



SEVENTH ITEM ON THE AGENDA

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

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1. Launched in May 1995, the Director-General's campaign to promote the universal ratification of the fundamental ILO Conventions and the adoption of the ILO Declaration on Fundamental Principles and Rights at Work has led to increased ratifications and moves toward ratification of the two Conventions considered fundamental in the area of discrimination in employment and occupation: the Discrimination (Employment and Occupation) Convention, 1958 (No. 111), and the Equal Remuneration Convention, 1951 (No. 100). As of 1 February 2001, 145 ILO member States had ratified Convention No. 111, while 149 member States had ratified Convention No. 100. The Office's activities and its multidisciplinary teams have promoted the principles of the Declaration and the application of Conventions Nos. 100 and 111 through research, workshops, seminars, technical cooperation and technical advisory services. These activities have also frequently dealt with the promotion of other ILO Conventions whose objectives include the prevention of discrimination in employment and occupation on grounds other than those specified in the two abovementioned Conventions.

I. Supervision of the application of standards on discrimination

2. The Committee of Experts on the Application of Conventions and Recommendations continued to review the application of the relevant Conventions during its annual session in November-December 2000. As in previous years, the Committee's comments reflect concerns with regard to the effective implementation of provisions prohibiting gender-based wage discrimination, discrimination in employment and occupation on the basis of race, colour, sex, religion, political opinion, national extraction or social origin and employment-related discrimination against workers with family responsibilities and migrant workers. The Committee's comments also address issues relevant to discrimination against indigenous and tribal peoples, particularly with respect to their ability to participate effectively in the formulation and implementation of measures that affect them. During the reporting period, governments continued to seek the assistance of the Office to overcome obstacles to ratification of ILO Conventions relevant to discrimination in employment and occupation, as well as to address difficulties in implementing the principles contained in those instruments.
3. During its past three sessions (March, June and November 2000) the Governing Body addressed a number of representations submitted under article 24 of the ILO Constitution involving these Conventions. At its 277th Session (March 2000), the Governing Body declared the following representations receivable: a representation made by the Central Unitary Workers' Union (CUT) and the Colombian Medical Trade Union Association (ASMEDAS) alleging non-observance by Colombia of the Indigenous and Tribal Peoples Convention, 1989 (No. 169); a representation made by the Sulinermik Inuussutissarsiuqartut Kattuffiat (SIK) alleging non-observance by Denmark of Convention No. 169; and a representation made by the Ecuadorian Confederation of Free Trade Union Organizations (CEOSL) alleging non-observance by Ecuador of Convention No. 169. A number of other representations concerning discrimination issues are still under examination: a representation made by the Central Unitary Workers' Union (CUT) alleging non-observance by Colombia of Convention No. 169 (276th Session, November 1999); a representation made by the National Confederation of Eritrean Workers (NCEW) alleging non-observance by Ethiopia of, inter alia, Convention No. 111; and a representation made by the General Confederation of Workers of Peru (CGTP) alleging non-observance by Peru of Convention No. 169.

II. Office activities to promote equality of opportunity and treatment

4. Numerous regional and subregional tripartite seminars and symposia were carried out during 2000 by the Equality and Employment Branch of the International Labour Standards Department (EGALITE), in collaboration with other programmes, to promote ILO standards on equality of opportunity and treatment in employment and occupation, including: a national seminar on Conventions Nos. 100 and 111 held in Tallinn, Estonia (April 2000); a tripartite subregional East African seminar for Kenya, the United Republic of Tanzania and Uganda on discrimination in the world of work in Uganda (April 2000); two national seminars on Convention No. 111 in Yinchuan and Guiyang, China (September 2000); a seminar in Hong Kong on equal remuneration (March 2000); and an intensive training course and seminars in Brasilia, Brazil (May 2000) for special labour inspection units of the Brazilian Ministry of Labour and Employment, established as the result of a prior ILO project carried out in 1997-98. The course focused on various aspects of discrimination as well as on the development of the mechanisms necessary to enforce the national non-discrimination legislation and to promote the application of ILO standards in Brazil. EGALITE participated in a subregional meeting on Convention No. 100 in Malta (September 2000), national seminars on fundamental labour principles and rights in Poland (January 2000) and a national training seminar on women's human rights in Pakistan (May 2000). Further technical assistance on Convention No. 100 was provided to the Czech Republic, Cyprus and Hong Kong SAR.
5. The annual Office report on the activities of the multidisciplinary teams (MDTs) in relation to standards, including those on equality of opportunity and treatment, was submitted to the Committee on Legal Issues and International Labour Standards at the 279th Session of the Governing Body (November 2000), and provides an overview of the work of the ILO MDTs over the past year, much of it concerning equality issues.¹
6. During 2000, the InFocus programme on the Declaration on Fundamental Principles and Rights at Work (DECLARATION) developed technical cooperation activities designed to overcome existing obstacles to the implementation of the principle of non-discrimination in employment and occupation. One project, in Mali, promotes the principle of equal remuneration for work of equal value between men and women. Two projects, covering India and Bangladesh, address the problem of low-income women's limited access to the formal labour market, their low rate of return to work and the precarious position they often occupy in economic and social life. These projects target women in both urban and rural areas and seek to promote an integrated approach to the problems faced by these women, combining skills development and enhanced access to the labour market with the provision of health services, the implementation of occupational health and safety measures and the establishment and consolidation of women's associations and organizations.
7. The Office has continued to submit regular written reports and provide oral information on its activities to the United Nations Commission on Human Rights and its subsidiary bodies, as well as to the treaty bodies established to monitor the application of United Nations instruments relevant to the ILO's mandate. In 2000, the Office submitted reports on discrimination in employment and occupation to the committees supervising the following treaties: the International Covenant on Economic, Social and Cultural Rights; the International Covenant on Civil and Political Rights; the Convention on the Elimination of All Forms of Discrimination Against Women; the International Convention

¹ GB.279/LILS/5.

on the Elimination of all Forms of Racial Discrimination; and the United Nations Convention on the Rights of the Child. The Office has continued to collaborate in the field of standards with the United Nations, its specialized agencies, and intergovernmental organizations with which the ILO has entered into special arrangements for this purpose.²

