ensured free and compulsory education for every child up to the age of 14. Bangladesh had achieved Millennium Development Goal targets of near-universal primary and secondary school enrolment and gender parity in schooling. The current key challenge was to prevent slippage into the labour market. As a way of reversing this trend, the Government had decided to introduce the provision of meals in primary schools. The draft National Children's Policy 2010 invoked provisions for the effective elimination of child labour and the Ministry of Labour and Employment was working on the implementation of the National Child Labour Elimination Policy 2010. He regretted that his Government had not reported on the setting up of a parliamentary committee to examine the issue of ratification of Convention No. 138. Referring to the table in Appendix VI of the report, he pointed out that Bangladesh had actually ratified Convention No. 182 and should therefore not be listed under the heading of "Ratification intention".
25. *A Government representative of Mexico* referred to paragraph 53, which mentioned the work of the Ministry of Social Development in Mexico and its work in implementing the Opportunity Programme to promote the elimination of child labour. She stated that the Programme was active among those living in extreme poverty, supporting education, health, nutrition and income but, while contributing to eliminating child labour, was not exclusively dedicated to such elimination.
26. IPEC was providing technical assistance to the Government through the Ministry of Labour and Social Security to the Stop Child Labour in Agriculture project, and not through the Ministry of Social Development. The aim of this project, which was launched in January 2010 and would last for 48 months, was to prevent and eliminate child labour in

Mexico, particularly in the agricultural sector with special focus on indigenous children who were internal migrants. The project was active in Chiapas, Michoacan, Sinaloa and Veracruz.

27. *The representative of the Director-General* first announced an item of information not contained in the report, namely that Cape Verde had ratified Convention No. 138.
28. He assured Bangladesh that a correction would be made to the error in Appendix VI and that Mexico's clarifications would be taken into account. He reassured the Employers that the promotional nature of the follow-up exercise was fully understood and that the Office had sought to reflect this in the document. He thanked the social partners for raising the issue of the place of ratification and the promotion of ratification in the follow-up to the Declaration. When adopted in 1998, the main text of the Declaration, not simply its annex, made specific reference to the ILO's obligation to offer technical support and advisory services to promote ratification of the core Conventions, in addition to the work of promoting the application of the fundamental principles and rights. The present document attempted to take all these responsibilities into account and the Office was open to discussion on how this could best be achieved.
29. The fact that the Conference chose to realign the follow-up to the 1998 Declaration in the light of the adoption of the 2008 Declaration on Social Justice for a Fair Globalization, showed that the ILO regarded the 1998 Declaration as being of critical importance. The Office was therefore now seeking to take a more dynamic approach in producing the annual report, giving emphasis to its interactions with member States and focusing more closely on the type of assistance that could be provided to individual States in promotion of the principles of the Declaration, and he hoped that the Office would benefit from the yearly feedback on how best it should react to meet Members' needs.
30. *The Governing Body took note of the report.*

#### **Fourth item on the agenda**

REPORT AND CONCLUSIONS OF THE 17TH AMERICAN REGIONAL MEETING  
(SANTIAGO DE CHILE, 14–17 DECEMBER 2010)  
(GB.310/4)

31. *A representative of the Director-General* (the Director of the ILO Regional Office for Latin America and the Caribbean) said that the 17th Regional Meeting had taken place in a climate of optimism because, thanks to the counter-cyclical policies implemented in 2010, a large part of Latin America had been able to overcome the financial crisis and its impact on employment. The Meeting had attracted almost 300 representatives of constituents in the region, had been characterized by a high level of participation by the countries of the Caribbean region, and had welcomed Sebastián Piñera, President of Chile, and Angelino Garzón, Vice-President of Colombia, as guest speakers. In a number of countries in the region, crisis response had been characterized by the implementation of bold and serious policies that had made it possible to avert the threat of a sharp rise in poverty, by the first hint of a return to growth, by the implementation of successful social programmes and by a fall in urban unemployment in 2010. Remaining challenges included the consolidation of democracy, the need to reduce inequalities, strengthen rights and mechanisms for participation through more effective social dialogue, and improve quality of work. The Meeting had also extensively discussed the worrying problem of youth unemployment, which affected almost 7 million young people in the region.

32. The conclusion adopted by the Meeting emphasized, among other things, the importance of promoting economic competitiveness, together with social cohesion, preserving and respecting the fundamental rights at work enshrined in the Declaration of 1998. With that in mind, agreement had been reached on implementing regional technical cooperation programmes focusing on the following key elements: efforts to strengthen freedom of association and collective bargaining; promotion and development of sustainable enterprises that would be competitive and respect the fundamental principles and rights at work; and moves to strengthen labour ministries. The Regional Office would continue supporting the regional campaign of the Trade Union Confederation of Workers of the Americas (CSA) for freedom of association in Latin America and the Caribbean, which was being developed jointly with the Bureau for Workers' Activities (ACTRAV); continue working with the Bureau for Employers' Activities (ACT/EMP) on establishing a diagnostic of the current situation and draw up proposals in connection with the second of the key elements referred to; and continue providing assistance to labour ministries, the key actors in economic recovery.
33. During the Meeting, the President of Chile had signed a preliminary draft law with a view to ratifying the Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187), following the tripartite agreement reached after the mining accident in Chile. The Regional Office would continue to work towards increasing the coverage, benefits and quality of social protection, including by promoting the Social Protection Floor, and there were plans to recruit a regional occupational safety and health specialist. The Regional Office had committed itself to working intensively to overcome inequalities in the region.
34. Lastly, the speaker expressed her profound gratitude to the authorities and the people of Chile for the hospitality and warmth shown to the tripartite delegations from the entire region.
35. *The Employer Vice-Chairperson* welcomed the fact that the conclusions of the Meeting linked decent and productive work with sustainable enterprises. The Employers' group hoped that the project currently being implemented by ACT/EMP and the Regional Office would not be limited to diagnostics of the obstacles hindering the development of small enterprises, but would make it possible to launch programmes to promote formalization. Youth unemployment was a very serious problem since it affected young people not only as waged or self-employed workers but also as founders of micro- and small enterprises. With the new Regional Director, and thanks to the process set in motion by the Regional Meeting, it should be possible to define specific actions in collaboration with the countries of the region to promote enterprise creation and the creation of decent work and self-employment with social projection.
36. *An Employer member from Brazil* highlighted the importance of the regional meetings in promoting a degree of coherence in thinking between subregions which, in the case of the Americas, were characterized by their heterogeneity. The speaker recalled that, in 2006, it had not been possible to achieve a consensus on the Decent Work Agenda for the Hemisphere given the broad scope of the decent work concept. At the 17th Regional Meeting, the employers had reaffirmed their endorsement of the points of consensus of the Agenda in question, and had proposed that genuine social dialogue be established on the definition of its fundamental concepts. It was important to keep in mind two concepts defined in recent years by the ILO which were now inextricably linked: decent work and work in sustainable enterprises. It was no longer accepted that an enterprise could fulfil its role by simply generating profit if it failed to create jobs. For the idea of decent work to become a reality, companies needed to work in an environment that would enable them to develop in a globalized world governed by the imperative need to promote competence and

excellence. Lastly, thanks were due to the Office and especially to ACT/EMP for the logistic support given to the Employers' group.

37. *The Worker Vice-Chairperson* thanked the people and the Government of Chile for the hospitality and generosity of spirit and friendship with which they had hosted the Regional Meeting. He was pleased that a larger delegation from the Caribbean subregion had attended the Meeting.
38. The Workers' group welcomed the Meeting's reaffirmation that freedom of association and the effective recognition of the right to collective bargaining were crucial to attaining decent work goals. The Office needed to give priority to promoting the ratification and effective application of the Minimum Age (Sea) Convention, 1920 (No. 7), the Right to Organise and Collective Bargaining Convention, 1949 (No. 98), the Workers' Representatives Convention, 1971 (No. 135), the Labour Relations (Public Service) Convention, 1978 (No. 151), and the Collective Bargaining Convention, 1981 (No. 154), and to allocate adequate resources to those activities. The Office should prepare an updated study on collective bargaining, and should promote sectoral and transnational collective bargaining, mainstreaming it into all programmes including those concerning sustainable enterprises. The Workers' group was concerned at the weakening in the language of commitment to the defence of freedom of association, while too little attention was being paid to the violence and the obstacles to achieving freedom of association and social dialogue in real life, referring in particular to the claims that had been heard in Chile with regard to the public service.
39. The Workers' group was also concerned by the position adopted in Santiago by the Employers' group which, instead of regarding the conclusions adopted in 2006 as an integrated set of recommendations, sought to pick and choose only those items that they liked. He recalled that the conclusions had sought to promote those enterprises that were committed to promoting decent work and respecting the environment. Each sovereign State had to assume its responsibility to use its resources to benefit the general population, rather than just a privileged few. That issue had not been captured in the report of the Meeting and needed to be properly clarified because it was the cornerstone of the trade union movement and democracy.
40. The Workers' group acknowledged the valuable role played by the social partners in tackling the crisis. It was especially gratifying that there had been agreement on the need to ratify and promote Convention No. 102. The application of the Global Jobs Pact was also a priority and needed to go hand in hand with a considerable improvement in the quality of public policies.
41. The region had to address the challenges set out in the conclusions of the Meeting. In particular, as suggested in paragraph 7 of the conclusions, the Decent Work Agenda for the Hemisphere needed to be revised and updated. The Regional Office should initiate a consultation process to that end, taking account of the Declaration on Social Justice for a Fair Globalization adopted in June 2008 and the Global Jobs Pact adopted in June 2009, and all the elements contained in the conclusion on sustainable enterprises of 2007.
42. Lastly, it was important to review the manner in which the conclusions were drafted at regional meetings. It was good to know that the Director-General, in his reply to the discussion on the programme and budget proposals, had made it clear that such a review would take place with the involvement of the constituents.
43. Congratulating the Director of the Regional Office on her appointment, he said that the Workers' group was very pleased that Ms Tinoco, like her predecessor, Mr Maninat, had come from the ranks of the workers.



44. *A Government representative of Argentina*, speaking on behalf of the group of the Americas (GRUA), thanked the Government of Chile for the hospitality it had provided. GRUA considered that it was very appropriate for the discussion to be based on the mid-term evaluation of the Agenda for the Hemisphere of 2006, given the major instruments that had been adopted since then and the improvements in South–South cooperation. That should be understood as a common endeavour and a demonstration of solidarity among the developing countries in favour of the objectives defined for the Americas region. GRUA endorsed the point for decision, and was convinced that the implementation of the conclusions that had been adopted would make it possible, with the ILO’s technical assistance, to develop regional programmes to strengthen freedom of association and collective bargaining, promote an environment conducive to sustainable enterprises, and strengthen labour ministries.
45. *A Government representative of Brazil* supported the statement made on behalf of GRUA. He emphasized that the Decent Work Agenda for the Hemisphere, defined by the Executive Secretary of ECLAC as a real conceptual and methodological tool to guide the actions of governments, workers and employers in favour of decent work, remained a basic reference for policy in the region. While a number of challenges remained with regard to the four strategic objectives defined by the ILO, the region had reaffirmed its tripartite commitment to the ILO’s fundamental principles. The speaker was proud that a number of governments in the region had become sources of inspiration for successful practices, and a mutually supportive exchange of experiences on promoting decent work had been established with developing countries in other regions. The Government of Brazil was willing to contribute to the progress of the American continent based on solidarity. The ILO for its part could help the region to achieve progress towards the realization of its common objectives by promoting job-rich growth and efforts to strengthen labour institutions and tripartite dialogue.
46. *A Government representative of Barbados*, speaking on behalf of the Caribbean Community (CARICOM) countries, supported the statement made by GRUA. She noted the greater participation in the Meeting by the Caribbean subregion, which had been motivated by concerns about employment and the effects of the crisis. In fact, contrary to the global figures that had been presented at the Meeting, and the statements that were made concerning the economy and employment, the countries of the Caribbean region had not yet seen a return to pre-crisis levels.
47. She thanked the Director-General for the meeting organized with the CARICOM countries, the Director of the ILO Decent Work Technical Support Team and Country Office for the Caribbean in Port-of-Spain for the support they had given over the years, and the Government of Chile for its hospitality and for facilitating the meeting of the CARICOM governments with the Agency for International Cooperation. During the meeting, it had been possible to define areas for South–South cooperation, especially with regard to youth unemployment, child labour, forced labour, social protection, trade and development. She was confident that the Caribbean countries in future would play a more active role in the ILO’s activities, while the conclusions produced by the meeting would be more specifically applicable to the Caribbean region and better integration would be achieved in the Latin American and Caribbean region.

**Governing Body decision:**

**48. *The Governing Body requested the Director-General:***

- (a) to draw the attention of the governments of member States of the Americas region and, through them, that of their national employers’ and workers’*

*organizations, to the conclusions adopted by the 17th American Regional Meeting of the ILO;*

*(b) to take these conclusions into consideration when implementing current programmes and in developing future programme and budget proposals;*

*(c) to transmit the text of the conclusions:*

*(i) to the governments of all member States, and through them, to national employers' and workers' organizations;*

*(ii) to the international organizations concerned, including international non-governmental organizations with consultative status.*

(GB.310/4, paragraph 156.)

### **Fifth item on the agenda**

DEVELOPMENTS CONCERNING THE QUESTION OF THE OBSERVANCE  
BY THE GOVERNMENT OF MYANMAR OF THE FORCED  
LABOUR CONVENTION, 1930 (NO. 29)  
(GB.310/5)

- 49.** *The Ambassador of Myanmar to Belgium*, leading the delegation of the Union of Myanmar, said that his country was committed to the elimination of forced labour. This political will was demonstrated by the successive extensions of the Supplementary Understanding (SU), of which the latest had been signed on 23 February 2011. The complaint mechanism established under the SU had been functioning effectively, and the Government recognized the important role played by the ILO Liaison Officer in assisting its efforts. The Government Working Group for the Eradication of Forced Labour (WG) was making all efforts to process the complaints received from the Liaison Officer in a timely fashion. Domestic legislation had been brought into line with Convention No. 29 through Order 1/99 and its supplementary Order issued in 2000. These laws prohibited the local authorities, members of the armed forces, the police or other public services from exacting forced labour. The newly formed Government had put in place committees to draft new laws in line with the Constitution and with international obligations. Moreover, the Government was taking action to raise awareness on the prohibition of forced labour in local authorities, the public service, the armed forces, the police and the public at large. Notable progress had been made in this sense and the simply worded brochure called for under the SU had been translated into the official Myanmar language, which was the most commonly understood and spoken in the country. Following Committee of Expert recommendations, awareness-raising activities had been undertaken, with the distribution of the brochure at local and community levels, completed by training and seminars for civilian military personnel and for civil society. The growing number of complaints received by the Liaison Officer reflected the success of this policy. The Government placed high priority on under-age recruitment and the Adjutant-General's Office, with regimental commanders and other senior personnel, were taking action against perpetrators, as reported by the Liaison Officer. The Committee for the Prevention of Military Recruitment of Underage Children of Myanmar was working with the United Nations task force on monitoring and reporting on children in armed conflict conditions, and was working towards final agreement on a joint action plan. With regard to complaints received under the category of trafficking for forced labour, it had been agreed that the Liaison Officer should document and submit these complaints to the police transnational crime unit, for further action by the Government.

50. The Government firmly believed that enforcement measures were essential, and alleged cases of impunity were groundless. Civilian and military perpetrators were punished under section 374 of the Penal Code and military rules and regulations. Further efforts would be made to give effect to the assessment and observations of the Committee of Experts. Given the considerable progress that had been achieved and the country's cooperation with the ILO, the Government believed it was time to review the present measures adopted against Myanmar, including the resolution adopted at the 88th Session of the International Labour Conference (2000).
51. *The Worker Vice-Chairperson* congratulated the Ambassador's predecessor, who had been made a Minister in the Government of Myanmar, and thanked the Liaison Officer for the work done. The Workers reiterated their satisfaction at the release of Aung San Suu Kyi, and wished to see her play a key role as leader of an independent party, advancing respect for fundamental human rights, including trade union rights, in the country.
52. The Workers' group had information showing that the human rights situation in Myanmar remained extremely serious. This had been reported only days previously to the present discussion by the UN Special Rapporteur, Mr Quintana, to the 16th Session of the Human Rights Council (Geneva, 28 February–25 March 2011). The group was concerned at the lack of implementation of the recommendations of the Commission of Inquiry made 16 years ago. At the 309th Session of the Governing Body (November 2010) the conclusions concerning Myanmar had called for the release of a number of imprisoned persons. Only one had been released so far and the Government persisted in saying that the persons were convicted for criminal offences, and not for filing reports on forced labour under the SU. The group hoped that these people would be amnestied before the Conference in June 2011. The November conclusions also urged the new Parliament to bring the law into line with Convention No. 29, starting with the repeal of the relevant provisions of the Villages and Towns Act, as called for by the Commission of Inquiry. The Federation of Trade Unions – Burma (FTUB) and the International Trade Union Confederation (ITUC) continued to provide information on forced labour in Myanmar, as did other sources of information. In his report to the Human Rights Council, the UN Special Rapporteur referred to violations of human rights in Myanmar including “forced labour, extrajudicial execution, sexual and gender-based violence, land and property confiscation, arbitrary taxation, religious and ethnic discrimination, arbitrary detention as well as deprivation of economic, social and cultural rights”. The report bore witness to continued recourse to under-age recruitment by the military. The Government had not heeded the Governing Body's urgent call to end the impunity which allowed this situation to continue, by applying the strict application of the Penal Code to all perpetrators. The Workers' group reiterated this call. In November, the Governing Body had called for intensified awareness-raising activities undertaken jointly by the Government and the Liaison Office encompassing Government personnel, the military and civil society. These had not materialized. The Governing Body had urged the translation of the brochure into all local languages, which had not been done; neither had the Government issued an authoritative statement, by the senior leadership, against the continued use of forced labour and in support of freedom of association. The Government had still not facilitated arrangements for an internationally recruited official to assist the Liaison Officer in receipt of complaints, as requested by the Governing Body. Greater powers should be granted to the Liaison Officer to enable him to raise complaints on his own authority.
53. The group repeated its request for information on cases of forced labour in the construction of gas and petroleum pipelines, where it feared that abuses were common. It urged the Government to cooperate with the Office in implementing all recommendations of the Commission of Inquiry; release all activists and lawyers currently detained; stop harassment of those making or facilitating complaints; stop impunity; increase jointly held awareness-raising activities; involve the Office in drafting trade union law and amending

the Villages and Towns Act; allow the Liaison Officer access to persons in detention; and put an immediate stop to the use of prison labour to porter military supplies.

- 54.** *The Employer Vice-Chairperson* thanked the Office and the Liaison Officer for the work done on behalf of the Organization in advancing towards shared objectives in Myanmar. While he believed in the Government's commitment to eliminate forced labour, proof and affirmation of gradual progress were required in the face of two incontestable facts: the persistent culture of forced labour and the continued impunity that prevailed. Although the report contained positive elements, the seriousness of the situation was such that it called for immediate rectification. The sanctioning of perpetrators was essential if the infractions were to be eradicated. True, the increased number of complaints might be due to a better understanding of rights by the public, but it also implied continued recourse to forced labour. The group recognized that a process of governmental transition was taking place. This should be a transition towards consolidated democratic institutions, with respect to rule of law, freedom and the elimination of all forms of forced labour. The representative of the Government of Myanmar had certainly spoken in good faith, and some progress had been made. However, a reply was required to each of the recommendations of the Commission of Inquiry, and to the questions posed by Sir Roy in his intervention above. The Employers saw that the Government was being reactive, rather than proactive and wished to see more positive action on the part of the newly formed Government.
- 55.** The Government must understand that if the Governing Body's concern was not growing at the situation in the country, neither was it diminishing. The aim remained the effective elimination of forced labour in Myanmar, and the Employers' group's support for fundamental rights at work was absolute. There was a constructive process under way, and the Employers agreed with the Workers that much remained to be done: now was the time for the Government to take more rapid and effective action. In summary, all forms of forced labour in the country must cease; there should be no impunity for the military or for the public; the Government should authorize and facilitate a strengthening of the ILO Liaison Office.
- 56.** *A Government representative of Hungary* spoke on behalf of the European Union (EU), the candidate countries: Turkey, Croatia, The former Yugoslav Republic of Macedonia, Montenegro and Iceland; the countries of the stabilization and association process and potential candidates: Bosnia and Herzegovina and Serbia; Ukraine, the Republic of Moldova and Armenia aligned themselves with the statement, which was supported by Switzerland. The EU remained deeply concerned at the critical human rights situation in Myanmar and at the continued use of forced labour, including military portering, inappropriate use of prison labour and the recruitment of child soldiers. Restrictions were placed on freedom of association, and labour activists were imprisoned and retained despite repeated calls from the Governing Body for their release. Some progress had been made, and the EU acknowledged the Government's commitment to continue and strengthen its efforts to move forward. The EU welcomed the recent ILO mission and the 12-month extension to the SU. The population were increasingly aware of their rights in law, and the authorities had made progress in dealing with the complaints of forced labour and under-age recruitment. The harassment of complainants had reduced and the Government was committed to releasing those imprisoned after making complaints. The Government should now be more proactive in eliminating forced labour, rather than simply responding to complaints. The EU noted the Government's participation, in January 2011, in the Universal Periodic Review (UPR). It should follow up on the UPR recommendations. The EU understood that amendments were being made to the Villages and Towns Act: these should be expedited. The ILO should strengthen its activities in Myanmar and help the Government to implement the new law once promulgated. The Myanmar authorities should increase cooperation with the Liaison Officer, by allowing

him access to court files and to attend any relevant court hearing, as well as increasing the resources of the ILO Office in Yangon to respond to the increased workload.

57. *A Government representative of Japan* welcomed the recent high-level ILO mission accepted by the Government of Myanmar and the agreement to extend the SU for another 12 months. Japan further welcomed the planned amended version of the Villages and Towns Act, to harmonize the legislation with Convention No. 29, and the Government's decision to produce a labour organizations law, which it should share with the ILO prior to submission to Parliament, to ensure compatibility with the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87). Progress had been made with regard to under-age recruitment into the military, but recourse to forced labour was not limited to this practice alone. The Government should address the exaction of forced labour by civilian and military authorities, prison and forced labour related to the right of land use or occupancy. Japan welcomed the distribution of the brochure, but this document should also be available in the other local languages. The Government should grant entry visas to additional Liaison Office staff members to face up to the additional workload.
58. *In a brief exchange of views, the Government of the United States, supported by those of the United Kingdom and of Canada, expressed its reservations as to the use of the country name "Myanmar" and its preference for using the name "Burma", as a symbol of the United States' support for the democratic opposition which had not yet been incorporated into the governance structure of the country. The Chairperson ruled that these reservations would be recorded.*
59. *A Government representative of the United States* said that the work achieved by the ILO Liaison Office had made members of the Government of Myanmar, the military, civilians and workers themselves aware that workers had rights. It had helped promote the rule of law and had saved lives. The United States noted with interest the awareness-raising activities undertaken in recent months, and welcomed the 12-month extension of the SU. It also noted the redrafting of the Villages and Towns Act, which the Government should share with the ILO prior to its introduction in Parliament. Although change was in the air, forced labour persisted. The recently published report of the Committee of Experts showed that the Government had not yet implemented the recommendations of the Commission of Inquiry: the legislative texts were not yet in line with Convention No. 29, though as noted, this was in progress; forced labour continued to be used regularly, particularly by the military; sanctions had been applied to civilians who exacted forced labour, but not to the military, who continued to enjoy impunity. The Government should publish the brochure in local languages and dialects to initiate more proactive efforts to prevent forced labour. Progress had been made to deal with under-age recruitment into the military. The Government should give priority to other types of forced labour, treating all violations of Convention No. 29 with equal seriousness. It should facilitate the strengthening of the ILO Liaison Office to allow it to face up to the increased workload and play its full role in advocating, advising and assisting the Government to end forced labour. The Government should create laws to abolish forced labour and demonstrate its stated commitment to rectify violations of Convention No. 29, respect its promise of democracy and bring about national reconciliation.
60. *A Government representative of Singapore* said that her Government welcomed the continuing cooperation between the Government of Myanmar and the ILO. The increased number of complaints received through the complaints mechanism reflected the effectiveness of the awareness-raising activities that had taken place, including the distribution of the brochure. This increase also reflected continued use of forced labour. Complaints of under-age recruitment had been generally dealt with satisfactorily; other complaints, including those associated with use or occupancy of land, should be given the same priority. While some progress in prosecution of civilians for exaction of forced

labour was apparent, the Government should step up its efforts to end impunity. Myanmar was at a critical stage on its journey towards democracy. It would soon have a new Government. Its parliament was reviewing legislation, in particular the Villages and Towns Act, to bring it into conformity with Conventions Nos 29 and 87. The Government had been cooperating with the ILO. The new Government should continue this spirit of cooperation and build on the momentum already evident.

