



INTERNATIONAL LABOUR OFFICE

GB.289/PV
289th Session

Governing Body

Geneva, March 2004

Minutes of the 289th Session

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The 289th Session of the Governing Body of the International Labour Office was held in Geneva from Monday, 22 March at 3.15 p.m. to Friday, 26 March 2004, under the chairpersonship of Mr. Eui yong Chung (Government, Republic of Korea).

Wednesday, 24 and Thursday, 25 March were devoted to a meeting of the Working Party on the Social Dimension of Globalization, in which most of the Governing Body members participated.

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

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FIRST SITTING

Monday, 22 March 2004, afternoon

The sitting opened at 3.15, with Mr. Chung in the Chair.

The Chairperson paid tribute to the victims of the attacks that took place in Madrid on 11 March 2004, killing many and injuring several thousand people, most of them workers. He requested a minute of silence as a mark of solidarity with the Spanish people and all victims of terrorism everywhere.

The meeting observed one minute's silence.

The Chairperson announced the recent death of Mr. Abdul Sattar Laleka, Pakistan's Federal Minister of Labour, Manpower and Pakistanis Abroad.

The Governing Body decided to ask the Director-General to convey its condolences to the family of Mr. Abdul Sattar Laleka and to the Government of Pakistan.

First item on the agenda

APPROVAL OF THE MINUTES OF THE 288TH SESSION OF THE GOVERNING BODY

The Governing Body approved the minutes of its 288th Session.

Second item on the agenda

DATE, PLACE AND AGENDA OF THE 95TH SESSION (JUNE 2006)
OF THE INTERNATIONAL LABOUR CONFERENCE

The Governing Body approved the proposals set out in paragraphs 1 and 2 of document GB.289/2.

The Worker Vice-Chairperson recalled that the minutes of the 285th Session of the Governing Body which had just been approved clearly indicated that although the question of possible production of a Protocol to Convention No. 111 had interested the Governing Body for some time, it was supported by only two or three governments; neither the Workers' group nor the Employers' group endorsed the idea, and much the same applied to the promotion of decent work in the reconstruction of countries affected by conflicts. This meant that if the Governing Body was to consider only proposals that had already been examined at length, it would have to choose from only five, rather than seven, items.

One of the points chosen by the Workers' group concerned equality between the sexes in the world of work, not only because this was an issue of great current relevance throughout the world but also because, as he understood it, it had already received a measure of support in the ILO. Nevertheless, he was prepared to drop the item this year in favour of others that had received more support, if his colleagues could assure him that it would be discussed again in 2006. The item chosen by his group for standard setting under the single-discussion procedure concerned the employment relationship, with a view to the adoption of a Recommendation.

The Employer Vice-Chairperson explained that it was not that his group did not support the items on Convention No. 111 and the promotion of decent work in the reconstruction of countries affected by conflicts; it was simply that those topics were not on the group's list of priorities.

As the ILO was a tripartite organization, his group endorsed the proposal regarding the role of the ILO in technical cooperation, an area which had been awaiting examination for a number of years, since the evaluation of technical cooperation objectives was fundamental to the role of the Organization.

As regards the second item, the Employers' group had already indicated its preference for the item on youth employment and social protection in ageing societies. It might also be necessary to continue with the examination of the item on migrant workers, depending on the outcome of the discussions at the Conference in June 2004. He proposed that, in order to ensure that any new element meriting consideration could be taken into account, any decision regarding the second item to be included on the agenda be deferred until November.

A Government representative of Indonesia said that the two items chosen by his Government were those concerning the employment relationship and the role of the ILO in technical cooperation. The discussion on the employment relationship should be a continuation of the discussions at the June 2003 session of the Conference, since that would provide an opportunity for promoting social dialogue with the people directly concerned in each country and enable them to acquire a better knowledge of the obligations and rights embodied in national laws. The ILO played a valuable part in designing technical cooperation programmes, and in particular, those that strengthened the capacities of developing countries. These activities had gone hand-in-hand with the unstinting efforts that were being made at the international level to establish an international framework along the lines, for example, of the Millennium Development Goals, which were intended to be tools to improve conditions in the developing world. By examining this subject a more refined strategy for planning and implementing programmes might emerge.

A Government representative of the United Kingdom appreciated the fact that the document presented by the Office had taken into account the request made by the Governing Body at its previous meeting to create a linkage between proposals presented and the ILO's strategic objectives.

The first item, chosen with difficulty from a list which overall presented much interest, concerned employment and social protection in ageing societies. The United Kingdom strongly endorsed the Madrid International Action Plan on Ageing 2002 as a wide-ranging initiative to deal with the problems of an ageing population. It was essential to incorporate these issues in national programmes, and international cooperation could contribute to a satisfactory solution. It was clear that the ILO could collaborate through its programmes on employment creation, employability, gender, social protection and combating HIV/AIDS.

For this reason, the discussion on employment and social protection in ageing societies should take place at the 2006 session of the Conference, four years after the launch of the Madrid Action Plan, and a later date would not be appropriate. In addition, the ILO would also have available the results of the discussion due to take place in 2004 on migrant workers.

The second item that his delegation wanted to include on the agenda concerned gender equality in the world of work. One reason for this choice was the fact that, as the Office document indicated, the last general survey on progress in gender equality in the

world of work dated back almost 20 years. It was time to examine how this question had evolved, including new forms of discrimination, so that the ILO could have clear guidance on how to further gender equality.

A Government representative of India endorsed the item on the role of the ILO in technical cooperation for the reasons given by the Employer Vice-Chairperson and the representative of the Government of Indonesia. As regards the second item, he would have preferred employment creation, but since that was not included in the list as presented, he supported the item on the question of the employment relationship for the reasons already given by other speakers.

A Government representative of Norway said that the item of highest priority for his delegation was gender equality in the world of work. The last general survey on this issue made by the ILO dated from 1985, and so it was now time to conduct a general survey of the progress that had been made in the area of gender equality in the light of knowledge acquired on the social dimension of globalization and various international initiatives in recent years so that the ILO could adopt an appropriate policy in this area and identify the priority areas and goals in its promotional activities.

The second item chosen was the role of the ILO in technical cooperation. It would be appropriate to consider the question in 2006, in accordance with the decision adopted by the Conference in 1987 to review the ILO's technical cooperation programmes every five years. This would also allow certain important changes at the international level affecting this question to be taken into account, as well as the results of a complete cycle of reports under the follow-up to the ILO Declaration on Fundamental Principles and Rights at Work. The Norwegian delegation was interested in examining the item on employment and social protection in ageing societies, but hoped that the item on discrimination in employment and occupation would not figure again in the lists of proposed agenda items, since it had not hitherto received much support.

A Government representative of Uruguay said that his preference was for the item on decent jobs and productivity, since this would give the Conference an opportunity, on the basis of an integrated approach, to examine the increasingly obvious fact that economic growth did not necessarily go hand-in-hand with improvements in decent work and did not always even create more jobs.

In second place, he supported the item on the employment relationship, which would enable the Office to turn to good account the efforts and initiatives undertaken in different parts of the world to enrich the dialogue on the employment relationship and contribute, preferably by means of a Recommendation, to clarification of what was a crucial area of labour law and to an understanding of who was entitled to the benefits available under the labour law.

A Government representative of France said that his delegation would prefer the discussion with a view to the development of standards to focus on efforts to update provisions on discrimination in employment and occupation, an issue of great topical importance which urgently needed to be re-examined in the light of the problems raised by HIV/AIDS and of the issue of equality between men and women. In second place, the French Government had chosen the item on the employment relationship, on which there had been an unexpected degree of consensus at the 2003 session of the Conference and which should be dealt with in a Recommendation. His Government wanted a general discussion, based on an integrated approach, on decent jobs and productivity, which was linked to the World Employment Programme and certain aspects of the report of the World Commission on the Social Dimension of Globalization. Lastly, he would not oppose a discussion on the role of the ILO in technical cooperation, on condition that it was preceded by a genuine debate for evaluation and guidance within the Governing Body. He

did not see the advantage of setting the Conference's very general objectives in the area of technical cooperation if the Governing Body did not first assess the benefits and drawbacks of the ILO's activities in that area.

A Government representative of Kenya said that her delegation had chosen, firstly, the item on decent jobs and productivity for a general discussion based on an integrated approach. Gender equality in the world of work was the second item chosen as an issue of particular relevance in Kenya, where the Parliament, during the coming year, would be considering legislation on the gender issue.

A Government representative of the Islamic Republic of Iran supported in first place the item on decent jobs and productivity and, in second place and for the reasons stated by the Employer Vice-Chairperson, the role of the ILO in technical cooperation.

A Government representative of Italy favoured the inclusion, first, of the item on the role of the ILO in technical cooperation. In his view, this item could not be omitted from the Conference agenda, given that in the coming years the discussion regarding the role of different institutions in pursuing the Millennium Development Goals and improving the aid given to developing countries would become increasingly important. However, as had already been said, thorough preparation for the discussion would be needed in the Governing Body.

A Government representative of South Africa said that his delegation had chosen in first place the item on the employment relationship, a very complex subject on which discussions had already made considerable progress during the 2003 session of the Conference. The second choice was the item on the role of the ILO in technical cooperation. He agreed that this topic should be examined every five years.

A Government representative of Germany said that the item of greatest interest to Germany was decent jobs and productivity, since the discussion would contribute much to the follow-up on activities relating to the social aspects of globalization. It was useful to consider how economic growth could create more decent jobs and vice versa. The second item chosen was employment and social protection in ageing societies since an important question of our times was how the developed, developing and "threshold" countries would manage to promote employment in the light of the ageing population.

A Government representative of Malawi said that his delegation had chosen, first, the item on decent jobs and productivity and in second place the item on the employment relationship. He regretted that he and many other people came from places where globalization had been synonymous with suffering and poverty for most of the population, but not for companies which had even been able to raise their productivity. What was needed was an in-depth and frank discussion on the concept of productivity and its relationship with decent work, and this had to include the employment relationship since globalization was still pushing the majority of workers into the informal economy where the employment relationship was ill-defined. In short, these proposals were consistent with the objective of the Malawi Government of reducing poverty.

A Government representative of New Zealand welcomed the fact that the document submitted linked the proposed agenda items with the ILO's strategic objectives, as this would ensure that any new proposal would correspond to the Decent Work Agenda and would help to advance it. He trusted that the agenda items proposed for forthcoming sessions of the Conference would be interrelated and directed towards the goals of the Strategic Policy Framework, as agreed at the November 2003 session of the Governing Body. In the light of these comments, New Zealand had chosen the items on decent jobs and productivity and the employment relationship.

A Government representative of Mexico said that the two items chosen by his delegation were decent work and productivity and gender equality in the world of work.

A Government representative of Belgium said that, independently of the second discussion on occupational safety and health, his delegation endorsed the choice made by the Workers' group, namely, the employment relationship in first place and gender equality in the world of work in the second place. As regards the role of the ILO in technical cooperation, he considered that it was premature to include the item on the Conference agenda because no analysis had been undertaken and there had been insufficient preparation.

A Government representative of the Dominican Republic said that the first item chosen by his delegation, for a general discussion based on an integrated approach, was decent jobs and productivity, since this would give the ILO the opportunity to continue promoting decent work and seeking ways of improving the lot of workers in an era of economic globalization. The second item chosen was the role of the ILO in technical cooperation which was a priority issue for developing countries.

A Government representative of Japan said that the priority item for his delegation was employment and social protection in ageing societies, as ageing of the population was a problem facing many countries in the twenty-first century, including Japan. The second item supported by the delegation was the role of the ILO in technical cooperation, given that the Conference had to undertake a discussion every five years on this subject area and the last one took place in 1999.

A Government representative of China said that his delegation was interested, in order of preference, in the items on the employment relationship and the role of the ILO in technical cooperation.

A Government representative of the United States said that the item chosen in first place by his country was the role of the ILO in technical cooperation, in view of the importance of periodically reviewing the strategies, policies and methods by which technical cooperation activities were implemented throughout the world. The second item chosen was employment and social protection in ageing societies, seen not only from the point of view of contributions of older workers but also from that of different social protection programmes.

A Government representative of Bulgaria supported the items on employment and social protection in ageing societies and gender equality in the world of work. He shared the concerns voiced by a number of European countries, the United States and Japan regarding the ageing of the population, and recalled that the Bulgarian population included the highest proportion of older people in Europe, with an average age of over 41 years.

A Government representative of Burundi proposed that the item on decent jobs and productivity be chosen in first place, and treated not simply in a general manner for all countries but also in more specific terms for countries affected by conflicts. The employment relationship should be the second item, since this was an aspect of social dialogue and entailed the participation of the social partners in the activities of job creation and labour administration.

A Government representative of Canada welcomed the links that had been established between the proposals and the ILO's strategic objectives. The Canadian delegation considered that gender equality in the world of work and employment and social protection in ageing societies were the main priorities. While these two items were the current priorities of the delegation, he would prefer any decision on the second item to be deferred

until November, allowing any new elements arising from discussions at the 2004 session of Conference to be taken into account.

A Government representative of Nigeria supported, first, the item on the employment relationship, because Nigeria had to address the situation of many workers who had no protection at all. As the second item, he supported the item on gender equality in the world of work.

A Government representative of Brazil favoured the adoption of gender equality in the world of work and employment and social protection in ageing societies, in that order. Both items were of great interest to the Brazilian Government and the developing countries were now starting to experience some of the problems associated with an ageing population.

A Government representative of Venezuela said that his Government had chosen the employment relationship in first place, to allow an examination of hidden employment relationships and ways of providing workers with appropriate protection, and the item on decent jobs and productivity in second place, which was related to the first item and needed to be discussed on the basis of an integrated approach, for which the background was the social dimension of globalization.

A representative of the Government of the Republic of Korea said that the priority items for his Government were new measures concerning discrimination in employment and occupation, and employment and social protection in ageing societies.

A Government representative of Gabon said that for his Government the priority items were: first, decent jobs and productivity, which had cross-cutting links with other areas and needed to be examined in a general discussion based on an integrated approach; and second, the role of the ILO in technical cooperation.

A Government representative of Bangladesh said that his delegation had chosen gender equality in the world of work as the first item and the employment relationship as the second.

A Government representative of Cameroon said that his country's principal concern was combating poverty, and he welcomed the plan to hold an Extraordinary Summit of Heads of State and Government of the African Union on Employment and Poverty Alleviation in September 2004 in Burkina Faso. This concern had prompted his Government to choose decent jobs and productivity as the first item and the role of the ILO in technical cooperation as the second item since it considered that unemployment, which was now endemic throughout the world, could be resolved only through discussion in an international tribunal.

A Government representative of Pakistan said that his Government had chosen the employment relationship and the role of the ILO in technical cooperation, in that order. The items on decent jobs and productivity and the promotion of decent work in reconstruction of conflict-affected countries could be examined together, as could the items on employment and social protection in ageing societies and the employment relationship.

A Government representative of Mali said that unemployment among young people, with or without formal qualifications, was a growing problem in African countries and his delegation therefore wanted this to be the first item, followed by the item on the role of the ILO in technical cooperation. He added that in an examination of these topics, close attention needed to be paid to the concept of productivity and its relationship with decent work.

The Employer Vice-Chairperson noted that attention had to be focused on items that had received greatest support. With regard to the proposal by the Employers' group to include the role of the ILO in technical cooperation, which had been seconded by other members, it was for the Governing Body to exercise continual monitoring of all technical cooperation activities. As for the rest of the agenda, in particular the second technical item, which might be adopted at the present meeting, the Employers' group was prepared to reopen the discussion in November 2004, to allow consideration of all the elements arising from discussions at the June 2004 session of the Conference and from the examination by the Governing Body of the recommendations of the World Commission on the Social Dimension of Globalization.

The Worker Vice-Chairperson asked whether the Employers' group agreed that the second item should be gender equality in the world of work or whether it preferred to defer a decision until November.

The Employer Vice-Chairperson, replying, said that although he had mentioned gender equality in employment, the priority item for his group was the role of the ILO in technical cooperation, and a decision on the second item could be deferred until November. He acknowledged that the items on gender equality in the world of work and employment and social protection in ageing societies had been supported by a number of different speakers.

The Worker Vice-Chairperson expressed appreciation for the level of cooperation on the part of speakers to ensure that the items chosen would be those most relevant for all in the light of current conditions. There appeared to be substantial reasons for choosing the items on the role of the ILO in technical cooperation and the employment relationship. If the figures bore that out, the Workers' group would agree to that choice.

A representative of the Director-General, summarizing the discussion, noted that 15 speakers, including the Workers' group, were in favour of adopting the item on the employment relationship; 14, including the Employers' group, were in favour of adopting the item on the role of the ILO in technical cooperation; and 13 were in favour of adopting the item on decent jobs and productivity, although neither of the two groups had expressed a preference for that item. He did not wish to draw conclusions from these figures, because what was important was that the result should reflect a consensus. However, in numerical terms, it was clear that the two items with the greatest support were the employment relationship and the role of the ILO in technical cooperation.

The Governing Body decided to include on the agenda of the 95th Session (June 2006) of the International Labour Conference the item on the employment relationship (standard setting, single discussion), and the item on the role of the ILO in technical cooperation (general discussion).

DATE OF OPENING SITTING OF THE 93RD SESSION (JUNE 2005)
OF THE INTERNATIONAL LABOUR CONFERENCE

The Chairperson proposed that the Governing Body modify its previous decision, and decide that the opening sitting of the 93rd Session (June 2005) of the International Labour Conference should take place on Tuesday, 31 May 2005.

