



EIGHTEENTH ITEM ON THE AGENDA

Report of the Director-General

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I. Obituary

Ms. Lucille Caron

1. The Director-General announces with deep regret the death, on 8 July 2002, of Ms. Lucille Caron, former Government member of the Governing Body.
2. Born in Jonquière, Quebec in 1941, Ms. Caron graduated from Ottawa's Carleton University with a B.A. in industrial sociology and psychology. In 1970 she joined the Canadian public service as a translator in the Department of the Secretary of State. In 1973 she joined the Women's Bureau of the Ministry of Labour and in 1975 she started working for its International Relations Branch. She was promoted to the position of the Branch Director in 1978 and to that of the Executive Director in 1988. She retired from the Canadian public service in 1995.
3. Ms. Caron served the Governing Body of the ILO for over 15 years. During that period she assumed a number of functions and made important contributions to various reform initiatives. In 1985, she chaired the Committee on Legal Issues and International Labour Standards at a time when it had to address the issue of the Organization's standard setting system and also chaired its Subcommittee on Multinational Enterprises from 1993 to 1995.
4. She will be remembered for her succinct interventions, the clarity of her synthesis after difficult discussions, her commitment to improving the conditions in the world of work, her courage to fight for the rights of women workers, as well as her simplicity and kindness to all who had the chance to work with her.
5. *The Governing Body will no doubt wish to request the Director-General to convey his sympathy to the family of Ms. Caron and the Government of Canada.*

II. Progress in international labour legislation

Ratifications of Conventions

6. Since the preparation of the document submitted to the 283rd Session of the Governing Body, the Director-General has registered the following 59 ratifications of international labour Conventions, bringing the total number registered on 20 September 2002 to 7,063:

Albania

Ratifications registered on 24 July 2002:

Labour Administration Convention, 1978 (No. 150)
Collective Bargaining Convention, 1981 (No. 154)
Home Work Convention, 1996 (No. 177)
Labour Inspection (Seafarers) Convention, 1996 (No. 178)

Belgium

Ratification registered on 8 May 2002:

Worst Forms of Child Labour Convention, 1999 (No. 182)

Brazil

Ratification registered on 25 July 2002:
Indigenous and Tribal Peoples Convention, 1989 (No. 169)

Burundi

Ratification registered on 11 June 2002:
Worst Forms of Child Labour Convention, 1999 (No. 182)

Cameroon

Ratification registered on 5 June 2002:
Worst Forms of Child Labour Convention, 1999 (No. 182)

China

Ratifications registered on 7 March 2002:
Labour Administration Convention, 1978 (No. 150)
Safety and Health in Construction Convention, 1988 (No. 167)

Ratification registered on 8 August 2002:
Worst Forms of Child Labour Convention, 1999 (No. 182)

Congo

Ratification registered on 29 April 2002:
Worst Forms of Child Labour Convention, 1999 (No. 182)

Dominica

Ratification registered on 29 April 2002:
Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144)

Ratification registered on 25 June 2002:
Indigenous and Tribal Peoples Convention, 1989 (No. 169)

Egypt

Ratification registered on 6 May 2002:
Worst Forms of Child Labour Convention, 1999 (No. 182)

Fiji

Ratifications registered on 17 April 2002:
Freedom of Association and Protection of the Right to Organise
Convention, 1948 (No. 87)
Equal Remuneration Convention, 1951 (No. 100)
Discrimination (Employment and Occupation) Convention, 1958 (No. 111)
Worst Forms of Child Labour Convention, 1999 (No. 182)

Finland

Ratifications registered on 4 July 2002:
Seafarers' Hours of Work and the Manning of Ships Convention, 1996 (No. 180)
Protocol of 1996 to the Merchant Shipping (Minimum Standards) Convention, 1976

Georgia

Ratification registered on 24 July 2002:
Worst Forms of Child Labour Convention, 1999 (No. 182)

Ratification registered on 27 August 2002:

Private Employment Agencies Convention, 1997 (No. 181)

Ratification registered on 11 September 2002:

Employment Service Convention, 1948 (No. 88)

Germany

Ratification registered on 18 April 2002:

Worst Forms of Child Labour Convention, 1999 (No. 182)

Greece

Ratifications registered on 14 May 2002:

Seafarers' Hours of Work and the Manning of Ships Convention, 1996 (No. 180)

Protocol of 1996 to the Merchant Shipping (Minimum Standards) Convention, 1976

Indonesia

Ratification registered on 8 August 2002:

Employment Service Convention, 1948 (No. 88)

Islamic Republic of Iran

Ratification registered on 8 May 2002:

Worst Forms of Child Labour Convention, 1999 (No. 182)

Italy

Ratification registered on 3 July 2002:

Chemicals Convention, 1990 (No. 170)

Japan

Ratification registered on 14 June 2002:

Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144)

*Kiribati*¹

Ratifications registered on 3 February 2000:

Forced Labour Convention, 1930 (No. 29)

Freedom of Association and Protection of the Right to Organise
Convention, 1948 (No. 87)

Right to Organise and Collective Bargaining Convention, 1949 (No. 98)

Abolition of Forced Labour Convention, 1957 (No. 105)

Latvia

Ratification registered on 22 February 2002:

Protection of Workers' Claims (Employer's Insolvency) Convention, 1992 (No. 173)

¹ Following the admission of the Republic of Kiribati to the International Labour Organization, the Government of Kiribati recognized, by letter dated 20 May 2002, that Kiribati continued to be bound by the obligations arising under the abovementioned Conventions which had been previously applicable to its territory.

Malaysia

Ratification registered on 14 June 2002:

Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144)

Mali

Ratification registered on 11 March 2002:

Minimum Age Convention, 1973 (No. 138)

Malta

Ratifications registered on 19 September 2002:

Officers' Competency Certificates Convention, 1936 (No. 53)

Certification of Able Seamen Convention, 1946 (No. 74)

Seafarers' Hours of Work and the Manning of Ships Convention, 1996 (No. 180)

Republic of Moldova

Ratification registered on 14 June 2002:

Worst Forms of Child Labour Convention, 1999 (No. 182)

Ratification registered on 20 September 2002:

Safety and Health in Agriculture Convention, 2001 (No. 184)

Morocco

Ratification registered on 5 April 2002:

Workers' Representatives Convention, 1971 (No. 135)

Netherlands

Ratification registered on 14 February 2002:

Worst Forms of Child Labour Convention, 1999 (No. 182)

Poland

Ratifications registered on 9 August 2002:

Labour Inspection (Seafarers) Convention, 1996 (No. 178)

Worst Forms of Child Labour Convention, 1999 (No. 182)

Portugal

Ratifications registered on 25 March 2002:

Safety and Health in Mines Convention, 1995 (No. 176)

Private Employment Agencies Convention, 1997 (No. 181)

Romania

Ratification registered on 11 March 2002:

Seafarers' Welfare Convention, 1987 (No. 163)

Saint Vincent and the Grenadines

Ratification registered on 8 February 2002:

Seafarers' Hours of Work and the Manning of Ships Convention, 1996 (No. 180)

Singapore

Ratification registered on 30 May 2002:
Equal Remuneration Convention, 1951 (No. 100)

Slovakia

Ratification registered on 11 February 2002:
Night Work Convention, 1990 (No. 171)

Ratifications registered on 14 June 2002:
Workers with Family Responsibilities Convention, 1981 (No. 156)
Safety and Health in Agriculture Convention, 2001 (No. 184)

Sweden

Ratification registered on 10 June 2002:
Part-Time Work Convention, 1994 (No. 175)

United Republic of Tanzania

Ratifications registered on 26 February 2002:
Equal Remuneration Convention, 1951 (No. 100)
Discrimination (Employment and Occupation) Convention, 1958 (No. 111)

The former Yugoslav Republic of Macedonia

Ratification registered on 30 May 2002:
Worst Forms of Child Labour Convention, 1999 (No. 182)

Ukraine

Ratification registered on 25 October 2001:
Holidays with Pay Convention (Revised), 1970 (No. 132)

Venezuela

Ratification registered on 22 May 2002:
Indigenous and Tribal Peoples Convention, 1989 (No. 169)