- 61.** *A Government representative of Australia*, also speaking on behalf of the Government of New Zealand, wished to record his appreciation of the work of the Liaison Officer and his small team in Myanmar. The increased number of complaints received showed a greater awareness by the people of Myanmar of their rights and of the SU, resulting from the proactive approach adopted by the Liaison Officer. He welcomed the Government's stated commitment to revise the Villages and Towns Act in line with Convention No. 29. It was heartening to learn that human trafficking had begun to be addressed more proactively through cooperation between the Government and the Liaison Office with relevant partners. The SU had been renewed, and the Myanmar Minister of Labour had expressed his Government's continued commitment to the eradication of forced labour and his belief that this would be strengthened under the new Government. More now needed to be done to ensure effective implementation of the SU, which should be used as a tool to support the Government in dealing with forced labour. The Government's commitment should be further demonstrated by proactively investigating and prosecuting, in all cases, civilians and military personnel accused of exacting forced labour or under-age recruitment: impunity must cease; the Government should make use of ILO expertise in the redrafting of the Villages and Towns Act; the Labour Organizations Act should be harmonized with Convention No. 87, while the Jail Manual should be appropriately redrafted in respect of prison labour; concrete strategies should be adopted to eliminate forced labour, such as the nationwide distribution of information on its illegality, in local languages, as well as to all levels of Government and to the military; an entry visa should be provided to an additional staff member for the Liaison Office, to allow the Office to absorb the increasing workload; the Government should approve the application by the Liaison Officer to import an additional motor vehicle into Myanmar.
- 62.** The Government should continue to cooperate with the ILO in implementing the recommendations of the UPR. While Australia and New Zealand welcomed some positive developments in Myanmar under the SU, progress on the broader context was crucial. It was clear that Myanmar's elections held in November 2010 fell well short of democratic norms. The new Government should implement democratic reform through dialogue with all stakeholders. The two Governments welcomed the release of Aung San Syu Kyi: her personal safety should be safeguarded and all political prisoners, including those imprisoned for their association with the complaints mechanism, should be released. Any reprisals taken against those using the complaints mechanism must stop.
- 63.** *A Government representative of Viet Nam* welcomed the recent improvements made by the Government of Myanmar, the Government's cooperation with the Liaison Office and with the high-level mission, and the progress in revising the Villages and Towns Act. Continued cooperation, under the renewed SU, would lead to further improvements.
- 64.** *A Government representative of Canada* thanked the Office and the Liaison Officer for the work done in Myanmar. Her Government was again in the position of acknowledging small signs of progress, while reiterating the same calls for serious action as listed in the conclusions of each previous Governing Body session. Canada thus repeated its call to free Daw Su Su Nway, U Min Aung, U Zaw Htay and U Nyan Myint and to reinstate the licenses of the two lawyers associated with the complaints mechanism.

65. The Government's constant refusal to grant an entry visa to the urgently needed additional staff member of the Liaison Office was discouraging, and should be remedied forthwith. Canada failed to understand the Government's reluctance to translate the brochure into the local languages. Certainly, the Constitution did not prevent the Government from communicating with its citizens and informing them of their rights. The Government should actively continue its commitment to joint Ministry of Labour-ILO awareness-raising activities. While approving the attention paid by the Government to complaints of under-age recruitment, Canada urged the Government to extend this to all types of forced labour, including forced military portering in conflict zones. The Minister of Labour's statement was positive in this connection. Canada looked forward to an early revision of the Villages and Towns Act in conformity with Convention No. 29. Persons guilty of exacting forced labour, including military personnel, must be prosecuted under the criminal code. The apparent reduction in harassment or retaliation against complainants was to be welcomed and the practice should cease entirely. In respect of the long-standing case where farmers had been removed from their land, the Government and the local authorities should ensure that the ten remaining farmers could return to their land. The Government should take active and timely steps to resolve the pending forced labour cases in the Magwe Region. Canada recognized the efforts of the Government of Myanmar in allowing the Liaison Officer greater court access and attendance at relevant hearings. It should also ensure that the requests by the Liaison Officer to access persons in prison were facilitated. Moreover, it should seek ILO assistance in responding to the UPR recommendations pertinent to the ILO mandate. Canada welcomed the Government's agreement that human trafficking complaints received under the SU should be submitted for appropriate action to the Police Transnational Crime Unit. The greater coordination would be beneficial and Canada hoped that the ILO's proffered support would be accepted.
66. A *Government representative of Cuba* noted and welcomed the progress made by the Government of Myanmar, as set out in the report. He was aware that much remained to be done, and stressed that the spirit of cooperation and joint work established between the ILO and the Government of Myanmar should continue and be reinforced further.
67. A *Government representative of Thailand* expressed gratitude to the Liaison Officer and to the ILO, and commended the Government of Myanmar for its spirit of cooperation. There had been continuous progress, marked by the extension of the SU for a further year, and renewed commitment by the Government to bring its laws into line with Convention No. 29. Thailand recognized the effective functioning of the complaints mechanism and the SU. The increased number of complaints was a sign of raised public awareness of rights under the law and improved confidence in the operation of the mechanism. The awareness-raising activities should continue, and Thailand supported the request for the issuance of an entry visa for additional personnel for the Liaison Office. Thailand welcomed the Government's agreement to respond to the UPR recommendations: it should seek ILO technical assistance in this connection. Myanmar should build on the progress achieved and reaffirm its commitment to eliminate forced labour. The new Government should take the opportunity to abolish in law and in practice recourse to forced labour, marking a considerable step towards democratization and national reconciliation. Thailand would support Myanmar in this.
68. A *Government representative of the Russian Federation* applauded the continuing cooperation between the Government of Myanmar and the ILO, and particularly the extension of the SU. This would provide the most effective means of eliminating forced labour in the country. The present discussion was taking place against a background of a recent general election and ongoing legal reform. The Government was taking welcome steps towards democratization. He expressed genuine gratitude to the Liaison Officer in implementing the SU and in dealing with the many complaints submitted for review. This had had very positive results. The awareness-raising activities, including the distribution of

the brochure, had also borne fruit. The result had been an increased workload for the Liaison Office, and the Russian Federation hoped that problems related to allowing a strengthening of the Liaison Office personnel would be rapidly solved.

69. *A Government representative of India* noted the positive elements included in the report as well as the Government's intention to introduce legislation in parliament in line with Convention No. 29. It was encouraging to learn that under-age recruitment and forced labour were systematically tackled, and appropriate punitive measures were being applied. India was strongly opposed to the practice of forced labour, forbidden expressly in the country's Constitution. The ILO should continue to assist Myanmar to eliminate forced labour through enhanced cooperation.
70. *A Government representative of China* noted the progress made and the awareness-raising campaign that appeared to be bearing fruit. Myanmar would shortly be amending the Villages and Towns Act, and had signed a renewed extension to the SU. The Government of China believed that forced labour was contrary to fundamental human rights and should be eliminated. The Government of Myanmar had taken action in this direction, and appeared determined to solve the problem. The ILO should continue to do all possible to provide the necessary technical support to Myanmar and strengthen its cooperation further with the country.
71. *A Government representative of Myanmar* responded to the Governing Body's comments. He observed that some comments were of a politically motivated character. These his Government would set aside. Other comments were constructive and objective and these would be given due consideration. They created greater understanding between all stakeholders and encouraged deeper cooperation. Replying to the Worker Vice-Chairperson, he said that Myanmar recognized the intrinsic link between democracy and human rights, including workers' rights, but the report of the UN Special Rapporteur contained many erroneous facts. Dramatizing the report would not help in attaining the objective of eliminating forced labour. In response to the Employer Vice-Chairperson, he pointed out that Myanmar was in a process of transition towards democracy. Its Government was no less serious about ending all forms of forced labour in the country than any participant in the present discussion, but sometimes change would not happen at the rate desired. It would, however, certainly gather speed in the future. Finally, he stressed his Government's rejection of impunity, stating that no one in Myanmar, either civilian or military, was above the law.

#### **The Governing Body conclusions:**

72. *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 the light of the debate, it adopted the following conclusions:*
- *The Governing Body welcomes some positive developments in Myanmar as well as the extension of the SU trial period for a further 12 months, and urges a revitalized programme of activities towards fully implementing the recommendations of the Commission of Inquiry.*
  - *The Governing Body notes the increase in the number of cases dealt with under the terms of the SU. This highlights the need for the Government to adopt a more proactive stance in dealing with the overall causes of forced labour and for it to cooperate in ensuring that the ILO Liaison Office is*



*adequately strengthened to respond to its increasing workload, including through timely positive responses to visa and licensing applications.*

- *The Governing Body notes the Government’s indication that draft legislation aimed at achieving legislative conformity with Convention No. 29 is in the process of preparation. It invites the Government to take advantage of the technical assistance of the ILO with a view to the rapid amendment of the Villages and Towns Act 1907, the review of the Jail Manual, and the introduction of proposed new labour legislation prohibiting the use of forced labour in all its forms.*
- *The Governing Body strongly supports educational and awareness-raising activities as a means for changing behavioural patterns in respect of forced labour and to this end calls for the continuation of such activities particularly amongst the civilian and military authorities, for the continuation of initiatives for enhanced community awareness, including ILO workshop activity, and for the publication and wide distribution of the information brochure on forced labour in local languages in addition to the official national language. Specific targeted awareness raising and training of persons associated with, or affected by, major construction projects, including oil/gas pipelines, would also be of particular importance.*
- *While taking note of the information provided on activities undertaken, the Governing Body re-emphasizes the need for national laws to be consistently applied. The practices of the army and defence institutions in respect of forced cropping and the forcible use of villagers or prison labour for portering of military supplies, sentry duty and construction work in conflict zones, must be stopped. The Government is urged to take all measures to combat the culture of impunity, including through the strict application of the Penal Code to all those who use forced labour, even when such acts are committed by the military.*
- *The successful elimination of the use of forced labour depends critically on the confidence of persons to complain of breaches of law in the knowledge that they can do so without fear of harassment or retaliation.*
- *The Governing Body, whilst noting the early release of U Htay Aung, reaffirms its previous call for the release of U Zaw Htay, 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, and of other persons still in detention, including labour activists and persons associated with the making of, or supporting the submission of, complaints under the SU. Furthermore, the Governing Body calls for the Government to facilitate the free access of the Liaison Officer to visit persons so detained and to effect the reinstatement of the advocacy licences of U Aye Myint and Ko Pho Phyu.*
- *The Governing Body notes that a number of long-standing complaints in the Magwe Region remain unresolved and, as a result, the issues and relationships in this area are becoming more complex and entrenched, with the potential to disrupt the overall positive operation of the SU. The*

*Government is urged to work with the ILO Liaison Officer towards finding early and lasting solutions to these cases.*

- *The Governing Body recalls and reconfirms all of its previous conclusions and those of the International Labour Conference, and calls upon the Government and the Office to work proactively towards their realization.*

### **Sixth item on the agenda**

COMPLAINT CONCERNING NON-OBSERVANCE BY  
MYANMAR OF THE FREEDOM OF ASSOCIATION AND PROTECTION  
OF THE RIGHT TO ORGANISE CONVENTION, 1948 (No. 87)  
(GB.310/6)

- 73.** *The Worker Vice-Chairperson* said that his group supported the point for decision. Freedom of association had long been denied in law and in practice in Myanmar. Simple assurances that a new day was dawning were not sufficient: concrete action was required if the way was to be opened to a more just society. The Government should admit that there was a need to apply Convention No. 87, and subsequently to ratify the Right to Organise and Collective Bargaining Convention, 1949 (No. 98). If the elections in Myanmar were to usher in an era of democracy, then freedom of association should be enshrined in law. The group had received many reports of labour activists who had been arrested, imprisoned, tortured, or who had disappeared, or been killed. The Government might deny these reports as mistaken, or plead that they were the product of terrorist groups, however the Workers remained convinced, even taking account of the long period of civil war the country had traversed, that much of the fact in the reports was true. The Workers' group believed that the Commission of Inquiry, the ILO's highest investigative process, would be of great assistance to Myanmar by securing the most progressive political reform possible without an escalation of pressure on the Government. The process of conducting an inquiry, the issuing of findings and their presentation for discussion and application might open up a debate in which Myanmar could participate. The Commission of Inquiry would issue recommendations which would need to be followed up by intensified ILO technical assistance to Myanmar. The Government would therefore be able to profit from the great experience of the ILO, which could only be beneficial to the country.
- 74.** *The Employer Vice-Chairperson* pointed out that Myanmar had ratified Convention No. 87 on 4 May 1955, thus establishing a clear international legal framework which could be incorporated into national law, and which would allow workers and employers, without interference from the State, the freedom to associate. In practice there were clear restrictions to this right to freedom of association, and the Government should answer to these. The gravity of the question called, firstly, for much broader clarifications; secondly, for verification to see whether this right, which was not regulated by national law, but which should have been incorporated into positive law following ratification of the Convention, could be freely exercised in Myanmar; and thirdly, whether the ILO supervisory mechanisms could be implemented. If answers to these questions were not forthcoming, then the only path open to the Governing Body to obtain fuller information would be to instigate a Commission of Inquiry.
- 75.** *The Ambassador of the Union of Myanmar to Belgium* referred to the Government's observations set out in the appendix to the paper, and said that explanation, with factual detail, would certainly go some way to addressing the concerns expressed in the complaint. The Government fully shared the objectives of the ILO with regard to social justice, peace, equality and decent work. However, certain groups within the country, acting in the name of workers' organizations, had been involved in armed insurgency against the Government

and in terrorist activity. Myanmar was at present making the transition to a civilian, democratic administration. Preconceived approaches and outdated perceptions of the country should now be put aside. The alleged lack of provision for freedom of association in law and practice took no account of the ongoing discussion between the ILO and the Government on drafting the Labour Organizations Law. However, even in the absence of specific legislation, workers' rights had been well respected. Labour disputes in Myanmar were resolved through tripartite consultation. During these exercises there had been no arrests for exercising freedom of expression. An example was the strike by over 1,700 workers from the Taiyi shoe factory in Hlaing Thayar Township, Yangon, held from 8–11 March 2001 for higher pay. Thirty-two Workers' representatives successfully negotiated a peaceful settlement with their employers. No workers were sanctioned for exercising their rights. The persons sentenced were punished for breaking the law. Myanmar always responded to calls for the release of individuals by the Governing Body or the Conference, and reviewed their cases according to legal procedure. Leniency was applied in cases of good behaviour. The Labour Organizations Law was being drafted following consultations between the Ministry of Labour, the Attorney General, the Myanmar Federation of Chambers of Commerce and Industry, as well as discussions with the ILO legal experts, with reference to Convention No. 87, when they visited Myanmar in 2010 and 2011. The views of the ILO experts had been taken into account. A brief matrix outlining the amendments incorporated into the draft, supplied by the Director-General of the Ministry of Labour of Myanmar, had been submitted to the ILO legal experts for analysis. During the drafting process the Government would seek further technical assistance from the ILO. The National Parliament and the Peoples' Parliament had established committees entrusted with the drafting, reviewing, amending and repealing of national laws to harmonize them with the new Constitution and with international obligations. On 16 March, the Peoples' Parliament received a proposal to review the 1954 Social Security Act to ensure full social rights for Myanmar workers, in line with international standards. This would be submitted to forthcoming sessions of the Parliament for discussion.

76. It was simply a matter of time before labour organizations emerged in Myanmar. Due to the transition period, the drafting of new legislation might not advance as rapidly as could be hoped, but the Labour Organization's Law would be given priority by the forthcoming Parliament. This question was therefore a "non-issue" and there was no call for extreme measures by the Governing Body with regard to Myanmar; on the contrary, these could jeopardize existing cooperation.
77. A *Government representative of Hungary*, spoke on behalf of the European Union (EU), the candidate countries: Croatia, the former Yugoslav Republic of Macedonia, Montenegro and Iceland; the countries of the stabilization and association process and potential candidates Bosnia and Herzegovina and Serbia; Ukraine, the Republic of Moldova and Armenia aligned themselves with the statement, which was also supported by Switzerland. The EU noted the information supplied by the Government. It strongly regretted the failure of Myanmar to hold free, fair, transparent and inclusive elections and called on the Government to recognize the National League for Democracy's registration status, lift all restrictions imposed on its representatives, as well as on other political and civil society actors in the country. Despite Aung San Suu Kyi's release, there remained more than 2,000 political prisoners in Myanmar. These should be released without delay. The EU acknowledged the Government's commitment to respect Convention No. 87, and would continue to urge the Government to comply with that Convention and revise national law accordingly. The EU welcomed the ILO high-level mission of February 2011 and noted the presentation of the draft Labour Organizations Law. This draft should be shared unrestrictedly in meaningful consultations with the ILO, together with information on the start of effective implementation of the Law. In view of the information provided, the EU

would defer the appointment of a Commission of Inquiry, pending further developments, including the continuation of active cooperation of the Government with the ILO.

- 78.** *A Government representative of Canada* joined the international community in calling on the Government of Myanmar to ensure a transition to genuine democracy. No country could aspire to the goals of the ILO if its workers and employers could not freely associate, an essential condition for the protection of labour rights. The Government of Canada called for the immediate release of the ten prisoners listed in document GB.310/6: their continued imprisonment for the exercise of basic freedom of association rights was contrary to democracy. Canada welcomed the information in the report on the drafting of the Labour Organizations Law. This should be in harmony with Convention No. 87, and the ILO should have the opportunity to comment on the actual draft text in order to assist the Government in this connection. The new legislation would be a dead letter if it were not actively applied and the Government should work closely with the ILO in this regard. Canada did not agree that this was a “non-issue”. However, in view of the information provided by the Government of Myanmar, a decision on the establishment of a Commission of Inquiry should be postponed until the 312th Session of the Governing Body (November 2011).
- 79.** *A Government representative of the Russian Federation* stressed the importance of member States complying fully with the standards that they had ratified. Myanmar was going through a very wide-ranging process of constitutional reform, which included the provision of basic freedom of association rights to trade unions. Preparations were under way to adopt legislation in this sense. The ILO should continue its constructive cooperation with the Government of Myanmar to ensure that this legislation was in line with Convention No. 87. As the Government had responded to the complaint in question, and had provided information and observations, there was no present need to establish a Commission of Inquiry. The Government should continue to cooperate with the ILO to fulfil its obligations under Convention No. 87.
- 80.** *A Government representative of the United States* said that the Government of Myanmar’s persistent failure to comply with core international standards on freedom of association warranted the establishment of a Commission of Inquiry. However, the Government had committed itself to revising its national labour laws and trade union legislation. It was therefore appropriate, before taking a decision, for the ILO to examine the draft laws and the mechanisms for enforcing them, and to submit its observations thereon to the Governing Body. The Government should provide the ILO with a copy of the draft texts without delay. This technical assistance would be more valuable before, rather than after the legislation was finalized. The Government should also take the following steps: firstly, permit the ILO Liaison Officer to add a freedom of association expert to his personnel, granting the appropriate visa and other requisite documents; secondly, agree to a complaint mechanism for freedom of association cases; thirdly, permit the Liaison Office to monitor the implementation of freedom of association, both in law and practice; and fourthly, free all individuals who have been wrongly imprisoned for exercising their basic right to associate. The Governing Body could revisit the need for a Commission of Inquiry at a later date.
- 81.** *A Government representative of Australia*, speaking also on behalf of New Zealand, noted that the 2008 Constitution of Myanmar provided for the right to form associations and organizations, and that the Government was drafting legislation that would be in full conformity with Convention No. 87. The Government was strongly encouraged to cooperate with and use the expertise of the ILO to attain this objective. Once the legislation was enacted, it was essential it should be applied in a fair, transparent and consistent manner throughout the country. Myanmar might wish to consider developing an education programme to inform government officials at all levels, including local and state

levels, of the legislation and how it should be applied. This programme should be developed during the drafting process, and the Government could seek the help of the ILO in this connection. The decision on a Commission of Inquiry should be deferred to the November session of the Governing Body, to allow the Government to report on progress in the meantime.

- 82.** *A Government representative of Cuba* said her Government considered technical cooperation and dialogue between the Government of Myanmar and the ILO to be fundamental tools for the effective implementation of Convention No. 87. Imposition of sanctions or other measures could harm the progress made so far.
- 83.** *A Government representative of China* noted the progress made in drafting the Labour Organizations Law, and the exchange of ideas that took place between the high-level mission and the Government of Myanmar regarding Convention No. 87. A Commission of Inquiry was not warranted on this issue. ILO member States were obliged to implement ratified Conventions, and the ILO should continue its constructive dialogue with the Government of Myanmar in this sense.
- 84.** *A Government representative of India* acknowledged the collaborative efforts between the Government of Myanmar and the ILO, and noted that the Government was in transition towards a democracy and was enacting legislation in line with Convention No. 87. The Government should address the issues concerning this Convention in a climate of dialogue that facilitated constructive cooperation between the Government and the ILO.

#### **Governing Body decision:**

- 85.** *The Governing Body, having examined the information provided by the Government of Myanmar in response to the complaint presented in June 2010, and having considered all of the views expressed, decided:*
- (a) *to request the Government of Myanmar to transmit to the Office, without delay, the draft law on Labour Organizations currently under preparation so as to allow a full and meaningful consultation; and*
- (b) *to defer a decision on the appointment of a Commission of Inquiry to its 312th Session (November 2011).*

(GB.310/6, paragraph 7, as amended.)

#### **Seventh item on the agenda**

COMPLAINT CONCERNING NON-OBSERVANCE BY THE BOLIVARIAN REPUBLIC OF VENEZUELA OF THE FREEDOM OF ASSOCIATION AND PROTECTION OF THE RIGHT TO ORGANISE CONVENTION, 1948 (NO. 87), AND THE RIGHT TO ORGANISE AND COLLECTIVE BARGAINING CONVENTION, 1949 (NO. 98), MADE BY DELEGATES TO THE 92ND SESSION (2004) OF THE INTERNATIONAL LABOUR CONFERENCE UNDER ARTICLE 26 OF THE ILO CONSTITUTION  
(GB.310/7)

- 86.** *The Chairperson* presented a proposal to amend paragraph 8 of the Office paper, which contained the point for decision. The Governing Body accepted the proposal without reservation, adopting the following wording.

**Governing Body decision:****87. *The Governing Body decided:***

- (a) *that the complaint presented originally in 2004 would not be referred to a Commission of Inquiry;*
- (b) *to request the Director-General to send a high-level tripartite mission to the Bolivarian Republic of Venezuela to address all the issues before the Governing Body related to Case No. 2254 as well as technical cooperation matters, and to provide a full report to the Governing Body at its 312th Session (November 2011);*
- (c) *that, as a result of this decision, the procedure filed under article 26 of the ILO Constitution in June 2004 was closed.*

(GB.310/7, paragraph 8, and proposal presented by the Chairperson.)

- 88.** *A Government representative of the Bolivarian Republic of Venezuela* thanked the Director-General, the Chairperson of the Governing Body, the Workers' group and the Government group, in particular the Group of Latin America and Caribbean Countries (GRULAC), for the collaborative efforts made by everyone to enable agreement to be reached on the point in question. He emphasized that the Government of the Bolivarian Republic of Venezuela had on occasion made clear its disagreement with certain procedural aspects and the lack of transparency with regard to the complaint, and took the view that the high-level tripartite mission, which had been agreed to, presented a major opportunity to initiate a genuinely transparent procedure with clear limits. Case No. 2254 was very broad in scope and addressed issues that were not connected with the ILO Conventions; he trusted that the remit of the mission in question would be confined to issues related to the complaint, 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).
- 89.** *The Employer Vice-Chairperson* emphasized that, as the proposal presented by the Chairperson indicated, the decision concerned a high-level tripartite mission, which would carry out the precise mandate entrusted to it.