It was so decided.

Fifth item on the agenda

REPORT AND CONCLUSIONS OF THE TENTH AFRICAN REGIONAL MEETING

A representative of the Director-General said that the Tenth African Regional Meeting had adopted a number of recommendations with a view to making the issue of employment the basis of development strategies in Africa, and reinforcing the ILO's role in combating poverty on the African continent over the next two to four years. The Director-General had given his assurance that the ILO would give its full tripartite support to the Extraordinary Summit of Heads of State and Government of the African Union on Employment and Poverty Alleviation in Africa, which would take place in Burkina Faso during 2004.

The Regional Meeting had adopted the goal of achieving unity and strength for the African continent, so that it could take control of its own destiny, develop its own capacities, and attract financial resources from the industrialized countries. This programme of work had been devised to promote, through an integrated approach, the ILO's strategic objectives. In order to achieve this, it was essential to develop local markets, cooperatives, small and micro-enterprises; to promote the employment of young people and women; to improve conditions in the informal economy and provide greater security for enterprises and for workers; and to provide better social protection and increase opportunities for raising productivity and obtaining income. It was also essential to boost investment in education, training and qualifications, as well as financial and technical support for certain ILO activities such as the rehabilitation of demobilized combatants and ensuring that they had access to an economic activity. The subregional plans under the Programme and Budget for 2004-05 had been revised in the light of the conclusions and recommendations made by the Regional Meeting.

The Employer Vice-Chairperson reviewed the region's priorities, in particular the need to create jobs for young women and men, and took note of the request that the ILO increase its participation in the agricultural sector and in rural activities through a sound tripartite mechanism. He noted the satisfaction that had been expressed at the launch in Africa of the Global Campaign on Social Security for All. He urged the Office, in its proposals to the Governing Body, to take into account the recommendations made by the regional meetings, which were very useful as means of allowing the ILO to benefit from the knowledge and experience obtained directly from the regions concerned.

The Worker Vice-Chairperson expressed satisfaction with the results of the Regional Meeting. The adjustments that had been made by the Office at the planning stage had certainly paved the way to a successful outcome. None of this would have been possible without the exceptional welcome which the Government and people of Ethiopia had given to this important event. However, he regretted that only 26 of the delegations present at the Regional Meeting had been tripartite. That could not be justified by the high cost of sending a tripartite delegation, since some delegations were composed solely of government delegates, often in considerable numbers. It was regrettable to have to note such a divergence from the accepted standards of a tripartite institution. He trusted that this would not happen again and that governments would answer any question from the Credentials Committee.

The content of the resolutions adopted by the Regional Meeting was excellent and drawn not from academic debate but from the real conditions prevailing in society. This gave hope that a way could be found, through the relevant ILO programmes, of ensuring that the African region could be given all the support it needed in dealing with the grave problems associated with HIV/AIDS infection, particularly in the sub-Saharan region, and the terrible effects of youth unemployment. It was a matter of concern that the report passed over the question of workers' fundamental rights, an issue which had been included

in the original programme, of which he had requested copies. He suggested that, in future, the regional coordinators of the Government group, ACT/EMP and ACTRAV should be invited to take part in the discussion on the programmes of the regional meetings.

A Government representative of South Africa trusted that the conclusions adopted by this Regional Meeting would be reflected in future programmes and duly considered when decisions were taken about resource allocation. There still remained the difficult task of ensuring the effective implementation of these programmes through measures to strengthen the capacity of constituents to implement them.

A Government representative of Kenya thanked the Director-General for reaffirming his personal commitment during the Regional Meeting to development in Africa, and for his call for a political change to break with the single model of economic globalization devoid of human values.

The delegation of Kenya hoped that the Director-General and the Office would make every effort to implement the key recommendations formulated at the Regional Meeting and, in particular, to assist with efforts to ensure that the ILO's four strategic objectives could be achieved. In a special resolution, the delegates had asked the ILO to redouble its efforts to promote youth employment in Africa, and to provide models of activities that had been successful in creating jobs. The Governments of the African countries had undertaken to create a climate favourable to the development of enterprise and job creation, and to support measures adopted by employers and workers to combat HIV/AIDS, including the establishment of a legal and political framework that would make it possible to end stigmatization and discrimination. He welcomed the fact that those present had decided to mobilize the ILO's tripartite network in support for the Extraordinary Summit of Heads of State and Government of the African Union on Employment and Poverty Reduction.

A Government representative of France confirmed that his country would give its full support to the implementation of the resolutions that had been adopted in order to promote, together with the ILO, decent work for young people in Africa, and to strengthen the role of social dialogue and combat HIV/AIDS in the world of work. Young people in Africa represented a tremendous potential in terms of energy, creativity and development, and this was a challenge to the entire international community. That being the case, the promotion of decent and productive work for young people could be and needed to be one of the main thrusts of any effective strategy to eradicate poverty.

A Worker member of France noted the surprise in his group and in trade union circles in general at the low level of participation and representation of workers at the Regional Meeting. He wondered what it was that had prevented countries from sending workers' delegations, which were needed to enrich the debate. While the Workers' group endorsed the conclusions of the Regional Meeting, he considered that they might be called into question by the fact that they had originated in a forum in which workers were less well represented than governments. Such a situation was detrimental to tripartism, and it was important to avoid attempts to supplant trade union organizations.

The representative of the Director-General thanked delegates for their positive comments on the report and the Regional Meeting, and said that a start had already been made on incorporating the recommendations in the plans of work and other activities of the Office. She believed that a general effort needed to be made to ensure that delegations were truly tripartite, and to achieve better attendance by member States; of a total of 53 ILO member States in Africa, only 39 had been represented at the Regional Meeting.

While this was certainly an acceptable figure, it needed to be higher, given the importance of a meeting that took place every four years.

The Governing Body adopted the recommendations in paragraph 216 of the report.

Sixth item on the agenda

DEVELOPMENTS IN THE UNITED NATIONS

The Worker Vice-Chairperson said that he was aware that this agenda item did not require any decision, but that he wished to clarify certain specific points regarding the activities described in the document presented. He emphasized above all the need to strengthen the Plan of Action of the World Summit on the Information Society, to ensure that the social and labour aspects highlighted by the trade unions' group during the first phase of the Summit in Geneva were taken into account. He also hoped for a recognition of the need to include a number of issues relating to occupational safety and health and equitable working conditions on the agenda of the Summit planned for 2005 in Tunis, a recognition of the fundamental rights at work of all information workers and the application of the relevant standards, and a strengthening of dialogue between the social partners. He advocated measures to tackle the information and social gap created by new information technologies, to use information media to promote literacy, guarantee the right of access to information while ensuring protection from its indiscriminate dissemination, promote pluralism, recognize minority cultures and ensure respect for diversity of opinions. He hoped that the United Nations system would be able to adopt a common position on these fundamental issues.

The Employer Vice-Chairperson emphasized that, in the view of his group, this agenda item had become a substantive issue, rather than just a routine question. In future, it would no longer be sufficient to give an account of developments within the United Nations system as a whole, which were more numerous by the day; instead, it would be necessary to prepare for them. The Governing Body and the International Labour Conference needed to participate more actively in the adoption of decisions on these developments, since many of them gave rise to a reflection in the ILO on the essence of its deliberations, their impact in the world of work and the very mandate of the Organization.

With regard to the World Commission on the Information Society, he sought clarification as to what was meant by the phrase "the negative effects of ICTs" in the Office document. The references to the Global Compact in the document were of great concern to employers. With regard to the initiative of the United Nations Sub-Commission on the Promotion and Protection of Human Rights, it had been the Employers' group's understanding that there had already been a response from the Office; a clarification should be supplied. As to the ILO's activities in the area of migration, he indicated that the discussions that would take place in June 2004 during the Conference would have to be fully consistent with the two new United Nations Conventions which had recently entered into force.

A representative of the Director-General agreed with the Worker Vice-Chairperson that the conclusions of the first meeting in Geneva had all but disregarded the social and labour aspects. The Office would endeavour to bring up this issue at the next meeting, which would be held in Tunis.

He agreed with the Employer Vice-Chairperson that the large number of events and meetings that were now taking place in the United Nations system made it almost impossible to keep up with all of them. The ILO was obliged to be selective, in the light of the intrinsic interest of each meeting, its own mandate and its ability to influence the

outcome. With regard to the “negative effects of ICTs”, he considered that what was meant by this was the loss of jobs resulting from information technologies and the need for workers to have access to a variety of means to help them obtain other employment, including social security benefits and retraining opportunities. Respecting the ILO’s activities in the area of migration, the speaker said that representatives of the Office would meet in March with the United Nations body responsible for the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families and the results of that body’s deliberations would be made known to the Conference when it came to examine the report on migrant workers.

He suggested that the Governing Body should be informed in good time of all the meetings and committees of interest to the ILO so that the Organization could participate more actively in these events.

A representative of the Director-General, in response to the Employer Vice-Chairperson’s request for clarification, explained that the ILO had been informed of a preliminary draft text on transnational standards produced by the United Nations Commission on Human Rights which contained a number of references, not all of them accurate, to the ILO. The ILO had indicated that it was not the co-author of the text in question. It was following the matter closely and would make its position known.

The Employer Vice-Chairperson thanked the previous speaker for the clarification. He stressed that the Employers’ group was very concerned by the matter currently under discussion by the Commission on Human Rights, and wished to be involved in it and to be informed of any developments.

The Governing Body took note of the report.

Seventeenth item on the agenda

REPORT OF THE DIRECTOR-GENERAL ¹

First Supplementary Report: Report of the Committee of Experts on the Application of Conventions and Recommendations

The Worker Vice-Chairperson said that, when complaints were examined, it would be appropriate to indicate whether or not the social partners agreed on the substance of the complaint and that the case should be examined. He noted that the layout of the document had been changed, and he questioned whether this would help the Governing Body to locate recommendations requiring a decision.

The Employer Vice-Chairperson said that the substantive matters examined in the Committee on the Application of Standards and the Committee of Experts on the Application of Conventions and Recommendations, as well as the layout of the report, were issues covered by the discussion on possible reforms of the Governing Body and the International Labour Conference. He would refrain from expressing an opinion until then.

A representative of the Government of Germany noted that it would be necessary to get used to the new report layout in which Conventions were grouped together thematically.

The Governing Body took note of the report.

¹ See also third sitting.

*Second Supplementary Report:
Activities of the International Occupational Safety
and Health Information Centre (CIS) in 2002-03*

The Worker Vice-Chairperson said that the recent addition of new centres to the network of the International Occupational Safety and Health Information Centre showed the importance of the Centre for member States. The Workers' group was in favour of broader development and consolidation of the Centre, and hoped that the next report would indicate in specific terms what its work was achieving in practice in each country. The right to work in good safety and health conditions was a fundamental right, which was why all information on this subject area had to be provided free of charge to workers, employers and any other person concerned, in printed or electronic form and in the appropriate languages. Safety and health questions should be disseminated rapidly throughout the Office through the SafeWork programme, which had to be able to respond immediately when trade unions, employers' organizations or even governments sought its assistance in solving a problem that put workers' safety or health at risk. It was essential to establish a culture of safety and health from the very early stages of education onwards.

The Employer Vice-Chairperson confirmed that occupational safety and health was a constant concern of employers. The International Centre was an effective tool whose objectives needed to be implemented in practice, since it was essential not just to pass on technical information but also to awaken people's awareness of occupational safety and health issues so that each country or region could put these into practice as far as their resources allowed.

Seventh item on the agenda

FOLLOW-UP TO THE SEAFARERS' IDENTITY DOCUMENTS CONVENTION (REVISED), 2003 (NO. 185)²

The Employer Vice-Chairperson said that, when the technical consultations had taken place, his group had concluded that a decision needed to be taken on the follow-up to Convention No. 185 before 1 July 2004, since on that date a number of international provisions would enter into force. The option chosen by the group was the pattern-based method.

The Worker Vice-Chairperson referred to the strengthening of maritime security measures promoted by the United States since 11 September 2001, and to the new conditions which that country was likely to set for visas and which might well lengthen the procedures for obtaining them. The ILO promoted decent work, whether workers were employed in one place or were required to move constantly. This was confirmed by the resolution concerning decent work for seafarers adopted by the International Labour Conference at its 91st Session (June 2003). Given the nature of their work, seafarers spent periods confined on board their ships without the amenities available on shore. Under these conditions, landing permits were very important, and it would not be acceptable for applications for such permits to be hampered by an obligation to present, in addition, a separate visa, as this could give rise to discrimination. It was thus essential for Convention No. 185 to be widely ratified and applied. As for the standard for the fingerprints required under the Convention, the Workers' group had opted for the pattern-based method, and he encouraged his colleagues from the other benches to do the same.

² See also sixth sitting.

A Government representative of India explained that his Government had chosen the pattern-based method, as this was based on a flexible technology of proven effectiveness which did not need to change over time and could be used in many different ways. It was not surprising that it was well established in many countries throughout the world, including in civil society. The biometrics market was growing at a rate of 110 per cent. According to the Government's inquiries, there was one sole vendor of the pattern-based technology, which might have implications for costs or lead ultimately to a monopoly.

A Government representative of Nigeria, speaking on behalf of the African group, said that the African group had weighed considerations of economics, availability of technical personnel, the systems complexity and durability, and had chosen the pattern-based method. He would be grateful for technical assistance from the ILO to get this project under way.

A Government representative of Brazil said that his Government had chosen the pattern-based method, as this technology was simpler and more accessible.

A Government representative of the United States said that in his Government's view, questions pertaining to protection and security were of the highest priority. In the interest of rapid implementation of the standard chosen, his Government had chosen the pattern-based method. However, he emphasized the importance of taking a decision at the present meeting, and would be prepared to accept the minutiae-based technology if that had majority support.

A Government representative of Luxembourg, speaking on behalf of the countries of the European Union, requested the Governing Body, in the light of the complexity of the subject matter, to postpone its decision until the June 2004 meeting, to allow further technical consultations with bodies such as the International Organization for Standardization (ISO), which was doing similar work.

A Government representative of Kenya said that his delegation preferred the pattern-based method for the reasons already expounded by the Office, that it was the less costly alternative and could function with a lower-resolution image. The new seafarers' identity document would be a major contribution towards improving security at the international level.

A Government representative of the Philippines said that more than 250,000 Philippine seafarers were employed throughout the world. In view of the need to provide them with social benefits and protection, the pattern-based method should be adopted immediately, and the Office should provide the technical assistance needed to implement the system.

A Government representative of Japan explained that a discussion was under way in Japan on information technologies as applied to seafaring, and it was too early for his delegation to express a preference for one or other of the two alternatives, although it did not wish to stand in the way of a consensus.

A Government representative of Canada said that her delegation endorsed the pattern-based method because it had the capacity to store data on two fingerprints, did not permit reconstitution of the biometric data from the fingerprint and was more reliable and less cumbersome than the minutiae-based method.

A Government representative of Italy concurred with the statement made by the representative of the European Union to the effect that a hasty decision on so difficult and technical a question would not solve any problems and might even create new ones at the ratification and application stages. It should not be forgotten that in a number of countries,

decisions were in the offing on the adoption of new instruments to improve international security. It would therefore be wise to postpone the decision until the June 2004 meeting of the Governing Body. However, if a decision were to be taken today, the Government of Italy would definitely choose the minutiae-based system.

A Government representative of the Republic of Korea supported the minutiae-based method but would not oppose any decision reached by consensus.

A Government representative of Germany briefly restated the reasons given by the spokesperson of the European Union for requesting that the decision be postponed until June 2004, and said that the German Government was not adequately prepared for a decision which might delay ratification of the instrument at some later date.

A Government representative of the United Kingdom said that her Government endorsed the statement made by the European Union spokesperson to the effect that it would be preferable to defer a decision until June 2004 to allow more in-depth study.

A Government representative of France also endorsed what had been said by the European Union spokesperson. While France had ratified Convention No. 185 very quickly with a law enacted on 16 February 2004, it would be premature to adopt a decision without the necessary technical data and without any assessment of the financial implications of such a decision.

A Government representative of Spain endorsed the statement made by the spokesperson of the European Union and requested that the final decision be postponed until June 2004, in order to avoid taking a hasty decision that might lead to difficulties when the instrument was ratified.

A Government representative of Bulgaria, endorsing what had been said by the European Union spokesperson, requested that the decision be postponed, as the matter was still being studied by the competent ministries.

A representative of the Director-General explained that in order to prepare the two reports presented, the Office had been in constant contact with the International Organization for Standardization (ISO), which had provided exhaustive technical advice. The next stage would be the preparation not of a standard but of a report based on the decisions of the Governing Body, which would be presented at the meeting convened by the ISO at the end of June 2004. On the basis of that report, the ISO would be in a position to develop an ILO seafarers' identity document. In its preparatory work, the Office had also consulted biometrics experts from Canada, Brazil, the United States, the Philippines, France, India, Italy, Liberia, Nigeria, Norway and the United Kingdom. Two alternatives had been put forward because the experts had been unable to agree on the solution that best met the requirements of Convention No. 185.

With regard to the question raised by the Government of India on the single vendor, there was also a single vendor of the minutiae-based standard. None of the standards currently applied met the requirements of Convention No. 185, and even countries that used the minutiae-based system would be obliged to adapt their systems.