Denunciations of Conventions*Australia*

7. The Director-General registered, on 2 April 2002, the denunciations by Australia of the Minimum Age (Trimmers and Stokers) Convention, 1921 (No. 15) and the Inspection of Emigrants Convention, 1926 (No. 21). The text of the communication concerning the denunciation by Australia of these Conventions reads as follows:

In 1997, the International Labour Conference adopted a constitutional amendment which would allow the abrogation or repeal of any ILO Convention that had “lost its purpose” or that “no longer made useful contribution” to attaining ILO objectives. While this amendment has not yet come into effect, Australia accepted it in October 2001. In this context, the Government decided to review the ILO Conventions ratified by Australia with a view to identifying those that were obsolete. A preliminary analysis revealed six Conventions ratified by Australia which would fall into this category.

Two of these Conventions were identified as being appropriate for denunciation as the ILO has shelved them (i.e. it does not promote their ratification or enforce reporting responsibilities). Furthermore they are obsolete in effect. The two Conventions are:

- Convention 15 fixing the Minimum Age for the Admission of Young Persons to Employment as Trimmers or Stokers, done at Geneva on 11 November 1921; and
- Convention 21 concerning the Simplification of the Inspection of Emigrants on Board Ship, done at Geneva on 5 June 1926.

Convention 15

The ILO has invited Australia and other parties to denounce Convention 15, which regulates the employment of trimmers and stokers on coal-fired ships. The Convention does not have any practical application in Australia as trimmers and stokers are no longer employed in ships. Where coal-burning ships are still in use the firing of boilers is mechanized and the occupations to which the Convention applies no longer exist. The Convention was ratified for Australia on 28 June 1935 on the basis of federal law and practice alone. Forty-eight countries have denounced this Convention.

The “Navigation Act 1912” stipulates that a minimum age for employment at sea may be prescribed. “Marine Orders Part 3 (Seagoing Qualifications)” provides that the minimum age for employment at sea is 16 years of age, excepting for the purposes of Section 15 of the “Navigation Act” where the orders prescribe minimum ages for certain grades of certificate of competency. In all cases these exceed 16 years of age. Agreements between a master and crew members are required to be in prescribed form which is laid down in the “Marine Orders Part 53”. This form includes provision for the master to list the names and dates of birth of all persons under 18 years of age employed on board the vessel. As neither trimmers nor stokers are employed on Australian ships, there are no specific legislative provisions concerning their minimum age for employment. While there are four coal-fired ships in use in Australia, these have automatic loaders and do not use trimmers and stokers. Manually loaded coal-fired ships went out of service during the 1950s, and the separate classifications for trimmers and stokers went out of use by the 1960s.

At the same time the ILO invited Australia and others to denounce Convention 15, the ILO also suggested that countries consider ratifying Convention 138, concerning Minimum Age for Admission to Employment, 1973. Convention 138 requires member States to develop and pursue a national policy to ensure the effective abolition of child labour. The Government is not currently pursuing ratification of Convention 138 as a number of compliance difficulties have been identified. It is Australian treaty policy and practice to ratify a treaty only when compliance with its provisions can be demonstrated in both law and practice. (...)

Convention 21

The ILO also invited Australia and other parties to denounce Convention 21, which is concerned with the protection of emigrants on-board emigrant ships. The main purpose of the Convention is to provide for the appointment of official inspectors and to regulate their activities on-board emigrant vessels. In the Australian context, such vessels are no longer in use and the Convention is no longer applicable to Australian circumstances. The Convention was ratified for Australia on 18 April 1931 on the basis of federal law and practice alone. Three countries have denounced this Convention.

Emigrant vessels are no longer in use. The principal modern period for emigrant vessel arrivals in Australia extended from just after the Second World War until 1970. It appears that the most recent such arrival was in 1977, and in any case almost certainly not later than 1980. Therefore, this Convention is no longer applicable to Australia’s circumstances, and there is no specific legislation implementing it.