**Eighth item on the agenda**

## REPORTS OF THE COMMITTEE ON FREEDOM OF ASSOCIATION

*359th Report*  
(GB.310/8)

- 90.** *The Chairperson of the Committee* said that there had been 145 cases before the Committee, of which 31 had been examined on their merits. The Committee had also continued its general discussion on its procedures and visibility and would submit its observations at its meeting in May–June, prior to the establishment of the new Committee, which would be set up after the Governing Body elections in June. In Cases Nos 2361, 2708 and 2709 (Guatemala), 2516 (Ethiopia), 2571 (El Salvador), 2712, 2713 and 2714 (Democratic Republic of the Congo), 2745 (Philippines) and 2780 (Ireland), the Committee had observed that, despite the time which had elapsed since the submission of the complaints, it had not received the observations of the Governments concerned and had

issued an urgent appeal to those Governments to send their observations as a matter of urgency.

- 91.** Concerning the follow-up given to its recommendations, the Committee had examined 37 cases in which the Governments had kept it informed of the measures taken to give effect to its recommendations and had noted with satisfaction positive developments in Cases Nos 2470 (Brazil), 2692 (Chile), 2687 (Peru), 2546 (Philippines) and 2744 (Russian Federation). In Case No. 2546 (Philippines), the efforts made by the Secretary of Labor and Employment, the national union concerned and the international trade union movement, supported by the recommendations of the Committee on Freedom of Association and the high-level mission to the country, had resulted in the settlement of almost all outstanding matters, including the reinstatement of trade union members and the payment of compensation.
- 92.** With regard to serious and urgent cases, the speaker drew the Governing Body's attention in particular to Cases Nos 2655 (Cambodia), 2445, 2540 and 2609 (Guatemala), 2591 (Myanmar), 2528 (Philippines) and 2254 (Bolivarian Republic of Venezuela). In the first of those cases, No. 2655 (Cambodia), the allegations related to acts of anti-union discrimination and dismissals at three workplaces in the context of the restoration of the Angkor temples. Noting that the case had finally been referred to the Arbitration Council, the Committee expected that decisions would be taken without delay and urged the Government to take steps to adopt an appropriate legislative framework to ensure that workers enjoyed effective protection against acts of anti-union discrimination, including through the provision of sufficiently dissuasive sanctions and rapid, final and binding decisions.
- 93.** The first of the three serious and urgent cases concerning Guatemala was Case No. 2445. The Committee had been examining the case for five years and deeply regretted that the Government had provided only partial information in response to the serious allegations of violence against trade unionists. It emphasized that the rights of workers' and employers' organizations could be exercised only in a climate that was free from violence, pressure or threats of any kind against the leaders and members of those organizations, and that it was for governments to ensure that that principle was respected. It requested the Government to launch without delay an independent investigation into the allegations of death threats made against the General Secretary of the Trade Union Association of Itinerant Vendors of Antigua, and regretted that the investigation into the murder of Julio Rolando Raquec had not led to the identification of the perpetrators. The Committee expected that the objective of the ILO technical assistance accepted by the Government would be to ensure a climate that was free from violence, pressure and threats, to eliminate impunity and to establish an adequate and efficient system of protection against acts of anti-union discrimination. In Case No. 2540, another serious and urgent case concerning Guatemala, the Committee highlighted the importance of identifying the perpetrators of the 2007 murder of trade union official Pedro Zamora and of taking the necessary measures to ensure a climate free from violence and allowing for the development of a genuinely free and independent trade union movement. The third Guatemalan case was Case No. 2609. It concerned allegations of numerous murders and acts of violence, attempted murders, death threats, kidnappings, intimidation, blacklisting, the denial of legal status to several unions and system failures leading to impunity. The Committee recalled that freedom of association could be exercised only in conditions in which fundamental rights, and in particular those relating to human life and personal safety, were fully respected and guaranteed. It urged the Government to conduct independent investigations into the cases for which no information had been provided and to keep it informed in detail of the outcome of those investigations.
- 94.** In serious and urgent Case No. 2591 (Myanmar), the Committee deplored that the Government had not implemented its recommendations concerning the immediate release

of Thurein Aung, Wai Lin, Nyi Nyi Zaw, Kyaw Kyaw, Kyaw Win and Myo Min; the Committee urged the Government to take all the necessary measures to ensure their immediate release, as well as their access to legal and medical assistance while detained.

- 95.** Case No. 2528 (Philippines) concerned allegations of killings, grave threats, continuous harassment and intimidation and other forms of violence inflicted on union leaders, members, organizers and supporters. The Committee had examined the case for the third time and had noted the efforts made by the Government and the detailed information which had been provided. It welcomed the establishment of the Tripartite Industrial Peace Council Monitoring Body to review the application of international labour standards, and in particular Convention No. 87. It further noted the development of protection for victims and witnesses and the establishment of criminal responsibility for superiors in the chain of command. With respect to the allegations concerning the militarization of workplaces, the Committee expected that the Government would take the necessary measures, including the issuance of appropriate high-level instructions, to bring to an end prolonged military presence inside workplaces to ensure that any emergency measures aimed at national security did not prevent the exercise of legitimate trade union rights and activities and to ensure the strict observance of due process in the context of any surveillance and interrogation operations by the army or the police in a way that guaranteed that the legitimate rights of workers' organizations could be exercised in a climate that was free from violence, pressure or threats against their leaders and members. The Committee asked to be kept informed in that regard.
- 96.** The last serious and urgent case was Case No. 2254 concerning the Bolivarian Republic of Venezuela. The allegations concerned: the marginalization and exclusion of FEDECAMARAS; the arrest warrant against its former president; acts of discrimination and intimidation against employers' leaders and their organizations; legislation at odds with civil liberties and the rights of employers' organizations and their members; violent assault on the FEDECAMARAS headquarters; and finally the recent allegations of the assault and kidnapping of three of its officials, including Ms Albis Muñoz, Employer member of the Governing Body. The Committee deplored the offences that had been committed and expressed the hope that the perpetrators of the crimes would soon be convicted and sentenced in proportion to the seriousness of the offences in order that such incidents would not be repeated. It regretted that the Government had ignored its recommendation to step up the investigations into the attacks on FEDECAMARAS headquarters in May and November 2007, requested FEDECAMARAS to file an official complaint with the Public Prosecutor's Office and hoped that the authorities would collaborate with the organization's representatives to clarify the facts. Furthermore, the Committee firmly hoped that the perpetrators of the bomb attack at FEDECAMARAS headquarters in February 2008 would soon be convicted and sentenced in proportion to the seriousness of the offences. The Committee hoped that the authorities would refrain in the future from adopting an aggressive tone towards FEDECAMARAS and its leaders and that a forum for tripartite social dialogue would be established. Lastly, it once again urged the Government to establish, with ILO assistance, a high-level joint national committee to examine each of the pending allegations and issues and to resolve the problems through direct dialogue.
- 97.** *An Employer member of the Committee*, speaking on behalf of the spokesperson for the Employers' group in the Committee, explained that the Committee had carried out two major tasks: it had examined a substantial list of cases and had made progress in an informal discussion on its working methods. The cases dealt with during the session had been very varied, ranging from legislative cases to cases dealing with very serious matters such as attempted murder and kidnappings and cases of human resource disputes. The Employer members had noted with concern an increase in the number of cases from Latin America, with 19 out of the 31 cases examined and 17 out of the 20 new cases submitted



coming from that region. Nevertheless, substantial progress had been made in a number of cases and there were no cases from Colombia, which in the past had featured highly in the work of the Committee. It was interesting to note that a number of cases examined by the Committee during the session had involved interaction with other ILO supervisory bodies, such as Case No. 2807 (Islamic Republic of Iran), which had been referred to the Committee by the Conference Credentials Committee. In that case, the Committee had agreed with the Credentials Committee that the nomination of the delegation of the Islamic Republic of Iran at the 2010 session of the International Labour Conference had raised some freedom of association issues, and it had urged the Government to take all the necessary measures to amend the labour legislation so as to bring it into full conformity with the principles of freedom of association. Similar issues concerning the organization of employers in that country had arisen some years previously and had already been considered by the Committee.

- 98.** In Case No. 2799 (Pakistan), the Committee had drawn the attention of the Committee of Experts on the Application of Conventions and Recommendations to the aspects of the case relating to legislation. It raised the issue of the sharing of legislative power over labour matters between the national and the provincial authorities. The case sent a message from the Committee to the effect that, whatever the structure of legislative power, the national government remained accountable to the international community and to the workers and employers for compliance with the Conventions by all tiers of government. The Employers did not have any difficulty in principle with the Committee interacting with other supervisory machinery in the ILO, whether that be the Committee of Experts or the Conference Credentials Committee. Nevertheless, the Governing Body should take note of a number of practical and governance-related matters. First, the case loads of both the Committee on Freedom of Association and the Committee of Experts were very heavy and it was necessary to avoid overlaps and repetition in discussions on the same issues. Second, the composition of the Committee on Freedom of Association was different to that of the Committee of Experts, as the former was tripartite and did not comprise external experts. The Committee on Freedom of Association dealt only with Conventions Nos 87 and 98 and sought not to pass rulings but to use its authority to make recommendations designed to alter future behaviour while remedying wrongs.
- 99.** The Committee had also examined a number of cases where progress had been made, such as Case No. 2258 (Philippines) and Case No. 2450 (Djibouti). Nevertheless, Case No. 2753, also concerning Djibouti, illustrated that progress was fragile, especially where governments failed to reply to the Office's requests for information.
- 100.** The speaker then turned to cases of particular importance for the Employers, drawing attention first to Case No. 2254 (Bolivarian Republic of Venezuela). He recalled that, for seven years, the situation had deteriorated to the point of becoming intolerable for the employers' organization FEDECAMARAS. Since it had last examined the case, in March 2010, the Committee had received additional and alarming allegations concerning the abduction and shooting of employer officials, including Ms Albis Muñoz, a member of the Governing Body. The Committee reaffirmed its previous conclusions and repudiated the Government's defence. With regard to the latest observations of the Government concerning the arrest of the former president of FEDECAMARAS, the Committee considered that they did not add anything new that might lead the Committee to modify its previous recommendation. The conclusion reached by the Employers was that the Government had failed to act against the climate of violence and intimidation because it was itself complicit in the situation. The Committee's report to the Governing Body dealt not only with Case No. 2254, but also in its introduction to an article 26 complaint against the Government of the Bolivarian Republic of Venezuela. In that regard, the Committee deeply regretted that the Government had still not given any follow-up to the recommendations that it had consistently and repeatedly been making for the past five

years for a direct contacts mission to the country. The Committee invited the Governing Body to take a decision in relation to that item at its March 2011 meeting. The Committee on Freedom of Association had found serious, repeated and worsening breaches of fundamental rights and freedom of association by the Government of the Bolivarian Republic of Venezuela. The case also showed that both employers' organizations and trade unions could be the victims of serious freedom of association violations by the State.

- 101.** Case No. 2760 (Thailand) concerned human resources in the manufacturing industry that involved restructuring and layoffs. The Committee outlined a number of important principles, including the principle that staff reduction programmes should not be used to carry out acts of anti-union discrimination, but recalled that employees who were trade union members could not be immune from the effect of restructuring programmes.
- 102.** Case No. 2602 (Republic of Korea) was serious and difficult and involved the application of Conventions Nos 87 and 98 in the case of "illegal dispatch" workers. The Committee recognized the established approach according to which illegal dispatch workers had the full protection afforded to workers under the terms of the Conventions, but accepted that those Conventions might have a different application in the case of genuine self-employment or independent contract work. The Committee concluded that all workers must be able to enjoy fully freedom of association rights with the organization of their own choosing with a view to defending their interests.
- 103.** Case No. 2694 (Mexico) was new and concerned a questioning of the industrial relations system. The Committee had examined some of the allegations and had requested further information; the Employers shared some of those concerns and supported the request made to the Government to undertake a constructive dialogue with the national social partners and to report back to the Committee on those meetings and on the outcome achieved.
- 104.** The Employers hoped that a report on the Committee's working methods could be finalized in May for presentation to the Governing Body in June 2011. Special sittings of the Committee, including a sitting on Friday, 4 March, had enabled the Employers to raise technical, operational and substantive issues in an informal and constructive manner.
- 105.** *The spokesperson for the Workers' group* in the Committee said that the examination of a number of the cases before the Committee had had to be postponed. Attention needed to be drawn to that situation, which was linked to the question of the resources allocated to the International Labour Standards Department and to the functioning of the Committee, while the Governing Body was considering the ILO's programme and budget. The heightened visibility of the ILO in the context of globalization and the crisis meant that an increasing number of workers and organizations were turning to it, while the quest for freedom, and freedom of association in particular, was behind a number of revolutions that were currently taking place. The discussions on the procedures of the Committee on Freedom of Association had taken place with a view to increasing the efficiency of the Committee while respecting its principles. However, in order for the system to function, resources were needed that were commensurate with the tasks to be carried out.
- 106.** He recalled that the role of the Committee was not to condemn but rather to attract the attention of the Governments concerned so that they would follow up its conclusions and recommendations and restore the principles of freedom of association and the right to collective bargaining where those principles were not respected. Several serious and urgent cases that had been examined during the session were deeply regrettable. In Case No. 2591 (Myanmar), trade unionists remained in prison and the Government had still not acted on the Committee's recommendations; Cases Nos 2540, 2445 et 2609 (Guatemala) concerned attempted murders, dismissals and murders which remained unpunished, and the Government had responded only partially to the requests for information. Case No. 2655

(Cambodia) concerned anti-union behaviour but the Government had applied no measures or sanctions to restore the workers' rights. Case No. 2528 (Philippines), concerning the alleged murder of a young trade union leader, had been re-examined by the Committee.

- 107.** In Case No. 2254 (Bolivarian Republic of Venezuela), the Committee had on several occasions already proposed a direct contacts mission. Furthermore, it emphasized the importance that should be attached by Governments to impartial and prompt inquiries in order to facilitate the settlement of cases such as Case No. 2702 (Argentina).
- 108.** Case No. 2807 (Islamic Republic of Iran) had been referred to the Committee by the Conference Credentials Committee, and the Committee stressed the need to review legislation in order to allow the full enjoyment of freedom of association.
- 109.** There were still frequent allegations concerning the dismissal of trade unionists and the Committee emphasized that priority should be given to rapid reinstatement or job retention in cases where judicial proceedings were under way. That applied in particular to Cases Nos 2783 (Cambodia), 2613 (Nicaragua) and 2769 (El Salvador). Case No. 2450 (Djibouti) was an old case as the situation dated back to 1995, and the Government had provided only a partial response. In Case No. 2760 (Thailand), the Committee regretted the dismissal of the leader of a plant-level union at a multinational textile company. That case illustrated that no code of conduct or label could substitute the authority of the ILO. Case No. 2602 (Republic of Korea) concerned an abuse of independent worker status and provided an opportunity to highlight that a disguised employment relationship was an obstacle to respect for the principles of freedom of association and collective bargaining. Several cases concerned restrictions on or interference in the union registration process, including Cases Nos 2786 (Dominican Republic), 2754 (Indonesia) and 2752 (Montenegro). In Case No. 2694 (Mexico), the allegations concerned the questioning of the industrial relations system as a consequence of the widespread use of protection collective agreements which had a negative impact on registration procedures and on the collective bargaining capacity of unions. In Cases Nos 2799 (Pakistan) and 2751 (Panama), national legislation hindered the enjoyment of the right to collective bargaining. Lastly, Case No. 2639 (Peru) raised the question of interference by the budgetary authorities in the collective bargaining process of state enterprises, involving as well the unlawful arrest and detention of union activists.
- 110.** A *Government representative of the Bolivarian Republic of Venezuela* took note of paragraph 11 of the 359th Report of the Committee on Freedom of Association and pointed out that the only recommendation that had been made by the Committee over the past six years related to sending a direct contacts mission to the country. He emphasized that the decision concerning the article 26 complaint could not be dependent on first carrying out a direct contacts mission, given that “such contacts, however, can only be established at the invitation of the governments concerned or at least with their consent”, in accordance with paragraph 67 of Annex II to the Compendium of rules applicable to the Governing Body of the ILO. The Government of the Bolivarian Republic of Venezuela recalled that, in paragraph 11 of the report, the Committee invited the Governing Body to take a decision in relation to that item on its agenda at its March 2011 session; it hoped therefore that the Governing Body would proceed accordingly, taking into account the reply of the Government and its written reply dated 7 March 2011.
- 111.** With regard to Case No. 2254 and, more specifically, to paragraph 1292 of the report, the speaker regretted that the Committee was satisfied with making the same recommendations in its different reports without taking into account the Government's reply. More specifically, the Government's communication dated 25 February 2011 had not yet been examined by the Committee; it was therefore impossible to understand why the case was considered to be serious and urgent. He said that his country had already denounced a

situation in which, as in the article 26 complaint, the Committee on Freedom of Association was both judge and party, which meant that its recommendations could not be impartial. Concerning the case of FEDECAMARAS, the competent authorities of the Bolivarian Republic of Venezuela had taken steps to identify those responsible for the acts of violence against the FEDECAMARAS officials; the perpetrators had been arrested and brought before the competent court.

- 112.** The Government of the Bolivarian Republic of Venezuela reiterated that it accepted the responsibilities and obligations it assumed as a Member of the ILO and hoped that the complaint would not continue to be used to justify the allegations contained in the complaint presented under article 26 of the ILO Constitution, referred to in paragraph 11 of the report. Lastly, in the interest of transparency and objectivity, he pointed out that, during the coup d'état in 2002, the president of FEDECAMARAS had proclaimed himself President of the Bolivarian Republic of Venezuela for two days, a period during which the legitimate president was held in detention.
- 113.** *The Employer Vice-Chairperson of the Governing Body*, in response to the allegation of acting as judge and party, clarified that appointments in the Committee on Freedom of Association, just like the functioning of the supervisory bodies of the ILO, were carried out in accordance with the procedures set out in the Constitution and in the respective rules, which did not allow for any form of partiality.

#### **Governing Body decision:**

- 114.** *The Governing Body took note of the introduction to the report of the Committee, contained in paragraphs 1–213, and adopted the recommendations made in paragraphs: 226 (Case No. 2702: Argentina); 263 (Case No. 2725: Argentina); 290 (Case No. 2776: Argentina); 302 (Case No. 2773: Brazil); 316 (Case No. 2655: Cambodia); 341 (Case No. 2783: Cambodia); 370 (Case No. 2602: Republic of Korea); 394 (Case No. 2450: Djibouti); 413 (Case No. 2753: Djibouti); 458 (Case No. 2786: Dominican Republic); 484 (Case No. 2769: El Salvador); 505 (Case No. 2782: El Salvador); 528 (Case No. 2203: Guatemala); 544 (Case No. 2241: Guatemala); 560 (Case No. 2341: Guatemala); 579 (Case No. 2445: Guatemala); 646 (Case No. 2609: Guatemala); 683 (Case No. 2754: Indonesia); 705 (Case No. 2807: Islamic Republic of Iran); 726 (Case No. 2756: Mali); 903 (Case No. 2694: Mexico); 922 (Case No. 2752: Montenegro); 946 (Case No. 2613: Nicaragua); 969 (Case No. 2762: Nicaragua); 991 (Case No. 2799: Pakistan); 1052 (Case No. 2751: Panama); 1071 (Case No. 2639: Peru); 1092 (Case No. 2771: Peru); 1134 (Case No. 2528: Philippines); 1176 (Case No. 2760: Thailand); and 1292 (Case No. 2254: Bolivarian Republic of Venezuela), and adopted the 359th Report of the Committee on Freedom of Association in its entirety.*

#### **Ninth item on the agenda**

REPORT OF THE WORKING PARTY ON THE FUNCTIONING OF THE GOVERNING BODY  
AND THE INTERNATIONAL LABOUR CONFERENCE  
(GB.310/9)

*A reform package to improve the functioning of the Governing Body*  
(GB.310/9/1)

- 115.** *Ambassador Farani Azevêdo of Brazil*, Chairperson of the Working Party, said that the Working Party had focused on reform of the Governing Body, although its mandate also

covered the Conference. Throughout the discussions a spirit of goodwill had prevailed, with a genuine desire on all sides to cooperate. The report was not exhaustive, but set out to give an idea of the main themes discussed. The proposed reform was not perfect, but it was a balanced package that reflected the views of all parties. Its main elements were firstly, that the Governing Body would take the form of a continuous plenary session with thematic sessions and segments. Secondly, no two meetings would be held concurrently – a principle which would facilitate the participation of smaller delegations. Thirdly, a more participatory system for setting the agenda of the Governing Body would be introduced. Fourthly, a structure had been devised to cover the four strategic objectives and provide flexibility for Governing Body work. Finally, a key element was that the composition, roles and functions of the Officers of the Governing Body, as established by the ILO Constitution, would be maintained. The process had taken almost two years but she believed that the reform package would equip the Organization with a Governing Body that was in harmony with the spirit of the 2008 Declaration on Social Justice for a Fair Globalization and that the result would be a more efficient organ, capable of using the full strength of tripartism and social dialogue.

116. *The Employer Vice-Chairperson* agreed with the Chairperson of the Working Party that although difficult and complex issues had been taken up, a common denominator had ruled proceedings in the Working Party – the will to provide a Governing Body that was effective, up to date and capable of building trust. There was little doubt that the Chairperson had played a key role in this respect, but the speaker also stressed, and expressed gratitude for, the very positive attitude of the Government group; he singled out the work of the Regional Coordinators for special mention. The Employers supported the document fully: implementation was now the challenge for all and the clock was ticking. In addition, Conference reform was a major task, a challenge both in-house and for the image of the Conference outside the ILO. The successful outcome of work so far demonstrated that tripartism was alive and well within the ILO.
117. *The Worker Vice-Chairperson* admitted that negotiations had been tough but a result had been reached that was satisfactory to all sides. He thanked the Office, governments and the Employers for their cooperation and perseverance. There were now two years in which to make the proposed structure work, before the November 2013 review.
118. *A Government representative of Hungary*, speaking on behalf of the Government group, also noted that the exercise had not been easy, but was of the view that, although the reform package was not perfect, it would make for a more efficient and effective Governing Body. There was work to be done in order to allow the incoming Governing Body in June 2011 to function within the framework agreed and the Government group was committed to the tripartite consultations, to be held in April and May 2011, regarding the revision of the *Rules applicable to the Governing Body of the ILO*. The group looked forward to preparing for the deadlines of June 2011, when the reform package would be implemented, and the projected review, to be undertaken in November 2013. The group was also aware that the Working Party should now turn its attention to reform of the International Labour Conference and to Regional Meetings.
119. *A Government representative of Argentina*, speaking on behalf of the governments of the Group of Latin American and Caribbean Countries (GRULAC), endorsed the Government group statement. He stated that the reform of the Governing Body would make it more effective and efficient. He reiterated his hope that the reform package would promote a greater government role in tripartite decisions. Improved procedures, greater transparency and tripartite consensus were essential for fulfillment of the ILO mandate and the Organization's credibility. As had been recently noted, simple issues such as timely distribution of documents and of information provided to constituents were fundamental to the work of the Governing Body, as were trust in procedures and confidentiality. Serious

leaks had to be investigated. The next phase was the revision of the rules for the reformed Governing Body. Work to improve the functioning of the Conference could then begin. The discussions between the Employers' and Workers' groups and the regional groups had revealed a common denominator – to improve the functioning of the Governing Body in order to serve ILO constituents better.

