



**Eighteenth sitting**

Thursday, 20 June 2013, 10.15 a.m.

*President: Mr Katamine*

**TRIBUTE TO MR SHRI VIKAS**

The PRESIDENT

Before we begin our work, I am obliged to share with you the sad news of the sudden death of Mr Shri Vikas, Director, Ministry of Labour and Employment of India. Mr Vikas attended the International Labour Conference and the Governing Body for the last few years, providing excellent support to the Government of India in its representations. He was also a staunch defender of the International Labour Organization in many different areas of work.

The Conference is profoundly saddened by this news, and I offer condolences, on my own behalf and that of my fellow Officers, to the family of Mr Vikas and to the Government of India.

*(A minute of silence is observed.)*

Mr SINHA (*Government, India*)

We are deeply grateful to the ILO and to the distinguished delegates here for this extremely kind gesture of showing solidarity with us in our hour of grief.

Mr Vikas was one of our much loved and admired delegates, who endeared himself to all by his dedication, sincerity and hard work. He joined the Government of India after an outstanding career in one of our leading institutes of technology where he graduated as a gold medallist.

He joined the Ministry of Labour in 2007 as Director of International Labour Affairs. He was also concerned with the national policy on HIV/AIDS and the world of work. He was an alternate member of the Country Coordination Mechanism and participated in the International Labour Conference in 2010 at which the HIV and AIDS Recommendation, 2010 (No. 200), was adopted.

He worked closely with employers' organizations and trade unions in disseminating national policy on HIV/AIDS and the world of work. He also handled the work of the project management team of the Ministry of Labour on HIV/AIDS. Prior to joining the Government of India, he worked in the National Thermal Power Corporation and the Tata Steel Company.

Mr Vikas died yesterday. His body was found in the hotel by the hotel staff at 2 p.m. He had gone back to his room at about 8 a.m. and he collapsed there. We were deeply shocked by this. He is sur-

vived by his wife and one son, who is a student of engineering.

We will miss him in our delegation. This was possibly his concluding year in the Ministry of Labour and he was to move on to other assignments in government. But clearly that was not to be and it is a loss that we will mourn.

We are deeply grateful once again to the ILO and to all the delegates here for sharing our grief.

The PRESIDENT

We shall indeed also hope that his soul will be in paradise.

**REPORT OF THE COMMITTEE ON  
THE APPLICATION OF STANDARDS:  
SUBMISSION, DISCUSSION AND APPROVAL**

The PRESIDENT

I now turn to the first item before us, which is the submission, discussion and approval of the report of the Committee on the Application of Standards. This report is published in *Provisional Record* No. 16, Parts 1 and 2.

I invite the Officers of the Committee to come up to the podium. They are Mr D'Alotto (Government, Argentina), who will deliver the statement on behalf of the Chairperson, Ms Rial; Mr Kloosterman (Employer, United States), who will speak on behalf of the Employer Vice-Chairperson, Ms Regenbogen; Mr Leemans, Worker Vice-Chairperson; and Mr Katjaimo, Reporter.

I now call on Mr Katjaimo to present the report.

Mr KATJAIMO (*Reporter for the Committee on the Application of Standards*)

It is a pleasure and an honour to present to the plenary the report of the Committee on the Application of Standards. The Committee is a standing body of the Conference, empowered under article 7 of the Standing Orders, to examine the measures taken by States to implement the Conventions that they have voluntarily ratified. It also examines the manner in which States fulfil their reporting obligations as provided for under the ILO Constitution.

The Committee provides a unique forum at the international level. It covers actors in the real economy, drawn from all the regions of the world. We sit alongside one another during times of economic booms and busts. Significant work by all parties went towards the preparation of this session of the Committee.

Following the outcome of last year's discussion, the decision taken by the Conference upon the Committee's recommendation resulted in a series of informal tripartite consultations in September 2012 and February 2013, as well as discussions in the Governing Body in November 2012 and March 2013, led by the Officers of the Governing Body with the active support of the Director-General. These consultations contributed to the smooth functioning of the Committee, enabling the Committee to adopt, in a timely manner, a list of individual cases for discussion, which it had not been able to do last year.

The report before the plenary is divided into two parts corresponding to the principal discussions dealt with by the Committee.

The first part addresses the Committee's discussion on general questions relating to standards and the General Survey of the Committee of Experts on the Application of Conventions and Recommendations, which concerns, this year, labour relations and collective bargaining in the public service. The second part consists of the discussions on the 25 individual cases, as well as one case of progress, examined by the Committee, and its related conclusions.

I will recall the salient features of the Committee discussions in respect of each of these questions.

In the general discussion, the operative approach of the Committee's work, which is also the ILO hallmark, that is oversight through discussion, was recalled. The fruitful dialogue between the Committee and the Committee of Experts is key in this respect. The Committee works closely with, and to a large extent on the basis of the report of, the Committee of Experts.

Furthermore, it is established practice for both committees to have direct exchanges on issues of common interest. To this end, the Vice-Chairpersons of the Committee engaged in an exchange of views with the members of the Committee of Experts at its last session in November–December 2012.

Subsequently, this year the Committee had the pleasure of welcoming the Chairperson of the Committee of Experts, who attended the first week of its session as an observer, with the opportunity to address the Committee. The discussions placed emphasis on the question of the interaction between the two committees and how this interaction could be further strengthened. It was reaffirmed in this regard that the plenary legal examination of reports by an independent body, prior to the tripartite examination by the Committee on the Application of Standards, is essential to any serious effort at supervision.

One issue of common interest which has been broadly emphasized by the Committee is the fulfilment of reporting obligations by member States.

The work of the Committee on the Application of Standards, as well as that of the Committee of Experts, hinges primarily on the information contained in the reports submitted by governments. This year again, the Committee noted that although the strengthened follow-up, put in place by the committees, had achieved some positive results, serious difficulties remained. Further progress is still necessary and indeed, crucial, for the effectiveness of the ILO supervisory system.

The Committee reiterated its call on the Office to pursue its technical assistance to member States to

enable them to fulfil their constitutional reporting obligations.

One of the highlights of the first part of the Committee's work was its examination of the Committee of Experts' General Survey concerning labour relations and collective bargaining in the public service, particularly the Labour Relations (Public Service) Convention, 1978 (No. 151), and the Collective Bargaining Convention, 1981 (No. 154). The Committee decided to take up, at an early stage of its work, the examination of the General Survey to ensure a timely coordination with the Committee for the Recurrent Discussion on Social Dialogue.

The outcome of the Committee's discussion was transmitted to the Committee for the Recurrent Discussion on Social Dialogue, and completed with an oral presentation by the Officers of the Committee on the Application of Standards. In this outcome, the Committee expressed its strong attachment to the principles of freedom of association and collective bargaining, and emphasized that these rights could only be fully developed in a democratic system in which civil liberties are respected.

The Committee highlighted the fact that: (i) collective bargaining in the public sector, as in the private sector, should be conducted in accordance with the principle of free, voluntary and good-faith negotiation; (ii) collective bargaining in the public service could maximize the impact of the responses to the needs of the real economy to be of particular importance during this time of economic crisis; (iii) collective bargaining contributes to just and equitable working conditions, harmonious relations in the workplace and social peace; and (iv) collective bargaining may cover a broad range of subjects of interest, both to the workers and to the employers, including fundamental rights, wages and working conditions, maternity protection, gender equality, family responsibility, productivity, workplace adaptations and much more.

A noted change to the Committee's work this year was that it did not hold a special session to consider the application of the Forced Labour Convention, 1930 (No. 29), by Myanmar, because following the recommendation made by the Governing Body in March 2013, the Conference has suspended paragraph 1(a) of the 2000 resolution concerning the measures recommended by the Governing Body under article 33 of the ILO Constitution on the subject of Myanmar. This was a significant development. The observance by Myanmar of Convention No. 29 had involved the most comprehensive combination of procedures available in the ILO's supervisory system. The case illustrates the importance, as well as the capacity, of tripartism in social dialogue, in ensuring the impact of the supervisory system. It demonstrates that a great deal can be achieved for the advancement of labour rights when there is a comprehensive institutional response from the ILO, backed by tripartite consensus.

With respect to core work, concerning the individual cases, the Committee pursued its efforts to achieving a balance in cases listed between different regions.

This year, the breakdown of cases was as follows: Africa, seven cases; Arab States, one case; Americas, five cases; Asia and the Pacific, seven cases; and Europe, six cases.

As in previous years, the majority of the cases selected concerned the application of fundamental Conventions – 21 cases.

Moreover, this year, for the first time since 2008, the Committee discussion included the examination of a case of progress: the application of the Vocational Rehabilitation and Employment (Disabled Persons) Convention, 1983 (No. 159), by Iceland.

The Committee's conclusions on all these cases constitute an authoritative and effective compass to guide member States in sustaining their commitments under the Conventions they have ratified. Once again, the Committee has placed priority on ILO technical cooperation assistance to help member States in implementing international labour standards.

The Committee decided to include in its report special paragraphs on the following cases: the application by Belarus and Fiji of the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), and the application by Uzbekistan of the Worst Forms of Child Labour Convention, 1999 (No. 182). The results achieved highlight, in particular, the Conference Committee's remarkable capacity, through dialogue, to discharge its core mandate and to be simultaneously responsive to contemporary challenges. Hence, it makes a lasting contribution in enabling the ILO to discharge, in an effective manner, its core responsibilities.

It has been an enriching experience to participate in this work. I would like to thank the Chairperson, Ms Noemí Rial, in absentia, along with the Employers' and Workers' Vice-Chairpersons, Ms Sonia Regenbogen, also in absentia, and Mr Marc Leemans for their competence, efficiency and spirit of cooperation which has enabled this Committee to carry out its work.

I would like to recommend that the Conference adopt the report of the Committee on the Application of Standards.

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Mr KLOOSTERMAN (*Employer, United States*)

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On behalf of the Employers' group, I, too, commend the report of the Committee on the Application of Standards to the plenary today and recommend its adoption.

We Employers believe we had a very successful session this year. Having a successful Conference allows for a certain amount of reflections on the events of the past year. Last year, as I am sure most of you are aware, the Committee on the Application of Standards heard no cases whatsoever. And instead of a speech focusing, like this one will, on a successful Conference, my colleague's speech last year focused on issues that the Employers had with the Committee of Experts, their mandate and the interpretations they have given to certain standards, especially their view that Convention No. 87 contains a sweeping right to strike. I will try not to dwell on those issues any further. Instead, I would prefer to focus on this year and on the future.