8. The Office issued a number of publications in 2000 on discrimination in employment and occupation. A publication entitled “HIV/AIDS: A threat to decent work, productivity and development”, was distributed at the Special High-Level Meeting on HIV/AIDS and the World of Work (Geneva, 8 June 2000). The Bureau for Gender Equality published an “ABC of women workers’ rights” (in English) and “Gender! A partnership of equals” (in English, French and Spanish) and “Decent work for women – An ILO proposal to accelerate the implementation of the Beijing Platform for Action”. The ILO disability programme, based in the InFocus Programme on Skills, Knowledge and Employability, published “Mental Health in the Workplace: Situation Analysis Introduction/Executive Summaries and country studies for Finland, Germany, Poland, the United Kingdom and the United States”. The ILO also launched a joint publication with the World Health Organization on “Mental health and work: Impact, issues and good practices”. The Bangkok MDT (EASMAT) published a number of reports in 2000 on gender equality, including: “Promotion of gender equality: Definitions, principles, tools and checklist”; “Integration of a gender dimension in poverty alleviation programmes”; “Trends in women’s and men’s employment and social protection in Asia”; “Gender equality in the 1994 Labour Code and later decrees and regulations in Viet Nam”; “Gender and employment promotion: Increasing girls’ and women’s access to vocational training and education”; and “Safety and health for women at work”.
9. During 2000, the Brasilia Area Office supported the translation into Portuguese and publication of the ILO training package “Gender, poverty and employment”, carried out by the Ministry of Labour and Employment (MTE) and the National Council on Women’s Rights (CNDM). This publication will be incorporated into PLANFOR, a major MTE training programme.
10. The Office participated in the First Preparatory Committee held in Geneva in May 2000, and other related meetings in various regions, for the upcoming World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance. The ILO will be participating in the World Conference, which is to be held in South Africa in October 2001.

III. Gender equality

11. In 2000, the ILO’s Bureau for Gender Equality organized several international forums, panels and workshops on gender equality issues. The Bureau coordinated a Symposium on Decent Work for Women, which was held during the Governing Body’s 277th Session (March 2000), one day of which was devoted to a discussion of the gender dimension of decent work. The report of the Symposium was subsequently published in the Gender and Work Series of the Bureau for Gender Equality. The Director-General intervened in the opening session, as did the Special Adviser on Gender Issues and the Advancement of Women to the Secretary-General of the United Nations. The Symposium was successful in

² In accordance with established practice, in 1999, copies of the reports received on Convention No. 169 were forwarded for comment to the United Nations, the FAO, WHO and UNESCO, the United Nations Centre for Human Rights and the Inter-American Indian Institute of the Organization of American States.

highlighting the links between the ILO's global agenda on decent work for women and men and the strategic objectives set out in the Beijing Platform for Action.

12. The Bureau for Gender Equality organized three special events during the Special Session of the United Nations General Assembly (New York, 5-9 June 2000): *Women 2000 – Gender equality, development and peace for the 21st century: Decent work for women*, prepared by the Bureau for Gender Equality; *Women's empowerment and microfinance*, organized by the ILO's Social Finance Unit and co-sponsored by UNIFEM and the Microcredit Summit Campaign; and *Galvanizing action – Decent work for older women*, under the responsibility of the Gender Promotion Programme in conjunction with the United Nations Programme on Ageing. The report on the ILO's contribution to Beijing +5 and its follow-up was prepared for and discussed in the 279th Session of the Governing Body in November 2000.
13. The Bureau for Gender Equality conducted a panel entitled *From Beijing +5 to Copenhagen +5* during the United Nations Special Session on Copenhagen +5 (Geneva, 26 June-1 July 2000). This activity underlined the connections between the objectives and outcomes of both UN special sessions and the importance of mainstreaming a gender perspective into all policies and programmes in the area of sustainable human development. In the framework of the Global Dialogue on the Future of Work held during EXPO 2000, the Gender Bureau organized, together with the German Friedrich-Ebert-Foundation and Hans-Boeckler-Foundation, a three-day forum and workshops on the future of women's work and gender equality (Hannover, Germany, 3-5 October 2000).
14. The Bureau for Workers' Activities (ACTRAV) has continued its work to strengthen women's involvement with, and participation in, trade unions. In India, ACTRAV participated in a joint ILO/DANIDA project on integrating women members into rural workers' organizations, whose objective included increasing the number of women trade union members. By the end of the first phase of the project in 2000, the number of women in all participating organizations had increased and most of them now have 60 to 70 per cent women members. In Bangladesh, ACTRAV supported the activities of trade unions actively engaged in organizing workers in export processing zones, as well as supporting women trade union leaders from 11 federations which have established an informal committee called the Bangladesh National Committee for Women Workers' Development (BNCWWD). In Yemen, Kuwait and Algeria, the national centres (the General Federation of Trade Unions of Yemen (GWFTU), the Kuwaiti Trade Union Federation (KTUF) and the Union générale des travailleurs Algériens (UGTA)) have established new women's committees within their structures. In the Russian Federation, the Federation of Independent Trade Unions of Russia (FITUR) has included women workers' issues in its programme of activities. ACTRAV carried out studies in the Andean countries (Bolivia, Colombia, Ecuador, Peru and Venezuela) on women's participation in trade union organizations. With the support of the Lima MDT, the representative of the Andean Consultative Labour Council (*Consejo Consultivo Laboral Andino*) participated in the first Forum for Andean Working Women. As a result of the studies conducted, and following the Forum, a Women Workers' Coordinating Committee (COMUANDE) was established in November 2000. The objective of this body is to strengthen women's participation in workers' organizations and to mainstream gender issues within the structure of the Labour Council.
15. The Bureau for Employers' Activities (ACT/EMP) participated in a round table conference on "Corporate initiatives for gender equality" held in New Delhi, India in October 2000, which was carried out by the Standing Conference of Public Enterprises (SCOPE). The round table resulted in the adoption of model guidelines on company policy regarding gender equality. A number of enterprises are expected to adopt the guidelines in 2001. In December 2000, ACT/EMP participated in a workshop on gender issues in Nigeria

conducted in collaboration with the Nigeria Employers' Consultative Association (NECA). ACT/EMP also supported a workshop for women entrepreneurs in Bialystok, Poland (November 2000). In the Syrian Arab Republic, ACT/EMP conducted a needs assessment of the Industrial Businesswomen's Committee at the Chamber of Industry in Damascus and conducted a strategic planning training workshop in November 2000. ACT/EMP is preparing a publication entitled "From principle to practice – Let's put gender equality in place", based on the results of an employers' project promoting gender equality in Africa and Asia.