At the same time the ILO invited Australia and others to denounce Convention 21, the ILO also suggested that countries consider ratifying Convention 97, concerning Migration for Employment (Revised), 1949. Convention 97 contains a series of measures designed to govern conditions in which migration for employment can take place and to guarantee equality of treatment for migrant workers in a number of fields. The Government is not currently pursuing ratification of Convention 97 as a number of compliance difficulties have been identified. It is Australian treaty policy and practice to ratify a treaty only when compliance with its provisions can be demonstrated in both law and practice. (...)

Consultation

In accordance with the provisions of Convention 144, concerning Tripartite Consultations to Promote the Implementation of International Labour Standards, 1976, the Australian Government consulted with representative organizations of employers and of workers concerning the proposals to denounce the two ratified Conventions. The Australian Chamber of Commerce and Industry (ACCI) and the Australian Council of Trade Unions (ACTU) both indicated support for the denunciation of Conventions 15 and 21.

Mexico

8. The Director-General registered, on 15 March 2002, the denunciation by Mexico of the Repatriation of Seamen Convention, 1926 (No. 23). The text of the communication concerning the denunciation by Mexico of this Convention reads as follows:

(Translation)

I have the honour to inform you, on behalf of the Government of the United Mexican States, that my Government has decided to denounce the Repatriation of Seamen Convention, (No. 23), adopted on 23 June 1926, since it has been superseded by the Repatriation of Seafarers Convention (Revised) (No. 166), adopted on 9 October 1987, to which Mexico is a party.

Norway

9. The Director-General registered, on 5 July 2002, the denunciation by Norway of the Fee-Charging Employment Agencies Convention (Revised), 1949 (No. 96). The text of the communication concerning the denunciation by Norway of this Convention reads as follows:

Until 1 July 2000, section 26 of the Employment Act contained a general prohibition against fee-charging employment agencies, corresponding to the general obligation under the Convention. As from 1 July 2000, this section has been amended in such a way that under certain conditions it is permissible to run private employment agencies. This is in contradiction with Convention No. 96. This is the reason behind the Norwegian decision to denounce ILO Convention No. 96.

Slovakia

10. The Director-General registered, on 11 February 2002, the denunciation by Slovakia of the Night Work (Women) Convention (Revised), 1948 (No. 89). The text of the communication concerning the denunciation by Slovakia of this Convention reads as follows:

(Translation)

As part of the process of accession to the European Union and alignment with EU law, the Slovak Republic will be required to denounce ILO Conventions Nos. 45 and 89, because they are inconsistent with the principle of equality between women and men.

Entry into force of Conventions

11. In accordance with its Article 18, paragraph 2, the Seafarers' Hours of Work and the Manning of Ships Convention, 1996 (No. 180), comes into force six months after the date on which the ratifications of five Members, three of which having at least 1 million gross tonnage of shipping, have been registered. Following the ratification of the Convention by Saint Vincent and the Grenadines on 8 February 2002, the condition set out in Article 18, paragraph 2, is fulfilled. This Convention has accordingly come into force on 8 August 2002.

12. In accordance with its Article 23, paragraph 2, the Safety and Health in Agriculture Convention, 2001 (No. 184), comes into force 12 months after the date on which the ratifications of two Members have been registered. Following the ratification of the Convention by the Republic of Moldova on 20 September 2002, the condition set out in Article 23, paragraph 2, is fulfilled. This Convention will accordingly come into force on 20 September 2003.

Declarations concerning the denunciation of Conventions to non-metropolitan territories (article 35 of the Constitution)

13. The Director-General has registered the following declarations concerning the denunciations of International Labour Conventions to non-metropolitan territories:

Netherlands

Declaration registered on 22 February 2002:

Night Work (Women) Convention (Revised), 1948 (No. 89)

Denounced: Netherlands Antilles

14. The Government of the Netherlands Antilles sent a communication in this respect which reads as follows:

For years already the general feeling in our country is that the prohibition of night work for women is discriminatory; women who want to perform night work should not be prohibited to do so.

Netherlands

Declaration registered on 19 June 2002:

Labour Inspection (Agriculture) Convention, 1969 (No. 129)

Denounced: Aruba

15. The Government of the Kingdom of the Netherlands sent a communication in this respect which reads as follows:

(...) it has now become evident that the application of the Convention was extended erroneously to Aruba, as, in view of its climate and the composition of its soil, agriculture is practised on Aruba on a very limited scale only. (...)