Hopefully, what will be my last comment on the past is that last year's events showed that the ILO's standard supervisory system has a few problems, but we want to focus on solving those problems. We think tentative solutions have certainly been found on some critical issues and we certainly see the potential for a far more consensual approach in the work of this Committee, but continuing efforts need to be made to put the system back on stable ground and to make it resilient and sustainable for the future.

Now let us move on to this year and the future. This year, unlike last year, the Committee heard cases. As you have heard, we have heard 25 cases. We heard one case of progress, that of Iceland.

In September of last year, the Employers and the Workers jointly pledged that there would be a list of cases this year. We delivered on that pledge, I am happy to say. It means that we can all leave Geneva proud.

The shortlist was even finalized by Thursday of the first week. That timing gave governments ample time to prepare their cases before the Committee. Now the compromise achieved that allowed us to do these things came about only after some difficult negotiations – but we did it. Nevertheless, we all need to find some ways to make the list-making process less difficult in the future. So, in addition to the double-footnoted cases that we hear every year, we think it might be useful to consider, perhaps, some automatic elements in the selection process similar to that. A rotation system could be one, or perhaps covering all member States within a defined number of years.

Now the actual discussion we had of the 25 cases and one case of progress was full and constructive, led by the determined will on everyone's part to come to objective and fair assessments. We had mutually agreed upon conclusions for all of the cases and those conclusions gave clear and unambiguous messages to governments as to what this Committee wants them to do to better comply with their obligations. Was this easy? No, it was not!

A continually contentious matter is cases under Convention No. 87 where strikes are an issue. I mentioned it before, and we all know by now the Committee of Experts has delineated a sweeping right to strike in Convention No. 87. Everyone knows that the Employers' group disagrees with that.

This year, eight of the 25 cases involved Convention No. 87 and, of those eight, seven involved this unilaterally interpreted right to strike. Because there is no consensus on this issue agreeing on conclusions can be difficult in these cases.

So the Committee took an innovative step this year. The conclusions on Convention No. 87 right-to-strike cases, for the very first time, have included a clarifying phrase: "The Committee did not address the right to strike in this case as the Employers do not agree that there is a right to strike recognized in Convention No. 87."

The phrase certainly is not perfect. It is absolutely a compromise and it is most likely an exemplar of what a compromise is. But the phrase makes two things transparent that have not been transparent in the past. First, there is no agreement in the Committee that Convention No. 87 recognizes a right to strike. Second, because there is an absence of consensus on this issue, the Committee recognizes that we are not in a position to ask governments to change their internal laws and practices with regard to strike issues.

In February of this year we had the last of a set of informal discussions on the way forward. Some representatives from the Committee of Experts attended that meeting and they challenged this Committee to make our views clearly evident. They questioned whether our Committee was properly and adequately supervising the cases before us if our conclusions avoided mentioning areas of dispute. So, this year we have very clearly indicated

that there is a lack of consensus as to whether Convention No. 87 encompasses the sweeping right to strike that the experts delineated. We hope that the experts properly consider this Committee's views. A division of views on an important subject like this between the two major ILO supervisory bodies is certainly not healthy.

We reiterate the readiness of the Employers' group to discuss the wider issues of industrial action in the ILO, to try and better understand the situation in member States and to see if there is sufficient common ground for standard setting at an international level.

Also this year, the Committee of Experts published a General Survey, concerning labour relations and collective bargaining in the public service. Overall it was a very positive survey and we certainly commend the Committee of Experts for their hard work in producing the survey.

During the course of our Committee work this year, the Employers' group did level some fairly critical comments about some of the contents of the General Survey – in particular some of the interpretations provided of Conventions Nos 151 and 154. As a group, we absolutely made those comments in good faith. We made them with a view to identifying issues and promoting consensus within the Committee and within the larger body. This was also something that the experts asked us to do at our meeting with them in February. We appreciated the constructive reaction by the Chairperson of the Committee of Experts, Professor Yokota, who considered the points made by the Employers as “very thought-provoking and legally interesting”. Since that discussion, we have been roundly criticized by various individuals within this House. I have heard every tired battle and war cliché used: that we were brutal, that we were violent, that we launched a “full frontal assault”. It is rhetoric, it is not constructive. We critiqued a document, we were asked to do it, and that is all we did. There is no battle, there is no war, there is no violence. Let us just move on with this.

I will mention one of our specific General Survey comments, which has to do with the experts' response to our request for a simple statement in future surveys and reports indicating that the contents are the experts' views and not necessarily the agreed views of the tripartite constituents. If you look at paragraphs 6, 7 and 8 of the General Survey, you will see that the experts responded to our request and we think that they meant to respond to us in a constructive manner. We certainly appreciate their willingness to listen to our concerns and to respond. The final result, in our opinion, was not satisfactory though. Paragraph 8 of the General Survey refers to a statement the experts made in 1990 claiming that their views are to be considered binding until contradicted by the International Court of Justice. Historically, the Employers' group – and I am sorry to repeat the past again – the Employers' group has disagreed with that statement ever since 1990. And, it is our disagreement with that very statement 23 years ago that has essentially started this whole issue in the first place. So dredging up that statement is certainly not constructive but we look forward to further discussions with the experts, with our social partners, with governments and with the Office, with the overall aim of finding a clear and more transparent solution.

The Employers' group made six proposals in the general discussion that we think might make the standard supervisory system in the ILO more efficient and effective.

I will just note what they are: (i) closer cooperation between the Committee on the Application of Standards, the Committee of Experts and the Office; (ii) a more participatory approach for the report of the Committee of Experts; (iii) that the reports address reporting failures in a more sustainable way; (iv) improving the focus of supervision by reducing the number of observations; (v) measuring progress in compliance with ratified Conventions in a more meaningful way; and (vi) revitalizing general observations as a tool in standard supervision.

We invite Governments and we invite the Workers to constructively consider these proposals and add proposals of their own. There should be a dialogue within the full House so that the consideration of concrete reforms can be started in the appropriate ILO bodies as soon as possible.

I would like to make a few remarks about serious cases affecting Employers who we have not heard from this year. These involve the Plurinational State of Bolivia on Convention No. 131, Serbia on Convention No. 87, Uruguay on Convention No. 98, and the Bolivarian Republic of Venezuela also on Convention No. 87.

The Bolivian case, in particular, has gone on for many years. It involves the Government setting the minimum wage every year by decree without any kind of consultation with the most representative employers' organization. We believe this is a clear violation of Convention No. 131, and hope that the experts will urge the Government to remedy this violation without further delay.

We find the Serbian case equally worrisome. There, the Government has established an independent commission, which is formed of arbitrators paid by the Government for the peaceful settlement of labour disputes. But there is also a well-functioning Representativity Board that was established under the Labour Code which includes the most representative employers' and workers' organizations. We support the Serbian employers' association in their deep concerns with respect to the application of Convention No. 87 in the country.

With regard to Uruguay and Convention No. 98, we have conclusions from a past Committee discussion which requested the Government to amend Act No. 18566 on collective bargaining. Nothing appears to have been done. We call the attention of the ILO supervisory bodies to the lack of serious commitment from the Government of Uruguay and to such evident disrespect of the supervisory body's resolutions.

Finally, the violation of Convention No. 87 by Venezuela is an issue well known to all of us. We believe no progress has been achieved. We therefore request the supervisory bodies of this House, and the Office, to make great efforts so that a high-level mission can visit the country without further delay, and in any event before the October session of the Governing Body.

In conclusion, welcome to the new “normal”. I say that because everyone for the past year has been asking all the Employers: “When are we going to return to normal, after last year's events?” Well, the old “normal” is no longer with us. We have a new “normal”. Welcome! It is a good “normal” in that the Committee on the Application of Standards is

functioning. It functioned well this year and we hope it continues to function well in the future.

We want to make it absolutely clear to everybody in this House that the Employers support the ILO standards supervisory system. We are 100 per cent committed to maintaining an effective supervisory system. We want that supervisory system to be consistent with the ILO Constitution. We want it to be envied by every other international body.

We appreciate the constructive but robust dialogue we have had with the Workers, the Governments and with the Office over the past few weeks and, certainly, over the past year.

We wish to thank the Office for its excellent support for our work, in particular, once again, Ms Doumbia-Henry and her excellent team. Ms Doumbia-Henry has actually been able to smile occasionally this year. I know she did not have a good year last year. A special thanks go to our Chairperson, Ms Noemí Rial, in absentia; I know she had to return to her country. She ran the Committee well this year and we certainly thank her for that. We thank our Reporter, Mr David Katjaimo, who this year ensured the Committee's work was properly kept on record. I would also like to thank all my colleagues in the Employers' group, especially Sonia Regenbogen, who was our spokesperson at the beginning of the Committee, and for whom I am delivering this speech. I would like to thank my colleagues Sandra D'Amico, Alberto Echavarría, Juan Mailhos and Paul Mackay for their excellent help in preparing and presenting the cases we heard this year. I would certainly like to express our gratitude to the IOE, particularly Roberto Suárez, María Paz Anzorreguy, Alessandra Assenza and Catalina Perafan. And we appreciate all the work provided by ACT/EMP, Christian Hess and Sanchir Tugschimeg.

Last, and certainly by no means least, I thank Mr Leemans, my Worker colleague and his team because, as I have said over and over again, we had an interesting year. It was a constructive year, and I thank them for their constructive collaboration in what have been some very difficult matters.

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*Original French: Mr LEEMANS (Worker Vice-Chairperson of the Committee on the Application of Standards)*

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I would like to begin by extending, on behalf of the Workers' group, our condolences to the Indian Government following the sudden passing away of Mr Vikas.

In 2012, the Committee on the Application of Standards stopped its work prematurely, having found some flaws which were very worrying for the Committee itself and for the future of the supervisory machinery. Everything had gone wrong. There was no list or consideration of individual cases and no conclusions. In addition, it was impossible for the Committee to reach joint conclusions on the recurrent discussion which, last year, was about promoting the application of fundamental principles and rights at work.

The Employers later described the events of June 2012 as a "rupture point", meaning that maintaining the status quo was not possible, but that their participation in the system would be unaffected as long as the system itself was "mended". I am quoting here the summary record of the tripartite consultations which took place on 19 and 20 February 2013.

During these informal consultations, Governments recalled that they were relying on the social

partners to establish a list of cases, and the social partners responded by committing to this. So my first objective in representing the Workers' group of the Committee on the Application of Standards was to reach agreement with the Employers on a list of 25 cases to be considered at this session of our Committee. I have to say sincerely that through the months of April and May 2013, everything possible was done by the Workers and the Employers to guarantee the normal working of the Committee on the Application of Standards.

I must say that some very constructive meetings were organized between the spokespersons of the two groups, in the firm intention of being able very soon to submit a list of individual cases and so get down quickly to work.