- 120.** *A Government representative of Australia*, speaking on behalf of the Asia and Pacific group of countries (ASPAG), supported the statement by the Government group and endorsed the reform package. ASPAG looked forward to its implementation.
- 121.** *A Government representative of Nigeria*, speaking on behalf of the African group, appreciated the efforts of the Working Party and the Office and was satisfied that the review remained a continuous process, with a built-in review period. The proposal to establish a specific and dedicated facility to improve support to the Government group was very welcome. He made three observations: firstly, that the reform package still placed some level of restriction on the right of non-members to speak. A large number of African States wished to have a voice in the Governing Body and as this was a matter of concern to the region, the group did not support this restriction. Secondly, the African group looked forward to increased consultation with the group Chairperson when the Governing Body was in session, for reasons of greater transparency. The group wished to promote a level playing field for all member States of the ILO, and therefore drew attention to the current ratification campaign for the 1986 Instrument of Amendment of the Constitution of the ILO, which it believed would foster such equity. Finally, the group supported the spirit of the reform and asked that its observations should be taken into consideration in future reviews.
- 122.** *A Government representative of Sudan* endorsed the African group statement and said that all efforts should now be directed towards ensuring that the package was implemented. Documents should be made available for meetings ideally 30 days and at the very least 15 days in advance. Expectations had not been fully met: the far-reaching, global and transparent reform that affected the very composition and membership of the Governing Body had not been achieved. In this connection, he supported ratification of the 1986 Instrument of Amendment. Reform must continue beyond 2013, both for the Governing Body and the Conference, including on the *Rules applicable to the Governing Body of the ILO* and on the Constitution.
- 123.** *A Government representative of Canada*, speaking on behalf of the group of industrialized market economy countries (IMEC), said that IMEC was committed to the reform and endorsed the package. She said that if all negotiating partners were equally unhappy, then one could be sure that there had been relative success.
- 124.** *A Government representative of France*, speaking on behalf of the Western European group, said that the package contained many important reforms regarding consultation, information and support for governments. The process had revealed the desire of governments to engage with the ILO and its Governing Body and the rules and principles of tripartism had been respected.
- 125.** *A Government representative of Cuba* agreed that the reform package could improve the Governing Body's work, for example, by including the follow-up of previously taken decisions in the agenda, removing from the agenda items for information, not holding more than one meeting at a time, better time management, distribution of documents 15 working days before meetings and 30 days before the Programme, Financial and Administrative Section, and greater transparency and Office support for the social partners. However, Cuba had concerns about the decision-making process and did not agree with the change proposed, preferring the current system, which was considered more just for all concerned.

- 126.** Another concern was on the first two bullet points in paragraph 25 which allowed right of reply to Governing Body members only, without observers being able to participate in discussions. This was out of phase with accepted practice in all other international organizations. States that were not members of the Governing Body should also be given right of reply if they had been mentioned in the discussion. She questioned the lack of clear rules in this respect, averring that such issues should not be dependent on the Chairperson. Observer States should be able to intervene in discussions, as in other international organizations. Cuba also rejected the practice of restricted membership working parties, which led to lack of transparency and legitimacy in decisions. Working parties should be open to all members of the Governing Body. There were other issues, not least the criteria for groups such as the Non-Aligned Movement. There was a need to extend membership of the Committee on Freedom of Association, which was anti-democratic and not in conformity with the UN system, as the labour ministers of the Non-Aligned Movement had pointed out in statements adopted in 2007 and 2009. Membership of the Governing Body was another issue which remained excluded from the reform package. This should comply with the universal principle of equitable geographical representation, as applied to other UN bodies. Cuba noted the review to be held in November 2013 and would be ready to participate in this exercise.
- 127.** *A Government representative of Argentina* extended thanks to all concerned in the reform package, which Argentina considered as meeting members' needs. It was not perfect but would provide a better functioning Governing Body.
- 128.** *The Chairperson of the Working Party* closed the debate by saying that she believed that the social partners had emerged strengthened from the negotiations.

**Governing Body decision:**

- 129.** *The Governing Body took note of the report and:*
- (a) adopted the reform package outlined in document GB.310/9/1;*
  - (b) requested the Office to prepare proposals for the amendments of the Standing Orders of the Governing Body, the Introductory Note to the Compendium of rules applicable to the Governing Body and any other complementary text of the Organization for the consideration of the 311th Session of the Governing Body (June 2011) in order to give effect to the reform package;*
  - (c) requested the Office to organize timely tripartite consultations in developing the proposals referred to in (b) above; and*
  - (d) requested the Office to prepare an estimate of the cost implications of the reform package.*

(GB.310/9 and GB.310/9/1, paragraph 33.)

## Tenth item on the agenda

REPORTS OF THE PROGRAMME, FINANCIAL AND ADMINISTRATIVE COMMITTEE

*First report: Financial questions  
(GB.310/10/1(Rev.2))*

*Programme and Budget for 2010–11*

- 130.** *The Governing Body took note of this part of the report.* (GB.310/10/1(Rev.2), paragraphs 3–6.)

*Use of the 2008–09 Special Programme Account*

### **Governing Body decision:**

- 131.** *The Governing Body authorized the Director-General to use US\$14.4 million of the 2008–09 Special Programme Account as detailed in document GB.310/10/1, and summarized in its paragraph 5, and requested the Director-General to submit proposals on the use of the remaining \$4.2 million to the Governing Body in November 2011.* (GB.310/10/1(Rev.2), paragraph 35.)

*Evaluations*

- (a) Results-based strategies 2011–15: Evaluation strategy – Strengthening the use of evaluations*

### **Governing Body decision:**

- 132.** *The Governing Body requested the Director-General to implement the “Results-based strategies 2011–15: Evaluation strategy – Strengthening the use of evaluations” after amendment of the text to incorporate the following considerations:*

- (a) a process of informal consultations including governments, through regional coordinators, and the secretariats of the Employers’ and Workers’ groups on the topics for high-level strategic evaluations and their terms of reference;*
- (b) the inclusion of high-level strategic evaluations in the measurement criteria of outcome 1;*
- (c) when developing and refining appropriate evaluation standards, Evaluation Unit should draw upon existing best practices for evaluation in the ILO, in particular those of IPEC; and*
- (d) the independent and external nature of the review of the 2011–15 evaluation strategy mentioned in paragraph 33.*

- 133.** *The amended evaluation strategy 2011–15 should be distributed to constituents for information.* (GB.310/10/1(Rev.2), paragraph 61.)



*Independent external evaluation of the ILO's evaluation function***Governing Body decision:**

- 134. *The Governing Body requested the Director-General to implement the independent external evaluation (IEE) recommendations within available resources, and in accordance with the attached table, after amendment of the text in recommendation 3 to read as follows:***

*The evaluation function will be organizationally consolidated into an entity that reports directly to the Director-General and through this position to the Governing Body. The Director of EVAL will henceforth be appointed according to UN system best practices for heads of evaluation. Any necessary changes to the Staff Regulations will be submitted to the Governing Body for adoption in November 2011.*

(GB.310/10/1(Rev.2), paragraph 82.)

*Audit questions*

*(a) Follow-up to the report of the Chief Internal Auditor for the year ended 31 December 2009*

*(b) Report of the Chief Internal Auditor for the year ended 31 December 2010*

*(c) Report of the Independent Oversight Advisory Committee*

*(d) International Public Sector Accounting Standards: Update*

- 135. *The Governing Body took note of these parts of the report.*** (GB.310/10/1(Rev.2), paragraphs 84–127.)

*(e) Appointment of the External Auditor*

**Governing Body decision:**

- 136. *The Governing Body decided that the holder of the office of the Auditor General of Canada be reappointed as External Auditor for a period of four years from 1 April 2012.*** (GB.310/10/1(Rev.2), paragraph 132.)

*Knowledge Strategy 2010–15: The role and contribution of decent work statistics*

- 137. *The Governing Body took note of this part of the report.*** (GB.310/10/1(Rev.2), paragraphs 133–153.)

*Delegation of authority under article 18 of the Standing Orders of the International Labour Conference*

**Governing Body decision:**

- 138. *The Governing Body decided to delegate, for the period of the 100th Session (June 2011) of the Conference to its Officers (i.e. the Chairperson and the Vice-Chairpersons of the Employers' and Workers' groups), the authority to carry out its responsibilities under article 18 of the Conference Standing Orders***

*in relation to proposals involving expenditure in the 72nd financial period ending 31 December 2011.* (GB.310/10/1(Rev.2), paragraphs 158–159.)

*Report of the Building Subcommittee*

**Governing Body decision:**

- 139.** *The Governing Body endorsed the long-term strategy for the financing of periodic refurbishment and renovation of all ILO buildings contained in the Office paper and amended by the Subcommittee in paragraph 16 of its report.* (GB.310/10/1(Rev.2), paragraph 164.)

*Other financial questions*

*Financial arrangements for a Commission of Inquiry concerning the non-observance by Myanmar of the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), and the Right to Organise and Collective Bargaining Convention, 1949 (No. 98)*

**Governing Body decision:**

- 140.** *The Governing Body, should it decide to establish a Commission of Inquiry concerning Myanmar, decided that:*

- (a) *an honorarium at the rate of \$300 per day be paid to each member of the Commission of Inquiry; and*
- (b) *the cost of the Commission, which is estimated at \$735,754, be financed from the appropriate budgets for 2010–11 and 2012–13. In the first instance, this would be from savings that might arise under Part I of the budget or, failing that, through the use of the Provision for unforeseen expenditure, Part II. Should this subsequently prove impossible, the Director-General would propose alternative methods of financing at a later stage in the biennium.*

(GB.310/10/1(Rev.2), paragraph 169.)

*Financial arrangements for a Commission of Inquiry concerning the non-observance by the Government of the Bolivarian Republic of Venezuela of the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), and the Right to Organise and Collective Bargaining Convention, 1949 (No. 98)*

**Governing Body decision:**

- 141.** *In light of the decision that the Governing Body had taken on item 7 of its agenda, concerning non-observance by the Government of the Bolivarian Republic of Venezuela of the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), and the Right to Organise and Collective Bargaining Convention, 1949 (No. 98), and noting the recommendation made by the Programme, Financial and Administrative Committee in paragraph 190 of its first report, the Governing Body:*

- (a) *decided that the high-level tripartite mission would be financed, within the financial limit mentioned in the report of the Programme, Financial and Administrative Committee, from savings that may arise under Part I of the*

*budget or, failing that, through the use of the Provision for unforeseen expenditure, Part II. Should this subsequently prove impossible, the Director-General would propose alternative methods of financing; and*

*(b) requested the Director-General to submit to the Officers for their approval an estimate of the costs prior to the commencement of the mission.*

(GB.310/10/1(Rev.2), paragraph 197, as amended.)

*Second report: Personnel questions  
(GB.310/10/2(Rev.2))*

*I. Statement by the staff representative*

*II. Other issues: Progress report on the proposals contained in the Director-General's letter of 17 November 2010 to the Chairperson of the Staff Union Committee*

*III. Composition and structure of the staff*

**142. The Governing Body took note of these parts of the report.** (GB.310/10/2(Rev.2), paragraphs 1–28.)

*IV. Decisions of the United Nations General Assembly on the report of the Board of the International Civil Service Commission*

**Governing Body decision:**

**143. The Governing Body approved the amendment to the ILO Staff Regulations contained in the appendix to document GB.310/PFA/12, as well as the introduction, with effect from 1 July 2011, of the new allowance mentioned in paragraph 9 of the abovementioned document, and noted the action taken by the Director-General to give effect to other measures adopted by the United Nations General Assembly.** (GB.310/10/2(Rev.2), paragraph 34.)

*V. Pensions questions*

*(a) Decisions of the United Nations General Assembly on the report of the Board of the United Nations Joint Staff Pension Fund*

**Governing Body decision:**

**144. The Governing Body decided to request the Director-General to express the concerns raised by the Workers' group in a formal communication to the UN Secretary-General.** (GB.310/10/2(Rev.2), paragraph 39.)

*(b) Report of the Board of the Special Payments Fund*

**145. The Governing Body took note of this part of the report.** (GB.310/10/2(Rev.2), paragraph 40.)

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

*(a) Composition of the Tribunal*

**Governing Body decision:**

- 146.** *The Governing Body decided to submit to the International Labour Conference, for adoption at its 100th Session (2011), a draft resolution by which the Conference would convey the Governing Body's appreciation to Mr Agustín Gordillo for the services he had rendered as judge of the Tribunal, renew the term of office of Ms Mary G. Gaudron (Australia) for three years, and appoint Ms Suzie d'Auvergne (Saint Lucia) as judge of the Administrative Tribunal for a term of office of three years.* (GB.310/10/2(Rev.2), paragraph 44.)

*(b) Statute of the Tribunal*

**Governing Body decision:**

- 147.** *With relation to the question of the locus standi of staff unions and associations before the Administrative Tribunal of the ILO, including decisions of the UN General Assembly on the subject in relation to its Dispute Tribunal, the Governing Body requested to be kept informed in good time of any relevant developments.* (GB.310/10/2(Rev.2), paragraph 49.)

*Third report: Programme and Budget proposals for 2012–13  
(GB.310/10/3(Rev.))*

- 148.** *A Government representative of Canada stated that the Government members of Canada, the Czech Republic, Japan, Lithuania, Mexico, Poland, Portugal, Spain, United Kingdom and Turkey, a country that was not a member of the Governing Body, wished to signal that the Programme, Financial and Administrative Committee did not achieve consensus on the proposals submitted. Those Government members understood that the Director-General and the Chairperson of the Governing Body would continue to consult with the constituents until June 2011, and trusted that this commendable initiative would result in the unanimous adoption by the International Labour Conference of the ILO Programme and Budget proposals for 2012–13.*
- 149.** *A Government representative of the United States stressed that the United States supported the work of the ILO in improving living and working conditions of workers throughout the world. With reference to the Programme and Budget proposals for 2012–13, the speaker welcomed the Director-General's efforts to respond to the recommendations from Governments and the social partners, and to seek ways to reduce the total cost increase from 2.7 per cent to 2.4 per cent. However, the United States had also to face severe internal budgetary cuts and was seeking zero nominal growth budgets for international organizations, including the ILO. Thus, while appreciating the revisions presented by the Director-General, the United States could not current proposals, which had not achieved consensus. The speaker understood that the Director-General and the Chairperson of the Governing Body would continue to consult with the constituents until June 2011, at which time the proposals would be examined and voted on. She encouraged the Office to find further savings and said that the United States Government was ready to help in this.*

**Governing Body decision:**

**150.** *Subject to the positions adopted and the opinions expressed during the discussion held in the Programme, Financial and Administrative Committee, the Governing Body:*

- (a) *decided to recommend to the International Labour Conference, at its 100th Session (June 2011), a provisional programme level of \$744,447,748 estimated at the 2010–11 budget exchange rate of CHF1.07 to the US dollar, the final exchange rate and the corresponding US dollar level of the budget and Swiss franc assessment to be determined by the Conference;*
- (b) *decided to propose to the Conference, at the same session, a resolution for the adoption of the programme and budget for the 73rd financial period (2012–13) and for the allocation of expenses among member States in that period in the following terms:*

The General Conference of the International Labour Organization, in virtue of the Financial Regulations, passes for the 73rd financial period, ending 31 December 2013, the budget of expenditure for the International Labour Organization amounting to US\$..... and the budget of income amounting to US\$....., which, at the budget rate of exchange of Swiss francs ..... to the US dollar amounts to Swiss francs ....., and resolves that the budget of income, denominated in Swiss francs, shall be allocated among member States in accordance with the scale of contributions recommended by the Finance Committee of Government Representatives.

(GB.310/10/3(Rev.), paragraph 210.)

**151.** *The Director-General* said he had noted all the comments made. He submitted that the search for points of convergence was the very essence of the work of the ILO, as all opinions must be taken into account. Experience showed that, at the present stage of proceedings, it was rare to achieve consensus on budgetary questions. The situation would be defined at the International Labour Conference, where it remained difficult to obtain a unanimous vote on the budget. For this reason, account would be taken of the comments made and the discussion held in the Committee, which had led to the recently adopted recommendation.

*Report of the Government members of the Committee on Allocations Matters*  
(GB.310/10/4(Rev.))

*Scale of assessments of contributions to the budget for 2012*

**Governing Body decision:**

**152.** *The Governing Body decided that, in accordance with the established practice of harmonizing the rates of assessment of ILO member States with their rates of assessment in the United Nations, it base the ILO scale of assessments for 2012 on the United Nations scale for 2010–12, and it accordingly decided to propose to the Conference the adoption of the draft scale of assessments for 2012, as set out in column 3 of the appendix to document GB.310/10/4(Rev.), subject to such adjustments as might be necessary following any further change in the membership of the International Labour Organization before the Conference is called upon to adopt the recommended scale.* (GB.310/10/4(Rev.), paragraph 3.)

**Eleventh item on the agenda**

REPORTS OF THE COMMITTEE ON LEGAL ISSUES AND  
INTERNATIONAL LABOUR STANDARDS

*First report: Legal issues*  
(GB.310/11/1(Rev.))

*I. Constitution of the International Labour Organization: Inclusive language for the purpose of promoting gender equality*

**Governing Body decision:**

**153. The Governing Body:**

- (a) approved the proposed resolution concerning gender equality and the use of language in legal texts of the ILO, contained in Appendix I to document GB.310/11/1, for submission to the 100th Session of the International Labour Conference; and*
- (b) subject to the adoption of the resolution, requested the Office to attach the editor's note, contained in Appendix II to document GB.310/11/1, to the Constitution of the International Labour Organization.*

(GB.310/11/1(Rev.), paragraph 18.)

*Second report: International labour standards and human rights*  
(GB.310/11/2(Rev.))

*III. Improvements in the standards-related activities of the ILO*

- (a) ILO standards policy: An approach for a robust and effective international labour code*

**Governing Body decision:**

- 154. The Governing Body invited the Office to prepare a paper for submission to the 312th Session (November 2011) of the Governing Body, taking into account comments made during the discussion and containing concrete proposals for the establishment and the implementation of a standards review mechanism.**  
(GB.310/11/2(Rev.), paragraph 39.)

*(b) Streamlining of the sending and processing of the information and reports*

**Governing Body decision:**

**155. The Governing Body:**

- (a) decided to modify the Annex to the Health Protection and Medical Care (Seafarers) Convention, 1987 (No. 164), in the article 22 report form on the Occupational Safety and Health Convention, 1981 (No. 155), as set out in Appendix III to document GB.310/LILS/3/2;*

- (b) *invited the Office to report on the ongoing review of the article 22 report forms concerning the Asbestos Convention, 1986 (No. 162), the Safety and Health in Construction Convention, 1988 (No. 167), the Chemicals Convention, 1990 (No. 170), the Prevention of Major Industrial Accidents Convention, 1993 (No. 174), and the Safety and Health in Mines Convention, 1995 (No. 176);*
- (c) *invited the Office to carry out a review of the general parts of the report forms of the up-to-date Conventions, in due time;*
- (d) *approved the three-year and five-year reporting cycles with the existing grouping of Conventions by subject matter, as set out in Appendix IV to document GB.310/LILS/3/2; and*
- (e) *invited the Office to implement the three-year reporting cycle for the fundamental and governance Conventions as of 2012.*

(GB.310/11/2(Rev.), paragraphs 48–49.)

*IV. Choice of Conventions and Recommendations on which reports should be requested under article 19 of the Constitution in 2012*

**Governing Body decision:**

**156. The Governing Body:**

- (i) *decided to request governments to submit reports for 2012, under article 19 of the Constitution, on the Labour Relations (Public Service) Convention, 1978 (No. 151), the Labour Relations (Public Service) Recommendation, 1978 (No. 159), the Collective Bargaining Convention, 1981 (No. 154), and the Collective Bargaining Recommendation, 1981 (No. 163), on the basis of the report form contained in the appendix; and*
- (ii) *in order to realign the discussions of General Surveys with recurrent discussions, decided that no new General Survey on instruments related to employment should be undertaken for the purposes of the next recurrent discussion on employment during the present cycle.*

(GB.310/11/2(Rev.), paragraph 59.)

*V. Ratification and promotion of fundamental and governance ILO Conventions*

**Governing Body decision:**

**157. The Governing Body:**

- (a) *took note of the information contained in document GB.310/LILS/5(&Add.); and*
- (b) *decided to keep the subject on the agenda of the Committee on Legal Issues and International Labour Standards with a view to following the progress made.*

(GB.310/11/2(Rev.), paragraph 69.)

*VI. Other questions*

- 158. *The Governing Body took note of this part of the report.*** (GB.310/11/2(Rev.), paragraphs 70–75.)

**Twelfth item on the agenda**

REPORT OF THE SUBCOMMITTEE ON MULTINATIONAL ENTERPRISES  
(GB.310/12(Rev.))

- 159. *The Governing Body took note of the report.***

**Thirteenth item on the agenda**

REPORT OF THE COMMITTEE ON EMPLOYMENT AND SOCIAL POLICY  
(GB.310/13(Rev.))

- 160. *The Governing Body took note of the report.***

**Fourteenth item on the agenda**

REPORT OF THE COMMITTEE ON SECTORAL AND TECHNICAL  
MEETINGS AND RELATED ISSUES  
(GB.310/14(Rev.))

*1. Sectoral Activities Programme: Proposals for 2012–13*

**Governing Body decision:**

- 161. *The Governing Body:***

- (a) endorsed the proposed Sectoral Activities Programme, subject to decisions to be taken by the Conference on the Programme and Budget proposals for 2012–13; and*
- (b) decided to instruct the Office to encourage the governments of all member States to participate in Tripartite Sectoral Meetings in 2012–13.*

(GB.310/14(Rev.), paragraph 58.)



2. *Effect to be given to the recommendations of sectoral and technical meetings*

2.1. *Meeting of Experts to Adopt a Code of Practice  
on Safety and Health in Agriculture  
(Geneva, 25–29 October 2010)*

**Governing Body decision:**

**162. *The Governing Body:***

- (a) *took note of the report of the Meeting of Experts and authorized the Director-General to publish the code of practice on safety and health in agriculture; and*
- (b) *requested the Director-General to bear in mind, when drawing up proposals for the future work of the Office, the recommendations for follow-up action made by the Meeting.*

(GB.310/14(Rev.), paragraph 66.)

2.2. *Global Dialogue Forum on Vocational Education and Training  
(Geneva, 29–30 September 2010)*

**Governing Body decision:**

**163. *The Governing Body:***

- (a) *authorized the Director-General to communicate the final report of the Forum to governments, requesting them to communicate the text to the employers' and workers' organizations concerned; as well as to communicate the report to the international employers' and workers' organizations and other international organizations concerned; and*
- (b) *requested the Director-General to bear in mind, when drawing up proposals for the future work of the Office, the recommendations made by the Forum.*

(GB.310/14(Rev.), paragraph 74.)

2.3. *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  
(Geneva, 23–24 November 2010)*

**Governing Body decision:**

**164. *The Governing Body:***

- (a) *authorized the Director-General to communicate the points of consensus mentioned in paragraph 4 of document GB.310/STM/2/3 to governments, requesting them to communicate the text to the employers' and workers' organizations concerned; as well as to communicate the points of consensus to the international employers' and workers' organizations and other international organizations concerned; and*

- (b) requested the Director-General to bear in mind, when drawing up proposals for the future work of the Office, the wishes expressed in the attached points of consensus.*

(GB.310/14(Rev.), paragraph 82.)

*3. Sectoral activities for 2010–11*

- 3.1. Composition and duration of the Tripartite Meeting of Experts for the Development and Adoption of ILO Guidelines on Training in the Port Sector (Geneva, 21–25 November 2011)*

**Governing Body decision:**

- 165. *The Governing Body authorized an increase in the duration of the Tripartite Meeting of Experts for the Development and Adoption of ILO Guidelines on Training in the Port Sector from four to five days, to be held from 21 to 25 November 2011 in Geneva.*** (GB.310/14(Rev.), paragraph 85.)

- 3.2. Follow-up to the resolution concerning tonnage measurement and accommodation adopted by the 96th Session (2007) of the International Labour Conference*

**Governing Body decision:**

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

- (a) continue to monitor developments at the International Maritime Organization (IMO) and to evaluate any amendment to, or interpretation of, agreements of the International Convention on Tonnage Measurement of Ships, 1969 (1969 TM Convention), that could have an impact on the Work in Fishing Convention, 2007 (No. 188), especially on Annex III;*
- (b) monitor developments and evaluate any amendment to, or interpretation of, agreements of the 1969 TM Convention that could have an impact on the Maritime Labour Convention, 2006 (MLC, 2006); and*
- (c) encourage the IMO to give full consideration to possible amendments to, or interpretation of, agreements of the 1969 TM Convention that would lead to improved welfare of seafarers or fishers or both.*

(GB.310/14(Rev.), paragraph 90.)