16. The Infocus Programme on Child Labour (IPEC) and the Gender Promotion Department (GENPROM) are collaborating on projects in Bangladesh and the United Republic of Tanzania which explore the links between decent employment for women and the reduction of child labour. The projects involve research on characteristics of women's employment and working conditions, the kinds of support structures that positively or negatively affect child labour and the manner in which women's socio-economic empowerment can improve family and child welfare. On a practical level, model schemes are also being tested. For example, in Bangladesh, GENPROM will be collaborating with the Society for Social Services (SSS) to establish a safe home for sex workers. With the support of IPEC, the SSS has already established safe homes for the children of sex workers.
17. As the Worst Forms of Child Labour Convention, 1999 (No. 182), calls for measures to take account of the special situation of girls, gender mainstreaming is being implemented within the IPEC programme and steps have been taken to ensure that country programmes define gender equality as a main objective. To this end, during 2000, IPEC initiated a gender review of its programmes, covering the operational aspects, policy design, advocacy and implementation. This is an ongoing process. In Brazil, IPEC organized a workshop in June 2000 on child domestic labour and published four studies on the issue.
18. During 2000, GENPROM developed a database containing information on national laws and policies and measures of the corporate sector for promoting equality of opportunity and treatment for women and men in employment and occupation. The database is to act as an easily accessible source of information for academic research and for governments, non-governmental organizations and companies seeking to develop or strengthen their own policies and practices.
19. The Government and Labour Law and Administration Department (GLLAD) has taken a three-pronged approach to the elimination of discrimination in employment, focusing on: labour law formulation and reform; research; and labour administration audits and projects. In the technical advice and comparative labour law expertise given to member States, GLLAD consistently uses the Declaration and the core Conventions on equality as reference points. Conventions Nos. 100 and 111 and the Workers with Family Responsibilities Convention, 1981 (No. 156), are used for definitional purposes (especially for "equal pay" and "discrimination in opportunity and treatment"), and as models for drafting substantive provisions in this area. Increasingly, sections on affirmative action for certain groups disadvantaged in employment, and sexual harassment provisions, are also requested for inclusion in draft texts. The research conducted by GLLAD has also highlighted the importance of equality in employment and occupation: the "Termination of Employment Digest" analyses legislation from 72 jurisdictions, including grounds for unjustified dismissal based on discrimination. A forthcoming comparative analysis of public service statutes covers equality provisions in civil service laws. GLLAD's audit procedures used in assessing the results achieved by ministries of labour and other national institutions that implement decent work agendas include measurements reflecting workplace equality.

- 20.** The Freedom of Association Branch (LIBSYND) has focused on gender aspects of freedom of association for workers in export processing zones (EPZs), education and agriculture, as well as raising issues concerning the promotion of gender equality through collective bargaining. In this context, a national tripartite workshop on the implementation of Conventions Nos. 87 and 98 was held in Colombo, Sri Lanka from 18 to 21 January 2001, with a particular emphasis on the difficulties facing women workers in EPZs.
- 21.** The ILO's Turin Training Centre conducted a number of interregional and regional activities promoting ILO standards on gender-related issues. During the year 2000, the Centre organized 16 activities focused on the promotion of standards and the Declaration, which dealt with the issues of discrimination and equality. Various activities were exclusively focused on equality issues: a seminar on "Discrimination and employment: International labour standards, national legislation and juridical practice" (Brasilia, Brazil, 8-12 May 2000); a training workshop on the promotion of women's human rights (Karachi, Pakistan, 15-19 May 2000); three seminars on the "Promotion of women workers' rights and equality in employment" (Turin/Geneva, 10-12 July 2000, Sarajevo, Bosnia and Herzegovina, 9-13 October 2000, and Turin, 13-24 November 2000). An evaluation and follow-up was also conducted with regard to four local workshops held on the "Promotion of the status of women and girls in Albania" (Durrës, Albania, 24-25 November 2000).
- 22.** The area offices and multidisciplinary teams have focused on issues of gender equality as part of their general programme on international labour standards. In the East Asia region, at the request of the Cambodian Government, the Bangkok Area Office MDT (EASMAT) conducted extensive technical cooperation activities to assist the Government in implementing Conventions Nos. 87, 98, 100, 105, 111 and 138. In July 2000, a trainers' training course was held on the fundamental ILO Conventions, including Nos. 100 and 111. EASMAT provided technical support for four two-day workshops on fundamental labour standards held in Kompong Cham, Phnom Penh, Sihanoukville and Siem Reap (August to October 2000). In December 2000, EASMAT held a workshop to prepare trainers for a series of 15 provincial workshops to be held in 2001. Convention No. 100 figured prominently in Malaysian Trade Union Congress workshops held in Kota, Kinabalu and Kuching on "Labour standards and law and practices in Malaysia" (September-October 2000). In Mongolia, an ILO/CMTU workshop was held in Ulan Bator in September 2000 which addressed, among other things, the application of Conventions Nos. 100 and 111, both ratified by Mongolia. In Thailand, EASMAT initiated a project on enhancing employment opportunities for women, providing technical guidance to constituents on project strategies and implementation mechanisms during development, approval and start-up. In Viet Nam, EASMAT initiated a research project on gender equality at work and, in cooperation with GENPROM, developed a programme for "Increasing young women's access to employment". Training seminars related to gender issues included: "Asian Women Workers: A Reality Check for Ph.D. students of AIT (Asian Institute of Technology)", January 2000, Bangkok; "Training of Project Staff of the ILO-IPEC Mekong Subregional Project to Combat Trafficking in Children and Women", 8-16 May 2000, Bangkok; "Regional Training Workshop on Lobby Skills and Strategies for CAW (Committee of Asian Women) Members", 26-28 July 2000, Bangkok; and "South-East Asia Workshop on Globalization and Informalization: Responses of Homeworkers in South-East Asia", SEA Homenet, 19-22 September 2000, Bangkok.
- 23.** In the Pacific Island region, the Suva Area Office has provided assistance to develop a labour market information system in Kiribati to collect employment statistics on men and women and create employment opportunities. That office is in the process of reviewing the labour legislation and the Employment Acts in both Fiji and Papua New Guinea to apply the principle of gender equality in employment. Other activities include a review of labour legislation and minimum wages in the Solomon Islands, sensitizing policy-makers in the

region on gender equality and promoting the development of gender-balanced economic and social policies.