In order to achieve this, there was a condition that had to be met, which was that no veto would be applied by either of the parties when it came to a choice among the cases proposed. It was clear that we expected to be able to talk about all the Conventions, respecting, as always, a geographical and thematic balance between fundamental Conventions, priority Conventions or more technical ones. On 6 June we did in fact have a list.

My second objective was to reach conclusions based on a consensus between Employers and Workers. This is what Governments were expecting from us and, in any case, it is the only common sense way of working if the supervisory bodies are to work on a tripartite basis.

Achieving consensus-based conclusions required two things, as far as the Workers' group was concerned.

First, to set aside matters relating to the events of 2012 solely within the Committee on the Application of Standards, in view of the processes that had begun, either officially, within the Governing Body, or in its margins with the help of high-level individuals. We said it would be all right to mention these matters, but only when it was appropriate.

Secondly, we expected to be able to discuss all the cases on the list agreed upon with the Employers, in the very promising climate, which I have already mentioned. So we have to welcome the fact that the discussion on individual cases took place. We can be glad that all of the Conventions on the list of individual cases were discussed, including one of two cases where progress had been made. I think we need to welcome the fact that it has been possible to present to the Committee for the Recurrent Discussion on Social Dialogue unanimous conclusions on the General Survey. The relationship between the Committee on the Application of Standards and the Committee for the Recurrent Discussion is still an important question. It was agreed upon in 2012, but the procedure was reinstated this year.

From our point of view, the contribution of our Committee to the work of the Committee for the Recurrent Discussion should be seen as the expression of a tripartite determination to reaffirm the importance of collective bargaining in all sectors, private and public, in these times of crisis in which attempts are being made to reform labour laws on a basis of austerity policies. But I must emphasize that it was by no means easy to achieve this result. We have to say it loud and clear: the Workers agreed to make concessions. They were bent on saving the supervisory machinery through the role of the Committee of Experts, acting in concert with the Committee on the Application of Standards.

This is in fact the role which was chiefly under attack.

From the very first day, the Workers' group insisted that the ongoing consultation process had to be given every chance to succeed, focusing our hopes on an improved outcome. There was no question of blurring the issues. So the Workers' group this year has made not only huge efforts, but significant concessions too, and I do not think that these concessions can be used to our detriment or analysed outside of the ILO as a confession of weakness. Let me put it another way. These concessions are a one-time event, and they cannot be repeated every year.

The first concession we made was to agree to take Colombia off the list of the 25 individual cases. It was not easy to accept this, because the case has not been discussed in the Committee on the Application of Standards since 2009, in spite of the systematic violation of workers' rights and those of their representatives, and despite the violence committed against trade union members and leaders. Today, they are still under threat and in mortal danger.

We know that throughout this Conference, contact took place between all interested parties under the guidance of Mr Guy Ryder, the Director-General. The intention of all parties seems to be to continue the dialogue in Colombia, and to make the most of the opportunity represented by the tripartite consultation committee as a space for dialogue.

There is still a lot to do, but a positive message has certainly been sent at this Conference. As spokesperson of the Workers' group, I expressed the wish that our Committee's report take note of the promises made and that the follow-up of the contacts made should also be communicated to our Committee in 2014, in the most appropriate manner.

The second concession we made was with regard to the interpretation of Convention No. 87. These concessions were perhaps not always fully understood within our own group, and indeed their scope has perhaps been underestimated by the Employers, who would have preferred a thousand times to reopen the debate on the mandate of the experts, and on the question of the legal basis of the right to strike. The sole objective of the concessions we made was to avoid the failures of 2012; in this sense, 2013 marks a turning point: this approach will not be repeated.

On our list we had nine Convention No. 87 cases, which we approached with moderation, trying to recall everything that the fundamental Convention contains in terms of important principles which go beyond the question of strikes and the experts' mandate for interpretation. Many of the discussions of Convention No. 87 cases began with a statement of principle, recalling that the Convention is, above all, a useful tool for workers and employers, and that freedom of association is a human right and a precondition for collective bargaining and for a healthy social dialogue benefiting employers and workers alike and fostering social peace.

We had to go further under pressure from the Employers, to avoid failing to achieve one of our objectives, which was to have conclusions for all cases. Anybody who reads the conclusions closely will find that in six of the nine conclusions relating to the discussion of Convention No. 87, there is the following comment: "The Committee did not address the right to strike in this case as the Employers

do not agree that there is a right to strike recognized in Convention No. 87."

The right to strike exists, but the exercise of the right has to be decided by national law? Seeking to have the right to strike legislated for at national level alone places the government of the member State concerned in an unequal balance of power in which the main weight falls to its advantage. I repeat now what I have said on many occasions. What we are talking about here is a war at the national level against trade unions and against social dialogue. By taking this line, the Employers are simply repudiating texts such as Article 8.1(d) of the International Covenant on Economic, Social and Cultural Rights, Article 6.4 of the European Social Charter of 1961 and also the Additional Protocol to the American Convention on Human Rights in the Area of Economic, Social and Cultural Rights.

It is interesting to recall that the European Committee of Social Rights, through the supervisory mechanisms for the application of the European Charter, has compiled a digest of its case law which not only sets out in detail the points raised by the Committee of Experts and the Committee on Freedom of Association, but actually goes further.

The tripartite supervisory bodies of the ILO recognize the right to strike, which they regard as a fundamental instrument for workers' organizations to defend their economic and social interests.

Apart from the Committee of Experts, which now takes the view that the right to strike is an essential corollary of the right to organize, we also have the various opinions of the Committee on Freedom of Association, which is a tripartite committee. At its 1952 meeting, it recognized the existence of this right.

For its part, the Committee on Freedom of Association bases the right to strike on the texts of the Conventions dealing with freedom of association, but also on the fact that this is a right which is generally accepted and recognized in the various member States. The Committee on Freedom of Association is not bound by the text of Conventions. Taking a wider view, it bases its recommendations more broadly on international principles in the area of freedom of association.

I would like to say, in passing, that on a number of occasions, the Employers' group has referred to the Committee on Freedom of Association when discussing the cases that come to our Committee.

So it seems that only the Employers fail to agree with the finding that Convention No. 87 recognizes a right to strike, and certainly not the Workers! The right to strike is a collective right and is regarded as an activity of workers' organizations, within the meaning of Article 3 of the ILO Convention.

Once more, what was essential for us this year, 2013, was to bring everything to bear to ensure that when work is completed on the 25 chosen cases, the mandate of the ILO for the promotion of social justice and of all the rights of the workers and employers is respected.

If the Employers wish to go further, we suggest they look at article 37(2) of the ILO Constitution. We hope they will come up with solutions. We await their proposals, and the door is not closed.

With regard to the conclusions adopted by our Committee for the 26 cases we examined, I would particularly like to focus on three cases, which are given a separate paragraph in the report of our Committee. The case of Uzbekistan for Convention

No. 182, which was featured in the double footnote in the report of the experts; the case of Belarus for Convention No. 87; and the case of Fiji for Convention No. 87.

Apart from the application of the special paragraphs, it is important to note that in these three cases constructive steps have been taken, based on the measures pursued by our Committee.

If I take the case of Uzbekistan, which agreed to technical cooperation with the ILO, the conclusions are geared to specific forms of action. A high-level commission is to be set up during the cotton harvest. This mission will have full freedom of movement and free access to all of the situations and all individuals concerned at the appropriate time and place, including in the cotton fields. Our Committee urged the Government to continue its efforts to organize in the near future, a round table with the ILO, the United Nations Development Programme (UNDP), the United Nations Children's Fund (UNICEF), the European Commission, and national and international organizations of workers and employers. We are confident that the Government will continue to do everything to combat child labour effectively, and that at the next session the experts will be able to provide positive news about the observance of Convention No. 182 by Uzbekistan.

For Belarus, our Committee has also adopted a very targeted approach. It has invited the Government to accept a direct contacts mission with a view to getting a full understanding of the situation concerning workers' rights in the country and helping the Government to implement the recommendations of the Commission of Inquiry of 2004. Our only regret is that the Government has clearly indicated that it wants to ponder the acceptability and soundness of the conclusions of our Committee.

For the case of Fiji, we note with pleasure that the Government has stated that it is in favour of a new direct contacts mission, and the Workers' group hopes that this will be able to take place as quickly as possible so that it can be reflected in the report to the Governing Body in October 2013. We note, however, that the Government of Fiji took the floor, after the conclusions were read out, to express reservations and also stating that it had observations to make later. For all of the workers of Fiji who are still subject to very serious harassment and threats, we hope that they will not be deprived of freedom again on their return to the country.

Looking at our conclusions, it is evident that they are oriented towards action, not condemnation. We have a number of direct contacts missions that have been decided upon, and on each occasion they have been given a very detailed and targeted agenda for practical solutions to be achieved on the ground.

I am thinking particularly of Saudi Arabia, where the aim of the mission will be to analyse the situation on the ground with regard to discrimination, and to help the parties in the country to continue making tangible progress.

Our approach is that such a mission should be able to function in the legal and legislative areas and be in touch with the daily life of those concerned, including through interviews. Many technical assistance missions have been planned, including a reinforced and extended technical assistance mission to Paraguay for Convention No. 29. The Government of Egypt has also been encouraged to draw upon this technical assistance, along with the enhanced capacity of the ILO by all the social part-

ners, so that a law on freedom of association, to which the Government has committed itself, can be adopted as quickly as possible.

Offers to host high-level missions have been made for a number of different cases, because of their seriousness or the length of time they have been outstanding, but essentially because it could be seen from the information exchanged with the government concerned that dialogue was starting up. These offers vary in kind according to the case and the Convention concerned. Our follow-up in the cases of Swaziland and Zimbabwe will be especially scrupulous, given the gravity of the situation. An invitation to exchange good practice has been made to Chad with regard to the full and effective understanding of Convention No. 144. Embarking on this kind of dialogue with other States, in another continent, is definitely a plus.

In conclusion, the Workers' group believes that the Committee has worked well this time. The quality of the conclusions, their content, the avenues that they open up for governments; all this proves that the efforts made in the Workers' and Employers' groups and by their spokespersons have borne fruit, and that is the most important thing. We must continue with the process of leaving this crisis behind us, and the difficulties still have to be overcome, because everybody expects a solution which is worthy of the mandate of the ILO.

I would recommend, on behalf of the Workers' group, the approval of the Committee report by the Conference plenary.