*3.3. Revision of the guidelines on the medical fitness examinations of seafarers,  
and revision of the Addendum to the International Medical Guide for Ships  
concerning ships' medicine chests*

**Governing Body decision:**

**167. The Governing Body:**

- (a) *took note of the actions already taken by the Office, particularly the outcomes of the Joint ILO–IMO Working Group preparatory meeting that took place from 4 to 7 October 2010;*
- (b) *approved, on the basis of its decision at its 303rd Session (November 2008), the holding of the Joint ILO–IMO Meeting on Medical Fitness Examinations of Seafarers, from 26 to 30 September 2011, with a composition of eight Government representatives nominated by the International Maritime Organization (IMO) and four Shipowners' and four Seafarers' representatives nominated by the ILO, and inviting the World Health Organization (WHO) to participate, with a view to finalizing the revision of the existing Guidelines for Conducting Pre-sea and Periodic Medical Fitness Examinations for Seafarers, and requested the Office to report the final outcome to the Governing Body prior to the publication of the revised guidelines;*
- (c) *requested the Office to pursue discussions with the IMO and WHO to address seafarers' and fishers' specific needs;*
- (d) *approved the holding of a small tripartite meeting, in cooperation with the IMO and WHO, to revise the Quantification Addendum to the International Medical Guide for Ships published by the WHO, as set out in paragraph 10 of document GB.310/STM/3/3.*

(GB.310/14(Rev.), paragraph 93.)

*3.4. Revision of the IMO/ILO/UNECE Guidelines  
for packing of cargo transport units  
(1997 edition)*

**Governing Body decision:**

**168. The Governing Body authorized:**

- (a) *the development of an IMO/ILO/UNECE code of practice through the revision of the IMO/ILO/UNECE Guidelines for packing of cargo transport units (1997 edition) by a joint IMO/ILO/UNECE working group on the basis of the proposals made by the Office in consultation with the secretariats of the IMO and the UNECE, as set out in paragraphs 4, 5 and 7 of document GB.310/STM/3/4; and*
- (b) *the participation of the ILO in the joint working group through one or more ILO officials, as well as one Government, one Worker and one Employer representative, nominated by the Government group and the secretariats of*

*the Workers' and Employers' groups of the Governing Body, respectively, as set out in paragraph 6 of document GB.310/STM/3/4.*

(GB.310/14(Rev.), paragraph 99.)

*3.5. Composition of the Tripartite Meeting on Promoting Social Dialogue on Restructuring and its Effects on Employment in the Chemical and Pharmaceutical Industries (Geneva, 24–27 October 2011)*

**Governing Body decision:**

**169.** *The Governing Body approved that five additional Worker and five additional Employer participants, selected after consultations with their respective groups, be invited to attend the Tripartite Meeting on Promoting Social Dialogue on Restructuring and its Effects on Employment in the Chemical and Pharmaceutical Industries.* (GB.310/14(Rev.), paragraph 101.)

*4. The sectoral dimension of the ILO's work: Update of sectoral aspects in the context of economic recovery: Education and research*

*5. Evaluation of the action programmes on health services, public services, telecommunication services and utilities*

*6. Report on the Action Programme on Transport Equipment Manufacturing: The employment relationship, rights at work and social protection (automotive sector)*

**170.** *The Governing Body took note of these parts of the report.* (GB.310/14(Rev.), paragraphs 102–117.)

**Fifteenth item on the agenda**

REPORT OF THE COMMITTEE ON TECHNICAL COOPERATION  
(GB.310/15(Rev.))

*I. Operational strategies for capacity development for constituents in Decent Work Country Programmes and technical cooperation*

**Governing body decision:**

**171.** *The Governing Body endorsed the operational strategies for capacity development for constituents in DWCPs and technical cooperation outlined in document GB.310/15, taking into account the views expressed during the discussion held in the Committee on Technical Cooperation.* (GB.310/15(Rev.), paragraph 31.)

*II. Decent work and aid effectiveness**III. Operational aspects of the International Programme on the Elimination of Child Labour (IPEC): Oral report**IV. Report on the Implementation of the Tripartite Agreement on Freedom of Association and Democracy in Colombia*

- 172. *The Governing Body took note of these parts of the report.*** (GB.310/15(Rev.), paragraphs 32–67.)

**Sixteenth item on the agenda**

REPORT OF THE WORKING PARTY ON THE SOCIAL DIMENSION OF GLOBALIZATION  
(GB.310/16)

*Oral report of the Chairperson of the Working Party, HE Mr Matjila,  
Ambassador and Permanent Representative of South  
Africa to the United Nations Office in Geneva*

- 173. *The Governing Body took note of the oral report of the Chairperson of the Working Party.*** (GB.310/16.)

**Seventeenth item on the agenda**

REPORT OF THE DIRECTOR-GENERAL  
(GB.310/17)

*Obituary*

**Governing Body decision:**

- 174. *The Governing Body paid tribute to the memory of Ms Franziska Fitting, Government representative of Germany on the Governing Body and the International Labour Conference; to the memory of Mr Bill Mansfield, former Worker member of the Governing Body and Workers' delegate to the International Labour Conference; and to the memory of Mr Mahjoub ben Seddik, former Worker member of the Governing Body and Workers' delegate to the International Labour Conference, and requested the Director-General to convey its condolences to the Government of Germany and to the family of Ms Franziska Fitting, to the President of the Australian Council of Trade Unions and to the family of Mr Bill Mansfield, and to the General Secretary of the Union marocaine du travail and to the family of Mr Mahjoub ben Seddik.*** (GB.310/17, paragraphs 5, 11 and 17.)

*First Supplementary Report: Global Action Plan to promote  
implementation of the HIV and AIDS Recommendation, 2010 (No. 200)*  
(GB.310/17/1(Rev.))

- 175. *A representative of the Director-General, Director of the ILO Programme on HIV/AIDS and the World of Work, recalled that HIV had been first diagnosed 30 years previously. A high-level meeting would be held in New York in June to look back on what had been done and the challenges that remained. Given the availability of treatment, one could be***

reasonably optimistic that things were better than they had been ten years previously when the *ILO code of practice on HIV/AIDS and the world of work* was adopted. The global community had worked very hard under the overall guidance of UNAIDS and the approach to HIV and AIDS was now more unified. The particular focus of the ILO was the role of the workplace, which was very well placed to permit a greater focus on prevention and also on the defence of human rights because in most countries one of the most vexing problems remained the issue of stigma and discrimination, which continued to result in job losses.

- 176.** The HIV and AIDS Recommendation, 2010 (No. 200), and its accompanying resolution, had made it possible for the Organization to address the epidemic more effectively through its activities in the world of work and some countries had already made use of the Recommendation to ensure that human rights were protected at the workplace. The Global Action Plan submitted to the Governing Body contributed to the Decent Work Agenda and took into consideration the Declaration on Fundamental Principles and Rights at Work, the Declaration on Social Justice for a Fair Globalization, the Social Protection Floor Initiative, the Global Jobs Pact and the resolution concerning gender equality at the heart of decent work. It was linked to the ILO Strategic Policy Framework 2010–15 and, as the ILO was a co-sponsor of UNAIDS, it also took into account the UNAIDS unified budget and accountability framework as well as the UNAIDS priority areas.
- 177.** The speaker recalled that the Global Action Plan had three clear outcomes, each with activities and indicators. Those outcomes were as follows: (a) reduction of stigma and discrimination on the basis of real or perceived HIV status against women and men workers, their families and dependants; (b) increased access for workers, their families and dependants to prevention, treatment, care and support services through the world of work; and (c) scaled-up action by world of work actors to the HIV response and increased access to funding for that purpose. The speaker emphasized that the Global Action Plan placed emphasis on gender and the active engagement of people living with HIV and recalled that the constituents had given the Organization the opportunity to work with them to develop national tripartite workplace policies and programmes in both the formal and the informal sectors. Nevertheless, much remained to be done. The Global Action Plan should allow collaboration between the ILO and its constituents to ensure that the world of work played a greater role in prevention, treatment and access to care.
- 178.** *The Employer Vice-Chairperson of the Governing Body* thanked the Office for the document and explained that his group supported the Global Action Plan and the point for decision in it. He recalled, however, that from the point of view of the ILO's operational capacity the responsible department was restricted with regard to the objective established and he stressed that integration must not be synonymous with either the disappearance or the dilution of the objectives; instead it should be aimed at greater coherence and increased interaction. The Office as a whole must take responsibility for budgetary allocations in order to achieve the objectives relating to HIV/AIDS and fulfil the mandate given it by the Conference in the form of a Recommendation that provided both a foundation and guidance. The speaker drew attention to the fact that integration must go hand in hand with the resources necessary for the implementation of the Global Action Plan.
- 179.** Finally, the Employers felt that the *ILO code of practice on HIV/AIDS and the world of work* should be neither sidelined nor forgotten. It was an essential element, given the importance accorded to national dialogue, and should be used as a permanent working tool.
- 180.** *The Worker Vice-Chairperson* welcomed the information provided but recalled that despite the considerable efforts that had been made, the challenge was ongoing and the rate of new infections meant that efforts must be redoubled. One particularly pertinent matter was the

silence that so often attended HIV and AIDS. He noted that acceptance of the disease by relatives, neighbours and communities was a particularly serious issue.

- 181.** The Global Action Plan was very timely and there was no doubt that it would achieve many of the objectives that had been set. One problem was obtaining the resources necessary for medical care. Many developing countries made significant efforts to make anti-retroviral drugs available to their communities, and they should be complimented for doing so. Nevertheless, this situation could lead to another difficulty – greater levels of discrimination. The Workers once again stressed the importance of HIV/AIDS issues being mainstreamed in ILO programmes at headquarters and of Recommendation No. 200 being implemented at the national level, with follow-up mechanisms at the international level. They also wished for the capacity of ILO constituents to develop HIV workplace policies at the national, sectoral and enterprise levels to be enhanced, in line with the Recommendation.
- 182.** The Workers also stressed the need to secure a legislative framework for preventing HIV-related discrimination in recruitment and employment. It was still the case that some enterprises were sending people for general check-ups and the results were being sent directly to the employer. Some of those people were then not recruited if it was discovered that they were infected, and their lack of employment undermined the entire community in which they lived. That scenario was far from rare, and was just as likely to be found in the industrialized world as in the underdeveloped and the developing world. The ILO must oppose such discrimination wherever it was found. A legislative framework was therefore needed, to cover the informal sector as well as migrant workers, who were the most vulnerable of all. It was imperative to provide social security without discrimination on the basis of real or perceived HIV status. Income-generating opportunities must be created for HIV-affected workers and their families, and strong and effective labour administration and inspection systems established. In South Africa, jurisprudence was being rewritten to give hope of protection to people affected by HIV/AIDS, and Recommendation No. 200 had been used as the basis for a judgment in favour of a person claiming discrimination. The speaker concluded by saying that the Workers supported every measure and effort to deal with that scourge that had befallen all humanity.
- 183.** *A Government representative of Kenya* commended the Office on the preparation of the Global Action Plan at a time when the HIV/AIDS epidemic continued to seriously erode development gains across the globe. He supported the call to all member States to integrate HIV and AIDS workplace policies and programmes into normal HIV/AIDS policies and was encouraged by the reference to the Social Protection Floor, the Declaration on Fundamental Principles and Rights at Work and the Global Jobs Pact, which were already key drivers in the implementation of Decent Work Country Programmes.
- 184.** Kenya supported the three main outcomes outlined in paragraph 7 and stressed that significant collaborative efforts were required to achieve those objectives. The number of new infections continued to soar and consequently new strategies were needed. Policies and programmes on HIV and AIDS must be integrated and poverty reduction plans must be developed, with emphasis placed on decent work and sustainable enterprises.
- 185.** Kenya supported the strengthening of labour administration and inspection systems and encouraged collaboration and consultation between ILO regional directors and national ministries responsible for HIV and AIDS in order to give effect to the Recommendation. Every effort must be made, through cooperation and partnership, to find collective solutions in the fight against the epidemic. The speaker welcomed the obvious intention to engage the ILO constituents in the fight against HIV and AIDS, by putting the focus on tripartism and mobilizing the private sector. He appreciated the budgetary constraints faced by the Organization and encouraged the member States, particularly in the African region,

to embrace South–South and triangular cooperation. It was equally important to strengthen existing strategies for cooperation with international development partners and other donor agencies in a globalized effort to promote the dissemination and implementation of the Global Action Plan. Kenya supported the point for decision.

- 186.** *A Government representative of Bangladesh* appreciated the work undertaken by the Office to implement Recommendation No. 200. It was a work in progress and it would be useful for the Governing Body to receive regular reports on progress in terms of its contribution to the four strategic objectives of the Decent Work Agenda. The speaker supported the results-based approach taken in the Global Action Plan and found the indicators realistic. The Government of Bangladesh would sustain and enhance its work on awareness building and prevention, in close collaboration with all relevant stakeholders. The speaker requested the Office's support to have the Recommendation translated into the national language and the core principles of the Recommendation integrated into the national HIV/AIDS strategy and plan of action. He underlined the importance of increased financial resources for ILO constituents to implement the Recommendation and he supported the point for decision.
- 187.** *A Government representative of India* said that the Global Action Plan was well timed as ILO member States required technical and advisory support to implement the Recommendation with the active involvement of the tripartite partners and other stakeholders. Recommendation No. 200 brought to the forefront the role of ministries of labour in the implementation of HIV/AIDS workplace policies and programmes to generate awareness, foster prevention and promote treatment initiatives. While the issue had been handled so far in several countries by ministries of health, in the world of work, and particularly in the case of informal sector workers, ministries of labour had an important role to play.
- 188.** The speaker noted with satisfaction that that ILO would seek extra-budgetary resources to support the implementation of the Global Action Plan. As provided in the Recommendation, the Government of India had already launched a national policy on HIV/AIDS and the world of work, which was based on the code of practice. That policy applied to all workplaces in the public and private sectors, and covered both organized and unorganized workers. The Recommendation had been submitted to Parliament in December 2010, in compliance with the provisions of the ILO Constitution. While the Government had already taken major initiatives with regard to HIV/AIDS and the world of work, many new opportunities remained to be explored. The speaker said that his Government looked forward to ILO support to help in the effective implementation of Recommendation No. 200 through training programmes and interactive workshops. He supported the Global Action Plan to promote the implementation of Recommendation No. 200.
- 189.** *A Government representative of Australia* commended the Office for producing a Global Action Plan that would influence domestic policy on HIV/AIDS. The Office had identified resource gaps in relation to activities proposed and a detailed budget was being prepared. He noted that the Office acknowledged that the ILO's work on HIV and AIDS drew on extra-budgetary resources, which may or may not be forthcoming. Advice from the Office on the manner of funding the activities proposed in the Global Action Plan would be welcomed.
- 190.** The Government of Australia supported the principle of including questions on HIV and AIDS in general surveys on the application of Conventions and Recommendations as part of the existing reporting schedule. He approved the Global Action Plan to promote the implementation of Recommendation No. 200.



- 191.** *A Government representative of Japan* considered that the measures to combat HIV and AIDS in the workplace were very important and supported the proposed Global Action Plan. In Japan guidelines reflecting the measures stipulated in the Recommendation had been developed for labour inspectors to use when instructing employers. In order to implement HIV and AIDS measures effectively it was important that measures for the workplace and general measures for public health be consistent. For that reason, it was particularly important to work closely with other international organizations, such as the WHO. Japan was carrying out a number of awareness-raising activities to facilitate both the occupational and private lives of persons living with HIV. The speaker welcomed the reinforcement, indicated in the document, of the partnership with the Global Fund to Fight AIDS, Tuberculosis and Malaria.
- 192.** *A Government representative of France* said that his country supported the Global Action Plan and recalled the urgency and importance of the issue of HIV/AIDS, which not only ravaged the lives of individuals and their families, but also undermined national development. The proposed Global Action Plan was broadly based on Recommendation No. 200 adopted by the Conference in June 2010 and had been hailed by the international community as a major instrument in the fight against HIV/AIDS. The matter of financial resources must be considered not only in the framework of the ILO, but also in that of the global means mobilized in the overall struggle against HIV/AIDS. The speaker took up the question of integrating the fight into ILO activities as a whole and, like the Employers, warned against possible risks of dilution. He nevertheless considered that such decompartmentalization was in conformity with the Recommendation and was the only way of enabling the ILO to move forward in promoting that strategy and taking an integrated approach.
- 193.** The code of practice had new relevance. In 1988, France had adopted the first code of good practices on AIDS and the workplace. Action at the regional level was particularly important and it was with that in mind that priority must be given to the development of an integrated strategy. Efforts should also be directed towards development cooperation and partnerships, given the wide range of individuals and institutions dealing with the issue. It was particularly important to act in unison given the limited financial resources available.
- 194.** *A Government representative of Mexico* said that in his country activities to prevent and combat the HIV/AIDS epidemic were of particular importance. A national centre to prevent and combat HIV/AIDS had been set up in 1988 to target the epidemic and sexually transmitted infections and to improve the quality of life of people living with HIV/AIDS, with due respect for the rights of the population as a whole. The delegation of Mexico therefore noted with particular interest the Global Action Plan proposed by the Office and supported the point for decision.
- 195.** *A Government representative of Nigeria* supported the Global Action Plan prepared by the Office in line with the resolution adopted by the International Labour Conference in June 2010. He agreed with the objectives, targets and outcomes contained in the report and specifically with the outcome contained in paragraph 7(c) concerning increased access to funding. That was a very serious matter and the Government of Nigeria was optimistic that the Office would be able to secure the necessary resources to further work in that area.
- 196.** Nigeria was particularly interested in the activities contained in the Global Action Plan. His country had developed a policy regarding HIV/AIDS in the workplace, which was due for review in line with Recommendation No. 200. Nigeria had also developed a workplace policy for small and medium-sized enterprises and had carried out extensive advocacy campaigns in all key sectors of the economy, including the informal sector. Nigeria would welcome further assistance from the ILO, particularly in respect of strengthening labour administration and inspection services with a view to securing full compliance with the

principles and policies set out in Recommendation No. 200. The speaker supported the point for decision.

- 197.** *A Government representative of Canada* welcomed the Global Action Plan and, while recognizing the importance of mainstreaming HIV/AIDS efforts in relevant ILO activities, recalled that the Organization should seek opportunities to pursue initiatives specifically targeting HIV and AIDS in the world of work through partnerships with other organizations. Efforts should not be limited to advocacy but should also focus on technical cooperation that would bring concrete results. Opportunities should be sought to disseminate experiences and good practices.
- 198.** The speaker recalled that the previous month Canada had hosted a tripartite round table where the question of Canada's response to Recommendation No. 200 had been discussed and information shared on initiatives taken by the Canadian Government, workers and employers. A research study on the implementation of Recommendation No. 200 was being conducted with a view to identifying good practices. The results of the study would be shared with the ILO. The speaker said that her country supported the point for decision and she underlined the importance of initiatives that would reduce stigma and discrimination.
- 199.** *A Government representative of Ghana* affirmed her country's commitment to the work of the Office and noted that the activities carried out to address the HIV/AIDS pandemic had been underpinned by the *ILO code of practice on HIV/AIDS and the world of work*. It was important to scale up efforts, in particular in the informal sector, which continued to pose challenges to the national response. The speaker welcomed the fact that the proposed Global Action Plan would focus on both the formal and informal sectors and that Ghana would receive assistance from the Office. She also noted that the Office training programmes would place particular emphasis on women and girls, who were very much disadvantaged, and that promotional materials would take into consideration gender issues, as well as the cultural and language particularities of member States. Under the Global Action Plan, member States would submit regular reports. The Government of Ghana was ready to cooperate with the Office to ensure that the three outcomes around which the Global Action Plan was structured were realized. The speaker urged the member States to support the Office by providing the required resources. She supported the point for decision.
- 200.** *A Government representative of Brazil* said that he supported the point for decision. His country had followed the guidance of the Recommendation and adopted cross-cutting policies; he expressed his willingness to share his experience with the Office and other countries.
- 201.** *A representative of the Director-General, Director of the ILO Programme on HIV/AIDS and the World of Work*, acknowledged that activities carried out in connection with HIV/AIDS were very interdependent and welcomed the presence of UNAIDS colleagues, who had always been a great source of support. She thanked the Employers for their support over the years. She understood their concern that "integration" should not mean "disappearance". She shared the concerns of the Workers' group with regard to the issues of stigma and discrimination and hoped that ways would collectively be found to address them as the major gains that had been made were nevertheless very fragile.
- 202.** The speaker congratulated the Government of Kenya on the work that had been achieved there and on the recently adopted excellent national policy. She concurred with the Government of Bangladesh regarding the importance of having the Recommendation translated into the local languages, as had been the case with the code of practice. The ILO was ready to help with that task. She noted the statement by the Government of India and

the fact that no mandatory testing should occur for employment purposes. Nevertheless, such testing did occur in many workplaces and she pointed out that mandatory testing for HIV/AIDS gave a false sense of security as it did not gauge whether or not a worker was fit to work.

- 203.** She thanked the Government of Australia for its contribution and noted its concern with regard to the extra-budgetary resources on which the programme was very dependent. She noted the guidelines established by the Government of Japan and assured the Government representative of Japan that the ILO collaborated extensively to improve the conditions of work of health workers. She thanked the Government of France, which had provided considerable resources to the Global Fund to Fight AIDS, Tuberculosis and Malaria, and trusted that the world of work would increasingly benefit from the implementation of the Recommendation to which France had so greatly contributed. She agreed with the representative of the Government of France that a sense of urgency must be maintained as the epidemic continued to advance. HIV/AIDS and tuberculosis often went hand in hand and should consequently be addressed concurrently. The speaker thanked the Government of Mexico, and had witnessed its commitment and that of the social partners at the International HIV/AIDS Conference held in Mexico. She concurred with the Government of Nigeria on the importance of labour administration and labour inspection, particularly in the prevention of HIV/AIDS and the implementation of HIV policy. Responding to the Government representative of Canada, the speaker trusted that it would be possible to work together to help demonstrate that HIV/AIDS was not only a concern for the less industrialized countries; the industrialized countries had a major role to play, not only in prevention but also with regard to support for legislation. She said that the issue of discrimination and mandatory testing was something that affected all member States. The speaker congratulated the Government of Ghana on the policy it had put in place for workplaces and recalled that Ghana was currently working together with the ILO on a joint project. She also noted that Brazil had made a major contribution to the adoption of Recommendation No. 200 and that its national legislation had been greatly influenced by that Recommendation.
- 204.** Lastly, the speaker wished to acknowledge the help within the Office provided by the Director-General and Mr Diop, which had made it possible for the programme to continue to provide support to the constituents. The programme was very much dependent on extra-budgetary resources and it would continue to appeal to donors, many of whom were present in the room, to find ways to scale up activities relating to HIV/AIDS and the world of work.

**Governing Body decision:**

- 205.** *The Governing Body approved the Global Action Plan (2011–15) to promote the implementation of the HIV and AIDS Recommendation, 2010 (No. 200).* (GB.310/17/1(Rev.), paragraph 36.)