24. The Colombo Area Office (ILO-SAAT) carried out a number of activities in 2000 to promote equality of opportunity and treatment for men and women workers, including a two-day training seminar on industrial relations and collective bargaining for women trade union leaders. It also carried out an impact study of women entrepreneurship programmes, which was based on 19 case studies of women entrepreneurs from four different locations in Sri Lanka. ILO-SAAT carried out a case study on sexual harassment in the workplace in Sri Lanka which included an in-depth analysis of actions against sexual harassment implemented at the enterprise level in Sri Lanka. In consultation with the ILO's constituents, the study focused specifically on the plantation sector.
25. In Africa, the Lusaka Area Office carried out a number of activities promoting the principle of equal opportunity and treatment for men and women workers. In Zambia, a study was prepared by Women in Law and Development in Africa (WiLDAF) entitled "Study on the Gender Responsiveness of the Zambian Legislation on Labour and Industrial Relations". Fellowships were also provided for women to attend courses at the Turin Centre on women workers' rights and on SME development. Financial support was also given to women in business to attend the WIB-SADC Fair 2000. In Zimbabwe, ILO-SAMAT has also been involved in the drafting of the Employment Section of the National Gender Policy.
26. During 2000, the Pretoria Area Office coordinated the support of the Regional Office for Africa and four other area offices to the South Africa Development Community – Women in Business Trade Fair (WIB-SADC) held in May 2000 to promote the economic empowerment of women in the subregion. The Pretoria Area Office also provided resource inputs for gender mainstreaming strategies within the context of the workers' education programme organized for independent trade unions in South Africa (October 2000). The Area Office also supported the Global Summit (Forum) on Women, held in South Africa in October 2000.
27. The Area Office in Buenos Aires has integrated gender issues in all of its programmes, projects and activities in Argentina, Paraguay and Uruguay. It has provided active support to the national tripartite commissions for the promotion of equality of opportunity and treatment between women and men through the provision of information and consultations. During 2000, this office conducted a seminar to promote women's participation in trade unions (Durazno, Uruguay, 25-26 November 2000). A seminar geared to employers was held in Paraguay on gender issues in enterprises (Asunción, 12 October 2000), organized jointly with ACT/EMP and the Federation of Manufacturing, Industry and Commerce (FEPRINCO), to promote women's employment in the private sector. In May-June 2000, the Area Office, together with CINTERFOR and the Argentine Association of Labour and Social Security Law, held a course on labour relations and vocational training, which included the theme of gender and vocational training (Buenos Aires). A similar course was carried out in Uruguay jointly with the Labour Law Institute. The Area Office also held a number of national and international conferences on equality for women, including "Toward a more egalitarian society: Integrated proposals for improving living conditions" (Buenos Aires, 2-3 June 2000); a seminar on maternity protection and labour law organized by the General Labour Confederation of Argentina (Buenos Aires, 28 June 2000); presentation of the project "Argentina: Including the gender focus in labour and economic policy" (Buenos Aires, 6 July 2000); and the CEPAL-GTZ project "Institutionalizing the gender focus in CEPAL and the sectoral ministries".
28. The Santiago MDT prepared a document entitled "Gender equity in the world of work in Latin America: Progress and challenges five years after Beijing", for inclusion in the

preparatory work of the region for the Eighth Conference on Women in Latin America and the Caribbean (Lima, February 2000) and the United Nations special session to evaluate progress made in implementing the Beijing Platform for Action and define future strategies for action (Beijing +5, New York, June 2000). The MDT held several workshops on the revision of the Maternity Protection Convention (Revised), 1952 (No. 103), as part of its activities for the promotion of the fundamental human rights principles expressed in Conventions Nos. 100 and 111. A workshop on this theme was held in May 2000 (Isla Margarita) in conjunction with ACTRAV. Workshops on this theme were also conducted at the request of the tripartite equal opportunities committees of Chile, Paraguay and Uruguay, as well as a planning meeting with the Confederation of Central Unions of the Southern Cone (*Coordinadora de Centrales Sindicales del Cono Sur*) (April 2000, Santiago, Chile). It is anticipated that, in 2001, the Santiago MDT, along with EGALITE, will provide technical support for the work being done by the social observatory of the Brazilian CUT with regard to promoting the application of Conventions Nos. 100 and 111. During 2000, the Santiago MDT placed priority on strengthening institutions working in the areas of gender, poverty and employment, and activities included the adaptation to the Latin American countries of the "Capacity-Building Guide for the Program", originally developed by POL/DEV and by the International Training Centre in Turin, as well as the preparation, jointly with IFP/SKILLS, of a plan of action for implementation of the programme in Latin America (expected to begin in certain Latin American countries in 2001). In an effort to dispel negative stereotypes regarding the higher cost of employing women, the Santiago MDT has also carried out a study on labour costs disaggregated by sex in Argentina, Brazil, Chile and Mexico, and a workshop was held to evaluate the results of these studies. An additional study will be carried out in Uruguay and it is expected that the results of these studies will be published and made available to the participating countries. The Santiago MDT has also placed priority on strengthening the national tripartite equal employment opportunity commissions in the region. To that end, it carried out an interregional seminar (December 2000, Santiago, Chile) attended by representatives from the tripartite commissions of Argentina, Brazil, Chile, Paraguay and Uruguay.