I would like to thank all of those involved in the work of the Committee on the Application of Standards, beginning with our Chairperson, Ms Rial, and the Reporter, Mr Katjaimo, as well as Ms Doumbia-Henry and Ms Curtis. I would also like to thank the Workers' group and the Officers of the Workers' group for our Committee for their excellent cooperation. I would also like to thank the Employers' group and their spokespersons for the efforts that we have made together, Ms Regenbogen, Mr Kloosterman, as well as the staff of the ILO and the interpreters, whose work is sometimes tough. My thanks go to everyone who has helped and worked with me; you did an excellent job.

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*Original Spanish: Mr D'ALOTTO (Government, Argentina)*

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It is my honour to take the floor on behalf of the Chairperson of the Committee on the Application of Standards, Ms Noemí Rial, who had to leave for Argentina to assume her responsibilities as Vice-Minister of Labour. With the agreement of the social partners, I am submitting the report of the Committee for your approval.

We have come to the end of our work, on which I would like to make a few comments.

First of all, I would like to commend the constructive spirit that prevailed in this Committee, which to a great extent enabled us to find a way out of the impasse that had impeded the work of the Committee in 2012. The representatives of all the governments and social partners are encouraged to continue along this path and to continue promoting social dialogue.

I would like to emphasize the conciliatory spirit in which all the members of the Committee, and particularly the Vice-Chairpersons of the Employers' and Workers' groups, continually sought the consensus that we needed to find the best solutions. The issues that were still pending from the extensive

discussion that took place in 2012 and this year will continued to be examined by the Governing Body of the ILO.

The fact that the Committee has fulfilled its mandate and attained the objectives that it was set from the start has strengthened the ILO's supervisory system. We welcome this outcome and trust that the Committee will continue along that path.

In accordance with the 2008 Declaration on Social Justice for a Fair Globalization, the Committee examined the Committee of Experts' General Survey on the very important aspect of social justice, labour relations and collective bargaining in the public service. For the first time, the Committee was able to examine a General Survey on the Labour Relations (Public Service) Convention, 1978 (No. 151), and the Collective Bargaining Convention, 1981 (No. 154), and their accompanying Recommendations. At the end of its discussions the Committee reached a consensus and its Officers presented its conclusions to the Committee for the Recurrent Discussion on Social Dialogue.

The Committee examined 26 individual cases from the list that was adopted at the start of the work of the Committee, which was thus able to function normally. The cases that were selected concerned the application both of core Conventions and of technical and promotional Conventions and also reflected a regional balance.

The purpose of the list is to invite governments to provide information on the application of a specific Convention. A consensus was reached on every case examined, and in several instances the Committee suggested that the governments concerned accept the ILO's technical assistance to bring their law and practice fully into line with the Convention concerned.

The Committee was pleased to be able to note one case of progress, namely, in the application by Iceland of Convention No. 159. This is a reflection of governments' willingness to provide the Committee with information and to collaborate in the subsequent discussion.

I would also like to acknowledge the presence of Professor Yokota, Chairperson of the Committee of Experts, who attended our meetings, which is a clear sign of the dialogue that exists between the two committees.

The Committee concluded its work in the hope that, with ILO assistance if necessary, the countries concerned would find in its conclusions the necessary guidance to resolve all the issues raised.

I would like to thank the President and Vice-Presidents of the Conference for their visit to our Committee, as well as our Reporter, Mr Katjaimo, the Employer Vice-Chairperson, Ms Regenbogen, the Worker Vice-Chairperson, Mr Leemans, and their respective teams. Special thanks are due to the Secretary-General's representative, Ms Cleopatra Doumbia-Henry, and the rest of the secretariat, and I would like to pay tribute to the excellent work of the interpreters.

Lastly, I invite you to approve the report of the Committee.

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The PRESIDENT

I now open the general discussion of the report of the Committee on the Application of Standards.

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Ms DEMBSHER (*Government, Austria*)

I will be speaking on behalf of the IMEC group. IMEC is pleased to endorse the approval of the report of the Committee on the Application of Standards. As we have said on many occasions, IMEC governments place a high level of importance on the supervisory system of the ILO, given the key role it plays in facilitating the implementation of, and adherence to, international labour standards as we seek to improve working conditions across the globe.

The ILO supervisory system is a unique and essential element of the Organization's mandate and mission and it is often cited as the most advanced and best functioning within the international community. We recall the different but complementary roles of the Conference Committee and the Committee of Experts. These two committees, one with a tripartite composition and the other composed of independent experts, function in tandem and constitute the heart of the supervisory system. They bring different perspectives to the same goal.

The impartiality, objectivity and, most of all, the independence of the Committee of Experts are essential for preparing the work of the Conference Committee and ensuring proper application of standards in law and practice. Continuous dialogue between the experts and the Conference Committee is critical to both bodies and should be further enhanced.

IMEC is pleased that the Committee on the Application of Standards was able to resume functioning as normal after the unfortunate events of last year. In particular, we thank the social partners for ensuring that the list of individual country cases was adopted on schedule, and for the constructive cooperation throughout the Committee's work. We note that the list included an appropriate range of Conventions and that consensus conclusions were adopted in each case that provided clear, relevant and practical guidance that can be implemented by the respective governments. We hope this level of cooperation and commitment will continue into the future.

IMEC further notes that the automatic registration of cases that was begun as an experiment in 2011 is working effectively. We welcome the fact that this scheduling allowed the Committee to begin discussing cases on the first Saturday of the Conference and to discuss an important case of progress. Recalling that the Tripartite Working Group on the Working Methods of the Conference Committee has not met since November 2011, IMEC considers that it would be appropriate to reconvene the Working Group to assess recent innovations and consider whether other improvements can be made.

IMEC is committed to facilitating a resolution to the issues that created the current difficulties surrounding the ILO supervisory system. Despite the smooth functioning of the Conference Committee over the past days, there are many matters left to discuss and resolve.

IMEC believes it is imperative that these issues are dealt with openly and constructively, in a way that will strengthen, rather than diminish, the effectiveness, credibility and prestige of the ILO supervisory system. The solution, therefore, will require tripartite participation and consensus. As the Director-General indicated in his Report to the Conference, a supervisory system that lacks the necessary



credibility and authority, as well as the support of all parties, will not allow the ILO to discharge its core duties.

Notwithstanding the difficulties that arose last year, the Employers', Workers' and Government groups have steadfastly expressed their belief in, and support for, the ILO supervisory system. IMEC remains encouraged by this unanimous support and we look forward to participating in further tripartite discussions following the Conference.

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*Original Russian: Mr SAIDOV (Government, Uzbekistan)*

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First of all, allow me to express my gratitude to the Director-General of the ILO, Mr Guy Ryder, for the innovative Report dedicated to the ILO centenary.

We have carefully studied the Report and we support the initiatives of the Director-General relating to governance and management of the ILO, initiatives relating to standards, green jobs, enterprises, eradicating poverty, women at work and the future of work.

It is true that social dialogue and partnership, as well as tripartism, constitute the paradigms of social justice, fair labour relations and decent work.

I would like to draw attention to the main areas for technical cooperation between Uzbekistan and the ILO.

First, as we have already stated, in order to develop and implement broad technical cooperation and discussion of the main directions for cooperation with the ILO, we propose this year, as soon as possible after the 102nd Session of the International Labour Conference, to hold a round table on the prospects of technical cooperation on the implementation of international obligations of Uzbekistan within the ILO framework, in Tashkent.

Second, we will invite representatives of the ILO secretariat and the office in Moscow, the European Commission, international organizations accredited in Uzbekistan, including the UNDP and UNICEF, and also foreign representatives of workers' and employers' organizations, representatives of interested national ministries, parliamentarians and representatives of non-governmental organizations.

Third, during the round table we will review a range of aspects, for broad technical cooperation with the ILO secretariat, on the implementation of the Worst Forms of Child Labour Convention, 1999 (No. 182), including issues of organizing and carrying out monitoring during the cotton harvest in the coming autumn.

Fourth, all these events will be implemented on the basis of tripartism, with the participation of representatives of workers' and employers' organizations for capacity building, to protect social and labour rights of citizens within the implementation of ratified ILO Conventions and reporting on these, including on assistance with ratification of other ILO Conventions.

We do not agree with the statement in the report of the Conference Committee on the so-called systematic mobilization of children by the State in the cotton harvest, including the extensive use of the labour of teenagers, young people and adults in all the country's regions and the impact of such practice on the health and education of school-age children.

We also disagree with the decision to include the conclusions on the case of Uzbekistan in a special

paragraph in the report of the 102nd Session of the International Labour Conference.

We believe that this practice of placing pressure on ILO member States is counterproductive and in no way facilitates constructive dialogue and cooperation.

We fully share the efforts to strengthen the activities of the ILO in the area of the protection of the rights of the child, by promoting international cooperation based on the principles of non-selectivity, impartiality and objectivity.

Uzbekistan is prepared for open and constructive cooperation with the ILO to improve the protection of the rights of the child.

We are entirely committed to implementing our international obligations within the ILO Conventions, and also recommendations of the Committee of Experts and the Conference Committee on the Application of Standards, through technical cooperation with the ILO secretariat and its Moscow office.

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*Mr SAHA (Worker, India)*

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I am Sankar Saha, an Indian worker. I want to draw your attention to the systematic and organized attempt the world over to take away the basic human right to strike. It is a way of disarming the workers' community, of crippling them, so that no effective protest can be made against a system that has introduced globalization to prolong the life of capitalism.

Bear with me when I refer to globalization in such terms, because it is a reality that has a direct bearing on the life and rights of the workers. Under capitalistic globalization, the third world economies have sunk ever deeper into crises that have brought the whole of Europe and the United States close to collapse.

The United States, the locomotive of capitalism, is today the biggest borrower nation and has lost its creditworthiness. Its current rate of unemployment exceeds 10 per cent, and underemployment is 17 per cent. One out of six Americans lives below the poverty level. Drastic cuts in health care, education and social justice programmes have made life unbearable for the average American.

This model of the leading Western nation is adopted by its followers: Greece, Portugal, Spain, Italy, France, United Kingdom, Germany, and so on. All the giants of Europe are either bankrupt or near bankruptcy. All these national governments have adopted austerity measures and, in turn, mounted ghastly attacks on the working people by denying their hard-earned rights, beginning with wages and pensions. Job loss, employment insecurity, downsizing, lay-offs and high unemployment is what government have in store for the workers while, on the contrary, they offer incentives, concessions and tax exemptions to corporations and monopolies; in other words, cheating the exploited while rewarding the exploiters. This is the global element of free exploitation of finance capital on the common masses.

Globalization is not just exploiting the workers; more shrewdly, it is destroying human civilization by degrading society in its entirety, culturally, morally and ethically, by promoting vulgarism, extreme consumerism, total self-centredness and indifference to the social cause. It is the other end of the spectrum from the workers' unity, consolidation and struggle, from the ongoing movement in

Europe, in America, in the Middle East, in the ASEAN countries and, most notably, the militant movement of the United States working people, the “Occupy Wall Street” movement, raising the slogan: “We are the 99 per cent and you are the 1 per cent.”