There had been no clear statement of the possible advantages of deferring a decision, except for the fact that it would allow certain governments the opportunity to carry out consultations. On the other hand, any such postponement would have many consequences, including financial consequences, since the Office had no more funds available from its budget to deal with this issue. It was important to bear in mind that most seafarers came from developing countries and had great difficulty in obtaining permission to land and enter ports. The industry was losing enormous sums for want of a biometric standard. The

ILO had taken the decision to complement the decisions of the International Maritime Organization (IMO) with regard to the International Ship and Port Facility Security Code (ISPS Code), and the amendments to the International Convention for the Safety of Life at Sea (SOLAS Convention), and had indicated that it would be able to provide the elements needed for seafarer identification. It should not be forgotten that the IMO system would come into effect on 1 July 2004.

The Office had communicated the reports to all the member States as quickly as possible, and at all stages in the preparation of the drafts had stayed in close contact with member States most concerned by this examination. Visas for the crew lists would be eliminated, and it was important to ensure that countries did not take unilateral measures. The final piece of information available was that at the meeting held in the third week of March 2004, the International Civil Aviation Organization (ICAO) had decided that the next generation of international visas would use bar code technology, and in order to implement that decision would draw on the technical reports produced by the ILO.

The Employer Vice-Chairperson confirmed the reasons for which his group had chosen the pattern-based option. While he understood the reasons given by the European Union, he believed that consensus had been achieved and requested that a decision be taken as a matter of urgency.

The Worker Vice-Chairperson understood the reasons given by countries that preferred the minutiae-based system, but some of those reasons concerned only a few countries; it was important to adopt standards that suited a broad majority of countries. He emphasized that the decision should be taken by the ILO, not by any other organization.

The Chairperson summarized the discussion, which had shown that the Employers' and Workers' groups were in favour of the pattern-based system, while Governments were divided between those who wanted to postpone a decision and those who wanted to take a decision immediately. He asked the Governments to reconsider their positions and to consider joining the majority.

A representative of the Government of India asked if it would be possible for the Government group to discuss the matter during the present meeting of the Governing Body.

The Worker Vice-Chairperson wondered if that meant that the Government group could take a decision today.

A Government representative of India explained that he was not authorized to speak on behalf of the Government group, and that the Asia and Pacific group met every day. He submitted the suggestion to the Governing Body for consideration.

A Government representative of Luxembourg said that the countries of the European Union had worked out a common position following many hours of consultations. He trusted that the very sensible proposal put forward by the representative of the Government of India would be acceptable to those whom he had the honour to represent, and that the topic would again be placed on the agenda for next Friday.

The Chairperson suggested that, in view of the majority support for the pattern-based system, a decision should be adopted on Friday, 26 March. This would give the Government group more time to consult its members.

The Employer Vice-Chairperson agreed with the suggestion, on the understanding that the debate would not be reopened and that the final decision would be based on the consensus that had more or less been reached.

The Worker Vice-Chairperson urged that the decision be adopted on the Friday at the start of the meeting.

Fourth item on the agenda

REVIEW OF ANNUAL REPORTS UNDER THE FOLLOW-UP TO THE ILO DECLARATION ON FUNDAMENTAL PRINCIPLES AND RIGHTS AT WORK

The Employer Vice-Chairperson noted with concern that many employers' organizations had not responded to the requests for information, and wished to find ways of remedying this situation, given that the follow-up to the ILO Declaration was supposed to be carried out on a tripartite basis. In his view, the Declaration was central to the world of work anywhere, and particular attention needed to be paid to its references to informal work, technical cooperation and the importance of broadly promoting social dialogue.

He did not share the negative view of export processing zones as a pole of economic development, expressed in the Expert-Advisers' Introduction, and disagreed with their recommendation that the Governing Body, when examining the proposed programme and budget, should allocate sufficient regular budget resources to enable headquarters and field departments to implement the Declaration. The Expert-Advisers should adhere strictly to their mandate, which was to monitor observance of the fundamental principles and rights at work on the basis of information presented by the member States; it was for the Governing Body to determine the manner in which resources from the ILO regular budget were allocated. On the other hand, he agreed with the Expert-Advisers on the importance of technical cooperation in promoting the follow-up to the Declaration.

The Worker Vice-Chairperson said that his group did not condemn the existence of export processing zones as an institution, but warned of the hard working conditions associated with them. He supported that mandate entrusted to the Expert-Advisers, who were required to draw attention to any difficulties encountered in implementing fundamental principles and rights at work, and to verify and draw attention to any real progress that had been made. That progress was supposed to lead to ratification of an instrument and its incorporation in national law and practice. He recalled that even if an ILO member State had not ratified the fundamental Conventions, it was, by virtue of its membership of the ILO, under an obligation to promote and apply the principles and rights embodied in those instruments. He asked the Office to step up its campaign of ratification for the fundamental Conventions, and recalled that ratification did not remove the obligation of member States to present annual reports under the follow-up to the ILO Declaration. He was surprised that the Expert-Advisers did not formulate relevant recommendations to governments.

The trade unions played a key role in promoting the Declaration, and for this reason he was concerned at the decline in the number of observations originating from them. The Workers' group would consider this matter closely, and the Office should do the same, in collaboration with ACTRAV, above all with regard to the need indicated by workers' organizations for assistance to enable them to ensure the respect, promotion and application of the Declaration in their countries.

The format of the examination of annual reports was crucial to its impact. The present format and content did not facilitate reading or provide a clear view of the progress made by each country towards achieving respect for fundamental principles and rights at work. He proposed that these rights should be grouped together by category, which would include the relevant observations on individual countries.

Lastly, he indicated a wish to delete paragraph 31 of the Introduction, which recommended that the Governing Body seek new means of engaging with governments to broaden the information base, for example through meetings with different stakeholders and civil society groups. He explained that in reality, what was needed was not more information but an effort to ensure that member States ratified and applied the instruments in question. Information should be obtained only from those who were best acquainted with the world of work, namely, the social partners. He called on the Office to see to it that in any similar documents, especially those produced by the groups of experts, the tripartite character of the ILO was fully recognized and respected.

A Government representative of India said that his country had ratified four of the eight fundamental Conventions and was considering the possibility of ratifying two more. The principles of the Declaration had been applied in national law and workers' development programmes. As for the technical cooperation projects in the sensitive areas dealt with in this study, the priorities needed to be established in the light of the requests made by the constituents, not based solely on those of donors. Furthermore, it was important to ensure that the Declaration did not serve protectionist interests, allowing the priorities of donors yet again to obscure the overall view of the problems facing national governments.

The employers' and workers' organizations had a very important part to play in promoting the principles of the ILO Declaration, and he therefore supported the recommendation of the Expert-Advisers that they should participate in the annual examination under the Declaration and make their own observations.

A Government representative of the Islamic Republic of Iran commended the important work done by the ILO in the area of technical cooperation, which had contributed to the successful application of the fundamental Conventions in the member States.

A Government representative of South Africa welcomed the rise in the number of ratifications of the fundamental Conventions in the African region. He proposed that, following completion of the first cycle of reports on all the fundamental principles and rights at work, the Office should carry out a promotional evaluation of the impact of the Declaration since its adoption. The four principles required equal attention, and this should be borne in mind by the ILO in implementing its resources mobilization strategy. He urged the Office to continue providing assistance to member States to help them apply laws on workers' fundamental rights as set out in the Conventions. Lastly, he endorsed the recommendations of the Expert-Advisers.

A Government representative of Kenya recalled that the purpose of the examination was to carry out an annual review of the measures adopted by member States that had not ratified the eight fundamental ILO Conventions to give effect to the fundamental principles and rights contained in those instruments.

The Expert-Advisers had highlighted the value of the ILO's technical cooperation in helping member States to implement the four fundamental principles and rights at work. They had asked the Governing Body to allocate sufficient regular budget resources to ensure effective application of the Declaration, and to call on the donor community to provide significant extra-budgetary support to enable the Organization to comply with requests for technical assistance made by governments and by employers' and workers' organizations. The Expert-Advisers had also asked the international organizations of employers and workers to send their observations on the annual review under the Declaration as a token of their continuing interest in this matter.

Kenya had thus far ratified seven of the ILO's eight fundamental labour Conventions and was confident that by about the mid-year mark, the process of harmonizing legislation would enable it to ratify the eighth, Convention No. 87, thanks to the technical assistance on the application of the Declaration provided by the ILO and the United States Department of Labor.

A Government representative of China referred to the different activities undertaken by the Government in collaboration with the ILO to apply the Declaration and accelerate the process of ratification and application of ILO instruments, especially the fundamental Conventions. He therefore endorsed the recommendations made by the Expert-Advisers, and considered that an appropriate share of the ILO's regular budget should be allocated to the application of the Declaration, together with such extra-budgetary funds as could be obtained through an appeal to donors by the Governing Body.

The Employer Vice-Chairperson endorsed the proposal made by the Worker Vice-Chairperson to delete paragraph 31 of the Introduction, which contained a reference to civil society groups that did not strictly have any relation to the tripartite character of the ILO.

A representative of the Director-General explained that the current review referred to export processing zones because, in the first Global Report on freedom of association and the effective recognition of the right to collective bargaining, they had been shown to be a vulnerable category, and had also been mentioned in the second Global Report on that topic which would be published in the near future. The ILO was not unaware of the problems found in these zones, but regarded them as something essentially positive whose effectiveness depended on the manner in which they were integrated in the economy. The Expert-Advisers did not regard these zones as a problem in themselves, but as one of the areas where problems could arise.

With regard to the question raised by the Employer Vice-Chairperson as to whether the Expert-Advisers could make recommendations to the Governing Body on the allocation of resources, this in his interpretation was intended to ensure that the resources allocated would not be inadequate in relation to the objectives that had been set. Clearly, it was for the Governing Body to decide where and how it examined issues relating to the programme and budget.

With regard to the observation made by the Worker Vice-Chairperson to the effect that the Expert-Advisers had not advised governments on what they had to do, they could be said to do so indirectly in paragraphs 28, 29 and 30 of the Introduction, which were supposedly addressed to the Office and governments.

He agreed that paragraph 31 of the Introduction should be deleted, as it was ambiguously worded and might lead to misunderstandings.

The Employer Vice-Chairperson affirmed that he valued the independence and autonomy of the Experts in exercising the mandate entrusted to them. He considered that there were decisions that needed to be taken by the Governing Body in the context of its own budget discussions and technical cooperation programme.

He requested that the clarification on export processing zones by the representative of the Director-General be placed on record, in order to counter generalizations that these zones were a bad thing in themselves and created problems relating to violations of the fundamental principles and rights at work. He confirmed that, whatever the difficulty, the Employers' group would support the Office and would lend its support in the Governing Body to the necessary tripartite activities.

The Worker Vice-Chairperson agreed that it was not so much that export processing zones were harmful in themselves, but that harm could arise from individual activities in them. With regard to the presentation of reports, he said that in his visits to member States, he had observed that many of the social partners did not know how to present information and that training would be useful, especially for developing countries.

A representative of the Director-General explained that the Introduction had been drafted by a group of independent Expert-Advisers and that the Governing Body could not alter the text which they had proposed. The way to proceed was to adopt the recommendations, adding the comments that had been made during the discussion.

The Employer Vice-Chairperson said that he had not simply made comments, but had expressed reservations.

The Governing Body adopted paragraph 4 of the Introduction by the Expert-Advisers, and approved the recommendations in paragraphs 25 to 31, subject to the reservations of the Employers' group and the comments made by the Employers' and Workers' groups and various Government representatives.

The sitting closed at 8.15 p.m.

SECOND SITTING

Tuesday, 23 March 2004, morning

The sitting opened at 10.50 a.m., with Mr. Chung in the Chair.

Ninth item on the agenda

333RD REPORT OF THE COMMITTEE ON FREEDOM OF ASSOCIATION

The Reporter of the Committee announced that the Committee on Freedom of Association (CFA) had 110 pending cases and had examined 31 cases on their merits. The Committee's workload had increased by 40 per cent over the 2002-03 biennium, and while the secretariat managed successfully to meet strategic objectives and respect time limits for examining complaints, producing admirable summaries of the bulky information from complainants and governments, this translated into a further increase in workload.

There should be greater cooperation between the CFA and the Credentials Committee of the International Labour Conference, which should respect the following conditions when referring cases to the CFA: the case should not yet have been examined by the Committee; cases should be referred only on unanimous decision by the Credentials Committee; the referral proposal should be endorsed by the Conference.

The CFA renewed its appeals for information from the Governments of Peru and Canada, regarding, respectively, Cases Nos. 2111 and 2257, which had failed to submit observations, despite the Committee's urgent requests. Forty-six cases were examined to gauge the application of recommendations made, and in only three was there any improvement. Four cases were called to the special attention of the Governing Body: Cases Nos. 1787 (Colombia), 2189 (China), 2249 (Venezuela) and 2268 (Myanmar).

Case No. 2277 (Canada), concerned the restriction of the right to bargain collectively by the Government of Alberta, especially for employees in the health-care sector. Moreover, the legislation in question had been very speedily adopted by the Government without adequate consultation with the trade unions.

Case No. 2189 involved the use of repressive measures, of threats, intervention by security forces, beatings and arrests of trade union members and leaders at various industrial establishments in China. The Committee deplored the blatant disrespect for due process in the trials of Yao Fuxin and Xiao Yunliang, found guilty of subversion after a one-day trial. Allegations had been made concerning Yao Fuxin's torture in prison, and the consequent state of his health, which required urgent medical attention. The Government had so far failed to provide information regarding the Committee's other recommendations, and was strongly urged to accept a direct contacts mission.

Case No. 1787 (Colombia) had been before the Committee since 1995. Since June 2003, a further 59 trade unionists were reported murdered, bringing the total of murdered trade unionists in 2003 to 70. The Government's reply was extensive; however, it should do all in its power to institute investigations into all acts of violence and put an end to the situation of impunity. Where the Government questioned the trade union status of certain complainants, the Committee requested the complainants to provide all information necessary to provide clarity. The CFA had decided to allot at least a half-day sitting to a

discussion on the situation of impunity, and to suggest possible ways of supporting an independent judicial service.

In Case No. 2164 (Morocco), a complaint which the CFA had already reviewed several times, the Democratic Confederation of Labour affirmed that sanctions had been imposed following a lawful strike. The Government had failed to give adequate information despite urgent appeals, and should cooperate.

Case No. 2268 was the extremely urgent and serious case concerning Myanmar, a country where there was no legal basis for freedom of association at all. There were allegations of repression, arrest, torture and murder of workers engaged in trade union activities or expressing a labour grievance. The Government was requested to draw up legislation ensuring freedom of association to all workers, including seafarers and employers. ILO technical assistance could be called on in this connection. The Government should issue clear instructions that no action should be taken to prevent the free operation of collective representation of workers in defence of their economic or social interests. The Government should establish an independent panel of experts to investigate the murder of Saw Mya Than, allegedly connected to his trade union activities. The trials of Myo Aung Thant and Kin Kyaw were unfair, and the Government should release them from prison. The General Secretary of the Federation of Trade Unions of Burma was facing criminal prosecution for allegedly legitimate trade union activities. The Government was called on to prove that any sentence handed down was in no way to sanction such activities, and to provide further information on the many allegations of threats, repression, violent intervention by military intelligence and police, and of numerous dismissals.

Case No. 2096 (Pakistan) concerned alleged restriction of trade union and collective bargaining rights for workers in the banking sector. The case had been dragging on for a long time, and the Government had neither replied to all the Committee's recommendations, nor brought its legislation into line with Conventions Nos. 87 and 98.

Case No. 2249 (Venezuela) involved a refusal to register the National Union of Oil, Gas, Petrochemical and Refinery Workers (UNAPETROL), a detention order against the President of the Venezuelan Workers' Confederation (CTV), the promotion of a parallel representation by the Government, many criminal proceedings against trade union officials and the dismissal of over 19,000 workers on account of their trade union activities. There were also grave allegations of arrests and detention, without guarantees of due process, and of violence, torture and murder. Regarding the registration of UNAPETROL, the Committee requested that the Government take a number of measures and provide information on the mass dismissals, reprisals, detention orders and systematic harassment of workers, as well as on the problems concerning the registration of the union.

The Employer spokesperson of the Committee supported adoption of the report, with reservations. He welcomed the Committee's decision to amend its procedure to accept cases referred to it by the Credentials Committee. It was regrettable that no progress by Governments had been made in Cases Nos. 2133 (The former Yugoslav Republic of Macedonia) and 2146 (Serbia and Montenegro), both of which concerned employers' organizations.

Case No. 2189 (China) concerned allegations of the suppression of workers' demonstrations, the arrest, detention and conviction of workers and their representatives. It had come before the Committee already a year previously and the Employers approved the Committee's strengthened recommendations and the invitation to accept a direct contacts mission.

In Case No. 1787 (Colombia) the Committee noted that the violence in Colombia continued unabated, although the Government had made extensive efforts to resolve the problem. It should be stressed that the violence affected all sectors of society in Colombia, and it was not clear that trade unionists were targeted because of their status. The Employers supported the CFA's recommendations and noted that the Committee would discuss the Colombian situation in depth at its next sitting.

The Employers supported the Committee's recommendations in Case No. 2265 (Myanmar). It should be recalled that this case did not concern forced labour, but the suppression of workers' organizations and anti-trade union activities. They also strongly supported the recommendations in Case No. 2249 (Venezuela).

The group's reservations centred around the Committee's restrictive approach to back-to-work orders and regarding the notion of essential services. These reservations were in respect of Cases Nos. 2281 (Mauritius), 2288 (Niger) and 2251 (Russian Federation).