29. The Mexico Area Office has continued its work in the framework of the project on "More and Better Jobs for Women". The project in Mexico aims to promote the successful implementation of the commitments undertaken at the Fourth World Conference on Women, Beijing, 1995, as well as promoting the goals of the National Programme for Women (PRONAM). The project seeks to improve the living and working conditions of two specific groups of women: workers in the *maquiladora* export industry in the State of Coahuila and women employed in the informal sector in the State of Guerrero. The Area Office carried out a Forum on Gender Perspectives and Women's Labour Rights for staff of the Ministry of Labour and Social Welfare and other government agencies. The Mexico Area Office's activities to promote equal employment opportunities for women and men in Haiti include a project on education and reproductive health services for women and men in organized labour (focusing on workers in rural areas) and the programme on the promotion of productive employment and prevention of social exclusion (promoting enterprises and cooperatives run by women as well as micro- and small enterprises run by women). In addition, the Mexico Area Office has included a gender perspective in its Haitian project to prevent the exploitation of children in domestic work.
30. The Caribbean Area Office is following up on a request from the Government of Saint Lucia to set up effective monitoring machinery to implement newly enacted equal opportunity legislation. A workshop was held in Montserrat on international labour standards and local practice, including a focus on gender issues (Conventions Nos. 100 and 111), in the construction industry. The Area Office has also completed a study of the factors affecting women's entrepreneurship in small and cottage industries in the Caribbean, with concentration on Barbados, Suriname and Trinidad and Tobago.

31. During 2000, the Regional Office for the Arab States and the Beirut MDT (ARMAT) developed a national strategy for the promotion of women's employment in Yemen in cooperation with UNIFEM and various stakeholders in the country to ensure that gender equality in employment is addressed at the national level and that it receives endorsement from policy- and decision-makers. A number of fellowships were provided for participation in the training course on promotion of women workers' rights, which was held at the Turin Centre in November 2000.
32. At the joint request of the Costa Rican Ministry of Labour and the Ministry of the Status of Women, the San José MDT provided technical assistance resulting in the establishment of a Gender Equality Unit in the Ministry of Labour in August 2000. The San José MDT has taken a multifaceted approach toward promoting the application of the principle of non-discrimination within the framework of the project for women *maquiladora* workers being carried out in Costa Rica, El Salvador, Guatemala, Honduras and Nicaragua, disseminating information, manuals, CD-ROM presentations and other user-friendly materials on ILO standards in this area.

IV. Migrant workers

33. The ILO's principal activities in regard to international migration for employment have consisted of four main approaches: (1) assisting countries in policy formulation, adopting legislation and strengthening legislation for effective management of labour migration; (2) strengthening knowledge and statistics to improve the monitoring of migration flows and their impact; (3) promoting the adoption of ILO standards and implementing programmes to protect the rights and dignity of migrant workers; and (4) fostering cooperation in combating discrimination, abuse, exploitation and trafficking of migrants.
34. During 2000, the work of the International Migration Branch (MIGRANT) in documenting and identifying remedies to discrimination in employment against migrant and ethnic minority workers has been reviewed and strengthened. A Tripartite High-Level Meeting on Achieving Equality in Employment for (Im)Migrant Workers (Geneva, 8-11 March 2000) was held to assess the seven-year ILO project on combating discrimination against migrant and ethnic minority workers conducted in Belgium, Canada, Denmark, Finland, France, Germany, Italy, the Netherlands, Spain, Sweden, the United Kingdom and the United States. A report of the Meeting contains various new directions and initiatives for continuing ILO work aimed at reducing discrimination against, and promoting equality of opportunity for, migrant and immigrant workers. A follow-up activity is planned to compile an international compendium of profiles of "best practice" measures and activities found to be effective in combating discrimination.
35. Joint research efforts to identify and disseminate good practices to remedy discrimination have been initiated by the Office in cooperation with a research institute in Ireland and with the Council of Europe Expert Working Group on Integration. MIGRANT participated in a national conference, "Ireland – Racist or Multicultural", organized by the Irish Congress of Trade Unions in Dublin (September 2000), at the annual conference of the European Research Forum on Migration and Ethnic Relations held in Brussels (November 2000) and at a seminar on addressing discrimination in employment in Flanders, organized by the Office of the Minister of Labour of Flanders (region), Belgium, (December 2000). Experience and policy recommendations resulting from this ILO activity are contributing to the preparation of the forthcoming World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance to be held in Durban from 31 September to 8 August 2001.

36. During 2000, MIGRANT responded to several new or ongoing requests for technical assistance and specialized advice on the formulation of national migration policies and programmes and the promotion of new national frameworks for the prevention of discrimination against migrant workers. Assistance and advisory activities were conducted in Costa Rica, Indonesia, the Republic of Korea, Kuwait, Tajikistan and Viet Nam.
37. The Bangkok MDT (EASMAT) provided a resource person for the annual Workshop on International Migration and the Labour Market in Asia (26-28 January 2000). The focus of the presentation by the Office was on ensuring humanitarian treatment of irregular migrants and social integration of migrant workers in host countries. EASMAT played an important role in the first International Migration Policy Conference for Central Asia, the Caucasus and Neighbouring States, held at Lake Issykul, Kyrgyzstan in May 2000 with high-level government delegations from 14 States. EASMAT provided a resource person to the ICFTU-APRO Workshop on Mainstreaming Migrant Workers (4-7 October 2000, Bangkok, Thailand), which addressed the issue of the protection of migrant workers from discrimination and mistreatment.
38. At the invitation of the Government of Hungary, MIGRANT co-organized a conference in June 2000 in Budapest for Central and Eastern European countries that are due to accede to the European Union, to address the likely impacts of accession on employment and migration, including potential discrimination concerns. The Office presented case studies on what specific adjustments may be required to align the policies and practices of Accession States with the EU.
39. In cooperation with the United Nations Inter-Agency International Migration Policy Programme (IMP), MIGRANT co-organized a training seminar and meeting from 6 to 9 December 2000 in Geneva for the Informal Network on Foreign Labour in Central and Eastern Europe. Delegations from 14 countries participated in the seminar on issues of labour migration in Europe, including questions of discrimination and integration.
40. In the Arab region, the Beirut MDT conducted a study on migrant women domestic workers in Lebanon, with a view to collecting baseline data. The outcome of the research, which is expected to be completed in early 2001, will be utilized as a base for formulation of appropriate measures and action for improving working conditions of workers in this category.