The workers want the right to work but they are not given it. They want the right to organize and collective bargaining but they are denied them. They want health care, shelter and social benefits but they are deprived of them. They are not paid the wages and other benefits that are collectively agreed upon. They have no social security. Trafficking of women and children for personal gain has become the order of the day. Migrant workers throughout the world are physically tortured and used as forced labour.

Come what may, as globalization awaits its death at any moment, it cannot stand up against the workers’ right to strike. Without the right to strike, democracy has no meaning for the workers, and national and international laws will be meaningless if the right to strike is not recognized.

Civilization demands that the international fraternity of workers realize the gravity of the situation and unite to ensure freedom, democracy and the right to strike as a basic human right.

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Mr LEWIS (*Government, Canada*)

With respect to the consideration of Canada on Convention No. 87, the draft record had included one sentence on a point of order that accurately reflected the proceedings. This text is not included in Part 2 of *Provisional Record* No. 16. Canada would ask that the initial text be restored in the final record.

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*Original Russian:* Mr KHVOSTOV (*Government, Belarus*)

First of all, we would like to express the condolences of our delegation to the Government of India for the unfortunate incident resulting in the passing away of Mr Vikas.

We support the supervisory mechanisms of the ILO. We recognize that they are of importance in assessing the application of the ILO Conventions by member States. In this regard, we fully support the activities of the Director-General of the ILO and the ILO itself.

However, on the basis of the Committee’s discussion concerning the application by Belarus of Convention No. 87, we wish at this plenary sitting to express our reservation with regard to the soundness and acceptability of the Committee’s recommendation concerning Belarus.

We need some time to study the relevant document. But I can say that according to the recommendation, we are supposed to guarantee the right to freedom of association and the right to organize, although we believe these rights are respected in the country. As this recommendation has been made, we would like to know which right of association is meant here. Is it the right to strike, or are we talking about a different right, the right to gather together, such as ourselves gathered together in this room, at a peaceful meeting? This right is enshrined in the International Covenant on Civil and Political Rights. I think that these are questions that we need to fully understand and we would reaffirm that we greatly value the work of the Committee. We have a fully respectful attitude towards its activities and the

recommendations that it makes, but we feel bound to express our reservation at this time.

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*Original Arabic:* Mr ABDULLA (*Worker, Bahrain*)

I am speaking on behalf of the General Federation of Bahrain Trade Unions (GFBTU). Since we are the original member accredited with the International Labour Conference, we do not agree in general and in detail with the intervention made by one of the speakers on behalf of what is called the “Bahrain Free Labour Unions Federation” in the Committee on the Application of Standards during the examination of the case of Egypt. This is especially due to the fact that the speaker attacked the International Labour Organization, its employees and the International Trade Union Confederation (ITUC). We hope that our position will be put on record.

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Mr LAGUNZAD III (*Government, Philippines*)

On behalf of the Philippine delegation, I would like to express our gratitude and congratulations to Mr Nidal Katamine, the Minister of Labour of Jordan, for his competent leadership as President of the 102nd Session of the Conference and I also wish to commend the Worker and Employer Vice-Chairpersons. Furthermore, the Philippines congratulates and commends the ILO Director-General, Mr Guy Ryder, for his inspiring vision articulated in his Report to the Conference. This has set the tone for the whole Conference and inspired the debates that now provide guidance to the ILO on its priorities and strategies as it nears its centenary.

The Philippines particularly commends the extraordinary leadership of the Chairperson, Ms Noemí Rial, and Vice-Chairpersons of the Committee on the Application of Standards, and also the representative of the Secretary-General, Ms Cleopatra Doumbia-Henry, for her competent and hardworking leadership in the Committee’s discussions. This has been an extraordinary session of the Conference because of the convergence of ideas and experiences. We have heard many times about the issues concerning the world of work, we have witnessed the passion and commitment of the tripartite delegates, and we have seen the direction set by the Conference as the ILO approaches its centenary. This has truly inspired us to make decent work for all a reality.

It is always inspiring to see and work with people who are serious in moving the discussions from general to real action. The discussions at the 102nd Session of the Conference have been sometimes intense and always enlightening. Delegates have responded positively to the well-studied analyses in the reports and this suggests their seriousness and commitment to discussing labour matters and the cross-cutting themes of social dialogue, sustainable development, green jobs and decent work, unemployment and social protection in the new demographic context.

In the Committee debates, we tried to clarify and sort out the new realities or new normalcies and the challenges they pose. The seeming conflicts and trade-offs considered in policy decisions in response to crisis and the need to manage transitions have to be resolved by employing better, new and creative solutions.

Where workers experience exposure to vulnerabilities due to life cycles, changing economic conditions and environmental degradation, then social protection must be guaranteed. Development is sus-

tainable for a good number of reasons, but decisions that affect the lives of citizens in the name of growth require participation of all those affected by such decisions. Social dialogue in managing these issues is fundamental. There is no trade-off in this regard.

As the Philippines furthers its efforts to achieving sustainable and inclusive growth, the conclusions of this Conference reinforce our resolve to build a future of decent work under a regime of social justice and social cohesion.

The Philippines therefore reaffirms its full support to the values and vision of the ILO under the leadership of Director-General Guy Ryder, and renews its commitment to building a future where decent work is a reality for all.

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The PRESIDENT

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I now give the floor to Mr Brenta (Minister of Labour and Social Security, Uruguay), who wishes to exercise the right of reply.

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*Original Spanish: Mr BRENTA (Minister of Labour and Social Security, Uruguay)*

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First of all, we would like to join in congratulating the Director-General for the Report submitted to the Conference.

We would also like to welcome the fact that, unlike what happened last year, the Committee on the Application of Standards worked well under its Chairperson, Ms Noemí Rial, whom we congratulate. This is clear from the Committee's report, which is constructive and positive and sets out clear and objective criteria for selecting the cases to be examined.

We would also like to pay tribute to the valuable contribution and leadership of Ms Cleopatra Doumbia-Henry, which certainly had much to do with the success of the Committee's work, along with that of all those who took part in the Committee.

Regrettably, we have asked for the floor because we were surprised to hear our country mentioned in the statement by the Employer spokesperson, which shows his total misconception, ignorance or bad faith with regard to the situation in Uruguay. Specifically, he said that nothing has been done about the reports of the Committee on Freedom of Association which made some comments on Act No. 18566 on collective bargaining.

The spokesperson is unaware that Uruguay received a mission led by Ms Doumbia-Henry and that a tripartite agreement was signed to work on the issues raised by the Committee. For more than a year and a half there has been a permanent dialogue with the representatives of the employers and workers in order to reach agreement on a draft law that would take up the points to which the Committee on Freedom of Association has drawn attention.

The National Parliament has already approved an article modifying the composition of the Higher Tripartite Council, the body governing labour relations in Uruguay, so that the Government, workers and employers have the same number of representatives.

The Council thus recently adopted a set of regulations that were approved by the six government representatives, the six workers' representatives and four of the six employers' representatives. In other words, the majority of the employers approved the new regulations governing the body responsible for labour relations.

The Employer spokesperson is also unaware that the Executive has submitted a bill to Parliament, which is currently examining it, covering all, absolutely all, of the recommendations issued by the Committee on Freedom of Association, and that it has duly informed the International Labour Standards Department at every stage.

We also regret that the Employer spokesperson is unaware that 90 per cent of the negotiations on minimum wage fixing and other bargaining issues that took place in the course of the collective bargaining ended in tripartite agreements that were signed by the workers, the employers and the Government.

Having said that, we regret profoundly that in his statement he referred to a case that was not presented to the Committee on the Application of Standards properly this year.

Finally, we regret that the Employer spokesperson does not know that in 2012, Uruguay presented its reports on Conventions Nos 98 and 87, on which the Committee of Experts made no particular observation other than to request that it present a further report in 2015.

Once again, we deeply regret that the Employer spokesperson does not realize that Uruguay fully respects the freedom of association and freedom of expression of workers and employers and that the Government constantly promotes social dialogue in absolute compliance with the rule of law and democracy.

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The PRESIDENT

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As there are no further speakers, we will proceed to the approval of the report of the Committee on the Application of Standards.

If there are no objections, may I take it that the Conference approves the report of the Committee on the Application of Standards, as a whole?

*(The report, as a whole, is approved.)*

Before moving on to the closing ceremony of the Conference, I would like to offer particularly warm congratulations to the Officers of the Committee on the Application of Standards, the members of the Committee and the ILO staff members who provided the secretariat support.

This Committee is one of the cornerstones of the ILO's supervisory machinery, and I was highly gratified that the Committee was able to adopt a list of cases efficiently, as well as conclusions on the cases, which will assist the member States concerned in meeting their international obligations under ratified ILO Conventions.

I want to encourage the tripartite constituents to continue working in the true spirit of social dialogue, the hallmark of this House, to address any issues that may still exist and to find outcomes that will lead to the strengthening of the ILO supervisory system, which is the model for the rest of the international community. For today, I congratulate the Committee and its secretariat on its very efficient work.

I understand that the Workers' delegate from Australia, Ms Kearney, wishes to make a statement on behalf of several Workers' delegates to the Conference. I shall give the floor to her now, but I do not intend to open a debate on this subject.

I wish to inform the Conference that today a number of Workers' delegates have submitted to the ILO Director-General a complaint under article 26 of the ILO Constitution against the Government of Fiji for non-observance of the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87).

The serious and continuous violations of freedom of association in law and practice, including constitutional amendments that threaten to undermine fundamental labour rights require, in our view, the establishment of a commission of inquiry.

#### CLOSING SPEECHES

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The PRESIDENT

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The 102nd Session of the International Labour Conference has now completed its work. We will now proceed to the closing ceremony.

It gives me great pleasure to invite my fellow Officers, in turn, to take the floor and address the Conference.

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Mr RAHMAN (*Employer, Bangladesh; Employer Vice-President of the Conference*)

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It has been a great honour to serve as Employer Vice-President of the 102nd Session of the International Labour Conference.

Allow me to convey my thanks to the President, His Excellency Mr Nidal Katamine, Minister of Labour, Government of the Hashemite Kingdom of Jordan, and my co-Vice-Presidents, Ambassador Paulauskas and Ms Familia, from the Government and Workers' groups, for their goodwill and fellowship all through this Conference.

Let me also thank the Office for its support in helping me to discharge my duties.

This year's Conference agenda addressed a number of questions that lie at the heart of the mandate of the ILO: social dialogue and social protection. It also addressed other important policy issues, such as demographics and the challenge of greening the economy and its implications for the workplace.