The Worker spokesperson of the Committee stressed the serious and urgent nature of the cases concerning Colombia, Myanmar, China and Venezuela, and urged the Government of China to accept the suggestion of a direct contacts mission, and that of Myanmar to accept the proposed ILO technical assistance. Case No. 2301 (Malaysia) – the seventh example in 15 years of this type – revealed a fundamental flaw in Malaysian legislation, where the right to organize depended on a decision by the Director-General of Trade Unions, who was a government official. The legislation should be amended in line with the Committee's recommendations and the 8,000 workers in 23 named companies should be able to enjoy full trade union rights.

In Case No. 2251 (Russian Federation), regarding freedom of association legislation, the Committee urged the Government to accept the proposed technical assistance. Case No. 2299 (El Salvador) contained serious allegations of death threats, dismissals of trade union officials and denial of legal personality of the Private Security Services Industry Workers' Trade Union of El Salvador (SITRASEPRIES); the Government should respond promptly to the recommendations.

Case No. 2201 (Ecuador) had been dealt with in November 2003, when the Committee had recommended that very strong penalties be meted out to the perpetrators of violence and intimidation against workers striking on the Los Alamos ranch in May 2002. It now appeared that the case had been dismissed, leaving the crime unpunished. The Committee requested that this be rectified.

The Government of Zimbabwe showed no political will to follow the recommendations of the Committee in the various cases that had come before it concerning that country. The legislation granting excessive powers to enter and search trade union premises remained in force. This year again, in respect of Cases Nos. 1937 and 2027, the Government stated its intention not to follow the recommendations of the Committee.

The Workers' group deplored long delays in proceedings in cases of violation of freedom of association. Justice delayed was justice denied. Case No. 1890 (India) was an example, as was Case No. 1996 (Uganda). Case No. 2291 (Poland) involved anti-union discrimination, with workers leaving trade unions in order to keep their jobs. The Government was reminded that a delay in reinstating dismissed trade union officials was a denial of justice.

Three cases concerned Thailand. In Case No. 1581, the Government had decided to review the State Enterprise Labour Relations Act, which violated fundamental principles of freedom of association. In Case No. 2181, the Committee stressed that privatization of a state enterprise should not lead to the banning of a trade union: the legal personality of the

Bangchak Petroleum Public Co. Ltd. Employers' Union (BCPEU) should be restored. In Case No. 2125, the Committee firmly requested the Government to reinstate the 21 persons dismissed as a result of anti-union discrimination.

An increasing number of complaints concerned violations of freedom of association in export processing zones (EPZs). Case No. 2264 (Nicaragua) had to do with the dismissal of trade union officials for reasons of insubordination and disrespectful behaviour towards the company, which had threatened to withdraw its investment and close down production in response to a union rejection of unilateral change in production methods and wage payments. It was particularly disturbing that pressure had been exerted by the diplomatic representation of Taiwan on the Ministry of Labour on behalf of the company in this case. Case No. 2275 concerned threatening trade unionists in an EPZ in Nicaragua with death unless they ceased their trade union activities. The Committee requested the Government to ensure that all workplaces were free from violent acts against trade unionists. Case No. 2255 concerned limitations, including the requirement of the employer's agreement, placed on the establishment of trade unions in EPZs in Sri Lanka. The recommendations in Case No. 2281 (Mauritius) similarly recalled that the Government, in providing special incentives to attract foreign investment, should not include among them any limitation of workers' freedom of association and collective bargaining. The Government was strongly urged to take up the offer of technical assistance.

Finally, the Workers' group also supported the proposed referral of cases through the Conference Credentials Committee.

The Governing Body adopted the introduction to the report in paragraphs 1-181.

A Government representative of Algeria stated that his Government had promptly supplied the required information to the Committee. He recalled that the person who had filed the complaint was no longer Secretary-General of the National Autonomous Union of Public Administration Staff (SNAPAP) when he did so: the procedure was therefore technically flawed. Moreover, freedom of association did not imply the right to break the Republic's laws. The allegations of imprisonment of trade union officials were also unfounded. The persons in question had not been imprisoned, but merely held over in the commissariat for one night while the inquiry took place, before being arraigned. The above facts would be submitted to the ILO in writing.

The Worker spokesperson of the Committee said that the person submitting the complaint had done so on behalf of his union, and that a subsequent change in his status did not affect the complaint or its consideration by the Committee and Governing Body.

The Governing Body adopted the recommendations in paragraphs 215, 230, 239, 277, 319, 333 and 326 of the report.

A Government representative of China, in respect of Case No. 2189, said that the Government would continue to provide information on the points raised by the Committee. The suggestion of a direct contacts mission was not acceptable. China was undergoing profound cultural and economic changes and would continue to strive to harmonize economic and social development. The Worker spokesperson of the Committee had referred to "the Government of Taiwan". As was virtually unanimously accepted, Taiwan was a province of China, and references to its "Government" should not appear in future.

The Governing Body adopted the recommendations in paragraphs 387, 464, 486, 509, 520, 542, 564, 599, 612, 641, 770, 787 and 804 of the report.

A Government representative of Niger explained that his country had, after 1991, suffered a long period of turmoil. The problems regarding pay scale, retirement age, promotion and payment of salary arrears dated from this period, and therefore predated the foundation of the Democratic Confederation of Workers of Niger (CDTN) in 2001, and the formation of the Government of the Fifth Republic in 2001. Nonetheless, the Government had undertaken to repay the salary arrears in a series of instalments, signing agreements with the National Workers' Union of Niger (USTN) and the Niger Labour Confederation (CNT) which represented the workers at the time of signature. These workers' organizations had now been replaced by the CDTN. All agreements signed had been respected. But negotiation was a long process, and complex matters such as that of retirement benefits, required careful study. A tripartite committee had been established to consider the question of the right to strike, but had not reached a conclusion. However, despite the accusations of the CDTN, the rules of social dialogue, as set down by the ILO, were being closely followed.

The Governing Body adopted the recommendations in paragraph 832 of the report.

A Government representative of Pakistan stated that, contrary to the indications in the Committee's recommendations, there had been no dismissal of 500 trade union leaders, and that Mr. Farooqui and Mr. Kazmi had both taken voluntary retirement with golden handshakes. Paragraph 848(c) should therefore be deleted. Section 27-B of the Banking Companies (Amendment) Act, 1997, among other things, stated that there should be no trade union activity on banking premises; that no such activity should take place during banking hours; and that persons retired from the service after accepting a golden handshake could not stand for union office. The Government was addressing this question, as well as the amendment of the Industrial Relations Ordinance of Pakistan (IRO) of 2002. The word "deplores" in the phrase "the Committee deplores that", in paragraph 848(a), should be amended to "regrets", or "showed concern".

The Reporter of the Committee mentioned that, in respect of the 500 dismissed trade union leaders, and of Mr. Farooqui and Mr. Kazmi, the Government had so far failed to supply any information. Any information would be welcome, and the Office would evaluate it, and the Committee would be kept informed.

The Governing Body adopted the recommendations in paragraph 848 of the report.

A Government representative of Peru said that the Government took note of the recommendations regarding Cases Nos. 2284 and 2286, and would provide the necessary follow-up. In respect of Case No. 2111, the Government regretted the delay in submitting information and would do so as soon as possible.

The Governing Body adopted the recommendations in paragraphs 862, 877, 919, 939 and 1001 of the report.

A Government representative of Uruguay, speaking in respect of Case No. 2087, informed the Governing Body that an appeal had been lodged by the employer, the Savings and Loans Cooperative of Officials of the Armed Forces (CAOFA), against the legal decision of July 2002, and that as yet no judgement had been given on this. Regarding the recommendation that the Government expedite the administrative appeals against the administrative decision of April 2003, judgement in this instance was handed down on 30 January 2004, confirming the heavy sanctions imposed by the Government against the employer. The details would be supplied to the Officers of the CFA. The Ministry of Labour had mediated between the parties on all possible occasions, as called for in the recommendations. The Government would instruct the CAOFA to cease all anti-trade union behaviour.

The Governing Body adopted the recommendations in paragraphs 1012, 1023 and 1036 of the report.

A Government representative of Venezuela, speaking on Case No. 2249, noted that the report by the Committee was an interim report. The methodology employed appeared to be focused exclusively on one side and did not provide a fair evaluation of events. A more thorough-going study was called for, especially taking account of the reasons for the dismissals, a number of which were in the process of reconciliation. The principle of freedom of association was not in question in this case. The contractual requirements of the managers of the various companies concerned were such that the enterprises, which provided 50 per cent of Venezuela's income, were obliged to provide minimum services irrespective of strike action. The gas and petrol sector was an essential sector, the disruption of which could endanger the health and safety of 25 million people. The Government was willing to cooperate and to proceed with a far-reaching analysis of the facts. However, there was a need to improve the working methods of the CFA and the procedures for the examination of cases.

The Reporter of the Committee welcomed the affirmation of cooperation by the Government of Venezuela. The Office made every effort to ensure that all information from governments was presented in a balanced, transparent manner. In this case, both Conventions Nos. 87 and 98 were at stake, and full cooperation was required from the Government.

A Government representative of Pakistan supported the comments made by the Government representative of Venezuela regarding the Committee's methodology.

The Employer Vice-Chairperson called a point of order; given that the agenda item under discussion was the report of the CFA, the present sitting of the Governing Body was not the appropriate place to discuss improving the working methods of the supervisory bodies of the ILO.

The Chairperson said the various comments made would be duly noted.

The Governing Body adopted the recommendations in paragraph 1140 of the report.

A Government representative of Brazil, speaking on behalf of the Group of Latin American States and the Caribbean, reiterated the statement made at the 288th (November 2003) Session of the Governing Body regarding the review of the working methods of the CFA.

The Reporter of the Committee said the Committee had carried out its review and would provide a report at the next session.

The Governing Body adopted the report as a whole.

The sitting closed at 12.30 p.m.

THIRD SITTING (PRIVATE)

Tuesday, 23 March 2004, morning

The sitting opened at 12.30 p.m., with Mr. Chung in the Chair.

At this sitting, which was held in private, the Governing Body took the following decisions.

Seventeenth item on the agenda**REPORT OF THE DIRECTOR-GENERAL (concl.)¹**

Third Supplementary Report: Report of the Committee set up to examine the representation alleging non-observance by Mexico of the Indigenous and Tribal Peoples Convention, 1989 (No. 169), made under article 24 of the ILO Constitution by the Union of Academics of the National Institute of Anthropology and History (SAINAH), the Union of Workers of the Autonomous University of Mexico (STUNAM), the Independent Union of Workers of La Jornada (SITRAJOR) and the Authentic Workers' Front (FAT)

The Governing Body adopted the recommendations in the report and declared closed the procedure initiated before the Governing Body as a result of the representation.

Representation alleging non-observance by the Netherlands of the Equality of Treatment (Social Security) Convention, 1962 (No. 118), made under article 24 of the ILO Constitution by the Confederation of Turkish Trade Unions (TÜRK-İŞ)

The Governing Body appointed the Government and Employer members of the Committee set up to examine this representation, which had been declared receivable at the 288th Session.

The sitting closed at 12.50 p.m.

¹ See also first sitting.

FOURTH SITTING

Tuesday, 23 March 2004, afternoon

The sitting opened at 3.45 p.m., with Mr. Chung in the Chair.

Eighth item on the agenda¹

DEVELOPMENTS CONCERNING THE QUESTION OF THE OBSERVANCE BY THE GOVERNMENT OF MYANMAR OF THE FORCED LABOUR CONVENTION, 1930 (No. 29)

The representative of the Director-General, the ILO Myanmar Liaison Officer ad interim, referred to the document providing the Governing Body with an update on latest developments in the country. The document reported the receipt by the Office, on 11 March 2004, of an unofficial translation of a court judgment involving nine persons convicted of high treason and sentenced to death in November 2003. Some of these convictions had been made on the basis of contacts or exchanges of information with the ILO. Mr. Tapiola had written immediately to the Minister for Labour, expressing grave concern and requesting clarification, and the Liaison Officer had, on 17 March, met with the Minister, who had undertaken to supply an accurate translation of the original judgement. Access was granted to the prisoners, and the Liaison Officer and the future facilitator, Mr. Leon Riedmatten, had visited two of the prisoners in their place of detention. Both persons had been previously visited by Amnesty International and by the United Nations Special Rapporteur. The prison authorities cooperated fully, the persons in question were in good mental and physical health and their conditions of incarceration were correct.

The Ambassador of Myanmar said that if punishment were indeed meted out on the basis of contacts with the ILO, then he would be the first punished, since he had most frequent contacts with the Organization. No action would be taken against any citizen of Myanmar for contacting and cooperating with the ILO. Steady and sustained progress had been made in the cooperation between the ILO and the Myanmar authorities. A successful mission had been conducted by the Director-General's Special Adviser, Mr. Francis Maupain, from 3 to 8 March 2004; he had had contacts, scheduled and unscheduled, with the Myanmar Government at the highest levels, as well as working-level discussions with the officials concerned. Mr. Maupain had noted with satisfaction the commitment of the authorities to the implementation of the Joint Plan of Action. The Plan also had the support of the United Nations Special Envoy, and the overwhelming view of the UN country team and the diplomatic community was that it should be implemented without further delay. The report concluded that a possible new date for the start of the Plan could be the beginning of July 2004.

Satisfactory progress was being achieved in other areas as well. The Liaison Officer *ad interim* was enjoying full freedom of movement throughout the country. Order No. 1/99 and Supplementing Order No. 1/99 had been translated into all major ethnic languages and were being disseminated. At national level, the first step in the seven-stage Road Map, proclaimed by the Prime Minister on 30 August 2003, was now being implemented. Preparations were under way for the drafting of a new State Constitution. Interim action should build on the existing mechanisms in the country, such as the professional

¹ See also fifth sitting.

associations and workers' welfare associations which were already in place in Myanmar. The ILO had, in 1995 and 1996, provided technical assistance to the Department of Labour with regard to the legislative aspects of implementing the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87). Conventions Nos. 29 and 87 were closely interrelated, and the Government would welcome technical cooperation, based on that provided for Convention No. 87, in respect of Convention No. 29.

Regarding the case of Min Kyi, Aye Myint and seven others, and the judgement of the Northern District Court of 28 November 2003, it should be clear that under no circumstances could contact and cooperation between any citizen of Myanmar and the ILO or the United Nations constitute a criminal offence. The judge presiding over the Court had mistakenly referred to the ILO, when meaning to mention an illegal organization formed by anti-Government elements outside the national territory. The defendants were considering appealing against the decision, in accordance with Myanmar law. The Court of Appeal (the Supreme Court) had the right to review and revise judgements of courts beneath it. This review would probably be carried out before the 92nd Session (2004) of the Conference, and there might well be some positive developments to report at that time. Regarding the third person (Shwe Mahn), certain difficulties had been encountered in obtaining a prompt reply, but the matter would receive careful consideration.

This case underlined the important role of the Facilitator and ILO Liaison Officer. As noted in the report, despite certain fears or inhibitions, the prevailing climate did not necessarily deter victims from invoking the ILO. The number of ordinary people contacting the Liaison Officer was increasing, and the Myanmar authorities were doing nothing to discourage this course of action. In this particular instance, the authorities had responded within a week to the ILO's requests for further information. This showed that even before the launch of the Plan of Action, the mechanism for dealing with complaints was already functioning in Myanmar. The next step would be for the Governing Body to approve the signing and implementation of the Plan, as from July 2004.

The Worker Vice-Chairperson said that although the Ambassador of Myanmar had spoken persuasively, the harsh reality was that there were death threats hanging over nine people in Myanmar, for reasons that were not clear. If it were true that nobody in Myanmar could be punished for communicating with the ILO, then why were these nine persons still incarcerated? A State which retained prisoners in gaol even after admitting that they were not guilty as charged was scarcely moving in a direction consonant with ILO values. The fact was that these persons remained in prison for having exercised freedom of association. The Government should acknowledge that freedom of association was being denied in Myanmar, that the court decisions in question were wrong and should be overturned, and that the defendants should be acquitted. Anything less than that was insufficient.

Certain preconditions should be met before implementation of the Plan of Action. The first was the immediate release of Min Kyi, Aye Myint and Shwe Mahn and, at the same time, consideration should be given to the release of the other six prisoners. Ms. Daw Aung San Suu Kyi should also be released, irrespective of whether the Government considered her case to be outside the mandate of the ILO or not. Effective machinery for the verification of complaints should be established, to allow people to speak their minds without fear of conviction. The Government should confirm in writing that any Myanmar national could communicate freely with the ILO, without fear of reprisals. Once the Government had met these preconditions, it would be possible to sign the Plan of Action. At the last session of the Governing Body, a decision had been taken to delay reactivating the measures under the 2000 resolution until the present session, pending a favourable report from Myanmar. The report remained unfavourable. Lastly, the Government should refrain from pressuring the governments of neighbouring countries into treating as fugitives and rebels Myanmar nationals who had moved across the borders simply from fear of living in their own country.