*Second Supplementary Report: Report of the Committee of Experts  
on the Application of Conventions and Recommendations  
(Geneva, 25 November–10 December 2010)  
(GB.310/17/2)*

- 206.** *The Governing Body took note of the report.*

*Third Supplementary Report: An update on the Participatory  
Gender Audits and future prospects  
(GB.310/17/3)*

- 207.** *A representative of the Director-General* recalled that the paper was presented in the context of the ILO's gender equality governance structure, comprising the three pillars: the ILO's 1999 policy on gender equality; the ILO Action Plan on Gender Equality for 2010–15 by which the policy was operationalized; the tools available to assist the Office in determining what gender equality measures were needed and how to apply them. The main tool was the Participatory Gender Audit (PGA) introduced by the ILO in 2001, and on which information was provided periodically in the evaluations of action plans on gender equality. Many governance documents also referred to the methodology.
- 208.** Thanks to the collaboration with the ILO's International Training Centre in Turin, a major audit has been carried out in the decent work country team and the ILO Office Central America in San José. Since 2007, the Turin Centre had offered a training course for participatory gender audit facilitators. The Bureau for Gender Equality gave three-day courses for volunteers from headquarters. The facilitators' manual that was being used could be consulted on the ILO website.
- 209.** The main information set out in the document concerned the extension of participatory audit to the Office itself and the United Nations. At the ILO, it had been used increasingly since 2006 to enhance gender responsiveness in Decent Work Country Programmes (DWCPs), and thanks were due to all the donors for their contributions in that area. Audits were undertaken for governments, and for employers' and workers' organizations, and it had been noted that where constituents were trained to undertake audits, they were able to provide better services for their members. ACTRAV provided strong support in that respect. In April 2011, a training course for facilitators would be provided in Lomé. As indicated in Appendix I of the paper, use of the audit had also been extended to the United Nations system at no cost to the ILO, since it was the methodology preferred by the UN for mainstreaming gender issues in development assistance. In February 2011, the body UN Women based in the Republic of Moldova commissioned the ILO, using their own funds, to conduct another training session for facilitators for the Ministry of Labour, Social Protection and the Family and for the country's Employment Service. In response to demand, the Bureau for Gender Equality had prepared a new publication on the Participatory Gender Audit which the speaker had presented at the Tenth Session of the Inter-Agency United Nations Network on Women and Gender Equality in February 2011, in New York.
- 210.** The ILO methodology promoted better acceptance of the Organization's mandate in the area of gender equality. The facts also show that using the methodology facilitates teamwork, which was not surprising given that gender equality was not a stand-alone objective and had ramifications in the ILO's main areas of action. Consequently efforts continued to study ways of adapting the PGA and the search continued for new ways of funding it and of using the ILO's leverage within the UN system.
- 211.** *The Employer Vice-Chairperson* highlighted the valuable experience acquired on mainstreaming gender in technical cooperation activities. The Participatory Gender Audit had been transformed into a vehicle for collaboration with the multilateral system and within the ILO itself. As the paper indicated, the ILO Action Plan on Gender Equality for 2010–15 would make it possible to assess results. It was hoped that the constituents would acquire greater capacity to understand and apply gender considerations. In the absence of any policy changes, the successful expansion of the methodology should be continued.

- 212.** *The Worker Vice-Chairperson* appreciated the assistance given by the Office to trade unions for mainstreaming gender equality in their structures and policies. The ILO's Participatory Gender Audit helped unions to identify critical gaps and challenges and improve the use of financial, human and institutional resources for the achievement of gender equality and also stimulate broader internal trade union debate and consolidate democratic participation and promote internal reforms. The Office's efforts to modify the methodology and ensure that its techniques did not create an excessive burden for unions with a limited staff, were to be welcomed. It was to be hoped that the project currently being developed by ACTRAV and the Bureau for Gender Equality would be implemented soon with a view to supporting training for gender audit facilitators.
- 213.** *A Government representative of Bangladesh* welcomed the fact that the United Nations had recognized the PGA as an effective tool for gender mainstreaming at the operational level. He called on the Office to provide constituents with training customized in accordance with the social-economic and cultural settings of the countries concerned. A training programme for the South Asian region was desirable. The last subregional training session for facilitators had taken place in July 2008 and had been intended for employers' organizations.
- 214.** *A Government representative of Canada* welcomed the integration of the ILO's PGAs throughout the ILO and the increased use of PGAs in the context of technical cooperation to enhance gender responsiveness in the design and delivery of DWCPs. He noted that the methodology was being used operationally by UN country teams and UN agencies at country level, and had been adopted by governments and social partners. The Government of Canada encouraged the ILO to continue its work to promote positive gender outcomes.
- 215.** *A Government representative of Japan* supported the ILO's PGAs. In 2010, the Government of Japan had created a web portal giving information on action taken to promote gender equality at work and promote women's employment. The website in question also gave examples of best practices in various companies and a self-diagnostic system to enable companies to assess the extent to which women workers were being positively utilized. The Government of Japan was resolved to build a society with gender equality, a goal that cut across the overall strategic objective of decent work.
- 216.** *The representative of the Director-General* thanked speakers for the support they had expressed. She was willing to discuss with the Regional Directors the suggestion to include South Asia in future work programmes.
- 217.** *The Governing Body took note of the report.*

*Fourth Supplementary Report: Decent work and  
the multilateral system  
(GB.310/17/4)*

- 218.** *A Government representative of Panama* referred to the question of strengthening technical capacity, which was included in the Programme and Budget Proposals for 2012–13 as presented by the Director-General. She noted that Panama had an important tradition of regional collaboration in the management of knowledge on labour issues. Until 1994, Panama had hosted the headquarters of the Regional Employment Programme for Latin America and the Caribbean and after that of the Labour Analysis and Information System in Latin America and the Caribbean (SIALC). Through the latter, contributions were made to the development of regional labour statistics which were an essential tool for strengthening the ILO's analytical capacity and for ensuring follow-up to the ILO's *Decent work in the Americas: An agenda for the Hemisphere, 2006–15*.

- 219.** The Government of Panama on 14 May 2010 had submitted to the Director-General proposals for establishing an international training centre on maritime issues for the Americas. The proposal was based on the following arguments: Panama had been promoted to category A of the International Maritime Organization (IMO) Council; the country had the world's largest merchant shipping fleet, which meant that it was the biggest contributor to the IMO budget; it had ratified the Maritime Labour Convention, 2006 (MLC, 2006), thanks to which it now satisfied one of the two criteria for that instrument's entry into force; and the capacity of the Panama Canal was being increased in a project of world importance which made use of environmentally sound engineering techniques and promoted productive employment and decent work. It was expected that the proposal would be accepted, with the invaluable support of the ILO member States and to the benefit of Latin America and the Caribbean.
- 220.** She described a number of important national initiatives for the maritime sector that were aimed at strengthening the sustainable development objectives in the global context. In particular she referred to: the establishment of the International Maritime University of Panama; the fulfilment of the Voluntary IMO Member State Audit Scheme; the automation and modernization of the merchant shipping and seafarers' general directorates; the development of the first Maritime Code in Panama, and the modernization and consolidation of all maritime legislation in line with the Code in order to ensure implementation of the IMO Mandatory Instruments with a view to helping Panama to better assume its responsibilities as a flag State, port State and coastal State; ratification of the 1988 Protocol relating to the International Convention for the Safety of Life at Sea, 1974 (SOLAS) and of the International Convention on the Control of Harmful Anti-fouling Systems on Ships, 2001; increasing registered port activity in the Canal Zone, which in 2010 amounted to a total of 5,592,875 tonnes moved, more than anywhere else in Latin America; extending the Atlantic ports with a view to doubling capacity in tonnes, involving an investment of US\$500 million and the creation of almost 1,000 permanent jobs and another 3,600 indirect posts; and development of a new container terminal on the Pacific coast with the Singapore Port Authority as lead enterprise. She said that the experience gained and the work now under way in Panama would benefit the knowledge development promoted by the ILO.
- 221.** Lastly, picking up on a number of statements made by GRULAC, she emphasized again the importance for the Government of Panama of respecting the principle of transparency and complying with the procedures that applied in the ILO.
- 222.** *The Employer Vice-Chairperson* acknowledged that the discussion on integrating the Decent Work Agenda into the multilateral system was of great importance. The Office paper gave factual information on that aspect, but the important thing now was to define the ILO's role in the multilateral debate, given the new realities. He proposed including the item on the agenda of the November 2011 meeting with a preliminary programme that would help determine the nature of the tripartite debate required.
- 223.** *The Worker Vice-Chairperson* said that the work undertaken by the ILO to tackle the social and economic consequences of the financial crisis would have to be transformed in response to recent world events, whether natural disasters or political movements, with their concomitant effects on the world of work. It would be necessary to include certain topics, hitherto excluded from the debate, on the agenda; those included respect for law, social and economic justice, and empowerment of peoples. The goals that had thus far been pursued in accordance with the Millennium Development Goals (MDGs) and Decent Work Country Programmes (DWCPs), or in order to seek greater coherence between international agencies, improve mothers' and children's health or combat HIV/AIDS, would have to be geared to the new paradigm which the ILO and the multilateral system

had before them. The speaker concurred with the view of the Employer Vice-Chairperson that a discussion on the subject should be arranged in November 2011.

- 224.** *A Government representative of Australia* said that integrating the Decent Work Agenda in the multilateral system was a critical issue for the mode of operation of the ILO. Thanking the Director-General for the report that had been presented, he said that Australia wished to make three points. First, paragraph 40, had important policy implications for the future work direction of the Office and should therefore be submitted for discussion and decision. Secondly, the information contained in the paper was restricted to the United Nations (UN) system for the reasons indicated in paragraph 3; the speaker regretted that the Governing Body had not been able to review the numerous multilateral efforts that had been made since November 2010, and urged the Office to involve the constituents more actively in defining the manner in which the Decent Work Agenda might be incorporated in the work of the G20. With regard to paragraph 40, he urged the ILO, in collaboration with the constituents, to formulate a strategy for mainstreaming decent work in multilateral development initiatives. He hoped to have the opportunity to participate in a detailed discussion on the development of an ILO strategy in that regard.
- 225.** *A Government representative of India* said that the recent global financial and economic crisis had shown that, in order to broaden its development agenda with a view to achieving balanced and sustainable growth and promoting the Global Jobs Pact, the ILO needed to coordinate its efforts with the UN system and other multilateral bodies. The ILO's efforts to promote decent work and productive employment for all could have a catalytic effect on the achievement of the MDGs, to be attained by 2015. The post-2015 development model would have to be based on an approach that would make it possible to reorganize globalization in accordance with the ILO Declaration on Social Justice for a Fair Globalization. With regard to social protection, a gradual and non-binding approach would be required, taking into account the stages of development and the diverse socio-economic condition of each member State. The ILO should continue its work to integrate the Decent Work Agenda into the United Nations Development Assistance Fund (UNDAF) and continue its collaboration within UN Women. Referring to the quest for a greener economy, he suggested that the ILO and the multilateral agencies should in their actions endeavour to ensure that developing countries had access to green technology at a reasonable cost. The strong impetus given to South-South cooperation and to triangular cooperation would make it possible to promote the Decent Work Agenda in the developing countries. Decent work and productive employment for all could be achieved only if a coordinated endeavour were made once the Decent Work Agenda was fully embodied in the policy and operations of the multilateral system.
- 226.** *A Government representative of France* said that the overall theme of the Office paper was coherence, one of the main thrusts of the French presidency of the G20. The ILO should participate dynamically in all UN forums and show a high level of responsiveness.
- 227.** *A Government representative of Bangladesh* thanked the Office for the information provided in the paper but suggested that, given the importance of a number of the issues raised, it should have been submitted for debate and guidance. It was encouraging to note that the Office was active in mainstreaming the Decent Work Agenda into the multilateral system, although the Office paper gave the impression that the activities in question were not situated within a broader policy framework. Any policy shift marking the international development discourse needed to be designed in a way that would not pose structural challenges to weak and vulnerable economies. It was important to define precisely just what was meant by "green jobs" and what constituted just transition of the workforce and the creation of decent work. It was essential to place the debate within the parameters of the ongoing climate change negotiations. He took note of the information provided on the paper to be prepared by the Office for the Fourth United Nations Conference on Least

Developed Countries (LDCs), which would take place in Turkey in May 2011. The paper should, however, have been developed through active consultations with ILO constituents in the LDCs. He requested the Director-General to present a report to the Governing Body on the ILO's contribution to the Conference in question and possible blueprint for follow-up action, especially in relation to promoting decent work as a tool for poverty alleviation in LDCs. Lastly, it was pleasing to note that the ILO continued to focus on the development dimension of its work, an important aspect which the Programme and Budget proposals for 2012–13 tended to undermine. That would be counterproductive, and it was to be hoped that the LDCs would not be forced into redefining and strengthening the ILO's development tool as they had been obliged to do in many other international organizations.

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

*Fifth Supplementary Report: Measuring decent work*  
(GB.310/17/5)

- 229.** *A Worker member of Pakistan* recalled that the need for, and benefits of, measuring decent work had been discussed on a number of occasions since 2003, but was concerned at the delay in the development of a methodology, while noting that further consultation would take place after the present Governing Body. He suggested that the same approach be used for decent work indicators as had been employed successfully in the methodology developed in the latest version of the Global Wages Report, which involved peer review. He therefore suggested that the Office should publish results already available on measuring decent work with the understanding that improvements could be made with subsequent additions, after a similar process of peer review. He understood that data on the right to bargain collectively and freedom of association were available and believed that they should be published. The Office should provide a date for publication of these results.
- 230.** *The Employer Vice-Chairperson* recalled that the issue was a sensitive one for the Employers. The document before the Governing Body was for information, but future papers needed to be for debate and guidance, taking into account the nature of the question and the different criteria. The Employers had raised this issue on several occasions. He asked that in future the Governing Body be provided information – if it was for information only – but, at the appropriate moment, the Governing Body should receive a document for discussion, debate and decision.
- 231.** *A Government representative of Argentina*, speaking on behalf of the governments of the Group of Latin American and Caribbean Countries (GRULAC), considered that the work carried out by the Office presented methodological problems. The prospects for measurement of decent work had to be undertaken on the basis of full and far-reaching tripartite discussions on objectives to be achieved, the methodology to be used and the costs in both financial and human resources in order to evaluate all aspects from an overall perspective. GRULAC was in favour of continuing evaluation within the deadlines set out in the document.
- 232.** *A Government representative of India* noted that the ILO was made up of member countries with diverse socio-economic conditions and that a one-size-fits-all approach could not capture such diversity. A system that measured results against a country's specific background was required.
- 233.** The Declaration on Social Justice gave importance to national needs and priorities in implementation of the Decent Work Agenda at national level. Developing suitable indicators for the informal sector, which was prevalent in developing countries, was time-consuming and required innovative concepts. Measures were needed to assess progress in this sector while keeping in mind national priorities and different geographical and



political circumstances. It was also important to ensure that such indicators were feasible in terms of availability and usefulness of data. Efforts should also involve intensive tripartite consultations and suitable methodologies had to be developed with adequate ILO support by way of capacity-building programmes. Training provided to Member States could also be useful in creating a platform for measuring decent work.

- 234.** The development of indicators to measure decent work should be free of a fixed timeline. A practical approach should be adopted, through enhancing infrastructure and dialogue at national level and through continuous efforts to prepare useful Decent Work Country Programmes.
- 235.** He reiterated that the ratification status of core Conventions alone should not be taken as a measurement of progress in implementing fundamental principles and rights at work or as providing a legal framework for decent work. Neither should complaints lodged with the Committee on Freedom of Association be interpreted as indicators for measuring decent work; India had reservations in this respect. Such information had to be seen in conjunction with developments in legal and institutional mechanisms at national level.
- 236.** The Office should organize more in-depth consultations and give participants sufficient time to consult on the methodology. He concluded by saying that the ongoing pilot project for measuring decent work would lead to the development of more comprehensive indicators as well as suitable methodologies. This should be a participatory process to incorporate the concerns of the national experts in ILO member States.
- 237.** *A Government representative of Canada* noted that despite the Office's best efforts to ensure transparency and information sharing, there remained some confusion as to the purpose and scope of the initiative in its current form as compared to the original measuring decent work project. Canada was concerned about the resources required for the initiative in relation to the value of the projected outcomes, which she understood no longer aimed at measuring decent work but rather at providing a portal to facilitate access to ILO supervisory comments concerning each member State as a means of identifying progress and addressing such comments. This was quite different from the original proposal to develop statistical indicators to measure decent work. More information and clarification was needed so that the Governing Body could make an evaluation and take a decision. She looked forward to a full report and discussion in November 2011.
- 238.** *A Government representative of France* gave his opinion on what he had seen and which did not exactly correspond to what he expected. France was in favour of developing the measurement of decent work; however, he had expected to see a set of indicators that would generate fairly simple and aggregated data, providing pointers and orders of magnitude on the realities of decent work around the world. What he had seen to date was, on the one hand, work based on standards and which appeared to be aiming at an approach that focused on issues of contention; this was reductive.
- 239.** He did not wish to criticize the work done, but pointed out that it only dealt with a small part of the subject, while consuming much time and resources to provide 168 indicators. He was therefore concerned about the outcome of the exercise if it were extended as far as was hoped. In-depth consultations were required to shed light on what might otherwise become a major misunderstanding.
- 240.** *A Government representative of Cuba* supported the GRULAC statement. She was of the opinion that more discussions and consultations were required before the Office could present a new report which would detail the concerns of all parties. The issue of indicators required much attention, according to national priorities and should not in any way be confused with the ILO supervisory system or be made a duplicate of current supervisory

systems. She stated that the conceptual and methodological framework developed by the Office for measuring decent work should include and evaluate progress made in the application of fundamental principles and rights at work for all Conventions and not just for Conventions Nos 87 and 98. All future consultations should be open to all member States in order to guarantee transparency and that more time was required to discuss the measurement of decent work.

- 241.** *A Government representative of Japan* agreed that indicators should be established to allow member States to monitor and evaluate progress towards achieving decent work. However, the ideas and methodology concerning indicators referred to in the document prepared for the meeting in February 2011 needed further consideration. It was perhaps inappropriate to measure progress towards decent work on the basis of comments by the Committee of Experts on the Application of Conventions and Recommendations and by the Committee on Freedom of Association. Comments made by the Committee of Experts were both positive and negative and it was questionable whether they could be interpreted to reveal progress towards decent work in the country concerned; if negative comments were chosen as a basis for measurement, who would choose the comments, and how? Moreover, the absence of representations under article 24 of the ILO Constitution and of cases before the Committee on Freedom of Association did not necessarily mean that progress was being made towards decent work. Japan also felt that the criteria proposed by the Office would not provide information on the seriousness of the problems preventing progress towards decent work.
- 242.** There was the risk that the criteria would be used for overly simplified comparisons between countries. The Declaration on Social Justice for a Fair Globalization made member States responsible for efforts towards achieving decent work and allowed consideration of the needs and priorities of each country. The criteria proposed by the Office might not take this idea into account. The content, measurement methodology and spillover effects should be carefully considered when developing indicators.
- 243.** *The representative of the Director-General* recalled that this particular area of work began with the Tripartite Meeting of Experts on the Measurement of Decent Work (Geneva, 8–10 September 2008), which had reported to the Governing Body in November 2008 and had proposed a pilot programme of country profiles. These adopted a comprehensive approach, embracing all four pillars of decent work, with statistical indicators, where available and a standardized narrative on the legal framework. Three profiles were available and the list of countries interested in having similar profiles drawn up was long. By November 2011, a further ten profiles would be available which would be sufficient for an extensive review of where the work stood.
- 244.** Distinguishing the profiles work from the paper in hand, he mentioned that at the September 2008 Meeting of Experts, a request had been made that the Office investigate how far it could progress in providing indicators on the application of fundamental principles and rights at work, in particular freedom of association and collective bargaining. At that time, the Governing Body had stressed that the findings of the supervisory procedures should not be called into question and that the sources of information must be carefully monitored. This had been investigated with the ILO Standards Department and a methodology report had been published in early 2011.
- 245.** This method enabled the identification of progress between 2000 and 2008 in the areas of freedom of association and collective bargaining. The methodology showed clearly the issues dealt with by the supervisory bodies and their nature, and exactly what had happened. This was as far as things currently went – which perhaps explained why the Government representative of France was disappointed.

246. The Office nevertheless felt that a useful and sound step forward had been taken, and was happy to continue the consultations. It was important that the Governing Body was confident that the process would not produce misleading information. He proposed that consultations be continued until November 2011 and that a way should be found to assemble the tripartite expertise required for a peer review. A report clearly setting out proposals would be submitted to the Governing Body in November 2011, together with a full report on the profiles, as promised.
247. In response to the query from France concerning the 168 selected criteria, the speaker assured participants that there were in fact only 18 major groups, which were divided into subcategories, so the real picture was more manageable.
248. *A Worker member from Pakistan* stated that the Workers fully accepted that there should be capacity building for the social partners in the respective countries so that they could contribute to successful Decent Work Country Programmes. At the same time there should be tripartite consultation at national level. Freedom of association was one of the ILO's cardinal principles and had it existed properly in the Middle East matters in that region might have been different of late.
- 249. *The Governing Body took note of the report.***

*Sixth Supplementary Report: Appointment of a Regional Director  
(GB.310/17/6(Rev.))*

250. 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 Elizabeth Tinoco Acevedo as Regional Director of the ILO Regional Office for Latin America and the Caribbean in Lima, at the Assistant Director-General level, with effect from 1 February 2011. Ms Tinoco 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.

*Seventh Supplementary Report: Further developments in relation  
to the International Organization for Standardization (ISO)  
(GB.310/17/7)*

251. *The Employer Vice-Chairperson* considered that the situation had worsened since November 2010, given that the ISO had not forwarded ILO correspondence to its voting members and that it had not informed its members of the overlap with ILO work and mandate. Therefore cooperation was clearly out of the question.
252. *The Worker Vice-Chairperson* was much concerned with paragraph 2 of the document in hand, which seemed to suggest that a refusal to cooperate was what was being expected and even welcomed. The ISO seemed to believe that it was powerful enough and commanded enough respect to make it a more important organization than the ILO.
253. From information available to him, he said that the ISO seemed to represent employers who did not want trade unions operating in their companies. But he did not want to reject the Organization out of hand: it did good work in many fields. It was essential to have strong government support for a position that told the ISO that it was out of line and that it should revise its position. He suggested that discussions continue to make the ISO understand the ILO's role as well as its own, and that it accept both those roles. He invited the Governments to take a common position with Employers and Workers to deny that there was any legitimacy in the request by the ISO, expressing discontent at the ISO's

failure to communicate the ILO's correspondence to its voting members, and that it needed to change its position and leave the ILO to carry out its mandate of decent work.

- 254.** *A Government representative of Argentina*, speaking on behalf of the governments of the Group of Latin American and Caribbean Countries (GRULAC), considered the powers of the ISO committee to be of great concern and hoped that dialogue could be established with the ISO. He requested the Office to prepare a document that listed all ISO norms and private standards which overlapped with ILO standards and its mandate. He also called on the social partners to discuss and determine the appropriate terms of reference for instituting a dialogue between the ILO and ISO and of determining how future situations regarding the conflict between ISO private standards and ILO international labour standards could be handled.
- 255.** *A Government representative of Bangladesh* was disconcerted that the message conveyed by the Governing Body had not been duly noted by the ISO. The voting pattern in the ISO technical management board revealed that the decision to establish the new technical committee had not been arrived at through consensus. There were still concerns as to whether the ISO had the requisite competence to develop a management system of standards for all sectors and industries where human labour was applied. There was a clear overlap with ILO work which undercut ILO labour standards. He was concerned that private technical standards developed by the ISO might be used for purposes that might go against the spirit of the Declaration on Social Justice for a Fair Globalization. The Director-General should convey these concerns to the ISO and take a cautious approach regarding any cooperation agreement with the ISO and obtain a clear understanding of the terms of reference of the ISO technical committee. ILO Government members with standards-related organizations represented on the ISO Council should sensitize the ISO to ILO's legitimate concerns regarding the establishment of the technical committee. The Director-General should also consider writing to the Chair of the ISO Council with a request to review the decisions taken by the technical management board.
- 256.** *A Government representative of France* hoped that in stating the position of the French delegation he would reply in part to the Workers' concerns. The French Government position regarding ISO initiatives was negative. However, the ISO was an organization in which decisions were taken by national standard-setting bodies which were independent. No government was in a position to give strict instructions and a precise mandate to the standard-setting bodies which had taken this controversial decision.
- 257.** The French Government position was clear and its room for manoeuvre was as limited as that of others. However, he deplored the internal procedure followed by ISO, which had failed to inform its own constituents of the ILO's position. But the technical committee had been set up and the issue now was one of how to make the ILO's voice heard in the ISO. This was a recurrent issue, with precedents of interference by the ISO in ILO matters and he repeated that it could not be accepted that a private organization with a limited number of partners, and special interests should interfere with standards set up in a tripartite way by the ILO. The best way to proceed might be through dialogue or a refusal of dialogue. He found the ISO's attitude a little like the candle on the birthday cake that could not be blown out. There was little point in continuing to blow. Other means had to be found.
- 258.** *A Government representative of Japan* said that the human resource management standards to be developed by the ISO should be considered by a tripartite body, an idea which was noted at the previous Governing Body in November 2010. He regretted that the ISO had decided to move forward despite the ILO's reaction. The ISO and the ILO needed to discuss matters with a view to tripartite ILO involvement in the deliberation and monitoring of these standards.