We have heard yesterday and today from the spokespersons of the three Committees about their intensive but successful work.

I am convinced that the outcomes in all these areas are highly relevant and can make a real difference on the ground. That is what our work here is all about – to develop policy approaches which improve the situation for all in the world of work.

Our Geneva paperwork is not an end in itself, but a means to change situations and circumstances at regional, national and local levels. If the results of this Conference do not meet the needs of the constituents, our work becomes meaningless.

We have also begun an enriching discussion on the issues raised in the thought-provoking Director-General's Report. Now a proper follow-up process to this discussion and the various points of view raised is needed so that the process of reform, ably begun by the Director-General, follows through with results at the policy level.

This was the first Conference for Mr Guy Ryder as Director-General. We would like to place on record our appreciation for the process of reflection he has begun and for the way he has put himself at our disposal, as constituents, to listen to us. We look forward to a continuation of this, and assure him

that we will play our part in the continuing dialogue, reflection and necessary decisions.

I would like to conclude with the clear commitment of the Employers' group to this Organization and its structure.

After last year's problems in the Committee on the Application of Standards, we are pleased to see that despite ongoing fundamental issues, which are still to be resolved, this year the Committee was able to hear cases owing to our ability to find pragmatic approaches.

Going forward, I am sure we will continue to work together to identify a new impetus in the ILO supervisory machinery which respects all constituents' views and concerns, including the Employers.

The Employers are very much committed to working jointly with Workers, Governments and the Director-General for the success of this Organization.

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*Original Spanish: Ms FAMILIA (Worker, Dominican Republic; Worker Vice-President of the Conference)*

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It has been a great pleasure and an honour for me and my organization to have been elected Vice-President of the 102nd Session of the International Labour Conference. I would like to express my most sincere thanks to the Worker delegates for the trust they have bestowed in me.

I would also like to congratulate the President of the Conference, Professor Nidal Katamine from the Hashemite Kingdom of Jordan, the Vice-President of the Government group, Mr Paulauskas from Lithuania, and the Vice-President of the Employers' group, Mr Rahman from Bangladesh, for their excellent and fruitful cooperation.

This 102nd Session of the Conference has been the first for the new Director-General of the ILO. This has coincided with a whole series of reforms that he has implemented to make the Office able to respond more effectively and more efficiently to the needs of the constituents, and to the significant challenges they are currently facing. We hope that the conclusions adopted at this meeting of the Conference will contribute to strengthening the Office and reinforcing the relevance and the authority of the ILO.

In this regard, we, too, welcome the adoption of the Programme and Budget for 2014–15, which will allow the Office to take on a heavy future workload. We would also like to thank the Director-General for his Report to the Conference, which concisely and strategically sketches out the main challenges facing the ILO and its constituents in achieving social justice. As we move towards the centenary of the ILO, the Workers' group is prepared to continue this important discussion in the Governing Body.

Allow me now to refer to the main outcomes of the work of the committees.

We are particularly pleased to learn that the Committee on the Application of Standards has worked well this year. After the failure of the Committee to carry out its mandate last year, our objectives were geared mainly to guaranteeing discussion of the cases related to the effective application of the Conventions, which are of fundamental importance to the men and women working in different parts of the world.

In this regard, the Committee achieved its objective. A total of 25 cases were discussed and practical conclusions were adopted in the Committee. The conclusions include technical assistance, high-level

missions and direct contact, and special paragraphs in three cases. To achieve this result, the Workers had to demonstrate not only considerable solidarity within their own ranks but also to accept, on an exceptional basis, that in six cases concerning the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), a statement would be included on the right to strike. The time has come to resolve the most fundamental problems, particularly re-establishing respect for the supervisory system, the experts and their mandate. This is an essential precondition for the Workers' group to be able to commit with confidence to the standards review mechanism.

The Committee on Employment and Social Protection in the New Demographic Context reached a series of good conclusions. Despite the fact that the challenges for employment and social protection in the demographic context differ between the regions, it is important to guarantee people income security throughout their lifetime. It is essential for young people to be able to enter the labour market and for social security systems to function in order to guarantee income security for all age groups. Furthermore, it is vitally important that people are able to age with dignity. This requires strong, stable collective bargaining institutions, fair minimum wage mechanisms, effective job protection legislation and good, accessible centres for childcare and care for the elderly.

The conclusions have identified a range of ILO instruments that can help to facilitate measures to deal with demographic change, such as the Social Protection Floors Recommendation, 2012 (No. 202), the Social Security (Minimum Standards) Convention, 1952 (No. 102), the Older Workers Recommendation, 1980 (No. 162), the Workers with Family Responsibilities Recommendation, 1981 (No. 165), the Discrimination (Employment and Occupation) Convention, 1958 (No. 111), and the Employment Policy Convention, 1964 (No. 122).

However, one area that is not yet regulated but is of major importance is the care economy. Care systems that provide adequate care to people who need it, regardless of their level of income or wealth, should be established and strengthened in each country. We hope that the Office will continue working on this issue in the coming months with a view to identifying the need for a possible standard in this area.

The conclusions of the Committee on Sustainable Development, Decent Work and Green Jobs recognize the vital importance of a just transition framework towards sustainability covering microeconomic policies for creating decent green jobs, as well as industrial and sectoral policies that should be defined through social dialogue and collective bargaining.

Additional aspects to bear in mind for a just transition are assessing the impact on jobs, comprehensive social protection systems, vocational training plans and skills development through lifelong learning. The conclusions also recognize that the international labour standards are the main pillar for managing the transition. Green jobs should be decent and respect freedom of association and the occupational health and safety standards, among others. Social dialogue, tripartism and collective bargaining are the backbone for all policies. To this end, an appendix has been included containing a list of

standards for more guidance. Although the conclusions include international cooperation as an important element of the transition, we regret that Members did not agree on a more ambitious focus. A just transition for all must include financial assistance and technology transfer to least developed countries. The conclusions constitute a clear mandate for the ILO and its constituents with a view to moving towards sustainability, both internally – through a strategic action plan, inclusion of a reference to sustainable development, holding a tripartite meeting of experts on the green economy with a just transition, and incorporating green jobs and sustainable development into Decent Work Country Programmes – and through an external mandate for the post-2015 development agenda and other economic forums.

No less importantly, the Committee for the Recurrent Discussion on Social Dialogue adopted a whole series of conclusions with some important policy messages as well as an extensive framework of action. The conclusions show strong tripartite commitment to social dialogue, as well as the importance of complying with certain preconditions, including respect for freedom of association and the right to collective bargaining, for real and effective social dialogue. The conclusions express their disapproval for the unilateral measures adopted in some European countries, which have weakened collective bargaining mechanisms and institutions and affirm that, particularly in times of crisis, social dialogue and collective bargaining have an important role to play.

We welcome the firm declaration that collective bargaining is at the centre of social dialogue, and the broad work programme on collective bargaining, and encourage the Office to rebuild its authority in this area.

The Office should also promote the Conventions and Recommendations related to social dialogue and collective bargaining and, in general, help Members to promote collective bargaining, and with research and the necessary expertise on the benefits of collective bargaining at the different levels. The conclusions highlight the importance of policy coherence and the need to establish a social dialogue mechanism at the national level to enable consultation with the social partners on a series of policies that affect the world of work.

The conclusions pave the way for a new era of commitment on multinational companies and work in global supply chains. The ILO must demonstrate its relevance, both within and outside the ILO, to address the challenges posed by supply chains. We hope that the Governing Body in October will give its full support to a general debate on decent work in supply chains at a future session of the Conference.

Lastly, we welcome the historic decision of this Conference to adopt a resolution on Myanmar replacing the 2000 resolution. With this decision, the constituents and the Office have recognized the important steps the Government of Myanmar has taken on forced labour, and they have especially noted that further efforts are needed to eliminate forced labour and to realize the right to freedom of association in this country. We invite the Government of Myanmar to continue this work in consultation with the social partners.

Allow me to conclude by thanking the Director-General, the staff of the ILO and the interpreters,

whose unflagging work has helped make this Conference a success.

I thank you for your attention and hope you all have a good journey home.

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Mr PAULAUSKAS (*Government, Lithuania; Government Vice-President of the Conference*)

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Thank you very much for this possibility to address the Conference as the Government Vice-President. It was a great honour for me to work with the President and my fellow Vice-Presidents. The time we have spent together at this podium has brought a better understanding for me of the important issues we and the international community face, and has also made it clear that teamwork is needed to address them.

Firstly, I should like to say that I am most impressed by the spirit of tripartism that I have seen prevailing through our debates. This is truly one of the great strengths of the International Labour Organization, and one of the gifts that the Organization gives to the world.

Secondly, I have heard strong messages of support from all benches, Governments, Employers and Workers, for the Director-General's vision of a reformed ILO, able to meet the challenges of this still-new century as the Organization approaches its centenary. I would also personally like to thank the Director-General, Guy Ryder, for his continuous engagement with the leadership of my country, be it in Oslo or here in Geneva, which has resulted in full support for, and good understanding of, his reform proposals. I think this linkage will also be very important to maintain in the second half of the year when Lithuania will take up the presidency of the European Union.

The ILO is uniquely placed to provide policy guidance and assistance in relation to many of the most important issues and I urge you, Governments, Workers and Employers, to give the Director-General the scope to achieve an ILO that is able to respond to your wishes.

This 102nd Session has dealt with issues of a particularly pressing nature: sustainable development, decent work and green jobs; youth unemployment, which has been outlined by Mr Herman Van Rompuy; employment and social protection in the new demographic context; and the very important question of social dialogue, a core value of the ILO and the creative and binding element behind social progress. No one can say that the Conference is not facing up to the issues that are certainly complex but which require immediate answers. I feel that the conclusions produced by the committees that dealt with these issues are particularly clear and give Director-General Guy Ryder a positive framework in which to guide the Organization.

The ILO has reached a historic turning point in its relations with one of its member States, the Republic of the Union of Myanmar. I congratulate both the Organization and the Government of Myanmar on the lifting of the final article 33 restrictions imposed over 12 years ago. I believe that this will prove the opening of a positive era for the country and I look forward to hearing about how the relationship between it and the ILO evolves. There is a vast amount of information to supply, and technical cooperation and assistance must be put in place to ensure that things go ahead as planned.

Finally, I would congratulate the Director-General, the constituents and the Office on the

adoption of the Programme and Budget for 2014–15. This is a sign of the confidence in the ILO and its Director-General. As I already said, however, the ILO is the key organization in dealing with the problem of employment and requires the full support of its constituents. It is, as the Director-General states in this Report to the Conference, only as strong as its constituent Members wish it to be, and I urge you to make it stronger.