The Employer Vice-Chairperson said that the relationship between the Myanmar Government and the ILO continued to develop in a positive fashion. The application of the Joint Plan of Action, including the official agreement to appoint a Facilitator, continued to enjoy full support. The Plan presented a viable means of eradicating forced labour, coupled with a mechanism for the reporting of violations. Regarding the imprisoned persons, it appeared that the principal charge in these cases was contact with the Organization. Clearly, this implied that any communication with the ILO delegation in Myanmar could be classified as an offence. Since the central aim of the ILO in Myanmar was to elucidate cases of suspected forced labour, this was an unacceptable situation. The Ambassador had said that an appeal was possible. However, he had also announced that the initial judge had made a mistake in the sentence in referring to the ILO. This did not encourage confidence in the judicial system. Moreover, the prisoners had not been freed, and while able to speak, they could only do so from detention. It was therefore not clear that anyone wishing to report on a matter relating to forced labour would be able to do so with impunity. If the judge's mistake in invoking the ILO constituted a breach of due process, it should be corrected immediately. The need to appeal to rectify the question implied that a question of substance was at stake, and that one or more judges in Myanmar considered that contact with the ILO could be seen as a criminal offence. The charges should be dropped immediately against these persons.

If dialogue did not continue on Myanmar, the fate of the imprisoned nine would be even worse than at present. The Employers wished to work constructively to maintain dialogue and move towards the implementation of the Plan. However, the group required reassurance on the issues raised and a firm commitment from the Government that the situation would not arise again in future. Without this, the Plan could not go ahead.

A Government representative of Indonesia, speaking on behalf of the Association of Southeast Asian Nations (ASEAN), acknowledged and welcomed the advances made so far in Myanmar's cooperation with the ILO. The Governing Body should continue to cooperate with and support the Government of Myanmar in its efforts to eradicate forced labour and to move towards implementation of the Joint Plan of Action. A cooperative approach would enable the Governing Body and the International Labour Conference to play a constructive role, and dialogue and cooperation should therefore continue until the issue was resolved in an amicable manner.

A Government representative of Luxembourg spoke on behalf of the European Union, the acceding countries of Cyprus, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Slovakia and Slovenia, the candidate countries of Bulgaria, Romania and Turkey and potential EU candidates, Albania, Bosnia and Herzegovina, Croatia, the former Yugoslav Republic of Macedonia, Serbia and Montenegro. Switzerland also aligned itself to the statement. The EU fully supported the people of Myanmar in their efforts to bring about democracy and national reconciliation. Since the last EU statement, no progress had been made towards the restoration of democracy, however, and the EU therefore maintained its position, and sanctions against Myanmar. It also continued to monitor the situation and would react proportionately to developments. The EU noted the broad support obtained by the Joint Plan of Action, on the part of the UN Secretary-General's Special Envoy, the UN country team and the President's ambassadors. Daw Aung San Suu Kyi had also conveyed her support for the Plan. Despite this, it was alarming that contact with the ILO had been taken as an offence in the cases of three persons tried for treason and sentenced to death. Although the Government of Myanmar had acknowledged that the judgement had been made, and had allowed access to the prisoners in a transparent fashion, these sentences precluded the possibility of pursuing the Plan of Action at present. The EU was prepared to review its position in the light of developments between now and June, and would in particular like to see the existing guarantees on the independence of the Facilitator further strengthened and expanded.

A Government representative of New Zealand, speaking on behalf of his own Government and that of Australia, strongly supported the Plan of Action and favoured its early signature. However, any linkage between contact with the ILO and convictions for treason was utterly unacceptable. The Myanmar authorities should tackle the situation that gave rise to these cases, which patently undermined the principles behind the Plan. All political detainees, including Daw Aung San Suu Kyi should be immediately and unconditionally released. The new Constitution should be drafted with the participation of all parties in an open debate. Urgent action was needed to assist the citizens of Myanmar experiencing, or under threat of, forced labour. Ability to cooperate with the ILO, without fear of retribution, was critical to this action. Under the present circumstances, the Plan could not be implemented.

A Government representative of Japan reiterated that his Government had always favoured addressing the issue of forced labour in Myanmar through dialogue and cooperation. The Plan of Action represented an important step in the elimination of forced labour in the country. The recent ILO visits and contacts with the Government had been profitable, and the implementation of the Facilitator's activities should now move steadily ahead, in conjunction with the pilot projects which formed part of the Plan. It was essential to secure an environment in which the Facilitator could perform his duties fully in Myanmar, and the Government should strive to put this in place. Regarding the detainees, the Government should continue to provide the necessary explanations, based on a clear and objective appraisal of the facts, and ensure that contact with any international organization did not constitute a crime in Myanmar.

A Government representative of Canada regretted that the evaluation team led by Mr. Maupain to Myanmar did not enjoy as full cooperation from the authorities as it had on previous missions, and that a meeting with Daw Aung San Suu Kyi had not been possible. However, the support by Myanmar for the institution and person of the Facilitator was positive. The office of the Facilitator was critical as a credible mechanism to deal with allegations of forced labour. The authorities should proceed with the drafting of a new Constitution that would address the outstanding issues of forced labour and freedom of association.

The reports that two persons had been sentenced to death for treason on the basis of contact with the ILO, and that a third conviction and perhaps others were possible, raised doubts as to the commitment of the Government to the implementation of the Plan of Action. As long as this situation pertained, signature of the Plan should not go ahead. The ILO should continue to raise awareness of its presence and role in Myanmar, and publicize the mechanism put in place by the Facilitator. The authorities should respond to all allegations of harsh punishment against complainants.

A Government representative of India recalled that his Government had welcomed the initialling of the Plan in May 2003. The consultations between the ILO and the authorities regarding the implementation of this Plan were also encouraging, as were the meetings that had taken place between the ILO evaluation team and high-level officials in Myanmar. India maintained that Myanmar should be given assistance in the change process and that dialogue should continue with the Government.

A Government representative of Bangladesh believed that the Joint Plan of Action would do much to achieve the goal of eradication of forced labour in Myanmar. Both sides should make every effort to secure its implementation, the Myanmar authorities through extending full cooperation to the ILO, and the Organization by pursuing the process of constructive dialogue.

A Government representative of Norway said that the report showed that the persons sentenced to death for treason on the basis of their contacts with the ILO had not been

investigated or prosecuted in a credible manner by the Myanmar authorities. Despite the assurances of the Minister of Labour and the Ambassador of Myanmar, it remained to be seen whether the Appeal Court revised the judgement given. The three prisoners should be released immediately, pending a full review of the case. So far, the Government had not taken the action required to allow the Plan of Action to be implemented properly. Norway would review its opinion between now and June, in the light of possible developments.

A Government representative of China endorsed the statement made on behalf of the ASEAN countries, noting fully the progress made in the elimination of forced labour in Myanmar. The Myanmar Government should step up its dialogue and consultation with the ILO, in order to achieve early implementation of the Plan of Action.

A Government representative of the United States regretted that the reports showed little significant progress in Myanmar in addressing the three recommendations of the Commission of Inquiry. Today's debate suggested it would be unwise to move ahead with the Plan of Action at present. The Government of Myanmar should respect commitments made in the past, which it had not yet met, and the Governing Body should be ready to react in case of continued failure to do so. Full freedom of action must be granted to the Facilitator, with assurances that complainants would be protected. The cases of those charged with communicating with the ILO must be rapidly and justly resolved. The Government should renew its commitment to address the three crucial elements identified by the Commission of Inquiry.

A Government representative of the Libyan Arab Jamahiriya said that the positive developments in Myanmar were such that the ILO should go ahead with signing the Joint Plan of Action straight away, to begin implementation in July 2004.

A Government representative of Pakistan urged that the Government of Myanmar should take steps to rectify the legal decisions condemning persons on the grounds of their contacts with the ILO. The ILO and the Government should continue to cooperate fully together to redress the situation of forced labour.

A Worker member from France noted that while the very severe sentences handed down ostensibly on the basis of contact with the ILO were of the gravest concern, the issue of Myanmar was not limited to respect for Convention No. 29. The Government was also under the scrutiny of the Committee on Freedom of Association for breach of Convention No. 87. The convictions had also been made on the grounds that the persons had contacted the Federation of Trade Unions of Burma, which was unable to operate in Myanmar itself, and therefore had its headquarters in Thailand, despite the fact that Myanmar had ratified Convention No. 87. The Government would be giving an encouraging signal if it were simply to allow national trade unions to operate within the country. Other worrying signs, such as the forced recruitment of two children into the armed forces, prevented only through the intervention of the Liaison Officer, suggested that the Ambassador had not presented an entirely accurate picture of the situation in his country.

A Worker member from Malaysia stressed the seriousness of the situation in Myanmar – workers were being repressed, tortured and sentenced to death for exercising freedom of association; judicial decisions of the gravest sort were dismissed simply as errors. Myanmar should be subject to the closest international scrutiny and other UN agencies should become active in the area, if the situation was to change for the better.

The sitting adjourned at 5.25 p.m. and resumed at 5.50 p.m.

The Chairperson announced that the draft conclusions of the Governing Body on this item would be presented at a later sitting.

Nineteenth item on the agenda

COMPOSITION AND AGENDA OF STANDING BODIES AND MEETINGS

The Governing Body adopted the recommendations in paragraphs 1, 3, 6, 10, 14, 17, 18 and 19 of the Office paper.

The Governing Body appointed the following persons to represent it at the meetings indicated:

Preparatory Technical Maritime Conference (Geneva, 13-24 September 2004)

Mr. Suzuki (Employer, Japan)

Mr. Blondel (Worker, France)

(The name of the Government member to be supplied later.)

Tripartite Meeting on the Future of Work and Quality in the Information Society: The Media, Culture and Graphical Sector (Geneva, 18-22 October 2004)

Ms. Sasso Mazzufferi (Employer, Italy)

The sitting closed at 6 p.m.

FIFTH SITTING

Thursday, 25 March 2004, afternoon

The sitting opened at 5.50 p.m., with Mr. Chung in the Chair.

Eighth item on the agenda¹

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

The Chairperson informed the Committee that the Facilitator, Mr. Léon de Riedmatten, had that morning met with the third person detained and accused of high treason. During the visit, which took place under the same conditions as the two previous ones, the prisoner said that his current conditions of detention did not pose any serious problems. He also stated that he had been struck during his arrest and during the subsequent interrogation. In the light of this information, the Facilitator remained of the opinion that the matter had not been dealt with in accordance with an appropriate and credible procedure, and that the charge of high treason was unfounded and needed to be reviewed.

The Chairperson presented the following conclusions:

1. We have taken note of the reports at our disposal including the latest one containing clarifications sought on the judgement referred to in the footnote to document GB.289/8/1. We have also taken note of the additional clarifications and information provided by the Ambassador of Myanmar.
2. While noting that positive developments have taken place since November and the authorities have demonstrated an openness to cooperate, the discovery of a court judgement against certain persons in relation to contacts or exchange of information with the ILO has undermined the credibility and prospects for future cooperation.
3. The subsequent action taken and explanations given, while demonstrating a welcome degree of transparency, have not yet alleviated the doubts and concerns that the situation has given rise to. It is clear that further convincing evidence is required. For that purpose it is important to clearly distinguish three separate concerns which have been expressed.
4. The first concern is that contacts or exchange of information with the ILO could in any way have judicial consequences in Myanmar. This concerns the very foundation of the ILO presence in the country. We have taken note of the assurances given by the Ambassador in that respect, as well as by the Minister for Labour. The Facilitator has made clear recommendations for action as regards the persons involved and these are widely supported in the Governing Body. In this connection, the Governing Body notes a further positive development subsequent to its debate, that in accordance with one of these recommendations the Facilitator has been able to visit the third person whose conviction has an ILO dimension.
5. The second concern is that contacts with third parties on matters of concern to the ILO could similarly be punished. This is of major concern to all Governing Body members, especially as it may call into question freedom of association principles. In that respect, and taking into account the questions raised during the recent visit and several interventions in the debate, the Government should avail itself of technical assistance

¹ See also fourth sitting.

from the Office to ensure that this matter is dealt with adequately in the course of the constitutional process.

6. The third concern is whether in light of the court judgement, the Plan of Action, and more specifically the Facilitator mechanism, can be credibly implemented. Taking into account inter alia the views expressed through the Facilitator by Daw Aung San Suu Kyi, there is general agreement on the potential usefulness of the Facilitator mechanism. The question which remains, however, is whether there can be sufficient confidence that the guarantees which are built into the mechanism offer the necessary protection to victims who want to make a complaint and whether the necessary conditions and safeguards were put into place to allow the Plan of Action to go ahead. The Office will have to examine this question more thoroughly in light of the results of the review of the recent cases and any further assurances provided by the Government. The results of this examination should then be submitted to the Officers of the Governing Body and should be found sufficiently convincing before proceeding to the implementation of the Plan of Action.
7. The situation as it stands by the end of May on these various issues should be reported to the International Labour Conference through the Committee on the Application of Standards.
8. These conclusions are of course without prejudice to the views expressed by some that the lack of substantive progress would call for reactivation of the review of relations between ILO constituents and Myanmar under article 33 of the Constitution.

The Governing Body took note of the conclusions.

Thirteenth item on the agenda

REPORT OF THE COMMITTEE ON EMPLOYMENT AND SOCIAL POLICY

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

The Governing Body adopted the recommendations in paragraphs 32, 37, 43, 49, 57, 62 and 70 of the report.

Fifteenth item on the agenda

REPORT OF THE COMMITTEE ON TECHNICAL COOPERATION

The Governing Body took note of the report.

The meeting closed at 6.10 p.m.

SIXTH SITTING

Friday, 26 March 2004, morning

The sitting opened at 11.00 a.m., with Mr. Chung in the Chair.

The Chairperson informed the meeting of a letter received from the Arab members of the Governing Body on 25 March, referring to the state of violence in the occupied Arab territories and to the events of 22 March. It called on the Governing Body to uphold the ILO's mandate to strive towards social justice by issuing a statement of condemnation of such aggression. It further called for steps to support the social partners in the occupied Arab territories in their efforts to fight unemployment and rebuild the economy of the region. It also stressed the importance of sending the ILO mission to Palestine and the occupied territories, so that a report to the Conference could be completed. The Chairperson announced that the mission would leave after the present session of the Governing Body, as scheduled. The ILO remained committed to the enhanced programme of technical cooperation and would review the programme in November.

Third item on the agenda

THE FUNCTIONING OF DECISION-MAKING BODIES

(b) The Governing Body

The Employer Vice-Chairperson said that the reform of the Governing Body should improve its governance and that much could be done to improve its procedures. Reforms should be carried out on a tripartite basis. He praised the preparatory work that had included regional coordinators. Regional representation should be involved in making budgetary changes. Matters dealt with in committees should not be discussed a second time in the Governing Body without a legitimate reason. The Employers did not want committees to become so numerous that they could not all be attended by participants, nor so few that their work did not cover the strategic objectives. A reduction in the time of the Governing Body session, but not the content, was also necessary. Information documents should be for information only, not the subject of debate. He called on the Office to ensure that the Officers of the committees were qualified. Appointments should not be made behind the scenes or because of political necessity. It was essential that the spokespersons in the committees had the necessary support and were fully capable of shouldering their responsibilities. Punctuality was very important. Committee agendas should be subject-oriented and realistic. Quite often agendas covered questions that could be dealt with in informal consultations. The Committee on Employment and Social Policy (ESP) should be responsible for the area of social protection, dividing its agenda as the Committee on Legal Issues and International Labour Standards (LILS) did between the two fields that the Committee covered. The creation of a new dedicated committee would place time and resource constraints on members. His group was, in principle, in agreement with the idea that social dialogue issues should be addressed in the Committee on Sectoral and Technical Meetings and Related Issues.

The Worker Vice-Chairperson agreed with the Employers over the issue of time-management. Concerning the proposals on committee work, the Governing Body required only points for decision on the agenda and not points for information. Sufficient time and attention should be given to the four strategic objectives, but many social protection issues did not seem to be granted their appropriate space in the Governing Body. No meetings

should be held in parallel with the Programme, Financial and Administrative Committee (PFAC). Discussions on the International Programme on the Elimination of Child Labour (IPEC) should take place in the Committee on Technical Cooperation. IPEC received substantial amounts of extra-budgetary resources and the Governing Body should be able to exercise control and guidance. The IPEC presentation should be made in March, with the oral presentation in November being discarded. Consolidation of the rules and procedures of the Governing Body would be useful: all provisions should be incorporated in an updated version of the Standing Orders preceded by an explanatory note on rules and practices. The informal consultations conducted by the Office during the past few years had been very helpful and effective, and should continue. It might be necessary to provide an appropriate budget line for this. The point for decision in the report now before the Governing Body suggested delaying the issue of the coverage in committee of social dialogue and social protection. The group did not have a suggestion as to how adequate coverage should be achieved, but considered it essential nonetheless and should be examined without further delay.

A Government representative of Ecuador, speaking on behalf of the Group of Latin American States and the Caribbean (GRULAC), supported the basic parameters regarding the Governing Body's role, committee structure and time management, as well as the additional proposals on agenda items, policy discussions, discussion on committee reports in the plenary and information papers, though he felt that it would be premature to establish a standard rule of not returning to matters in the Governing Body that had been discussed in committees, as the discussions in Governing Body could be of a more political nature. The proposed method of establishing committee agendas appeared reasonable, but should leave open the possibility for necessary changes to be introduced, with prior agreement of the Officers of the Governing Body. GRULAC felt that it was a viable option to extend the mandate of the Committee on Sectoral and Technical Meetings and Related Issues (STM) to address questions relating to the InFocus Programme on Social Dialogue, Labour Law and Labour Administration. Social protection should be addressed by the ESP Committee, which could then be called the Committee of Employment, Social Policy and Social Protection. The creation of a new social protection committee could not take place without a cost estimate. GRULAC supported the codification of all Governing Body rules, texts and practices in order to make them more transparent and accessible. Before carrying this out, the Office should provide clear information on its legal and financial implications. Greater interaction between the Government, Employers' and Workers' groups should be encouraged, as well as more effective participation of the Government group in the work of the Governing Body.