Therefore, the Government of the Kingdom of Netherlands would propose that the Kingdom ceases to be bound by the said Convention in respect of Aruba (...).

Notification

16. The Director-General registered, on 8 August 2002, the following notification concerning the application, by China, of an international labour Convention without modification to the Hong Kong and Macau Special Administrative Regions:

Worst Forms of Child Labour Convention, 1999 (No. 182)

Ratification/Acceptation of the Constitution of the International Labour Organization Instrument of Amendment, 1997

17. Since the preparation of the document submitted to the 283rd Session of the Governing Body, the Director-General has received the following acceptance and ratifications of the instrument:

Argentina	Acceptance	12 March 2002
Congo	Ratification	29 April 2002
Luxembourg	Ratification	12 June 2002

The total number of ratifications and acceptances is now 73, including six by States of chief industrial importance.

18. In the interim, the Director-General has also launched in late August 2002, at the request of the Governing Body, a new campaign for the ratification of this instrument of amendment. The Director-General hopes that the pace of conveyance of the 44 ratifications or acceptances still necessary for the amendment to come into force will henceforth be accelerated.

III. Internal administration

19. Article 4.2(d) of the Staff Regulations states:

Vacancies in the Director and Principal Officer category shall be filled by the Director-General by transfer in the same grade, promotion or appointment. Such promotions or appointments, other than to vacancies in technical cooperation projects, shall be reported to the Governing Body with a short statement of the qualifications of the persons so promoted or appointed. ...

20. The following appointments and promotions are accordingly reported to the Governing Body:

Mr. Giuseppe Casale (Italy)

Appointed Deputy Director of the InFocus Programme on Social Dialogue, Labour Law and Labour Administration and promoted to D.1 with effect from 1 April 2002. Born in 1958.

Mr. Casale holds a doctorate in political science from the University of Florence, Italy, an MA and university diploma in international law and international economics from the Johns Hopkins University, United States, a Ph.D, MA and C.Phil from the University of California, United States and a university diploma in comparative labour law from the University of Siena, Italy.

Mr. Casale joined the ILO in 1988 as an associate expert in the Sectoral Activities Department. In 1989, he worked as an associate expert in the Labour Law and Relations Branch. From 1990 to 1995, he was the labour relations specialist in the Industrial Relations and Labour Administration Department. From 1995 to 1999, he held the position of senior labour law and industrial relations technical specialist in the Multidisciplinary Team in Budapest and from October 1999 to April 2000, he was Acting Director of the

ILO Area Office in Budapest. In 2000, he was senior technical specialist in the Social Dialogue Sector.

Prior to joining the ILO, he served as research assistant at the Johns Hopkins University in the United States from 1984 to 1985. He was employed as a teaching fellow and research assistant and reader at the University of California from 1985 to 1987. He worked as an assistant professor of labour law from 1982 to 1988.

Mr. Carlos Castro-Almeida (Portugal)

Appointed Director of the ILO Branch Office in Lisbon with effect from 1 September 2002. Appointment as Director of the ILO Area Office in Algiers was reported to the Governing Body in March 2001.

Mr. Guy Girod (Switzerland)

Mr. Girod, who was born in 1957, joined the ILO as Chief of the Internal Administration Bureau with effect from 1 October 2002.

He holds a degree in business administration from the University of Geneva, as well as various diplomas in management and property assessment.

Prior to joining the ILO, he was the Geneva-office Administrative Director of Eri Bancaire S.A., a banking software multinational, in 2002, and a member of the Board of Management of one of the largest Geneva estate agents, CGI, from 1998 to 2001. From 1991 to 1998, Mr. Girod was Chief of Property Transactions for the State of Geneva. From 1989 to 1991, he worked as an estate agent in Geneva.

He was police inspector for the Fraud Squad in Geneva from 1979 to 1989 and was in charge of the Pro Torgon tourist promotion office in Switzerland from 1978 to 1979.

Mr. Mahmoud Anis Hassanein (Egypt)

Appointed Chief of the Official Documentation Branch and promoted to D.1 with effect from 1 March 2002. Born in 1943.