259. *The Employer Vice-Chairperson* stated that the Employers' position was based on what was decided in November 2010 and on what was contained in the current report regarding the setting up of an ISO technical committee on human resources management and ISO's deliberate failure to distribute information provided on the ILO mandate. The ILO position was not to refuse to cooperate with the ISO, despite the latter's interference in ILO affairs. The ISO achieved positive results in many areas. The ILO was open to dialogue, but it should make clear its exclusive responsibility for international labour standards in that dialogue.
260. *The representative of the Director-General* asked if the areas in which there was unanimous Governing Body agreement on ISO's actions could be established. Speakers had clearly indicated that the decision to proceed with activity in this area by the ISO clearly came within the competence of the ILO and the fact the Governing Body's decision of November 2010 was not communicated to relevant ISO bodies by that Organization was considered of general concern. The question that remained was one of appropriate reaction to ISO's approach to substantive cooperation on human resources management. He asked whether the proper reaction would be that the Director-General convey to the ISO the views he had just summarized, i.e. that dialogue between the ISO and the ILO needed to be predicated on a mutual, proper and full acceptance of the respective prerogatives and competencies of the ILO and ISO.
261. This definition and mutual respect of competencies needed to be established before specific cooperation on the development of standards with the ISO could be considered. The technical workload involved would be significant. The Governing Body might wish to respond to the ISO in a more institutional manner, reminding the ISO that previously expressed concerns had not been transmitted, regretting the ISO's course of action, and seeking an institutional dialogue. Satisfactory resolution of these matters would be a precondition for further involvement.

**Governing Body decision:**

**262. *The Governing Body:***

- (a) *expressed its concern and disappointment that, despite the objections it had raised, the International Organization for Standardization (ISO) had decided to proceed with activity in the field of human resources management;*
- (b) *requested the Director-General to respond to any ISO request for cooperation on this matter by underlining the need for a clear and shared understanding of the respective competences of the ILO and of the ISO as the precondition for any such cooperation.*

(GB.310/17/7, paragraph 5, as amended.)

*Eighth Supplementary Report: Arrangements for the 15th Asia  
and the Pacific Regional Meeting  
(GB.310/17/8)*

263. *A Government representative of Japan* accepted the proposal submitted by the Director-General that the 15th Asia and the Pacific Regional Meeting, due to be held in Kyoto from 10–13 April 2011, be rescheduled for a date to be set by the Governing Body. Regardless of the disaster that had struck her country, Japan still wished to host the Meeting.

- 264.** *A Worker member of Bangladesh* expressed sympathy and solidarity with the Japanese people and agreed to the postponement of the Regional Meeting. He asked the Office to keep the region fully informed on developments and requested the earliest possible communication of a new date, as the Meeting had already been delayed twice.
- 265.** *An Employer member from the United Arab Emirates* thanked the Office for its efforts to support employers, improve labour conditions and promote freedom and rights in the Arab States. He also appreciated its work regarding the occupied Arab territories and for organizing the donors' meeting in aid of the Palestinian Fund, held in November 2010, which had provided positive results. He called on the ILO to take urgent measures to set up a technical cooperation programme to support employment, particularly youth employment, and improve labour conditions in the Arab region. He also called for financial and technical assistance for the technical cooperation programme in the occupied Arab territories. He requested the Governing Body to increase efforts to mobilize assistance related to the development plan and to increase competencies and capacity to continue social dialogue in order to improve labour conditions and decent work, particularly in Gaza.
- 266.** *The Worker Vice-Chairperson* expressed solidarity with the people of Japan and approved the postponement of the Regional Meeting.

**Governing Body decision:**

- 267.** *The Governing Body decided that the 15th Asia and the Pacific Regional Meeting would be rescheduled and authorized the Director-General to propose an appropriate date to the Officers of the Governing Body, to be confirmed at its 311th Session (June 2011).* (GB.310/17/8, paragraph 4.)

**Eighteenth item on the agenda**

REPORTS OF THE OFFICERS OF THE GOVERNING BODY

*First report: Representation alleging non-observance by Peru of the Seafarers' Pensions Convention, 1946 (No. 71), made under article 24 of the ILO Constitution, by the Autonomous Confederation of Peruvian Workers (CATP)*  
(GB.310/18/1)

**Governing Body decision:**

- 268.** *The Governing Body decided that the representation was receivable and that it would establish a committee for its examination.* (GB.310/18/1, paragraph 3.)

*Second report: Representation alleging non-observance by the Dominican Republic of the Equality of Treatment (Accident Compensation) Convention, 1925 (No. 19), made under article 24 of the ILO Constitution by the National Confederation of Dominican Workers*  
(GB.310/18/2)

**Governing Body decision:**

- 269.** *The Governing Body decided that the representation was receivable and that it would establish a committee for its examination.* (GB.310/18/2, paragraph 5.)

*Third report: Representation alleging non-observance by Chile of the Old-Age Insurance (Industry, etc.) Convention, 1933 (No. 35), and the Invalidity Insurance (Industry, etc.) Convention, 1933 (No. 37), made under article 24 of the ILO Constitution by the College of Teachers of Chile AG*  
(GB.310/18/3)

**Governing Body decision:**

- 270.** *The Governing Body decided to establish a committee to examine the representation in accordance with article 3, paragraph 1, of the Standing Orders concerning the procedure for the examination of representations.* (GB.310/18/3, paragraph 6.)

*Fourth report: Arrangements for the 12th African Regional Meeting*  
(GB.310/18/4)

**Governing Body decision:**

- 271.** *The Governing Body, on the recommendation of its Officers, approved the agenda of the 12th African Regional Meeting, which would be to discuss, on the basis of the Report of the Director-General, progress made by the countries in the region towards achieving the targets set by the Decent Work Agenda in Africa 2007–15 adopted at the 11th African Regional Meeting (Addis Ababa, Ethiopia, 24–27 April 2007), key challenges in implementing this Agenda in Africa, including the impacts and the responses to the global financial and economic crisis, an analysis of the situation in northern Africa as well as set out future priority actions for the region to achieve the Decent Work Agenda in Africa; and confirmed that arrangements made for the holding of this Meeting set out in document GB.310/18/4, that is, that the Meeting would be held in Johannesburg, South Africa, during the week starting 10 October 2011 and that the official languages of the Meeting would be English, French and Arabic.* (GB.310/18/4, paragraph 5.)

**Nineteenth item on the agenda**

COMPOSITION AND AGENDA OF STANDING BODIES AND MEETINGS  
(GB.310/19)

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

- 272.** *The Governing Body took note of this part of the document.* (GB.310/19, paragraph 1.)

*100th Session of the International Labour Conference*  
(Geneva, 1–17 June 2011)

*Invitation of intergovernmental organizations*

- 273.** *The Governing Body took note of this part of the document.* (GB.310/19, paragraph 2.)

*Workers' Symposium on Policies and Regulations to Combat Precarious Employment  
(Geneva, 4–7 October 2011)*

*Composition*

**Governing Body decision:**

**274.** *The Governing Body, on the recommendation of its Officers, approved the Committee's proposal for the Symposium, which would be attended by 40 trade union representatives, nominated after consultation with the Workers' group of the Governing Body and coming from both industrialized and developing countries in Africa, America, Asia and the Pacific, Europe and the Arab regions. Efforts would be made to ensure that at least 30 per cent of the participants selected were women, in compliance with the Workers' group's policy on gender equality. (GB.310/19, paragraph 5.)*

*Agenda*

**Governing Body decision:**

**275.** *The Governing Body, on the recommendation of its Officers, approved the agenda for the Symposium, as follows:*

- *to analyse the reasons and driving forces behind the growth of precarious employment;*
- *to examine the need for reducing precarious work in order to achieve a sustainable recovery and reduce inequality;*
- *to explore the potential of existing international labour standards to limit precarious employment and to ensure that all employees enjoy full workers' rights;*
- *to explore new policy and regulatory initiatives to combat precarious employment.*

**276.** *The Symposium would provide an opportunity for trade union leaders and legal experts to develop strategies to strengthen the capacity of trade unions to influence socio-economic policies and promote legislative initiatives at national, regional and international levels. (GB.310/19, paragraph 8.)*

*Invitation of international non-governmental organizations*

**Governing Body decision:**

**277.** *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 Symposium as observers:*

- *European Trade Union Confederation (ETUC);*
- *Education International (EI);*



- *International Federation of Chemical, Energy, Mine and General Workers' Union (ICEM);*
- *Building and Woodworkers' International (BWI);*
- *International Federation of Journalists (IFJ);*
- *International Metalworkers' Federation (IMF);*
- *International Transport Workers' Federation (ITF);*
- *International Textile, Garment & Leather Workers' Federation (ITGLWF);*
- *International Union of Food, Agricultural, Hotel, Restaurant, Catering, Tobacco and Allied Workers' Association (IUF);*
- *Public Services International (PSI);*
- *Trade Union Advisory Committee to the OECD (TUAC);*
- *Union Network International (UNI);*
- *International Federation of Workers' Education Associations (IFWEA);*
- *Union Syndicale des Travailleurs du Maghreb (USTMA);*
- *International Confederation of Arab Trade Unions (ICATU).*

(GB.310/19, paragraph 10.)

*Global Dialogue Forum on the Role of Private Employment Agencies in Promoting Decent Work and Improving the Functioning of Labour Markets in Private Services Sectors  
(Geneva, 18–19 October 2011)*

*Invitation of intergovernmental organizations*

**278. The Governing Body took note of this part of the document.** (GB.310/19, paragraph 11.)

*Invitation of international non-governmental organizations*

**Governing Body decision:**

**279. 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:**

- *UNI Global Union;*
- *International Union of Food, Agricultural, Hotel, Restaurant, Catering, Tobacco and Allied Workers' Association (IUF);*
- *International Confederation of Private Employment Agencies (CIETT);*

- *World Association of Public Employment Services (WAPES).*

(GB.310/19, paragraph 13.)

*Tripartite Meeting on Promoting Social Dialogue on Restructuring and its Effects on  
Employment in the Chemical and Pharmaceutical Industries  
(Geneva, 24–27 October 2011)*

*Invitation of intergovernmental organizations*

- 280. The Governing Body took note of this part of the document.** (GB.310/19, paragraph 14.)

*Invitation of international non-governmental organizations*

**Governing Body decision:**

- 281. 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 Meeting as observers:**

- *International Chemical Employers' Labour Relations Committee (LRC);*
- *International Federation of Chemical, Energy, Mine and General Workers' Unions (ICEM);*
- *European Chemical Employers Group (ECEG);*
- *European Mine, Chemical and Energy Workers' Federation (EMCEF);*
- *Trade Union Advisory Committee to the Organisation for Economic Co-operation and Development (OECD).*

(GB.310/19, paragraph 16.)

*Meeting of Experts on the Code of Practice on Safety in the Use of Machinery  
(Geneva, 29 November–7 December 2011)*

*Composition*

**Governing Body decision:**

- 282. The Governing Body, on the recommendation of its Officers, approved the composition proposed for this Meeting which would be attended by eight experts nominated after consultation with the Governments, eight experts nominated after consultation with the Employers' group and eight experts nominated after consultation with the Workers' group of the Governing Body. According to the established practice for meetings of experts, this Meeting would be chaired by an independent chairperson.**

- 283. The Governing Body took note that, in order to obtain the Government nominations, the Director-General intended to approach the Governments of Brazil, Canada, France, Germany, Ghana, Japan, Malaysia and South Africa. Should any of those Governments prove to be unable to nominate an expert, the**

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*Director-General would approach one of the Governments of the following countries: Argentina, Burkina Faso, Nigeria, Republic of Korea or Sweden.* (GB.310/19, paragraph 20.)

*Agenda*

**Governing Body decision:**

- 284. *The Governing Body, on the recommendation of its Officers, approved the agenda for this Meeting, as follows: to examine and adopt a code of practice on safety in the use of machinery.*** (GB.310/19, paragraph 22.)

*Invitation of intergovernmental organizations*

- 285. *The Governing Body took note of this part of the document.*** (GB.310/19, paragraph 23.)

*Invitation of international non-governmental organizations*

**Governing Body decision:**

- 286. *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 Meeting as observers:***

- *International Association of Labour Inspection (IALI);*
- *International Organization for Standardization (ISO).*

(GB.310/19, paragraph 25.)

*Appointment of Governing Body representatives on various bodies*

*Tripartite Meeting on Promoting Social Dialogue on Restructuring and its Effects on Employment in the Chemical and Pharmaceutical Industries  
(Geneva, 24–27 October 2011)*

**Governing Body decision:**

- 287. *The Governing Body deferred to a later date the appointment of its representative, who would also chair the above Meeting. In accordance with the established practice, the appointment would be made from among the Worker members of the Governing Body.*** (GB.310/19, paragraph 26.)

## Information notes

PROGRAMME OF MEETINGS FOR THE REMAINDER OF 2011  
AND ADVANCE INFORMATION FOR 2012  
(GB.310/Inf.1)

APPROVED SYMPOSIA, SEMINARS, WORKSHOPS AND SIMILAR MEETINGS  
(GB.310/Inf.2)

REQUESTS FROM INTERNATIONAL NON-GOVERNMENTAL ORGANIZATIONS  
WISHING TO BE REPRESENTED AT THE 100TH SESSION (2011) OF THE  
INTERNATIONAL LABOUR CONFERENCE  
(GB.310/Inf.3)

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

**289.** *The Worker Vice-Chairperson* expressed regret at the loss of human life in Syria, the Libyan Arab Jamahiriya and Côte d'Ivoire, and in other countries in which there had been disturbance. In the particular case of Côte d'Ivoire, where a civil war was now effectively taking place, the speaker deplored the fact that the mediating Government had been unable to find a solution and threats were still weighing heavily against trade union leaders and their families. The Workers' group called on the Employers' group and on Governments to join them in condemning all acts of violence wherever they occurred and called for greater efforts to be made towards world peace.

**290.** *The Employer Vice-Chairperson* endorsed the statement made by the Worker Vice-Chairperson, stating that the right to life, to peace, democracy, freedom and respect for the law were principles at the heart of the Employers' commitment. He called on the Director-General to continue to support all action necessary to bring about respect of freedom of association and all the values defended by the ILO.

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**Annexe/Appendix/Anexo**


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

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*310<sup>e</sup> session - Genève - mars 2011  
310th Session - Geneva - March 2011  
310.<sup>a</sup> reunión - Ginebra - marzo de 2011*

**Liste finale des personnes assistant à la session  
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**Membres gouvernementaux titulaires**  
**Miembros gubernamentales titulares**
**Regular Government members**

**Président du Conseil d'administration:**  
**Chairperson of the Governing Body:**  
**Presidente del Consejo de Administración:**

**Mr J. MATJILA (South Africa)**

**Afrique du Sud South Africa**  
**Sudáfrica**

Ms M. OLIPHANT, Minister of Labour.

*substitute(s):*

Mr J. MATJILA, Chairperson of the ILO Governing Body, Ambassador, Permanent Mission, Geneva.

Mr S. NDEBELE, Minister (Labour), Permanent Mission, Geneva.

*accompanied by:*

Mr L. KETTLEDAS, Deputy Director-General, Labour Policy and Labour Market Programmes, Ministry of Labour.

Mr M. SKHOSANA, Director, International Relations, Ministry of Labour.

Ms N. MNCONYWA, Chief of Staff, Office of the Minister, Ministry of Labour.

Ms P. SALUSALU, Personal Assistant to the Minister, Ministry of Labour.

Mr M. JIKAZANA, Media Liaison Officer, Ministry of Labour.

Mr K. SCHARINGER, Permanent Mission, Geneva.

Ms A. RÜSCHKAMP, Department for the ILO and United Nations, Ministry of Labour and Social Affairs.

Mr H. HERRMANN, Finance Specialist, Permanent Mission, Geneva.

Ms P. HIPPMANN, Specialist, Department for Globalization, Trade and Investment, Ministry of Economic Cooperation and Development.

Ms M. NEEF, Permanent Mission, Geneva.

Mr M. JACOBS, Permanent Mission, Geneva.

**Argentine Argentina**

Sr. A. DUMONT, Embajador, Representante Permanente, Misión Permanente, Ginebra.

*suplente(s):*

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

*acompañado(s) de:*

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Sr. D. CELAYA ÁLVAREZ, Ministro, Misión Permanente, Ginebra.

**Allemagne Germany**  
**Alemania**

Mr H. KOLLER, Head, Department for European and International Employment and Social Policy, Ministry of Labour and Social Affairs.

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*accompanied by:*

Mr R. SCHWEPPE, Permanent Representative, Permanent Mission, Geneva.

Mr G. VINES, Minister Counsellor (Labour), Permanent Mission, Geneva.

*substitute(s):*

Ms J. ALVER, Director, International Labour Standards, Department of Education, Employment and Workplace Relations.

Mr N. BRUCE, Assistant Director, International Labour Policy, Department of Education, Employment and Workplace Relations.

**Australie Australia**

Mr P. HIGGINS, First Secretary, Permanent Mission, Geneva.

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## Autriche    Austria

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Ms I. DEMBSHER, Head of International Social Policy Unit, Federal Ministry of Labour, Social Affairs and Consumer Protection.

*substitute(s):*

Mr C. STROHAL, Ambassador, Permanent Representative, Permanent Mission, Geneva.

*accompanied by:*

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Ms E. JAMEK, First Secretary, Permanent Mission, Geneva.

Ms M. FROSCHAUER, Adviser, Permanent Mission, Geneva.

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## Bangladesh

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*substitute(s):*

Mr N. HAQUE, Secretary, Ministry of Labour and Employment.

Mr A. HANNAN, Ambassador, Permanent Representative, Permanent Mission, Geneva.

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Ms Y. PARVEEN, Senior Assistant Chief (Labour), Ministry of Labour and Employment.

Mr M. NORE-ALAM, First Secretary, Permanent Mission, Geneva.

Mr H. KABIR, Senior Assistant Chief, Ministry of Labour and Employment.

Mr S. AHMED, Assistant Private Secretary to the State Minister, Ministry of Labour and Employment.

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## Barbade    Barbados

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*substitute(s):*

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*accompanied by:*

Ms E. MARCUS-BURNETT, Counsellor, Permanent Mission, Geneva.

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## Brésil    Brazil    Brasil

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Mr G. ROEDER FRIAÇA, Counsellor, Permanent Mission, Geneva.

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Ms B. DE SOUZA E SILVA, First Secretary, Permanent Mission, Geneva.

Mr R. DE MORAES LEME, Second Secretary, Permanent Mission, Geneva.

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## Burundi

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M<sup>me</sup> A. SENDAZIRASA, ministre de la Fonction publique, du Travail et de la Sécurité sociale.

*suppléant(s):*

M. P. NDAYIRAGIJE, ambassadeur, représentant permanent, mission permanente, Genève.

*accompagné(s) de:*

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M<sup>me</sup> E. UWIMANA, deuxième conseiller, mission permanente, Genève.

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**Chine China**


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Ms H. ZHAO, First Secretary, Permanent Mission, Geneva.

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**Etats-Unis United States  
Estados Unidos**


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Ms S. POLASKI, Deputy Under Secretary, Bureau of International Labor Affairs, Department of Labor.

*substitute(s):*

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Ms B. KING, Ambassador, Permanent Representative, Permanent Mission, Geneva.

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Ms W. BARTON, Political Affairs Officer, Permanent Mission, Geneva.

Ms M. RIOS, Program Analyst, Office of Management Policy and Resources, Bureau of International Organization Affairs, Department of State.

Ms B. SHAILOR, Special Representative, Democracy, Human Rights and Labor, Department of State.

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**France Francia**


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M. G. de ROBIEN, ambassadeur, délégué gouvernemental de la France au Conseil d'administration du BIT.

*suppléant(s):*

M. J. MATTEI, ambassadeur, représentant permanent, mission permanente, Genève.

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## Inde India

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## Italie Italy Italia

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## Japon Japan Japón

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## Jordanie Jordan Jordania

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Ms G. FAYEZ, Adviser, Permanent Mission, Geneva.

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## Mozambique

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M. J. DENGGO, premier secrétaire, mission permanente, Genève.

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## Nigéria Nigeria

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Mr P. BDLIYA, Director-General (NPC), Federal Ministry of Labour.

Mr J. OLANREWaju, Director-General (MINLS), Federal Ministry of Labour.

Mr A. ADESUGBA, Chairman (IAP), Federal Ministry of Labour.

Mr U. ABUBAKAR, Managing Director (NSITF), Federal Ministry of Labour.

Mr B. SHERIFF, Director (E&W), Federal Ministry of Labour.

Mr P. OKWULEHIE, Director (Inspectorate), Federal Ministry of Labour.

Ms O. OLANREWaju, Director (TUSIR), Federal Ministry of Labour.

Mr O.C. ILLOH, Director (PM), Federal Ministry of Labour.

Ms T. BRAIMAH, Deputy Director (ILR), Federal Ministry of Labour.

Mr P. AJUZIE, Labour Attaché, Permanent Mission, Geneva.

Mr D. NEBURAGHO, Assistant Director, Federal Ministry of Labour.

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## Panama Panamá

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Sra. A. CORTÉS AGUILAR, Ministra de Trabajo y Desarrollo Laboral.

*suplente(s):*

Sr. A. NAVARRO BRIN, Embajador, Misión Permanente, Ginebra.

Sr. H. GARCÍA APARICIO, Secretario General, Ministerio de Trabajo y Desarrollo Laboral.

*acompañado(s) de:*

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Sr. I. GANTES CASTILLO, Asesor de Asuntos Internacionales, Ministerio de Trabajo y Desarrollo Laboral.

Sra. L. CORTÉS, Enlace del Ministerio de Salud y la Asamblea Nacional de Diputados.

Sra. J. ZEBALLOS, Asistenta de la Ministra de Trabajo y Desarrollo Laboral, Ministerio de Trabajo y Desarrollo Laboral.

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## Pologne Poland Polonia

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Mr R. HENCZEL, Ambassador, Permanent Representative, Permanent Mission, Geneva.

*substitute(s):*

Ms R. LEMIESZEWSKA, Counsellor to the Minister, Social Dialogue and Social Partnership Department, Ministry of Labour and Social Policy.

Ms M. NOJSZEWSKA-DOCHEV, First Secretary, Permanent Mission, Geneva.

*accompanied by:*

Ms E. MARMULEWICZ, Attaché, Permanent Mission, Geneva.

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**Royaume-Uni  
United Kingdom  
Reino Unido**

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Mr S. RICHARDS, Head of the ILO, UN and Council of Europe Team, Joint International Unit, Department for Work and Pensions.

*substitute(s):*

Mr J. JOO-THOMSON, First Secretary, Permanent Mission, Geneva.  
Mr P. RUSSELL, Senior Policy Adviser, Joint International Unit, Department for Work and Pensions.  
Mr N. WAPSHERE, Second Secretary, Permanent Mission, Geneva.

*accompanied by:*

Mr P. GOODERHAM, Ambassador, Permanent Representative, Permanent Mission, Geneva.  
Mr S. WEEKS, Adviser.  
Mr F. ROODT, Joint International Unit, Department for Work and Pensions.

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**Fédération de Russie  
Russian Federation  
Federación de Rusia**

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Mr A. SAFONOV, Deputy Minister, Representative of the Russian Federation to the ILO Governing Body, Ministry of Health and Social Development.

*substitute(s):*

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Mr M. LEBEDEV, Deputy Permanent Representative, Permanent Mission, Geneva.

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Mr V. STEPANOV, Head of Section, Department of International Cooperation, Ministry of Health and Social Development.  
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Mr A. BASHKIN, Senior Counsellor, Permanent Mission, Geneva.

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Mr E. KALUGIN, Second Secretary, Permanent Mission, Geneva.

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**Singapour Singapore  
Singapur**

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**République-Unie de Tanzanie**  
**United Republic of Tanzania**  
**República Unida de Tanzania**

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Ms G. KABAKA, Minister of Labour and Employment.

*substitute(s):*

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*accompanied by:*

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Mr E. NDIMBO, Director of Employment, Ministry of Labour and Employment.

Mr A. TEYE, Principal Labour Officer, Ministry of Labour and Employment.