A Government representative of India, speaking on behalf of the Asia-Pacific group, said that the focus of the Governing Body should be strategic and on governance and key policy issues, with detailed and technical discussions being left to the committees. Few would disagree with the proposals to improve the time management and to streamline and increase the relevance of the documents. These changes could be implemented immediately, without need for further discussions. The Asia-Pacific group sought further clarification of the proposals relating to the selection of items for the agenda of forthcoming sessions of the International Labour Conference, and policy discussions in the Governing Body, in particular, a better understanding of the implications of such proposals and how they would be implemented before a decision to proceed was taken. With regard to the committees of the Governing Body, the group agreed that they needed to have clear and substantive agendas and be scheduled to enable maximum participation from Governments, Employers and Workers. They also needed to cover each of the four strategic objectives. To achieve this, his group considered that the existing committee structure should be utilized with agendas adjusted as necessary to ensure that each strategic objective received the appropriate focus. The group considered that the discussions relating to social protection should remain within the mandate of the ESP Committee and that social dialogue should be incorporated into the mandate of either the STM or LILS

Committee. The group welcomed the proposal to consolidate the various rules and procedures of the Governing Body into a single text that was not purely a list of legal provisions. Interaction and information sharing amongst members and groups was valuable as a means of improving the understanding of various perspectives. There were already a number of formal and informal forums operating and the value of any additional forum would need to be clearly demonstrated.

A Government representative of Kenya believed that the Governing Body should be a place for meaningful discussion on all four strategic objectives, policy orientation and governance issues, and where concrete action was taken. A critical examination was required of the functioning of the current committee structure, composition, size and the manner in which recommendations were prepared for approval by the Governing Body. There was an urgent need to improve time management and the entire work of the Governing Body, especially regarding punctuality. Documentation should be reduced and should be clear and to the point with executive summaries for any lengthy document. The selection of Conference agenda items should be less time-consuming. The policy-making role of the Governing Body should be reinforced. Items for policy discussions should be clearly identified and prepared for discussions leading to decisions on action. The practice of not discussing items in the Governing Body that had been covered by the reports of the committees should be continued. There should be no discussion of information papers unless specifically requested. Committee agendas should be realistic and there should be agreement on the kind of documents to be prepared. All committees should have a procedure for agreeing on agendas for the following session. The Governing Body plenary and committees should be able to discuss issues relating to all strategic objectives. In this respect, the current mandate of the STM Committee could be expanded to cover issues dealt with by the InFocus Programme on Social Dialogue, Labour Law and Labour Administration. Social protection should be covered in the meetings of the ESP Committee. There should be two separate agendas for employment and social protection. No meetings should be run parallel to any part of the PFAC. There was an urgent need to consolidate the different rules and practices of the Governing Body. The groups needed to meet more regularly for more effective participation in the work of the Governing Body at both committee level and in plenary.

A Government representative of Canada, speaking on behalf of the Governments of the Industrialized Market Economy Countries (IMEC), said that there was a need to enhance the policy-making role of the Governing Body. The suggestion for well-prepared policy discussions in the Governing Body on specific issues should be pursued. With the exception of a significant policy issue identified for in-depth Governing Body consideration, the current rule, under which committee reports were not reopened for discussion in the Governing Body, should be retained. There should not be discussion on items submitted for information only, except where there was sufficient support among Governing Body members. IMEC welcomed the establishment of procedures for each committee for the determination of agenda items, with such procedures including appropriate consultations with all three groups. Committee structures should provide opportunities for effective Governing Body oversight of all the strategic objectives. This should be accomplished by extending the mandates of existing committees, rather than through the creation of any new committees. The mandate of STM could be extended to include social dialogue, labour law and labour administration, while social protection issues should be addressed by ESP. The recommendation to enlarge the membership of the Subcommittee on Multinational Enterprises (MNE) to achieve more regional and host country balance should be pursued. IMEC asked the Office to provide information as to the cost that would result. As for the Technical Cooperation Committee (TC), the Office should report on the results of the discussions which had taken place. As the role of the IPEC Steering Committee, and its relationship with the TC Committee, were being examined in the context of the current IPEC programme evaluation, discussion should be deferred pending the results of the evaluation. IMEC supported publication of a brochure

which included all the existing texts, rules and practices of the Governing Body as a means of making the rules more transparent and accessible. IMEC requested the Office to provide information on the legal status and implications of developing a more systematic codification of established practices.

A Government representative of Germany agreed with the IMEC statement, but recalled that a formal decision on a particular agenda item was not necessarily an indication of the quality of the work carried out in any particular committee. In the ESP and TC Committees, there was a large number of subject-oriented discussions which did not necessarily have to be guided towards a specific decision.

The representative of the Director-General recognized that time management was based on common sense and that there should be sensible overall time management of the whole Governing Body. Regarding the selection of items for forthcoming Conferences, he invited earlier discussions on the choices in all the groups, including the Government groups. The Office was ready to brief these discussion groups as to the meaning of each proposal. On committee agendas, it could be agreed in principle that documents should contain points for decision relevant to the Governing Body's governance role, even if, in certain instances, it was agreed that a point for decision was premature or inappropriate. Regarding the ESP Committee, it would be perfectly feasible for that committee to decide to have sessions on a rotating basis, dealing with each of the two objectives alternatively. Discussions had taken place on the TC Committee, but not in the Committee itself; and those on the Subcommittee on Multinational Enterprises had not led to specific results. If, for instance, there were a decision to have six additional members of that Subcommittee, the cost for daily subsistence allowance could go up to US\$2,200 a day. If the Subcommittee met after other meetings to which the members from the Employers' and the Workers' groups were invited, there would not be extra costs. The timing of the meeting was therefore decisive, but the bottom line was that the range of costs would not exceed US\$2,000-2,500 per meeting. The cost for a full Governing Body Committee in the biennium was around US\$266,000. Regarding issues related to IPEC, there seemed to be an understanding that a thorough discussion should take place in the Technical Cooperation Committee once a year. There would be no oral report but the IPEC Steering Committee would continue to take place in November. On rules and practices, he noted that there seemed to be agreement with the suggestions in the document. The wording of the point for decision could be changed in the light of the discussion.

The Governing Body adopted the following recommendations:

The Governing Body took note of and endorsed the practice and proposals enumerated in document GB.289/3/2(Rev.), taking into consideration the views expressed in the course of discussions, and it was agreed that consultations would continue in order to determine the best way to proceed.

(a) The International Labour Conference

The Worker Vice-Chairperson requested that chairpersons of the different Conference committees be identified as early as possible and orientation and training provided. This applied also to the President and Vice-Presidents of the Conference itself. The duration of the Conference could not be reduced and it was important to manage the time available. The Workers' view was that there ought not to be two simultaneous plenary sessions and that every care should be taken to ensure that delegates were provided with the opportunity to speak. At the same time, the Workers recognized the importance of the Global Report and did not want to see it relegated into a session that was unattended. The Director-General should therefore chair that session. He supported time limits on speeches, although five minutes seemed short. However, he did not accept the suggestion to limit the agenda of the Conference to one standard-setting and one general discussion item, nor the

recommendation concerning the reduction of the duration of group meetings. Experience had shown that good preparation in the group meetings avoided long and tortuous discussions within the plenary discussions. He did support the suggestion to have the various documents well in advance and in accordance with the established rules. Regarding side events and special events, he agreed with the proposals contained in the Office paper and was looking carefully at the role of international non-governmental organizations (INGOs). The Workers had been able to work reasonably well with them in the past, but this was contingent upon the tripartite nature of the Organization being clearly asserted.

The Employer Vice-Chairperson said that the forthcoming session of the Conference would be an opportunity to explore the effectiveness of the arrangements made for the discussion of the World Commission on the Social Dimension of Globalization. The Employers' foremost concern was that the Conference remained relevant to the world of work. The group was not against standards per se, but believed that they should be valid and realistic to achieve wide ratification. The debate on the Global Report and the follow-up to the Declaration should be retained. There should be more effective use of time in the Conference; and there was some time free in the third week that could be put to positive use. He also had serious concerns about Conference side events, which could stand in the way of full participation in the technical committees. Participation by INGOs should not undermine the tripartite nature of debates and decisions. INGO interventions often diverted the debate, and it was essential to retain a hold on the tripartite mandate. The Employers could make themselves available for side events, but it was essential to ensure that such events were pertinent. On deciding on the agenda, items needed to be of relevance and complementary. They could also be complemented by seminars on issues which were extremely topical. This would enable delegates from far away to profit most fully from the reality and experience of the Conference and was indeed a possibility for technical cooperation in the broadest possible sense of the words. The first week was fundamentally technical and worked well. The third week focused essentially on conclusions. The second week was the political week and the Employers were not satisfied that many delegates came to deliver monologues to which nobody listened, and to express concerns which did not seem to be shared. It was time to make the process relevant. The second week had to be made effective and stimulating.

A Government representative of Ecuador, speaking on behalf of GRULAC, said that the document did not clearly establish the format for the discussion on the implications for the ILO of the report of the World Commission on the Social Dimension of Globalization. The proposed procedure for the appointment of chairpersons of the committees could also be useful in appointing the President and Vice-Presidents of the Conference. The other proposals for future meetings of the Conference should continue to be reviewed until consensus was reached on those which were felt to be truly viable and which would result in improved functioning of the Conference through stricter time limits on speakers; fine-tuning of the methods of the technical committees' work; continuing to review the working methods of the Committee on the Application of Standards of the Conference; reducing the length of group meetings to avoid night meetings; better preparation of the discussions of the Conference through prior consultations with the three groups; and a clearer orientation in establishing the Conference agenda. GRULAC believed that reform should be approached in the broadest possible context of the Conference and the functioning of its committees. The debate's priority should be results for the world of work.

A Government representative of Canada, speaking on behalf of the IMEC group, underlined the importance of disseminating reports and of advising constituents of any special arrangements for their discussion as early as possible. The timing of events and discussions should take into account the fact that ministers generally attended the Conference during the second week. IMEC welcomed the initiative to identify qualified committee chairpersons well in advance and to introduce briefing sessions for delegates at

the June 2004 Conference. IMEC agreed that the focus should be on improving working methods rather than on shortening the duration of the Conference. In this connection, improving the Conference plenary discussions remained a challenge. The suggestions for an enforcement of time limits and reducing the length of presentations on committee reports, were improvements that should be implemented in June 2004. IMEC did not support the holding of preparatory conferences as this would place significant financial burdens on governments and on the Office. The number and nature of agenda items should be selected on the basis of current global issues and priorities and their linkage to ILO strategic objectives rather than predetermined formulas, such as one proposal for standard-setting and one item for general discussion. As agreed at the November 2003 session of the Governing Body, documents outlining options for Conference agenda items should clearly indicate the relevance of each proposal to the achievement of the strategic objectives of the ILO. It was good that the Office was already taking steps to implement the proposals for improving the working methods of the committees, including better use of information technology. IMEC endorsed the proposals on better preparation for Conference discussions, timely receipt and web-posting of documents, which should be implemented immediately. The proposals on the Conference's profile, on the restriction of side events and on INGO participation provided sound and reasonable advice to guide future Conference preparations.

A Government representative of Kenya agreed that the report of the Chairperson of the Governing Body, the Director-General's Report on programme implementation and activities, and the appendix on the situation of workers in occupied territories, should be discussed together in plenary with a five-minute speaking limit. The report of the World Commission on the Social Dimension of Globalization should be discussed separately in order for it to be addressed in a more focused manner. The suggestion to organize briefings for Conference delegates was welcome. The current Conference duration could not be reduced without affecting the quality of results. In addition, certain Conference Committees, such as the Committee on the Application of Standards, could not effectively accomplish its supervisory duties within a shorter period. The five-minute limit for plenary speeches should be maintained; endeavours should be pursued to attract high-profile delegates to the Conference. The suggestion to introduce high-level plenary discussions or round tables instead of plenary speeches, or alternating political and technical discussions, required further debate by the Governing Body. The proposed changes in the work of the technical committees, such as the holding of preparatory meetings prior to the Conference, appeared positive. The various committees could also achieve a lot through enhanced use of information technology, development of applications to improve the clarity of committee debates and efficient voting procedures. To improve preparation for Conference discussions, various measures, including prior consultations with the representatives of the three groups, prior technical and expert meetings on the subject, better interaction with sectoral and technical meetings and programmes, and clearer guidance from the Governing Body when setting the agenda of the Conference, could be implemented. Documents should be received by delegates at least four weeks prior to the opening of the Conference and there was need for further rationalization of document production and distribution. The Conference profile depended on the agenda of the Conference itself, which should feature topical and relevant issues, and outcomes that were relevant to the world of work. Side events and special events organized during the Conference should be kept to a bare minimum. Prior consultations between the coordinators of the three groups would help to limit the side events. Participation by INGOs and other international organizations should be strictly controlled. Changes were needed in the working methods of the Committee on the Application of Standards, especially in the selection of countries to appear before the Committee. In this respect, a more transparent and fairer geographical distribution would be required.

A Government representative of Mali noted with interest the proposal by the Canadian Government on the production of a brochure on the rules and procedures of the Governing Body. Conference documents in French only reached French speakers a couple of days before the Conference and they therefore found it difficult to take part in discussions.

The representative of the Director-General said the Office was doing its best to hold preparatory meetings, not only with future chairpersons but future vice-chairpersons of committees, and had succeeded in the course of the Governing Body to have such meetings. This required early agreement on the chairpersons, but such agreement was sometimes reached only on the opening day of the Conference. This was why the Office had started early discussions with the regional coordinators to identify as many chairpersons and vice-chairpersons as possible. Better use of the last week of the Conference could be studied. On the issue of the second week, the problem with the plenary was that most speakers wanted an audience, but were not always willing to listen to others, and spent as little time as possible in Geneva. Some regions had been planning regional events in the second week, but plans had not been finalized. The Global Report discussion would probably take place on 10 June and would be the main activity of the plenary for that day. Regarding the working methods of the Committee on the Application of Standards, as decided and noted in the report of the Committee last year, the Office would present a paper to the Committee which the Committee would no doubt discuss during the first week of its meeting. The questions regarding the work of technical committees were clearly not new and called for more discussion. They were part of a broader debate which had been taking place for quite some time and were also partly Governing Body issues, as the Governing Body set the agenda of the Conference. These issues would be returned to, but there would be no proposals for the November session.

The Governing Body took note of the report.

Seventh item on the agenda

FOLLOW-UP TO THE SEAFARERS' IDENTITY DOCUMENTS CONVENTION (REVISED), 2003 (NO. 185)¹

A Government representative of Luxembourg, speaking on behalf of the Government members of the European Union and the EU accession countries (Cyprus, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Slovakia and Slovenia), said that there were divergent views among experts on the options presented to the Governing Body, and the European Union had requested that the Governing Body defer decision on the matter until the June 2004 meeting, to allow for further technical consultation, including with the International Standards Organization (ISO), which was developing standards for both pattern and minutiae systems. He noted, however, a majority view in favour of a decision at the present meeting. The Governments of the European Union therefore agreed to the adoption of a minutiae-based system, given the fact that appropriate minutiae-based solutions could be available by November 2004, while equivalent pattern-based solutions might not be available until some time later. Advice received was that minutiae-based solutions were no more intrusive into seafarers' privacy than pattern-based solutions, for which intellectual property rights could result in a significant increase in cost.

¹ See also first sitting.

A Government representative of the United States said the United States had previously expressed support for the pattern-based method recommended by the Office but that, if the Governing Body determined that the minutiae-based method was preferable, the United States would be willing to support the decision. The United States was aware of the need for technical assistance by many developing countries to implement the system ultimately to be adopted and intended to work closely with other countries and with the ILO to identify sources of funding, so that the appropriate needs of different countries could be met and the system implemented.

A Government representative of France stated that France would opt for the minutiae-based method, which was more in line with other projects at both national and European levels, and which was already in operation. France would share its experience in the study, advice and training phases. The greatest barrier to obtaining consensus had been the lack of technical assistance proposals for developing countries. He proposed taking a decision in favour of the minutiae-based system and invited the Office to draw up a technical assistance platform to be presented at a later session of the Governing Body.

The Worker Vice-Chairperson was of the opinion that there was a very severe problem of process and a lack of transparency. The Workers had sought an arrangement that would allow seafarers some freedom of movement on and off ship. The Workers had taken their decision based on the information before them; those who were of a different position ought to have been more explicit. If there was a commitment from Governments on the technical assistance to be provided, the group would support the minutiae-based option.

The Employer Vice-Chairperson said that the whole procedure gave rise to diverse feelings. He would have preferred the question to have been discussed in another way, without the pressure for a decision to be taken. However, the group supported the consensus, with the precondition that the necessary technical support and assistance for developing countries be available.

A Government representative of Nigeria, speaking on behalf of African Governments, said that they were highly dissatisfied with the decision-making process. The African group, with 53 members, made up one-third of ILO member States and its decisions in this forum should be taken seriously. For the sake of consensus, and in the interests of the seafarers, the group was prepared, with extreme reluctance, to accept the minutiae-based technology on the explicit understanding that all the necessary technical assistance would be given to the member States of the African group to implement it.

A Government representative of the Philippines said that, due to the urgency of implementing the biometric standard, the Philippine delegation would go along with the consensus for the minutiae-based option although it had supported the pattern-based option. She trusted that assistance would be forthcoming from the industrialized countries and urged the Office to implement the minutiae-based option without delay.