Mr. Hassanein holds a diploma in chemistry from the University of Heidelberg, Germany and a degree in sciences économiques from the University of Lyon, France.

Mr. Hassanein joined the ILO in 1981 as translator/terminologist of the Arab language. From 1989 to 1998, he was Arabic translator/reviser in the Translation and Meetings Branch of the Relations and Meetings Department. From 1998 to 2000, he was Director of the ILO Office in Dhaka and from 2000 to 2002, he held the position of Head of the Arabic Unit.

Prior to joining the ILO, he was an interpreter for the Société Nationale d'Industrie Aéronautiques, Cairo, and from 1975 to 1980, he was Head of the Publication and Editing Department of the Industrial Development Centre for Arab States, Cairo. Between 1970 and 1976, he held the position of translator and research officer of the Egyptian Federation of Trade Unions, Cairo.

Mr. Jean-Pierre Laviec (France)

Appointed Officer-in-Charge of the International Institute for Labour Studies (INST) with effect from 15 July 2002. Appointment and promotion to D.1 as Director of the ILO Area

Office and the Central and Eastern Europe Multidisciplinary Advisory Team in Budapest was reported to the Governing Body in March 2001.

Mr. Daniel Martínez y Fernández (Spain)

Appointed Deputy Regional Director of the ILO Regional Office for Americas in Lima with effect from 1 September 2002. Appointment as Director of the ILO Andean Multidisciplinary Technical Advisory Team in Lima at the D.1 grade was reported to the Governing Body in March 2001.

Mr. Agustín Muñoz Vergara (Chile)

Appointed Director of the ILO Regional Office for the Americas in Lima and promoted to the D.2 grade with effect from 1 June 2002. Appointment and promotion to D.1 as Deputy Director of the ILO Regional Office for Latin America and the Caribbean in Lima was reported to the Governing Body in March 2001.

Mr. Gek-Boo Ng (Malaysia)

Appointed Director of the Human Resources Development Department (HRD) and promoted to the D.2 grade with effect from 15 May 2002. Appointment as Director for Operations in the InFocus Programme on Child Labour (IPEC) was reported to the Governing Body in November 1999.

Ms. Patricia O'Donovan (Ireland)

Promoted to D.2 as Director of the InFocus Programme on Social Dialogue, Labour Law and Labour Administration (IFP/DIALOGUE) with effect from 1 April 2002. Appointment as Director of the InFocus Programme on Strengthening Social Dialogue at the D.1 grade was reported to the Governing Body in March 2001.

Mr. Joseph Thurman (United States)

Promoted to D.2 as Director of the Bureau of Programming and Management (PROGRAM) with effect from 1 July 2002. Appointment as Deputy Director of the Bureau of Programming and Management was reported to the Governing Body in November 1998.

Ms. Petra Ulshoefer (Germany)

Appointed Director of the ILO Area Office and the Central and Eastern Europe Multidisciplinary Advisory Team in Budapest, Hungary with effect from 1 September 2002. Born in 1948.

Ms. Ulshoefer holds an M.A. in Sociology and Social Anthropology, University of Bonn, Germany. Postgraduate studies on Rural Development at the Technical University in Berlin, Germany, and in Development Sociology and Development Planning, University of Bielefeld, Germany.

Ms. Ulshoefer began her career with the ILO in 1982 as Project Coordinator of ILO/DANIDA subregional projects on (Rural) Women Workers' Education in Central America and the Dominican Republic. In 1989, she assumed the position of Regional Adviser and Regional Gender Specialist for Latin America, based in the Regional Office in Lima and in the MDT Santiago. In 1997, Ms. Ulshoefer returned to Geneva headquarters as Senior Gender Specialist, in the Bureau for Gender Equality.

Prior to joining the ILO, she held the positions of Coordinator, Anthropological Research Project on Entrepreneurial Strategies and Working Conditions in the Plantation System in Central America, for the University of Bonn; and Assistant Professor, Department of Development Sociology and Development Planning, University of Bielefeld.

Geneva, 28 October 2002.

Point for decision: Paragraph 5.