V. Disabled workers

41. The ILO's objectives include the promotion of equal opportunity and treatment in employment and occupation for persons with disabilities, particularly the promotion of vocational training and employment generation to enable disabled persons to enter the labour market. In 2000, the draft code of practice on managing disability in the workplace was finalized and circulated to constituents for comment. It will be discussed at a tripartite meeting of experts in October 2001. The code aims to provide guidance to public and private sector employers in the first instance, and also to employers' and workers' organizations and national authorities on the recruitment of disabled persons. It is designed to promote the advancement of workers with disabilities, the retention of workers who become disabled, and the return to work of people who have left employment due to a disability. It is planned to develop technical and promotional materials in support of the code of practice during 2001.
42. A number of activities relating to the promotion of equal employment opportunities for people with mental health difficulties took place in 2000. A symposium on mental health and work, jointly organized by the ILO, WHO and the World Federation of Mental Health,

was held at ILO headquarters in Geneva to mark World Mental Health Day on 10 October 2000. The symposium followed a two-day Global Congress on Mental Health in the Workplace: Workplace Productivity, Well-being, Rehabilitation and Risk Management, organized by World Strategic Partners and hosted by the ILO (9-10 October 2000, Geneva). Also on World Mental Health Day, the ILO launched a series of reports arising from its studies of mental health at the workplace in five countries (Finland, Germany, Poland, the United Kingdom and the United States). These studies, carried out in 1999 and 2000, focused on policies, programmes and employer practices that help contain disability costs and promote mental health, particularly in relation to depression, which has been identified by the WHO as a leading cause of mental disability. A joint WHO-ILO monograph entitled "Mental health and work: Impact, issues and good practices" was also launched on 10 October 2000. These publications were distributed at the United Nations observance of World Mental Health Day in New York on 12 October 2000.

43. Activities in the Asia and Pacific region in 2000, supported by the MDT in Bangkok (EASMAT), included the extension of a technical cooperation project in Cambodia to promote disabled persons' access to mainstream training centres. Pilot training workshops were also held for trainers of people with disabilities relating to small enterprise and entrepreneurship development in Cambodia and Viet Nam, along with a workshop in Cambodia relating to the development of informal apprenticeships, using a tested methodology known as "Success Case Replication".
44. In Thailand, as a follow-up to its December 1999 seminar to promote employment services for people with disabilities, EASMAT delivered a workshop on job coaching and supported employment (March 2000). At the request of the Department of Public Welfare, the ILO arranged translation into Thai of the EASMAT publication of *Placement of jobseekers with disabilities: Elements of effective service*. Further, ILO efforts contributed to draft legislation to establish the National Disabled Labour Institute which is designed to improve skills and employment opportunities for disabled persons.
45. In Cambodia, where the ILO has been active on many fronts with regard to people with disabilities, it is collaborating with a UNDP-funded project (GLO/98/H01/A/1V/71) to promote the socio-economic reintegration of landmine survivors. The ILO's technical assistance has resulted in the formation of a Business Advisory Council (BAC) of multinational and local employers as well as business associations. The BAC, in partnership with NGOs and the Government, is fostering the integration of people with disabilities into the workplace. This newly created group has already been responsible for the direct hiring of many workers with disabilities.
46. In April 2000, ACT/EMP and ILO/EASMAT, in conjunction with the Mongolian Employers' Federation (MONEF), conducted a workshop in Ulan Bator to assist employers in implementing newly enacted legislation concerning the promotion of employment opportunities for persons with disabilities. As a result of the workshop, MONEF prepared recommendations to the Government on the implementation of the relevant legislation and developed a national action plan to promote employment of the disabled. The ILO Colombo Area Office, in cooperation with EASMAT, provided further support to the Employers' Forum of Ceylon concerning its initiative to establish an employers' network on disability. The network is intended to serve as a link among the various interested parties, including the Ministry of Social Services – whose responsibilities include vocational rehabilitation – the Ministry of Vocational Training, the media and the business community, in promoting market-oriented training and employment opportunities for disabled persons. (See GB.277/LILS/6, paragraph 44.)
47. In Central and Eastern Europe, ongoing technical cooperation activities include a pilot project in Bosnia and Herzegovina to support the establishment of a vocational training

centre for people disabled due to war. This centre, which is attached to an already existing, successful medical rehabilitation centre, offers a range of training courses and provides placement services to assist graduates to re-enter the labour market. Training for trainers of disabled persons is provided, to enable them to integrate the vocational component successfully into the overall rehabilitation programme offered. Two further vocational rehabilitation projects have been initiated in the Russian Federation and in Ukraine, in close cooperation with the national authorities, involving the establishment of a national vocational rehabilitation centre in each country to provide standard-setting vocational training services to people with disabilities.

- 48.** In Latin America, the Office provided support to two national action programmes, “PRAXIS – Dominicana” and “PRAXIS – Panama”. These programmes are designed to promote the economic integration of persons with disabilities. During 2000, the Buenos Aires Area Office supported the Argentine Ministry of Labour, Employment and Human Resources Training through the provision of information and bibliographical material on the promotion of employment for disabled persons. In collaboration with the Department of Non-Discrimination located within the Equality and Gender Department of the Ministry of Labour and Social Welfare, the Mexico Area Office has continued to participate in conferences on vocational rehabilitation, training and employment. During 2000, the Mexico Area Office and the MDT in San José provided assistance to the Government of Mexico with respect to the process of ratification of the Vocational Rehabilitation and Employment (Disabled Persons) Convention, 1983 (No. 159). As a result, in November 2000, the Mexican Senate approved the ratification of the Convention and the ratification instrument is soon to be deposited with the ILO. The San José MDT participated in a national seminar on Convention No. 159 and provided technical assistance to the Costa Rican Ministry of Education during 2000 for two activities, one addressing the new paradigm for sheltered workshops and their modernization, and the other on vocational training for disabled persons. The Brasilia Area Office provided support for two seminars held in 2000 by the national coordinating body for the promotion of disabled persons’ rights (CORDE).
- 49.** In Africa, ILO, UNESCO and WHO are carrying out a community-based rehabilitation project to promote equal opportunities and treatment for disabled persons located in rural and small urban areas in Morocco. This project is supported by the Target Groups Unit. A proposed programme of technical support for the African Decade of Disabled Persons has also been developed by the Target Groups Unit in cooperation with the ILO Area Office in Addis Ababa. The programme is expected to be implemented once donor funding has been secured. In collaboration with Rotary International, and with the sponsorship of rotary clubs in Africa, a proposal has been made to introduce computer skills training courses for young people with disabilities throughout the continent. This project is expected to be carried out in cooperation with local training providers, local organizations formed of or representing disabled persons and local enterprises. In conjunction with the local MDT employers’ specialists, ACT/EMP participated in a subregional workshop on employers’ action for confronting HIV/AIDS (Douala, Cameroon, November 2000). The workshop addressed employers’ policies and practices to prevent discrimination against workers with HIV/AIDS.
- 50.** In the Arab region, the MDT in Beirut (ARMAT) has provided technical support in the development of a vocational rehabilitation centre located in the West Bank and Gaza Strip and to promote income-generating activities of disabled persons. ARMAT also supported the development of a rehabilitation and reintegration programme for ex-detainees in Palestine, a community-based vocational rehabilitation programme for disabled persons in Iraq, as well as a pilot study on community-based rehabilitation in the Syrian Arab Republic. ARMAT implemented two technical cooperation projects in Iraq and the Syrian Arab Republic, designed to promote the socio-economic reintegration of disabled persons.