A Government representative of Brazil, though of the view that the pattern-based technology would lead to a better and faster implementation of Convention No. 185, understood that opposing consensus would have more serious consequences for the Convention. Brazil therefore accepted the adoption of minutiae-based technology but with the requirement that the appropriate measures should be taken in order to provide developing countries with the necessary means to adopt that technology.

A Government representative of Japan shared the view of the Governments of the European Union and other countries on the desirability of the wide ratification of Convention No. 185 which should facilitate the movement of seafarers as well as security at sea.

A Government representative of Norway said that it was important that the decision should not be deferred to a later session, and his Government was ready to join a consensus on a minutiae-based solution.

A Government representative of India said that India had been in a minority in approving the minutiae-based system, but had agreed to a deferment of the decision. He was satisfied that views had emerged clearly in favour of the minutiae-based option.

A Government representative of Bulgaria adhered to the view of the majority and especially to the declaration made on behalf of the Government members of the European Union. Technical cooperation would be necessary not only for the developing countries, but for some of the transitional economies such as Bulgaria.

A Government representative of China had preferred the minutiae-based option but understood that implementation of the technique was difficult and would result in expenses for developing countries, in particular African countries. He hoped that clear commitments would be made to help developing countries provide the necessary technical support so as to ratify and implement the Convention at an early date.

A Government representative of South Africa supported the statement made by Nigeria and expressed concern about procedures. He had concluded that there was a majority support for the pattern-based option, based on developments in the Government group forum, the general intervention of member States' representatives and, most importantly, advice from the Office. A change in position would require further national consultations in South Africa. He was reluctant to go along with support for the minutiae-based option and believed that further study of the implications of that option was required.

The Employer Vice-Chairperson agreed that technical support was required, but did not accept that the process was flawed in reaching a decision. India had proposed a postponement even though there had been a majority opinion expressed. The Employers had accepted the postponement, which made the decision-making process open and transparent.

The Worker Vice-Chairperson observed that Governments had sought to fast-track the issue at the last session of the Conference in June 2003, and the Workers had accommodated them because they shared the concerns on security. He hoped that those governments that would benefit from the about-turn would move ahead in large numbers to ratify the Convention. Failure to reach a significant number of ratifications by June would not be a good sign.

The representative of the Director-General made four points: first, the emerging consensus would result in the first implementation of biometrics on an international scale; second, the ILO would be able to put in place an interoperable biometric standard on a low-cost basis; third, the objective had always been pursued to facilitate the movement of seafarers, preserve their rights, minimize cost and provide security; and, fourth, to invite those countries that had indicated their desire to work with the Office to ensure that a realistic and realizable technical assistance programme could be put into place to ensure delivery to the developing and transition countries concerned.

The Governing Body adopted the recommendations in paragraph 14(b) of the report.

Tenth item on the agenda

REPORTS OF THE PROGRAMME, FINANCIAL AND ADMINISTRATIVE COMMITTEE

First report: Financial questions

The Worker spokesperson of the Committee drew attention to the fact that the decision to be taken with regard to the technical meetings reserve implied postponement until November decisions on the type, content and number of technical meetings that would be held in 2004. The Workers were disappointed that a consensus had not been reached on the subject matter of the meetings.

The Governing Body adopted the recommendations in paragraphs 19, 82, 122 and 164 of the report and the report as a whole.

Second report: Personnel questions

The Governing Body adopted the recommendations in paragraphs 21, 25 and 83 of the report and the report as a whole.

Third report: Report of the Government members of the Committee on Allocations Matters

The Governing Body adopted the recommendations in paragraphs 3 and 19 of the report.

Eleventh item on the agenda

REPORT OF THE COMMITTEE ON LEGAL ISSUES AND INTERNATIONAL LABOUR STANDARDS

The Governing Body adopted the recommendations in paragraphs 13, 23 and 48 of the report.

The Employer Vice-Chairperson commented that decisions were being adopted regarding the Committee of Experts on the Application of the Recommendation concerning Teaching Personnel (CEART) both in the report of the STM and of the LILS Committees. In future, consideration of the same subject in two different committees should be avoided.

The Governing Body adopted the recommendations in paragraph 66 of the report and the report as a whole.

Twelfth item on the agenda

REPORT OF THE SUBCOMMITTEE ON MULTINATIONAL ENTERPRISES

The Governing Body adopted the recommendations in paragraphs 36, 37 and 38 of the report and the report as a whole.

Sixteenth item on the agendaREPORT OF THE WORKING PARTY ON THE
SOCIAL DIMENSION OF GLOBALIZATION

The Chairperson indicated that a summary of the debate on the report of the World Commission on the Social Dimension of Globalization would be presented to the forthcoming session of the International Labour Conference, as part of the report of the Chairperson of the Governing Body. The Conference, as well as the November 2004 session of the Governing Body, would be opportunities to move forward in many of the relevant areas; the Director-General would also be holding consultations with other organizations on possible follow-up action, and would be reporting to the Officers of the Governing Body.

The Governing Body took note of the report.

The sitting closed at 1.55 p.m.

Annexe / Appendix / Anexo

289^e session – Genève – mars 2004
289th Session – Geneva – March 2004
289.^a reunión – Ginebra – marzo de 2004

Liste des personnes assistant à la session List of persons attending the session Lista de las personas presentes en la reunión

Membres gouvernementaux titulaires Miembros gubernamentales titulares	Regular Government members
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Président du Conseil d'Administration: Chairperson of the Governing Body: Presidente del Consejo de Administración:	Ambassador Eui-Yong CHUNG (Republic of Korea)
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Afrique du Sud South Africa Sudáfrica

Mr. L. KETTLEDAS, Deputy Director-General, Department of Labour.

substitute(s):

Mr. S. NDEBELE, Director, International Relations, Department of Labour.

Ms. L. LUSENGA, Counsellor (Labour), Permanent Mission, Geneva.

Mr. W. KOBERSKI, Head, International Employment and Social Policy Department, Ministry of Economic Affairs and Labour.

substitute(s):

Mr. W. HELLER, Head of the International Employment and Social Policy Department.

Mr. D. WILLERS, International Employment and Social Policy Department, Ministry of Economic Affairs and Labour.

Mr. V. KLOTZ, Counsellor, Permanent Mission, Geneva.

accompanied by:

Ms. M. SCHLEEGER, Counsellor for Social Affairs, German Embassy in Prague.

Ms. M. WESSELER, Counsellor, Permanent Mission, Geneva.

Ms. B. ZEITZ, Consultant, ILO and UN Department of the Federal Ministry of Economic Affairs and Labour.

Allemagne Germany Alemania

Mr. G. ANDRES, Parliamentary State Secretary, Ministry of Economic Affairs and Labour.

**Arabie saoudite Saudi Arabia
Arabia Saudita**

Mr. A. AL-BAWARDI, Assistant Deputy
Minister for Labour Affairs, Ministry of
Labour and Social Affairs.

substitute(s):

Mr. A. AL HADLAQ, Director-General,
International Organizations Affairs,
Ministry of Labour and Social Affairs.

**Argentine Argentina
Argentina**

Sr. C. TOMADA, Ministro de Trabajo, Empleo
y Seguridad Social.

Sra. N. RIAL, Secretaria de Trabajo, Ministerio
de Trabajo, Empleo y Seguridad Social.

suplente(s) :

Sr. A. CHIARADIA, Embajador, Misión
Permanente, Ginebra.

acompañado(s) de :

Sr. E. VARELA, Consejero, Misión
Permanente, Ginebra.

Sr. G. CORRES, Coordinación de Asuntos
Internacionales, Ministerio de Trabajo,
Empleo y Seguridad Social.

Bahamas

Mr. D. SYMONETTE, Undersecretary,
Ministry of Labour and Immigration.

Brésil Brazil Brasil

Mr. R. BERZOINI, Minister of Labour and
Employment.

accompanied by:

Mr. L. SEIXAS CORREA, Ambassador,
Permanent Mission, Geneva.

Mr. C. DA ROCHA PARANHOS,
Ambassador, Alternate Permanent
Representative, Permanent Mission,
Geneva.

Mr. A. DO NASCIMENTO PEDRO, Minister-
Counsellor, Permanent Mission, Geneva.

Ms. M. GOMES DOS SANTOS, Head of the
International Relations Department,
Ministry of Labour and Employment.

Mr. N. FREITAS, Special Adviser, Ministry of
Labour and Employment.

Mr. P. SALDANHA, Secretary, Permanent
Mission, Geneva.

Bulgarie Bulgaria Bulgaria

Mr. A. EVTIMOV, Director of European
Integration and International Relations
Directorate, Ministry of Labour and Social
Policy.

substitute(s):

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accompanied by:

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

Mr. K. LIM, First Secretary, Permanent Mission, Geneva.

Mr. S. ONG, First Secretary, Permanent Mission, Geneva.

**Slovénie Slovenia
Eslovenia**

Mr. A. GOSNAR, Ambassador, Permanent Mission, Geneva.

Ms. T. CESEN, Counsellor to the Government, Ministry of Labour, Family and Social Affairs.

substitute(s):

Ms. N. LUZAR, Adviser, Ministry of Labour, Family and Social Affairs.

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

Turquie Turkey Turquía

Mr. E. YETER, Undersecretary of State, Ministry of Labour and Social Security.

substitute(s):

Mr. H. OYMAN, Counsellor, Labour and Social Security, Permanent Mission, Geneva.

Uruguay

Sr. S. PÉREZ DEL CASTILLO, Ministro de Trabajo y Seguridad Social.

acompañado(s) de :

Sr. R. GONZALEZ ARENAS, Ministro, Encargado de Negocios, Misión Permanente, Ginebra.

Sra. A. ROCANOVA, Secretario, Misión Permanente, Ginebra.

Sr. C. PEREIRA, Misión Permanente, Ginebra.

Venezuela

Sra. M. IGLESIAS, Ministra de Trabajo.

Sr. R. DORADO CANO-MANUEL, Viceministro del Trabajo, Ministerio del Trabajo.

suplente(s) :

Sr. R. DARÍO MOLINA, Director de la Oficina de Relaciones Internacionales y Enlace con la OIT, Ministerio del Trabajo.

acompañado(s) de :

Sr. R. HANDS, Consejero, Misión Permanente, Ginebra.

Sr. J. ARIAS, Asesor Político, Misión Permanente, Ginebra.

Sr. D. MANZOUL CAMPOS, Diputado Vicepresidente de la Comisión de Desarrollo Social Integral de la Asamblea Nacional.

Sr. L. FRANCESCHI, Diputado de la
Comisión de Desarrollo Social Integral de la
Asamblea Nacional.

Sr. J. KHAN, Diputado de la Comisión de
Desarrollo Social Integral de la Asamblea
Nacional.

Viet Nam

Mr. TRUONG TRIEU DUONG, Minister
Counsellor, Deputy Permanent
Representative, Permanent Mission,
Geneva.

accompanied by:

Mr. VU HUY TAN, Counsellor, Permanent
Mission, Geneva.

Mr. DANG QUOC HUNG, First Secretary,
Permanent Mission, Geneva.

**Membres employeurs titulaires Regular Employer members
Miembros empleadores titulares**

Vice-Président du Conseil d'Administration: Vice-Chairperson of the Governing Body: Vice Presidente del Consejo de Administración:	Sr. D. FUNES DE RIOJA (Argentina), Presidente del Departamento de Política social, Unión Industrial Argentina (UIA)
--	--

M. B. BOISSON (France), Conseiller social, Mouvement des Entreprises de France (MEDEF).

Mr. A. DAHLAN (Saudi Arabia), Representative, Council of Saudi Chamber of Commerce and Industry.

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

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

Mr. A. JEETUN (Mauritius), Director, Mauritius Employers' Federation.

Mr. M. LAMBERT (United Kingdom), Representative, Confederation of British Industry.

M. A. M'KAISSI (Tunisie), Conseiller Directeur central, Union tunisienne de l'industrie, du commerce et de l'artisanat (UTICA).

Mr. T. NILES (United States), President, United States Council for International Business.

Mr. B. NOAKES (Australia), Adviser, International Affairs, Australian Chamber of Commerce and Industry.

Mr. T. SUZUKI (Japan), Managing Director, Nikkeiren International Cooperation Centre.

Mr. A. TABANI (Pakistan), President, Employers' Federation of Pakistan.

Mr. G. TROGEN (Sweden), Director-General, ALMEGA.

M. Y. WADE (Sénégal), Président, Conseil national du Patronat du Sénégal.

Ms. A. GERSTEIN, accompanying Ms. Hornung-Draus.

Mr. A. GREENE, accompanying Mr. Niles.

Membres employeurs adjoints Deputy Employer members
Miembros empleadores adjuntos

- Mr. I. ANAND (India), Chairman, Shivathene Corporate Centre.
- M. M. BARDE (Suisse), Secrétaire général, Fédération des syndicats patronaux.
- Mr. J.W. BOTHA (South Africa), Business South Africa.
- Mr. N. CHO (Republic of Korea), Vice-Chairman, Korea Employers' Federation.
- Sr. B. DE ARBELOA (Venezuela), Promotores y Consultores Asociados.
- Mr. O. EREMEEV (Russian Federation), Director-General, Coordinating Council of Employers' Unions of Russia (CCEUR).
- M. L. GLÉLÉ (Bénin), Président, Conseil National du Patronat du Bénin.
- Mr. P. HEINKE (Canada), President, Canadian Employers Council.
- Mr. W.A. HILTON-CLARKE (Trinidad and Tobago), Vice-Chairman, Employers' Consultative Association of Trinidad and Tobago.
- Ms. L. HORVATIC (Croatia), Director of International Relations, Croatian Employers' Association.
- Ms. R. KARIKARI ANANG (Ghana), Executive Director, Ghana Employers' Association.
- Sr. J. LACASA ASO (España), Director, Departamento de Relaciones Internacionales, Confederación Española de Organizaciones Empresariales (CEOE).
- Mr. D. LIMA GODOY (Brazil), Vicepresident, Confederación Nacional de la Industria (CNI).
- M. E. MEGATELI (Algérie), Secrétaire général, Confédération générale des Opérateurs économiques algériens.
- M. B. NACOULMA (Burkina Faso), Directeur de société, Conseil national du Patronat burkinabé.
- Mr. V.T. NATHAN (Malaysia), Vice President, Malaysian Employers' Federation (MEF).
- Sr. G. RICCI (Guatemala), Comité Coordinador de Asociaciones Agrícolas, Comerciales, Industriales y Financieras (CACIF).
- Mme L. SASSO MAZZUFFERI (Italie), Conseiller spécial des affaires internationales, Confédération générale des employeurs d'Italie, CONFINDUSTRIA.
- Mr. A. TAN (Philippines), President Emeritus, Employers' Confederation of the Philippines.
-

**Membres travailleurs titulaires Regular Worker members
Miembros trabajadores titulares**

Vice-Président du Conseil d'Administration: Vice-Chairperson of the Governing Body: Vice Presidente del Consejo de Administración:	Sir R. TROTMAN (Barbados), General Secretary, Barbados Workers' Union
--	--

- Ms. S. BURROW (Australia), President, Australian Council of Trade Unions.
- Ms. B. BYERS (Canada), Executive Vice-President, Canadian Labour Congress.
- Mr. U. EDSTRÖM (Sweden), Head of International Department, Swedish Trade Union Confederation (LO-S).
- Ms. U. ENGELEN-KEFER (Germany), Vice-President, German Confederation of Trade Unions (DGB).
- M. B. MAHAN GAHÉ (Côte d'Ivoire), Secrétaire général, Confédération DIGNITE.
- Mr. S. NAKAJIMA (Japan), Executive Director, Department of International Affairs, Japanese Trade Union Confederation (JTUC-RENGO).
- Mr. A. OSHIOMHOLE (Nigeria), President, Nigeria Labour Congress (NLC).
- Mr. Z. RAMPAK (Malaysia), President, Malaysian Trade Union Congress (MTUC).
- M. A. SIDI SAÏD (Algérie), Secrétaire général, Union générale des Travailleurs algériens.
- Mr. E. SIDOROV (Russian Federation), International Secretary, Federation of Independent Trade Unions of Russia (FNPR).
- Mr. S. STEYNE (United Kingdom), International Officer, EU and International Relations Department, Trades Union Congress.
- Mr. J. VACCARI NETO (Brazil), Secretary-General, Central Unica dos Trabalhadores.
- Mr. J. ZELLHOEFER (United States), European Representative, AFL-CIO European Office.

Mr. E. CRIVELLI, accompanying Mr. Vaccari Neto.
Ms. M. HAYASHIBARA, accompanying Mr. Nakajima.