Director-General, Excellencies, distinguished delegates, I wish you courage and luck in the work before you. You will need both, but with the prevailing spirit of tripartism you already possess a powerful tool to achieve the goal of social peace and justice.

Last but not least, I would like to thank the Clerk of the Conference, Mr Christian Ramos, and his very able team who were always there for us and made this experience a truly rewarding one.

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The PRESIDENT

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It is now my great honour to invite the Secretary-General of the Conference, Mr Guy Ryder, to take the floor and give his reply to the general discussion of his Report to the Conference, *Towards the ILO centenary: Realities, renewal and tripartite commitment*.

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The SECRETARY-GENERAL OF THE CONFERENCE

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I begin by adding my voice to the expressions of sympathy to the delegation of India on the sad loss of our friend, Shri Vikas.

My task now, as the Conference draws to its close, is to respond to the debate that has taken place here in plenary on my Report, *Towards the ILO centenary: Realities, renewal and tripartite commitment*.

But before launching into that, allow me a few preliminary words about the work of our Conference and about the reform process at the ILO, which is the institutional backdrop to it. We have had a record 4,718 registered delegates here, including 156 ministers. We have received and heard the messages of eminent guests: President Banda of Malawi; European Council President Van Rompuy; and African Union Commission Chairperson Dlamini Zuma. The Conference's technical committees have completed important discussions and produced valuable conclusions on crucial issues: green jobs and sustainable development; demographics, jobs and social protection; and social dialogue. They have done so in a constructive fashion and with the tripartite commitment to which my Report speaks.

And, as we have heard this morning, our Committee on the Application of Standards completed its work successfully, which is a major step forward from last year. But one that should not blind us to the reality that many more such steps will need to be taken before we get to where we need to be in respect of our standards work.

And, at this Conference, the ILO and Myanmar have completed the long journey of action under article 33 of the Constitution. It has been a unique, bumpy and sometimes uncomfortable ride, but it is one that vindicates ILO capacities and demonstrates just what this Organization can achieve when it unites behind its values and when it exploits to the full the instruments at its disposal.

We have adopted, too, a programme and budget for the next biennium, which I read as a vote of con-

fidence in our Organization and the direction that it is taking. I want to thank all those who supported the programme and budget, and express also my respect for the explanations provided by those who were not able to do so.

So, with all this, here is my first overall conclusion from this year's Conference experience. It is, quite simply, that we have an extraordinary institution in this Conference. It has an unparalleled capacity to bring us together; I might note in that regard that nothing less than 633 meetings were organized in addition to the formal business of our Conference agenda. So this is a unique, global, tripartite parliament on labour issues. It produces results. It needs reform. I have no doubt of that. I believe it has to be shorter, but without impacting negatively on its critical functions, particularly in the setting and supervision of standards.

So please let us not make the mistake of talking down the value of our Conference, because that would be an error of appreciation and of intent. Instead, let us set about, together, the task of changing it to make it still better, because refusing that challenge would also be a failure, a failure of will and a failure of ambition, and I will come back to this in a moment.

Many of you have spoken – either from this podium or in other conversations – of the reform process under way at the ILO. While these exchanges have raised different points on specific issues, the overall message has been overwhelming – I would say practically unanimous – in strong support for change. Indeed, if there has been any concern expressed, it has been to insist that change needs to be pursued with undiminished ambition and sustained energy and determination.

In response to those with whom I have been able to talk personally, I have tried to provide an honest appraisal of the progress that we have made and the challenges that lie ahead. The truth is that both are considerable, and I have the opportunity now to reiterate that my colleagues in the secretariat and I have got your collective message, we understand our responsibilities and we will push forward as you have told us to do. Of course, this is not simply reform for the sake of reform. It is reform with the agreed purpose of upgrading the quality of ILO work and services, of bringing the ILO closer to you, our tripartite constituency, and of making the ILO as useful, relevant and influential as our circumstances demand that it must be. And, in that regard, my Report to this Conference has had the objective of eliciting your guidance on the substantive agenda that must take the ILO forward towards its centenary, driven by the locomotive of the reform process.

And I want to thank you for the very extensive guidance that you have provided, as well as for the positive comments made, about the Report itself. Many of you have been pleased by its accessibility, its concrete and direct approach as well as by its brevity, although I recognize that to say that the chief merit of a report is that it is short raises more questions than it answers. But the idea of the Report and the debate on it is that it should have consequences for our Organization. So the question now is what exactly those consequences should be and how we are going to bring them about.

And let me begin, at this juncture, by stating clearly that the ILO is determined to discharge to the full its proper role and responsibilities to support

and improve the conditions of Palestinian workers. I have made clear our commitment in that regard and the definition of the ILO's mandated responsibilities. We must be practical and we must be active.

The seven centenary initiatives put to the Conference at the end of my Report have been the object of much comment from you, and that comment has varied from the general to the detailed. Some have expressed blanket support for them. Nobody has said that they are inappropriate in substance and in form. It seems then that you agree on the need to set out a broad set of initiatives of this type to carry us forward towards 2019.

This said, some initiatives were more frequently addressed than others. Somewhat, I confess, to my surprise, the Women at Work initiative did not get as much as comment as others, at least not directly. And I prefer not to conclude that this was the result of the fact that only 65 of the 291 speakers on the Report being women – which is itself something of a call to action – but rather that your commitment to gender issues at work is so well established that it does not require further statement.

On the other hand, the enterprise initiative received a great deal of attention from speakers from all your groups, and on this one there was strong convergence around the need for the ILO to establish a platform of engagement with enterprises and very much on the grounds set out in my Report. Where some differing emphases came was in respect of *how* to engage; the Employers, in particular, were insistent on greater clarity on method. In addition, there was widespread interest in defining and implementing an ILO role in respect of global supply chains and, more generally, in respect of corporate social responsibility.

There was strong support, as well, for the end to poverty initiative, with many speakers making the link to agreed future ILO work on the rural economy and informality, as well as the wider international post-2015 development agenda where we do seem to be progressing in our aim of establishing a place for decent work objectives. Clearly, we need to join forces to finally achieve that goal.

In my Report, I described the role that the ILO will be called upon to play in the transition to a low-carbon, sustainable development path as the single factor that will most clearly distinguish the Organization's second century of activity from its first. You seem to agree, and the technical work carried out by this Conference confirms that understanding. That means that the green initiative will need to be at the heart of what we do and in all areas of ILO activity, with the post-2015 agenda very much in mind here as well.

I want to make it clear – because some uncertainty did emerge in debates – that the suggested initiatives on standards and on governance are of a different character from the other ones. They relate to the way that the ILO itself organizes its work. These initiatives are, if you like, tilted more inwards than outwards, but they are nonetheless important for that; they are more closely related as well to the reform agenda.

There are two basic points that I want to make on these two initiatives. The first is that they must take immediate effect. Certainly – and this was never the intention – we will not wait until 2019 to start on them. On the contrary, they are really continuations of processes already started but which need to be given new urgency, new shape, higher profile and

greater political commitment. The initiatives will help us do all of that. The second point is that this very Conference has provided first-hand evidence and instruction about the tasks at hand.

I started my intervention this morning with a sincerely held expression of conviction of the Conference as an institution with unique attributes that must not be lost or damaged. Truly, I do not think that there are many people in this hall, at the end of this near three-week odyssey, who do not really believe that we could do our Conference work better, more efficiently and in ways that strengthen the Conference.

Equally, the experience of this year's Committee on the Application of Standards confirms, as well, that recreating full consensus around an authoritative system of standard setting and supervision may be the most demanding test of tripartite commitment. This year, we have succeeded, but we have succeeded in "getting by" – not without difficulty, as we have heard this morning – but that will not always be possible in the absence of a new understanding on some quite fundamental issues. Let me say that we need to listen to each other, we need to work with each other, we need to be creative and we need to be faithful in this area to the values and objectives of the ILO if we are to find our way forward. I appeal to everybody involved to do all of those things.

Finally, there is the future of work initiative, and I will confess that I felt a little uncertain about proposing this initiative to you because it felt a little removed from pressing, immediate realities, and perhaps something of an indulgence for an Organization that is committed to rigour in efficiency and relevance in addressing your needs of today.

I have to say that your reactions have allayed those doubts. You have said that a forward-looking examination of the place of work in our lives and our societies is needed and will be valuable, and that it will frame policy choices and be appropriate to the marking of the ILO's 100th anniversary, six years from here.

To this review of the seven centenary initiatives, I think it necessary to add, as well, that a number of issues not covered in them did figure prominently in your plenary interventions. I want to pick out one case, and that is the case of migration issues, on which many delegates had very important things to say. I would like to respond by saying that we have taken very good note of those interventions. We do need to position the ILO better in this field. The forthcoming United Nations High-level Dialogue on International Migration and Development is going to give us an important opportunity to do just that.

The question then is: what happens next? Well, I propose that we put follow-up to the discussion of my Report on the agenda of the Governing Body session in October. Before that, we will go through every one of your interventions in detail and will draw out their full intent and meaning. On that basis, we can present a series of decision points which together would constitute a centenary roadmap for our Organization. We will see where it takes us but it is clear, already, that the action to be taken on each of the initiatives will have to vary in accordance with their character and with our circumstances.

In that regard, I think it should be understood, as well, that the initiatives will need to be placed in the context of decisions already taken, or to be taken,

on ILO programmes and activities. We have just approved, after all, our Programme and Budget for 2014–15 with its eight areas of critical importance, which have gained your wide support.

We will be having a first Governing Body discussion, already in October, on the arrangements to be made after the current Strategic Policy Framework for 2010–15. Those arrangements are likely to take us up to, and well beyond, the centenary. My view, and I am clear on this, is that the initiatives can help frame and direct those arrangements. This is not a case of duplication of programme outputs and objectives, but of equipping the Organization with the necessary tools and strategic direction. The relationship with the reform agenda is one of mutual reinforcement. We are engaged here in a single coherent agenda for the future of our Organization.

In this way, I hope and I trust that you will agree that our debate, your interventions and your participation, can, and will, have the consequences that we have sought from this exercise. It is important that they do, because for this Organization to be influential in the future, it needs to respond accurately, effectively and expeditiously to what its member States say to it and expect of it.

My colleagues and I will be investing all of our energy and commitment in the year ahead to making sure that we do just that until we meet again next year to renew this conversation.

Let me finally express my appreciation for the generous words that have been said about the way my staff has conducted itself in the service of this Conference. I have been very proud to lead them and I want to finish by wishing you a successful and safe journey home, and year ahead.