Mr S. MWANJALI, Private Secretary to the Minister of Labour and Employment, Ministry of Labour and Employment.

Ms R. MOYO, Labour Officer, Ministry of Labour and Employment.

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**République tchèque**  
**Czech Republic**  
**República Checa**

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**Tunisie Tunisia Túnez**

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*accompagné(s) de:*

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**Venezuela (Rép. bolivarienne du)**  
**Venezuela (Bolivarian Rep. of)**  
**Venezuela (Rep. Bolivariana de)**

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*acompañado(s) de:*

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Sr. C. FLORES, Consejero Laboral, Misión Permanente, Ginebra.

Sra. G. AGUIRRE KOCH, Abogada de la Oficina de Relaciones Internacionales y Enlace con la OIT, Ministerio Poder Popular para el Trabajo y Seguridad Social.

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**Miembros gubernamentales adjuntos**
**Deputy Government members**
**Belgique Belgium Belgique**

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M. F. VANDAMME, conseiller général, chef de la division des affaires internationales, service public fédéral Emploi, Travail et Concertation sociale.

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M<sup>me</sup> M. DENEFFE, conseillère, mission permanente, Genève.

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M<sup>me</sup> J. BYNENS, déléguée du gouvernement flamand auprès des organisations multilatérales à Genève.

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M<sup>me</sup> R. VAN PEER, chargée de mission, Sociaal Economische Raad van Vlaanderen (SERV).

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**Bénin Benin**

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**Cambodge    Cambodia  
Camboya**

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*accompanied by:*

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**Canada    Canadá**

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**Congo**

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**République de Corée  
Republic of Korea  
República de Corea**

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**Cuba**

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## Egypte    Egypt    Egipto

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Mr B. AHMED, First Secretary, Permanent Mission, Geneva.

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## El Salvador

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Sr. E. ARÈNE, Embajador, Representante Permanente Adjunto, Encargado de Negocios a.i., Misión Permanente, Ginebra.

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## Espagne    Spain    España

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Sr. V. GÓMEZ SÁNCHEZ, Ministro de Trabajo e Inmigración.

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Sr. J. RODRÍGUEZ, Vocal Asesor del Gabinete del Ministro, Ministerio de Trabajo e Inmigración.  
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## Ghana

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## Guinée    Guinea

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M<sup>me</sup> F. TOUNKARA, ministre du Travail.

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**Hongrie Hungary Hungría**


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 Mr Z. PAPP, First Secretary, Permanent Mission, Geneva.  
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**République islamique d'Iran  
 Islamic Republic of Iran  
 República Islámica del Irán**


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*substitute(s):*

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 Ms S. GHOLAM REZAIE, Expert of the International Affairs and Overseas Employment Department, Ministry of Labour and Social Affairs.  
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**Kenya**


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Mr J. MUNYES, Minister of Labour.

*substitute(s):*

Ms B. KITUYI, Permanent Secretary, Ministry of Labour.

*accompanied by:*

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 Mr A. ANDANJE, Ambassador, Deputy Permanent Representative, Permanent Mission, Geneva.  
 Dr S. NYAMBARI, Labour Commissioner, Ministry of Labour.  
 Mr P. WAMOTO, Principal Counsellor (Labour), Permanent Mission, Geneva.

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**Liban Lebanon Líbano**


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M<sup>me</sup> N. RIACHI ASSAKER, ambassadeur, représentant permanent, mission permanente, Genève.

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

*accompagné(s) de:*

M. H. CHAAR, conseiller, mission permanente, Genève.



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**Lituanie Lithuania Lituania**


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Mr J. RUDALEVICIUS, Ambassador,  
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*substitute(s):*

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*accompanied by:*

Ms R. ALISAUSKIENE, First Secretary,  
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**Pakistan Pakistán**


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Mr A. AZIM, Federal Secretary, Ministry of  
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Mr S. KAZMI, Joint Secretary, Ministry of  
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Mr M. AHMED, President, Peoples' Labour  
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**Pérou Peru Perú**


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

*suplente(s):*

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Permanente, Ginebra.

Sr. C. SIBILLE RIVERA, Misión Permanente,  
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**Portugal**


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M. A. MONTEIRO FERNANDES, ministère  
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*suppléant(s):*

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M<sup>me</sup> S. CORVELO, cabinet de stratégie et  
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M<sup>me</sup> V. LOPES ESTEVES, Direction générale  
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**Qatar**


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Mr A. AL-KHULAIIFI, Minister Plenipotentiary  
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**Soudan Sudan Sudán**


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Mr A. MOHAMED, Second Secretary,  
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**Suède    Sweden    Suecia**


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**Thaïlande    Thailand  
Tailandia**


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**Uruguay**


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Sr. G. WINTER, Consejero, Misión Permanente,  
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**Viet Nam**


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**Zambie    Zambia**


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*accompanied by:*

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<b>Vice-président du Conseil d'administration:</b> <b>Vice-Chairperson of the Governing Body:</b> <b>Vicepresidente del Consejo de Administración:</b>	<b>Sr. D. FUNES DE RIOJA (Argentina)</b>
<b>Secrétaire du groupe des employeurs:</b> <b>Secretary of the Employers' group:</b> <b>Secretario del Grupo de los Empleadores:</b>	<b>Sr. A. PEÑALOSA (IOE)</b>
<b>Secrétaire adjoint du groupe des employeurs:</b> <b>Deputy Secretary of the Employers' group:</b> <b>Secretario adjunto del Grupo de los Empleadores:</b>	<b>Mr B. WILTON (IOE)</b>

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

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

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

M. B. NACOULMA (Burkina Faso), président de comité statuaire, Conseil national du patronat burkinabè.

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

Mr K. RAHMAN (Bangladesh), Former President, Bangladesh Employers Federation.

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

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*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<sup>me</sup> F. AWASSI ATSIMADJA (Gabon), secrétaire générale SIMPEX, Confédération patronale gabonaise.
- M. M. BARDE (Suisse), secrétaire général, Fédération des syndicats patronaux.
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- Mr L. CHEN (China), Executive Vice-President and Director-General, China Enterprise Confederation.
- Sr. A. ECHAVARRÍA SALDARRIAGA (Colombia), Vicepresidente de Asuntos Jurídicos y Sociales, Asociación Nacional de Industriales.
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- M. E. MEGATELI (Algérie), secrétaire général, Confédération générale des entreprises algériennes.
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- M. L. TRAORE (Mali), secrétaire général, Conseil national du patronat du Mali.
- Mr F. WELZIJN (Suriname), Legal Adviser, Suriname Aluminum Company LLC.
- Mr P. WOOLFORD (Canada), President, Clairmark Consulting Ltd.

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*Ms H. LIU, accompanying Mr Chen.*

*Mr O. ROMANOVSKY, accompanying Ms Moskvin.*

**Membres suppléants assistant à la session:****Substitute members attending the session:****Miembros suplentes presentes en la reunión:**

*Mr B. PIRLER (Turkey), Secretary-General, Türkiye Sveren Sendikalari Konfederasyonu.*

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

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

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

M<sup>me</sup> R. DIALLO (Guinée), secrétaire générale, Confédération nationale des travailleurs de Guinée.

Ms S. FOX (United States), American Federation of Labor and Congress of Industrial Organizations.

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

Mr S. GURNEY (United Kingdom), Labour Standards and World Trade, Trade Union Congress.

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

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

Mr T. SAKURADA (Japan), Takashimaya Labour Union.

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

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

Mr M. SOMMER (Germany), President, Deutscher Gewerkschaftsbund (DGB).

Ms T. SUNDNES (Norway), Confederal Secretary, Landsorganisasjonen i Norge.

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

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*Ms M. HAYASHIBALA, accompanying Mr Sakurada.*

*Ms B. KÜHL, 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 Workers' Federation.
- Mr M. AL-MA'AYTA (Jordan), President, General Federation of Jordanian Trade Unions.
- Mr F. ATWOLI (Kenya), General Secretary, Central Organization of Trade Unions.
- M. R. DE LEEUW (Belgique), président, Fédération générale du travail de Belgique.
- Ms C. DEL RIO (Italy), Head of the International Department, Unione Italiana del Lavoro.
- Sr. J. DEL VALLE PÉREZ (México), Secretario de Asuntos Internacionales, Confederación Revolucionaria de Obreros y Campesinos.
- M<sup>m</sup> M. FRANCISCO (Angola), secrétaire, Relations internationales, Union nationale des travailleurs de l'Angola - Confédération syndicale.
- M. B. HOSSU (Roumanie), président, Confederatia Nationala Sindicala Cartel Alfa.
- Mr G. JIANG (China), Executive Committee Member, All China Federation of Trade Unions.
- Sr. G. MARTÍNEZ (Argentina), Secretario internacional, Confederación General del Trabajo.
- Ms L. MATIBENGA (Zimbabwe), Vice-President, Zimbabwe Congress of Trade Unions.
- Sra. D. MONTERO D'OLEO (República Dominicana), Confederación Nacional de Trabajadores Dominicanos.
- M. A. PALANGA (Togo), secrétaire général, Confédération nationale des travailleurs du Togo.
- Mr R. SILABAN (Indonesia), Chairman, Confederation of Prosperous Indonesian Labour Unions (KSBSI).
- M. Y. VEYRIER (France), secrétaire confédéral, Confédération générale du travail - Force ouvrière.
- Ms A. WOLANSKA (Poland), Head, International Department, Niezalezny Samorzadny Zwiazek Zawodowy "Solidarnosc".
- Ms H. YACOB (Singapore), Deputy Secretary-General, National Trade Union Congress.

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*Mr K. ABU MARJOUN, accompanying Mr Al-Ma'ayta.*

*Mr H. AL-MA'AYTA, accompanying Mr Al-Ma'ayta.*

*M. T. AERTS, accompagnant M. de Leeuw.*

*M<sup>m</sup> 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. I. JAZAIRY, ambassadeur, représentant permanent, mission permanente, Genève.  
 M. M. BOUKADOUM, conseiller, mission permanente, Genève.

**Бéларус    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.

**Bolivie (Etat plurinational de)  
 Bolivia (Plurinational State of)  
 Bolivia (Estado Plurinacional de)**

Sra. A. NAVARRO LLANOS, Embajadora, Representante Permanente, Misión Permanente, Ginebra.  
 Sr. F. ROSALES LOZADA, Primer Secretario, Misión Permanente, Ginebra.  
 Sr. R. LÓPEZ GARCÍA, Segundo Secretario, Misión Permanente, Ginebra.

**Bosnie-Herzégovine  
 Bosnia and Herzegovina  
 Bosnia y Herzegovina**

Ms E. KECO ISAKOVIC, Ambassador, Permanent Representative, Permanent Mission, Geneva.  
 Ms I. SUZNJEVIC, First Secretary, Permanent Mission, Geneva.

**Botswana**

Ms S. SEEMULE, Labour Attaché, Permanent Mission, Geneva.

**Burkina Faso**

M. P. VOKOUMA, ambassadeur, représentant permanent, mission permanente, Genève.  
 M<sup>me</sup> 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.

**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. ANDREOU PANAYIOTOU, Administrative Officer, Ministry of Labour and Social Insurance.

**Colombie    Colombia**

Sra. A. ARANGO, Embajadora, Representante Permanente, Misión Permanente, Ginebra.  
 Sra. A. MENDOZA, Ministra Plenipotenciaria, Misión Permanente, Ginebra.  
 Sra. X. LONDOÑO, Misión Permanente, Ginebra.

**Côte d'Ivoire**

M. K. ADJOU MANI, ambassadeur, représentant permanent, mission permanente, Genève.

M. K. GLEGLAUD, premier conseiller, mission permanente, Genève.

M<sup>me</sup> B. QUACOE, conseillère en charge des questions du BIT, mission permanente, Genève.

M<sup>me</sup> M. RAPHAEL BOLLY, mission permanente, Genève.

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**Danemark    Denmark  
Dinamarca**

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Mr S. SMIDT, Ambassador, Permanent Mission, Geneva.

Ms L. HENRIKSEN, Head of Division, Ministry of Employment.

Ms Z. LILJEQVIST, Head of Section, Ministry of Employment.

Mr U. RASMUSSEN, Head of Section, Ministry of Employment.

Ms A. ASKGAARD, Attaché, Permanent Mission, Geneva.

Ms S. KRAGELUND, Permanent Mission, Geneva.

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**Emirats arabes unis  
United Arab Emirates  
Emiratos Árabes Unidos**

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Mr A. FAKHFAKH, Expert in International Organizations, Permanent Mission, Geneva.

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**Equateur    Ecuador**

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Sr. M. MONTALVO, Embajador, Representante Permanente, Misión Permanente, Ginebra.

Sr. A. MORALES, Representante Permanente Alterno, Misión Permanente, Ginebra.

Sr. J. SÁNCHEZ, Primer Secretario, Misión Permanente, Ginebra.

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**Finlande    Finland    Finlandia**

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

Mr P. METSO, Minister Counsellor, Permanent Mission, Geneva.

Ms R. KANGASPERKO, Government Counsellor, Ministry of Employment and the Economy.

Ms L. SAASTAMOINEN, Senior Officer, Legal Affairs, Ministry of Employment and the Economy.

Ms E. MYLLYMÄKI, Counsellor, Ministry of Foreign Affairs.

Mr V. LAHELMA, Second Secretary, Permanent Mission, Geneva.

Ms K. LEINONEN, Permanent Mission, Geneva.

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**Guatemala**

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Sr. C. MARTÍNEZ ALVARADO, Representante Permanente, Misión Permanente, Ginebra.

Sra. A. CHÁVEZ BIETTI, Ministra Consejera, Misión Permanente, Ginebra.

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**Haïti    Haiti    Haití**

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M. J. ALEXANDRE, ministre conseiller, mission permanente, Genève.

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**Honduras**

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Sr. R. FLORES BERMÚDEZ, Embajador, Representante Permanente, Misión Permanente, Ginebra.

Sr. M. PÉREZ ZEPEDA, Consejero, Misión Permanente, Ginebra.

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**Indonésie    Indonesia**

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

Mr D. PERCAYA, Ambassador, Deputy Permanent Representative, Permanent Mission, Geneva.

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

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**Lesotho**

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Mr L. RAMONE, Minister Counsellor, Permanent Mission, Geneva.



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**Malaisie Malaysia Malasia**


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

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**Malawi**


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Mr Y. MUSSA, Minister of Labour.  
Ms A. MCHIELA, Principal Secretary, Ministry  
of Labour.  
Mr E. ZIRIKUDONDO, Labour Commissioner,  
Ministry of Labour.

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**Malte Malta**


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Mr V. CAMILLERI, Ambassador, Permanent  
Representative, Permanent Mission, Geneva.  
Ms A. CUTAJAR, Counsellor, Permanent  
Mission, Geneva.

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**Maroc Morocco Marruecos**


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M. O. HILAËLE, ambassadeur, représentant  
permanent, mission permanente, Genève.  
M. A. LASSEL, ministre plénipotentiaire,  
mission permanente, Genève.  
M. M. EL BOUAZZAOUI, conseiller, mission  
permanente, Genève.

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**Myanmar**


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Mr T. KYAW, Ambassador to the Union of  
Myanmar to Belgium.  
Mr Y. AUNG, Ambassador, Deputy Permanent  
Representative, Permanent Mission, Geneva.  
Mr C. SHEIN, Director-General, Directorate of  
Labour, Ministry of Labour.  
Mr K. SAN, Deputy Director-General, Attorney  
General's Office.  
Mr H. LYNN, Minister Counsellor, Permanent  
Mission, Geneva.  
Ms K. AYE, First Secretary, Permanent Mission,  
Geneva.

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**Nicaragua**


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Sr. N. CRUZ TORUÑO, Representante  
Permanente Alterno, Misión Permanente,  
Ginebra.

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**Norvège Norway Noruega**


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Ms G. YTTERDAL, Senior Adviser, Ministry of  
Labour.  
Ms C. ANDERSEN, Project Manager, Ministry  
of Foreign Affairs.

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**Nouvelle-Zélande**
**New Zealand  
Nueva Zelandia**


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Mr M. HOBBY, Principal Adviser, International,  
Department of Labour.  
Mr A. SIWERSKI, Adviser, International,  
Department of Labour.

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**Pays-Bas Netherlands  
Países Bajos**


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Mr L. BEETS, Director for International Affairs,  
Ministry of Social Affairs and Employment.  
Mr M. VISSER, Head Economic Affairs,  
Minister Plenipotentiary, Permanent Mission,  
Geneva.  
Mr W. BEL, Deputy Director for International  
Affairs, Ministry of Social Affairs and  
Employment.  
Mr W. VAN DIJK, Policy Adviser, Ministry of  
Social Affairs and Employment.  
Mr E. DRIESSEN, First Secretary, Permanent  
Mission, Geneva.  
Mr K. TERWAN, Policy Adviser, Ministry of  
Social Affairs and Employment.

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**Philippines Filipinas**


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Mr E. GARCIA, Ambassador, Permanent  
Representative, Permanent Mission, Geneva.  
Mr D. LEPATAN, Deputy Permanent  
Representative, Permanent Mission, Geneva.

Mr H. CACDAC, Undersecretary for Labor Relations, Department of Labor and Employment.

Mr J. GARCIA, Second Secretary and Consul, Permanent Mission, Geneva.

Mr M. IMSON, Labour Attaché, Permanent Mission, Geneva.

Ms M. ALMARIO, Attaché, Permanent Mission, Geneva.

Ms V. EASTWOOD, Attaché, Permanent Mission, Geneva.

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### **Roumanie Romania Rumania**

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M<sup>mce</sup> M. CIOBANU, ambassadeur, représentant permanent, mission permanente, Genève.

M<sup>mce</sup> A. SPANU, troisième secrétaire, mission permanente, Genève.

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

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M<sup>gr</sup> M. TOMASI, nonce apostolique, observateur permanent du Saint-Siège, mission permanente, Genève.

M<sup>gr</sup> M. de GREGORI, attaché, mission permanente, Genève.

M. P. GUTIÉRREZ, mission permanente, Genève.

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### **Sénégal Senegal**

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M. F. SECK, ambassadeur, représentant permanent, mission permanente, Genève.

M. M. GUEYE, ministre conseiller, mission permanente, Genève.

M<sup>mce</sup> N. LO, deuxième conseiller, mission permanente, Genève.

M<sup>mce</sup> F. DIENE DIEME, deuxième secrétaire, mission permanente, Genève.

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### **Slovénie Slovenia Eslovenia**

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Mr M. KOVACIC, Ambassador, Permanent Representative, Permanent Mission, Geneva.

Mr B. JERMAN, Deputy Permanent Representative, Minister Counsellor, Permanent Mission, Geneva.

Mr M. MARZIDOVSEK, Permanent Mission, Geneva.

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### **Suisse Switzerland Suiza**

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M. J. ELMIGER, ambassadeur, Secrétariat d'Etat à l'Economie (SECO), Affaires internationales du travail.

M<sup>mce</sup> V. BERSET BIRCHER, Secrétariat d'Etat à l'Economie (SECO), Affaires internationales du travail.

M<sup>mce</sup> A. RUPPEN, mission permanente, Genève.

M. M. AMMANN, Division politique III, section organisations internationales et politique d'accueil, Département fédéral des affaires étrangères.

M. D. LEDERGERBER, Secrétariat d'Etat à l'Economie (SECO), Affaires internationales du travail.

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### **Tchad Chad**

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M<sup>mce</sup> K. TAHIR KOUMBAL, premier secrétaire, mission permanente, Genève.

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### **Turquie Turkey Turquía**

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

Mr H. OYMAN, Expert, Permanent Mission, Geneva.

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### **Zimbabwe**

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Ms P. MPARIWA, Minister of Labour and Social Services.

Mr L. MUSEKA, Secretary for Labour and Social Services, Ministry of Labour and Social Services.

Mr P. MUDYAWABIKWA, Deputy Director, Ministry of Labour and Social Services.

Mr L. NGORIMA, Principal Labour Officer, Ministry of Labour and Social Services.

Mr S. RUSERE, Principal Research and Economics Officer, Ministry of Labour and Social Services.

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

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**Nations Unies  
United Nations  
Naciones Unidas**

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Ms H. FRARY, Chief, Office of Cosponsor Relations and Governance, Joint United Nations Programme on HIV/AIDS.  
Mr J. TYSZKO, Senior Adviser, Office of Cosponsor Relations and Governance, Joint United Nations Programme on HIV/AIDS.  
Ms A. HEWSON, External Relations Officer, Office of Cosponsor Relations and Governance, Joint United Nations Programme on HIV/AIDS.

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

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Mr A. OULD AHMED, Director, Liaison Office with the United Nations in Geneva.

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

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Ms K. HOLST, Liaison Officer of the Geneva Office.

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

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Mr F. GEORGE, External Relations Officer, UN and other Intergovernmental Organizations Unit, Office of the Director General.

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

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Mr E. VAN DER MENSBRUGGHE, Director, Offices in Europe.

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**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.  
Mr L. COULOMBE, Information and External Relations Division.

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**Organisation internationale de la francophonie**

**Organización Internacional de la Francofonía**

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M. R. BOUABID, ambassadeur, observateur permanent.

M<sup>me</sup> S. COULIBALY LEROY, observateur permanent adjoint.

M<sup>me</sup> C. LEQUE, conseiller aux affaires économiques et du développement.

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**Union africaine**

**African Union**

**Unión Africana**

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Ms K. MASRI, Permanent Representative, Permanent Delegation in Geneva.

Ms B. NAIDOO, First Secretary, Permanent Delegation in Geneva.

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**Conseil des ministres du Travail et des Affaires sociales des Etats  
du Conseil de coopération du Golfe**

**Council of Ministers of Labour and Social Affairs in Gulf Cooperation Council States**

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Mr S. AL-MUHAIRI, Director General, Executive Office.

Mr J. AL-SALMAN, Director, Department of Labour Affairs, Executive Office.

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**Union européenne**

**European Union**

**Unión Europea**

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Mr A. PANGRATIS, Ambassador of the Permanent Mission to the WTO and Chargé d'Affaires a.i.,  
Permanent Delegation of the European Union to the United Nations in Geneva.

Mr D. ILIOPOULOS, Ambassador and Deputy Head, Permanent Delegation of the European Union to  
the United Nations in Geneva.

Ms J. HIVONNET, Minister Counsellor, Permanent Delegation of the European Union to the United  
Nations in Geneva.

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

Ms O. LANGELOT, Permanent Delegation of the European Union to the United Nations in Geneva.

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**Commission européenne**

**European Commission**

**Comisión Europea**

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Ms S. BOEHMERT, Policy Officer, European Commission, External Relations, Neighbourhood and  
Enlargement Unit, Directorate General for Employment, Social Affairs and Inclusion.

Ms S. BIRD, Policy Officer, European Commission, Directorate General for Employment, Social  
Affairs and Inclusion.

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**Parlement européen**  
**European Parliament**  
**Parlamento Europeo**

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Ms P. BERÈS, Member, Chair of the Employment and Social Affairs Committee.

Mr A. CERCAS, Member.

Mr C. ÖRY, Member.

Ms I. GALL-PELEZ, Member.

Ms M. HARKIN, Member.

Mr T. HÄNDEL, Member.

Mr P. RUSZ, Political Adviser.

Ms B. Halmos, Political Adviser.

Mr A. AHOPELTO, Political Adviser.

Ms K. BOGER, Assistant.

Mr J. VAN DER VELDEN, Administrator.

**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**

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**Alliance coopérative internationale  
International Co-operative Alliance  
Alianza Cooperativa Internacional**

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Mr C. GOULD, Director-General.  
Ms M. CHAVEZ HERTIG, Deputy Director-General.

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

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Ms O. OVIEDO DE LA TORRE, Permanent Representative in Geneva.  
Ms M. MASPERO FERNÁNDEZ, National Coordinator, UNT Bolivarian Republic of Venezuela.  
Mr J. LEJE QUERO, International Coordinator, UNT Bolivarian Republic of Venezuela.

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

---

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

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

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Mr H. SUNMONU, Secretary-General.  
Mr A. DIALLO, Permanent Representative to the ILO and UN Offices in Geneva.

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

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

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

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

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

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**Palestine    Palestina**

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

Mr I. MUSA, Counsellor, Permanent Mission, Geneva.