**Membres travailleurs adjoints Deputy Worker members
Miembros trabajadores adjuntos**

- Mr. N. ADYANTHAYA (India), Secretary, Indian National Trade Union Congress.
- Mr. K. AHMED (Pakistan), General Secretary, All Pakistan Federation of Trade Unions.
- Sra. H. ANDERSON NEVÁREZ (México), Secretaria de Acción Femenil del Comité, Confederación de Trabajadores de México.
- M. G. ATTIGBE (Bénin), Secrétaire général, Centrale des Syndicats autonomes du Bénin.
- Mr. L. BASNET (Nepal), President, Nepal Trade Union Congress.
- M. M. BLONDEL (France), Secrétaire général, Confédération générale du travail Force Ouvrière (CGT-FO).
- Ms. C. BRIGHI (Italie), Assistant Director International, C.I.S.L.
- Mr. B. CANAK (Serbia and Montenegro), President, United Branch Trade Unions, UGS – Nezavisnost.
- Mme R. DIALLO (Guinée), Secrétaire générale, Confédération nationale des Travailleurs de Guinée (CNTG).
- M. G. GHOSN (Liban), Président, Confédération générale des Travailleurs du Liban (CGTL).
- Mr. K. GYÖRGY (Hungary), Member of the Executive Board, National Confederation of Hungarian Trade Unions.
- M. S. KATALAY MULELI (Rép. Dém. du Congo), Président, Union nationale des Travailleurs du Congo (UNTC).
- Sra. D. MONTERO D'OLEO (República Dominicana), Confederación Nacional de Trabajadores Dominicanos.
- Ms. C. PANDENI (Namibia), Treasurer, National Union of Namibian Workers (NUNW).
- Ms. B. SWAI (United Republic of Tanzania), Director, Disaster Management Department, Prime Minister's Office.
- Sr. J. URBIETA (Venezuela), Director General, Instituto de Altos Estudios Sindicales de la Confederación de Trabajadores de Venezuela.
- Mr. T. WOJCIK (Poland), National Commission Member, Solidarnosc.
- Mr. Z. XU (China), Vice-Chairman, All-China Federation of Trade Unions.
- Ms. H. YACOB (Singapore), Assistant Secretary-General, National Trade Unions Congress.

Ms. Q. LI, accompanying Mr. Xu.
Mr. L. WANG, accompanying Mr. Xu.

Représentants d'autres États 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. B. SEDKI, Ministre plénipotentiaire,
Mission permanente, Genève.

**Australie Australia
Australia**

Mr. M. SMITH, Ambassador, Permanent
Mission, Geneva.
Mr. M. SAWERS, First Secretary, Permanent
Mission, Geneva.
Mr. J. LLOYD, Deputy Secretary, Department
of Employment and Workplace Relations.

Autriche Austria Austria

Ms. I. DEMBSHER, Head, International Social
Policy Unit, Federal Ministry of Economic
Affairs and Labour.
Ms. E. MARSCHANG, Counsellor, Permanent
Mission, Geneva.

Bolivie Bolivia

Sr. G. RODRÍGUEZ SAN MARTÍN, Ministro
Consejero, Misión Permanente, Ginebra.

Chili Chile Chile

Sr. B. DEL PICÓ, Segundo Secretario, Misión
Permanente, Ginebra.
Sr. M. BARRERA, Agregado Laboral, Misión
Permanente, Ginebra.

**Colombie Colombia
Colombia**

Sra. C. FORERO UCROS, Embajadora, Misión
Permanente, Ginebra.
Sra. L. ARANGO DE BUITRAGO,
Viceministra de Relaciones Laborales del
Ministerio de la Protección Social.
Sra. V. GONZALEZ ARIZA, Ministra
Consejera, Misión Permanente, Ginebra.

Costa Rica

Sr. M. GONZÁLEZ SANZ, Embajador, Misión
Permanente, Ginebra.
Sra. C. CLARAMUNT GARRO, Embajadora
Representante Permanente Alternativa, Misión
Permanente, Ginebra.
Sr. S. CORELLA, Ministro Consejero, Misión
Permanente, Ginebra.

Côte d'Ivoire

M. B. N'GUESSAN, Conseiller, Mission
permanente, Genève.

**Danemark Denmark
Dinamarca**

Mr. K. PEDERSEN, Head of Section, Ministry
of Employment.
Ms. L. WANG KRISTENSEN, Attaché,
Permanent Mission, Geneva.

Egypte Egypt Egipto

Ms. N. GABR, Ambassador, Permanent Mission, Geneva.
 Ms. N. EL-GAZZAR, Labour Counsellor, Permanent Mission, Geneva.
 Mr. A. ROUSHDY, First Secretary, Permanent Mission, Geneva.

Finlande Finland Finlandia

Mr. M. SALMENPERÄ, Director, Ministry of Labour.
 Ms. S. POTILA, Ministerial Adviser, Ministry of Labour.
 Ms. A. VUORINEN, Minister-Counsellor, Permanent Mission, Geneva.
 Ms. K. HÄIKIÖ, Counsellor, Permanent Mission, Geneva.

Grèce Greece Grecia

Mr. T. KRIEKOUKIS, Ambassador, Permanent Mission, Geneva.
 Mr. A. CAMBITSIS, Minister Counsellor, Permanent Mission, Geneva.
 Mr. K. GEORMAS, Official, Ministry of Employment and Social Protection.

Hongrie Hungary Hungría

Mr. T. TÓTH, Ambassador, Permanent Mission, Geneva.
 Mr. L. HORVÁTH, Chargé d'Affaires, Permanent Mission, Geneva.
 Ms. K. CSIMA SZALÓKINÉ, Second Secretary, Permanent Mission, Geneva.
 Ms. J. CZUGLERNÉ IVÁNY, Legal Adviser, National Federation of Workers' Councils.
 Mr. G. AGG, Member, National ILO Council.
 Mr. A. SZABADKAI, Head of Secretariat, Union of Agrarian Employers.

Irlande Ireland Irlanda

Ms. M. WHELAN, Ambassador, Permanent Mission, Geneva.

Mr. P. BENNETT, Deputy Permanent Representative, Permanent Mission, Geneva.
 Mr. B. CAHALANE, First Secretary, Permanent Mission, Geneva.
 Ms. S. MANGAN, First Secretary, Permanent Mission, Geneva.
 Mr. M. REILLY, Third Secretary, Permanent Mission, Geneva.
 Mr. M. PENDER, Principal Officer, Department of Enterprise, Trade and Employment.
 Mr. J. MCDONNELL, Higher Executive Officer, Department of Enterprise, Trade and Development.

Israël Israel Israel

Mr. Y. LEVY, Ambassador, Permanent Mission, Geneva.
 Mr. H. WAXMAN, Counsellor, Permanent Mission, Geneva.
 Ms. S. AVRAHAM, Adviser, Permanent Mission, Geneva.

Malaisie Malaysia Malasia

Dr. N. YAHYA, Secretary-General, Ministry of Human Resources.
 Mr. H. RAJMAH, Ambassador, Permanent Mission, Geneva.
 Mr. J. HAZIM, Principal Assistant Secretary (International Division), Ministry of Human Resources.
 Mr. S. ROSLEE, Assistant Secretary, Ministry of Human Resources.
 Mr. W. WAN ZULKFLI, Labour Attaché, Permanent Mission, Geneva.

Malte Malta Malta

Mr. S. BORG, Ambassador, Permanent Mission, Geneva.
 Mr. R. SARSERO, Counsellor, Permanent Mission, Geneva.
 Mr. J. BUSUTTIL, First Secretary, Permanent Mission, Geneva.
 Mr. T. BONNICI, Second Secretary, Permanent Mission, Geneva.

Panama Panama Panamá

Sra. I. ROSAS PEREZ, Viceministra de Trabajo y Desarrollo Laboral.
 Sra. B. MANZUR BARREDA, Jefa del Departamento de Colaboración con la OIT de la Asesoría de Asunto Internacionales.

**Pays-Bas Netherlands
Países Bajos**

Mr. L. BEETS, Director for International Affairs, Ministry of Social Affairs and Employment.
 Ms. A. KOOPMAN, Directorate for International Affairs, Ministry of Social Affairs and Employment.
 Ms. A. BLOM, International Affairs, Ministry of Social Affairs and Employment.
 Mr. W. BEL, International Affairs, Ministry of Social Affairs and Employment.
 Ms. M. GRILK, International Affairs, Ministry of Social Affairs and Employment.
 Mr. J. VAN RENSELAAR, United Nations Directorate, Ministry of Foreign Affairs.
 Ms. M. NOTEBOOM, First Secretary, Permanent Mission, Geneva.

Pérou Peru Perú

Sr. J. VOTO-BERNALES, Embajador, Misión Permanente, Ginebra.
 Sr. J. SALINAS, Ministro, Representante Permanente Alterno, Misión Permanente, Ginebra.
 Srta E. BERAUN ESCUDERO, Segunda Secretaria, Misión Permanente, Ginebra.

Pologne Poland Polonia

Mr. K. JAKUBOWSKI, Ambassador and Permanent Representative, Permanent Mission, Geneva.
 Ms. R. LEMIESZEWSKA, First Secretary, Permanent Mission, Geneva.

Portugal

M. P. BÁRCIA, Conseiller pour les Affaires du Travail et de l'Emploi, Mission permanente, Genève.
 M. J. SOUSA FIALHO, Conseiller du Ministre de la Sécurité Social et du Travail.

**Saint-Marin San Marino
San Marino**

Mme F. BIGI, Ambassadeur, Mission permanente, Genève.
 M. R. INNOCENTINI, Stagiaire, Mission permanente, Genève.
 Mme F. RIDULFO, Stagiaire, Mission permanente, Genève.

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

Mgr. S. TOMASI, Nonce Apostolique, Mission permanente, Genève.
 Mgr. M. DE GREGORI, Mission permanente, Genève.
 Dr. P. GUTIÉRREZ, Conseiller technique, Mission permanente, Genève.

Sénégal Senegal Senegal

M. O. CAMARA, Ambassadeur, Mission permanente, Genève.
 M. D. SENE, Ministre-Conseiller, Mission permanente, Genève.
 M. A. BASSE, Premier secrétaire, Mission permanente, Genève.

Seychelles

Mr. J. BAKER, Director, International Relations, Ministry of Social Affairs and Employment.

**Slovaquie Slovakia
Eslovaquia**

Ms. N. SEPTÁKOVÁ, First Secretary,
Permanent Mission, Geneva.

Suède Sweden Suecia

Mr. B. JONZON, Director, Ministry of
Industry, Employment and
Communications.
Ms. K. WIKLUND, Counsellor, Ministry of
Industry, Employment and
Communications.
Ms. E. LINDBERG, Desk Officer, Ministry of
Industry, Employment and
Communications.
Ms. P. STAVAS, Counsellor, Permanent
Mission, Geneva.

Suisse Switzerland Suiza

M. J. ELMIGER, Ambassadeur, Chef des
Affaires internationales du Travail,
Secrétariat d'Etat à l'économie (SECO).
Mme T. ALVESALO-ROESCH, Suppléante du
Chef des affaires internationales du travail,
Secrétariat d'Etat à l'économie (SECO).
Mme B. SCHÄR BOURBEAU, Secrétaire
d'ambassade, Mission permanente, Genève.
Mme F. TINGUELY-MATTLI, Cheffe
suppléante de la section Organisations
internationales et Politique d'accueil,
Département des affaires étrangères
(DFAE).
Mme B. ECKWALL, Chargée de programme,
Direction du développement et de la
coopération, Section ONU-développement,
Département des affaires étrangères
(DFAE).

**Tchèque, Rép.
Czech Republic
República Checa**

Mr. C. SAJDA, Deputy Minister, Ministry of
Labour and Social Affairs.
Mr. I. PINTÉR, Counsellor, Permanent
Mission, Geneva.
Mr. P. POKORNÝ, Department for European
Integration and International Relations,
Ministry of Labour and Social Affairs.
Mr. J. TOIFL, Department of Multilateral
Relations, Ministry of Foreign Affairs.

Tunisie Tunisia Túnez

M. H. MANSOUR, Ambassadeur, Mission
permanente, Genève.
M. H. LANDOULSI, Conseiller, Mission
permanente, Genève.

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

**Nations Unies
United Nations
Naciones Unidas**

Mr. J. BAUDOT, Coordinator, International Forum for Social Development, Department of Economic and Social Affairs.

**Conférence des Nations Unies sur le commerce et le développement
United Nations Conference on Trade and Development
Conferencia de las Naciones Unidas sobre Comercio y Desarrollo**

Mr. C. FORTIN CABEZAS, Deputy Secretary-General, United Nations Conference on Trade and Development.

**Programme des Nations Unies pour le développement
United Nations Development Programme
Programa de las Naciones Unidas para el Desarrollo**

Mr. J. VANDERMOORTELE, Principal Adviser and Group Leader, BDP/Socio-Economic Development Group.
Ms. V. QUOIDBACH, Programme Officer, UNDP Office in Geneva.

**Organisation des Nations Unies pour le développement industriel
United Nations Industrial Development Organization
Organización de las Naciones Unidas para el Desarrollo Industrial**

Mr. A. DI LISCIA, Assistant Director-General and Director of the UNIDO Office in Geneva.
Mr. B. CALZADILLA-SARMIENTO, Senior Adviser.

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

Mr. M. LOFTUS, Head of Inter-Organisation Desk, Secretariat and Inter-Organisation Service.
Mr. L. CURCI, Associate Inter-Organisation Officer, Secretariat and Inter-Organisation Service.

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

Mr. M. COX, Director, Rural Development Division, Sustainable Development Department.
Mr. T. MASUKU, Director, FAO Liaison Office, Geneva.

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

Mr. G. ABAD-ORTIZ, Director, Division for Social Sciences, Research and Policy, Sector for Social and Human Sciences.

Ms. C. GOLDEN, Programme Specialist, Division of Social Science Research and Policy, Sector for Social and Human Sciences.

Mr. G. MALEMPRÉ, Representative to the UN and specialized institutions in Geneva.

Organisation mondiale de la santé

World Health Organization

Organización Mundial de la Salud

Mr. P. MERTENS, Coordinator, Office of Coordination with the UN and other Intergovernmental Agencies.

Ms. C. ROSE-ODUYEMI, External Relations Officer, Office of Coordination with the UN and other Intergovernmental Agencies.

Dr. G. EIJKEMANS, Office of Occupational and Environmental Health, Department of Protection of the Human Environment.

Dr. G. GOLDSTEIN, Office of Occupational and Environmental Health, Department of Protection of the Human Environment.

Banque Mondiale

World Bank

Banco Mundial

Mr. J. INGRAM, Special Representative to the United Nations and the World Trade Organization.

Mr. F. ZARCONI, Economist, World Bank Geneva Office.

Fonds monétaire international

International Monetary Fund

Fondo Monetario Internacional

Mr. J.-P. CHAUFFOUR, Senior Economist, IMF Representative in Geneva.

Mr. K. ENDERS, Assistant Director, IMF Offices in Europe.

Organisation météorologique mondiale

World Meteorological Organization

Organización Meteorológica Mundial

Mr. C. WANG, External Relations Officer.

Organisation mondiale du Commerce
World Trade Organization
Organización Mundial del Comercio

Ms. V. KULAÇOĞLU, Director, Trade and Environment Division.

L'Union africaine
African Union
Unión Africana

Ms. B. GAWANAS, Commissioner, Social Affairs Department.
 Ms. S. KALINDE, Ambassador and Permanent Observer.
 Mr. V. WEGE-NZOMWITA, Counsellor, Geneva.

Organisation arabe du travail
Arab Labour Organization
Organización Árabe del Trabajo

Mr. A. HUMSI, Head of Permanent Delegation in Geneva.
 Ms. A. HILAL, Permanent Delegation of the ALO in Geneva.

Ligue des Etats arabes
League of Arab States
Liga de Estados Arabes

Mr. S. ALFARARGI, Ambassador, Permanent Observer.
 Mr. M. MOUAKI BENANI, Counsellor.
 Dr. O. EL-HAJJE, Member.

Organisation de coopération et de développement économiques
Organisation for Economic Co-operation and Development
Organización de cooperación y Desarrollo Económicos

Mr. R. TORRES, Head, Employment Analysis and Policies Division, Directorate for Employment, Labour and Social Affairs.

Commission européenne
European Commission
Comisión Europea

Mr. C. TROJAN, Ambassador, Head of Delegation, Geneva.
 Ms. L. PAVAN-WOOLFE, Directorate General for Employment.
 Mr. J. TRICART, Head of Unit, Directorate General for Employment.
 Ms. M. CONINSX, Minister-Counsellor, Geneva.
 M. R. DELARUE, Administrator, Directorate General for Employment.
 Ms. B. DOESER, Administrator, Directorate General for Trade.
 Mr. M. LOPRIENO, Principal Administrator, Directorate General for Development.
 M. C. DUFOUR, Attaché, Geneva.

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

Confédération internationale des syndicats libres
International Confederation of Free Trade Unions
Confederación Internacional de Organizaciones Sindicales Libres

Mr. D. CUNNIAH, Director, Geneva Office.
Ms. A. BIONDI, Assistant Director, Geneva Office, Bureau de Genève.

Confédération mondiale du travail
World Confederation of Labour
Confederación Mundial del Trabajo

M. E. ESTEVEZ, Secrétaire général adjoint.
M. H. SEA, Représentant permanent à Genève.
M. R. VIVANCÓ, Représentant permanent à Genève.
Mme I. HOFFERLIN, Directrice, Département Normes.

Fédération syndicale mondiale
World Federation of Trade Unions
Federación Sindical Mundial

Mr. R. CARDONA NUEVO, Deputy Secretary-General.
Ms. A. AVELLA, Adviser.
Mr. J. PAGE, Adviser.

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

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

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

Mr. H. SUNMONU, Secretary-General.
Mr. D. DIOP, Assistant Secretary-General.
Mr. M. ABUZEID, Permanent Representative to the ILO and UN Mission in Geneva.

L'Alliance Coopérative Internationale
International Co-operative Alliance
La Alianza Cooperativa Internacional

Mr. I. MACDONALD, Director-General.

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

Mr. D. HOSKINS, Secretary-General.

Mr. J. THIRION, Chief of Finance and Administration.