Technical advisory services were provided on the policy related to vocational rehabilitation and community-based rehabilitation and on capacity building of governmental and non-governmental institutions.

VI. Workers with HIV/AIDS

51. The Office has continued its work on drafting the ILO code of practice on HIV/AIDS, which is expected to be submitted to an ILO tripartite meeting of experts (Geneva, 14-22 May 2001). The draft code of practice develops workplace policy which addresses the issue of discrimination in the workplace against workers with HIV/AIDS, and takes the gender dimension of this problem into account. The objectives of the draft code of practice include the creation of a working environment where discrimination based on HIV/AIDS status is eliminated.
52. At its 88th Session (June 2000), the International Labour Conference adopted a resolution concerning HIV/AIDS and the world of work, calling upon the governments of member States and, where applicable, employers' and workers' organizations to raise national awareness of the problem of HIV/AIDS, including involving other concerned groups as appropriate, with a view to eliminating the stigma and discrimination attached to HIV/AIDS, as well as to fighting the culture of denial, thereby preventing the spread of HIV/AIDS.
53. The Office prepared the publication "HIV/AIDS: A threat to decent work, productivity and development", which was distributed at the Special High-Level Meeting on HIV/AIDS and the World of Work (Geneva, 8 June 2000).
54. The Caribbean Area Office has carried out fact-finding missions in Jamaica, Suriname and Trinidad and Tobago, which have led to the development of a project proposal to be funded by the United States on a tripartite response to HIV/AIDS in the world of work in the Caribbean, and issues of discrimination are a significant part of the policy and legal aspects of the project. A round table on HIV/AIDS with governments, employers' and workers' organizations, NGOs and individual enterprises was held at the ILO Caribbean Area Office to explore approaches to tackling the spread of HIV/AIDS and dealing with its impact on work, including issues of discrimination and medical confidentiality.

VII. Discrimination and indigenous and tribal peoples

55. The Office continued to promote the ratification of the Indigenous and Tribal Peoples Convention, 1989 (No. 169), as well as the effective application of Convention No. 169 and the earlier Indigenous and Tribal Populations Convention, 1957 (No. 107), which is still in force in a number of countries.³ The technical cooperation project financed by the Danish International Development Agency (DANIDA), set up to promote ILO policy on indigenous and tribal peoples within the framework of these standards also continued its activities at the country, subregional and international levels. In addition, following the

³ Convention No. 169 has now been ratified by 14 member States and is being actively considered for ratification by a number of other States, notably in Europe and the Americas, and the influence of Convention No. 169 on policy development continues. While it is now closed for ratification, Convention No. 107 remains valid for those countries which have ratified it, but have not ratified Convention No. 169 (19 member States, as of 1 February 2001).

United Nations General Assembly's proclamation of 1994-2004 as the International Decade of the World's Indigenous People, the Office has continued to contribute to the stated goals of the Decade by organizing activities to promote the rights of indigenous and tribal peoples.

- 56.** A significant development that has taken place recently has been the creation of an internal task force on indigenous and tribal peoples – the first of its kind to be established within the ILO. This task force, presently in its initial stages of development, is intended to increase cooperation and coordination among various sectors of the ILO whose work is related – either directly or indirectly – to indigenous and tribal peoples. The task force will enable the ILO to address more effectively questions concerning indigenous and tribal peoples, and to coordinate its programmes and projects to ensure that their needs and priorities are fully acknowledged.
- 57.** During 2000, the Interregional Programme to Support Self-Reliance of Indigenous and Tribal Communities through Cooperatives and Self-Help Organizations (INDISCO) continued its work on projects in the Central African region, the United Republic of Tanzania, the Philippines, India, Laos, Viet Nam and Belize. The programme seeks to empower indigenous and tribal peoples through assisting their own community-based organizations. In a wide range of fields including traditional livelihoods, ancestral domains and education, INDISCO has assisted indigenous and tribal peoples to counter discrimination. In the Philippines, indigenous communities are being supported to organize themselves, and to claim titles for their ancestral domains and their right to continue practising and strengthening their traditional livelihoods. In the Indian States of Gujarat, Bihar and Orissa, tribal self-help groups have been empowered to strengthen livelihood activities, halt out-migration and claim their rights to development. Marginalized for centuries, women's groups and self-help organizations have escaped from debt bondage, and regained their rights to traditional resources and control over their own futures. Innovative research addressing the unique needs and circumstances of tribal peoples in crisis situations, such as droughts and floods, was also initiated. In northern Thailand, eliminating discrimination against tribal children has become a priority issue and activities supported local curriculum development on indigenous knowledge systems and practices for hill-tribe children as well as the organization of a workshop exploring how to incorporate local curricula into the education system for the training of tribal children.
- 58.** In the Americas, due to the ratification of Convention No. 169 by Argentina, the Buenos Aires Area Office supported the carrying out of two forums of original nations (*Jornadas de las Naciones Originarias*) (Buenos Aires, December 2000), organized by various indigenous communities to promote the rights of indigenous peoples. The MDT in Santiago, Chile conducted three seminars on Convention No. 169 with the Provisional National Committee for the Self-Determination of Indigenous Peoples in Chile and for the Ratification of ILO Convention No. 169 (October-November 2000). The seminars were attended by approximately 50 participants per session, from the Mapuche and Rapa-Nui indigenous communities.
- 59.** The San José MDT launched its project promoting the legal empowerment of indigenous peoples in Central America and Panama, financed by the United Nations Fund for International Partnerships (UNFIP). The objective of this three-year project is to increase the ability of indigenous peoples and organizations representing them to defend their rights within the framework of their national legal systems. The project covers Central America, Panama and Belize. In Guatemala, the San José MDT conducted a series of consultations with the Canadian-based Centre for Human Rights and Democratic Development and the Coordinating Body for the Mayan Organizations of Guatemala (COPMAGUA) on the content and scope of an inter-American instrument on the rights of indigenous peoples, which is modelled on Convention No. 169. In Honduras, the MDT conducted a legal

capacity-building workshop for indigenous (*Tolupanes*) women and men from 24 indigenous communities (May 2000). In El Salvador, the MDT supported two local workshops to disseminate information on Conventions Nos. 169 and 107. In Panama, the MDT continued to provide technical assistance at the request of the President of the Legislative Assembly, to support the possible ratification of Convention No. 169 by Panama. The MDT, together with the World Bank, organized the Third Inter-Agency Meeting on Indigenous Peoples (San José, Costa Rica, 24-26 May 2000).

60. In July 2000, the EASMAT Director undertook a mission to Fiji as Special Representative of the Director-General, to assess the country situation and make recommendations for future action after civil unrest and a military coup. He found that many of the underlying social and political problems had their origin in a legal system (especially land rights), which raised a number of questions in relation to the indigenous traditions of the country. He proposed a number of solutions in accordance with the Indigenous and Tribal Peoples Convention, 1989 (No. 169), which Fiji ratified in 1998. The Suva Area Office is proceeding to translate the Convention into Fijian and Hindi (Fiji), a project which should be initiated in March-April 2001. Promotional activities on Convention No. 169 planned for 2001 will include multimedia coverage and the organization of national seminars.

VIII. Workers of the occupied Arab territories

61. The Office has continued to examine the situation of workers in the complex and sensitive socio-political context of the occupied Arab territories. At the 88th Session (June 2000) of the International Labour Conference, the Director-General presented his 23rd report on the situation of these workers. The report was based on the findings of two missions. The first mission sent by the Director-General visited Israel and the occupied Arab territories from 30 April to 6 May 2000.⁴ In accordance with usual practice in previous years, the second mission visited the Syrian Arab Republic (25-26 April 2000), holding consultations with the government authorities and the employers' and workers' organizations concerned. The missions gathered information on the actual conditions of employment of workers in these territories in such areas as equality of opportunity and treatment in employment, access to the labour market, working conditions, social security and industrial relations.
62. The report highlighted recent developments with respect to the situation of Palestinians working in Israel as well as workers in the Golan. It indicated that the situation of these workers had not improved during 2000. With regard to Palestinians working in Israel, the report documented the obstacles to equality of opportunity and treatment that Palestinian workers face with respect to access to employment within the occupied territories, in Israel and in settlements. The report reflected concerns that the security measures, including the closure of the territories, made it difficult for Palestinians to cross the border into Israel for employment. Reference was also made in the report to the working and living conditions in occupied Syrian Golan, who are subject to discrimination with regard to wages, working conditions, unjustified dismissal and unemployment. Particular attention was drawn to the situation of Arab farmers in the Golan, indicating that measures had been taken by the Israeli authorities to limit the farmers' production and reduce prices. The report also indicated that Palestinian workers are discriminated against in recruitment or working conditions. It indicated that there is a wide gap between the labour-force participation rates of men and women in the occupied territories and, according to the Palestine General

⁴ See the resolution concerning the implications of Israeli settlements in Palestine and other occupied Arab territories in connection with the situation of Arab workers, adopted by the International Labour Conference at its 66th Session (June 1980).

Federation of Trade Unions (PGFTU), women's participation rate in the labour force is declining, due to a number of factors, including the high unemployment rate. According to the PGFTU, the main form of discrimination against women appears to be in access to employment.

- 63.** A significant development in 2000 was the adoption of the Palestinian Labour Code, which was signed into law by President Arafat on 3 May 2000. According to the PGFTU, however, the new law does not go far enough in establishing adequate rights for workers and does not deal fairly with the issue of gender equality in employment, including equal wages and equal opportunities. The report indicates that the trade unionists consulted during the missions questioned whether the provisions of the law met the requirements of the relevant ILO Conventions.
- 64.** In 2000, the ILO continued to execute a significant technical assistance programme in the West Bank, Gaza and the Palestinian territories, totalling over US\$4 million. During 2000, the Office's regional programme for Arab States implemented technical cooperation projects with budgets amounting to approximately \$4 million in the fields of employment, vocational rehabilitation and assistance to workers. Projects funded out of extra-budgetary resources in the West Bank and Gaza included the establishment of a vocational rehabilitation centre, funded by the United Arab Emirates. A national seminar on vocational rehabilitation was organized by the Office in Ramallah in December 1999, focusing on formulating a vocational rehabilitation strategy to improve the lives of persons with disabilities under prevailing conditions in Palestinian society. In the West Bank and Gaza, the Regional Office for the Arab States and the Cairo MDT (ARMAT) provided support to a workshop (August 2000) to develop a strategic action plan for the Ministry of Labour. The workshop clarified the roles and responsibilities of various departments in order to strengthen the capacity of the Ministry of Labour in addressing and promoting gender equality. The ILO also fielded a multidisciplinary mission to the West Bank and Gaza in February 2000 to develop a coherent and cohesive programme of ILO activities consisting of 19 project proposals. Resource mobilization efforts are currently being made to ensure that these proposals are implemented. Further, in response to the emergency situation in the Palestinian territories and by invitation from the Director-General, a tripartite delegation visited ILO headquarters in November 2000. The Director-General has provided instructions to set up a task force on emergency employment assistance to the Palestinian territories. Currently field and headquarters technical units are working jointly to prepare the emergency employment and social rehabilitation technical cooperation programme and to secure funding for its implementation.

Geneva, 20 February 2001.