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#### The PRESIDENT

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I would like to thank you, Director-General, for the very comprehensive coverage of the work that the ILO is undertaking under your leadership. We are very proud of you and of all of your staff. I believe that your hard work will definitely show us the way to the light, which is always there at the end of the tunnel. According to Churchill, whenever politicians see light at the end of the tunnel they like to extend the tunnel further, but we hope that in this case, we will definitely go through straight into the light.

Now, with the Conference's indulgence, I shall make my own closing remarks. I wish to give myself the floor.

I see some sleepy eyes, so I would like to reassure you that I will be the last speaker.

*(The speaker continues in Arabic.)*

It is an honour for me to make a few closing remarks to the 102nd Session of the International Labour Conference.

Let me start by reiterating my thanks for entrusting me with the task of guiding this ancient institution through its work. It is a great honour for me personally, and for my country, the Hashemite Kingdom of Jordan.

This Conference is the first to be held under the leadership of the new Director-General, Mr Ryder, and I believe that we can congratulate him on the great success of the Conference.

We were privileged to hear presentations from three high-level guests, each of whom had a particular message.



Her Excellency Dr Joyce Banda, President of the Republic of Malawi, spoke of her determination to eradicate child labour, and stressed that the chief means to obtain results was to eliminate poverty, the root cause of the problem. She also spoke of the thorny problem of discrimination against women, saying that she believed that there was nothing a man was able to do that a woman could not do.

For his part, Mr Herman Van Rompuy, President of the European Council, addressed the Conference, and set the ILO and the European Union in a historical context, highlighting the ties of friendship linking both institutions and the strong bonds between them, as they share the same objectives and values. His particular message was the need to address urgently the problem of youth unemployment, which requires our close attention. He warned that this was a serious problem, and that it was up to us, governments, employers and workers, not to lose an entire generation to unemployment.

The Conference was also privileged to hear Dr Dlamini Zuma, Chairperson of the African Union Commission. She brought us a message full of optimism and hope for the African continent, pointing to the huge potential in natural and human resources that the continent possesses. She outlined many areas in which growth accompanied by employment generation would be possible.

It is also worth noting some key points made during the panel discussion on “Restoring confidence: Jobs, growth and social progress” during the World of Work Summit. The Executive Secretary of the United Nations Economic Commission for Africa spoke about the pressing problem of the informal sector, an issue that will be addressed by the 103rd Session of the Conference next year. He urged the African continent to assume ownership of its own future. The Vice-Rector of the University of Geneva called for equity and balance in setting budgets and coordinating more harmonious financial systems. Mr Funes de Rioja, Employer Vice-Chairperson of the ILO Governing Body, stressed that the return to growth was dependent on the private sector, and that tripartism was essential to realizing growth. The General Secretary of the International Trade Union Confederation, Ms Sharan Burrow, called for a living wage, and for targeted investment in jobs, infrastructure and sustainable enterprises which observe workers’ rights.

All panellists agreed on the importance of the role of the ILO, and the need to place it rightly at the centre of the international stage in the search for solutions.

We followed with great interest the main work of the technical committees. I am pleased to inform you that all committees have done an excellent job.

Let me start with the Committee on Employment and Social Protection in the New Demographic Context. This is one of the most important subjects nowadays, as reflected in the comments of all our guests and panellists. The conclusions and their accompanying resolution adopted by the Conference yesterday recognize that the huge demographic transitions that are under way in the world have major implications for labour markets and for social protection systems.

The committee also took up a topical issue in the world of work: sustainable development, decent work and green jobs. The outcome documents we adopted yesterday call for targeted and urgent action to harness opportunities and address the chal-

lenges in moving ahead towards sustainable development.

As for the Committee for the Recurrent Discussion on Social Dialogue, it has also reached valuable conclusions. This Committee gave the Conference the opportunity to review ways in which the ILO can reinforce social dialogue in all parts of the world, and help build capacities to enable the social partners and governments to interact with each other more effectively.

Here, I would like to extend my thanks and sincere congratulations to all persons who worked in the Committees, to the delegates who participated in their deliberations, and to the secretariats for their enormous efforts to facilitate their work.

Furthermore, I have to mention the Committee on the Application of Standards, which constitutes a cornerstone of the ILO mechanisms. In my opening speech to the Conference, I had referred to the controversy raised in this Committee. I am happy to inform you that a solution was found to the immediate problem, and that the Committee rapidly adopted a list, and subsequently examined all 25 cases included therein, as well as the cases of progress. I take this as a positive sign for the future, and trust that lasting solutions will be found to prevent any further impasse. The work of the Committee on the Application of Standards represents good international governance at its best. I therefore urge and encourage you to work together, in the spirit of tripartite commitment, to find the necessary lasting solutions, and to make the supervisory machinery stronger than ever before.

Lastly, I would like to mention the important issue taken up by the Selection Committee: the question of Myanmar. The decision of the Conference to lift the remaining restrictions placed on Myanmar by virtue of a resolution adopted in 2000 constituted an unprecedented moment in ILO history. I very much hope that the steps that have been taken to continue with a much “lighter” level of follow-up will produce the full and desired results.

The Conference also took another very important decision: the adoption of the Programme and Budget proposals for 2014–15. This is the first budget presented by the new Director-General, which undoubtedly attests to the immense confidence placed in him.

What has struck me most about this 102nd Session of the Conference is the clear vision of the tripartite constituents with respect to the most important problem facing our world today: jobs and the creation of job opportunities. The time has come for the ILO to assume its pioneering role in all confidence, not only in analysing the problems of unemployment and job creation, but also in proposing solutions and participating in their implementation. The ILO should play its proper and privileged role at the international level and be recognized as a main and active player in the formulation of any successful and durable solution.

The entire world is currently undergoing turbulent times at the social and economic levels. Everyone recognizes that job creation is a pivotal factor. We also observe that many countries, both developed and developing, seem to be at a loss, like a blind man probing in the dark hoping to find a ray of light to shed on this problem.

I would like to quote former Director-General David Morse, who, in his Report, said that “The ILO can only be as effective an instrument for pro-

gress as its member States and its other constituents want it to be.”

We now have the opportunity to unleash the potential and capacity of the ILO as a leading institution of excellence in the global efforts aimed at job creation and ensure that any solution to the crises in the world should take the social dimension fully into account.

The ILO should be allocated an appropriate share of the funds in order to resolve the crises and enable it to act directly and effectively in collaboration with the relevant parties.

Let me give a good example: my own country, the Hashemite Kingdom of Jordan, which is still suffering from the negative consequences of the Syrian conflict. I am convinced that the ILO can play an immediate and effective role in alleviating the hardships and suffering of the people by focusing on the employment component and engaging in programmes of training and retraining of the Syrian refugees to enable and equip them to seek employment in the short and medium term, wherever they want.

We need to act now. We have to ensure that the ILO is strong, relevant and effective. We need to be innovative and capitalize on the power of our unique tripartite structure.

It is evident, after having listened to the concerns, aspirations and ambitions of all the speakers in this Conference, that the problems of poverty and unemployment are constantly on the rise in the majority of developing and developed countries. I am aware that we officials agree on the need to find jobs which are suitable for humanity. Everyone today – in his/her respective nation – is looking forward to overcoming this intractable problem.

In this connection, I am sorry to say that we have failed dismally to find a solution to this intractable problem, because unemployment makes the headlines in the news in most countries and is pushing people into a world of confusion, demonstrations and dissatisfaction, and even into revolutions in some countries.

The time has come for our strong Organization to give serious thought and consideration to the convening of a second World Employment Conference. It is to be recalled here that the first Conference was held 37 years ago, in 1976. I believe that it is our duty to call for the convening of this Conference today, in order to provide a framework, policies, the means and new creative tools which will constitute a clearly defined roadmap for the activities of the ILO on its path towards its centenary. Let us give this Conference the title: Yes to the alleviation of unemployment and its eradication – if possible – in all parts of the world.

In conclusion, I wish to thank my fellow Officers: Ambassador Rytis Paulauskas of Lithuania, Government Vice-President; Mr Kamran T. Rahman of Bangladesh, Employer Vice-President; and Ms Eulogia Familia of the Dominican Republic, Worker Vice-President. They have been the best colleagues to work with. I would like to thank them profoundly for all the support they have given me to fulfil my duties as President.

I would like to thank the Director-General for his support and friendship, and to congratulate him on the excellent work carried out by his secretariat to facilitate the deliberations of the Conference; its members have proved to be efficient and generous.

Last but not least, I would also like to thank the interpreters and translators, who are absolutely indispensable, and whose work is very much appreciated.

I would also like to express my profound gratitude to the secretariat of the President: Ms Yasmine Karanuh, Administrative Officer in the ILO, who was appointed to assist the President of the Conference; Ms Yamina Mehellou, the President’s Secretary; and Mr Shukri Dajani. My thanks also go to the Jordanian delegation representing different groups, including the Parliament of Jordan and the mission of Jordan in Geneva, led by Ambassador Dr Rajab Sukayri, for the facilities and logistics provided to me.

My heartfelt thanks to all of you.

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#### The SECRETARY-GENERAL OF THE CONFERENCE

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After all of the hard work of the last nearly three weeks, it is now a real pleasure and privilege for us to observe one of the great traditions of the ILO and one of the great traditions of our Conference.

It is a tradition which I have observed on many occasions, over very many years, but which I now have the chance to be a small actor in. I am quite pleased about that. And the tradition is to express our appreciation, our congratulations and our sincere thanks to the President of the Conference: on this occasion, of course, our President and Minister, Nidal Katamine of the Hashemite Kingdom of Jordan.

I am going to take the liberty of asking the President to join me here. President, when I made my very first speech to this Conference, my very first words were to say that in electing you as its President our Conference was placing itself in very safe hands, and it turns out, on this at least, that I was right.

We have seen that you have conducted our work with enormous skill, total success and all of the tact and the diplomacy that the heavy responsibilities of the presidency require of you. You have even, Mr President, steered our ship safely into port exactly half a day earlier than foreseen and that is quite an achievement. Be careful, we may invite you back next year to do the same! And above all, and for me this is terribly important, you have created at this Conference, which is a very human conference, a warmth, a human warmth, which is not the result of the heat of the discussions, it is the result of the friendship and the way that you brought us all together to get the work done. And for all of that, we owe you our very sincere appreciation.

Now the tradition, as many of you know, is to present you, Mr President, with this gavel, this engraved gavel, which is, you may think, very meagre payment for the work that you have done in the last three weeks, but it is a symbolic representation of the authority which you brought to the job, of the success with which you have conducted our work, of the true respect and appreciation that we have, and a great reflection of the historical relationship between the International Labour Organization and the Hashemite Kingdom of Jordan. We hope that it will provide you with some happy memories of your experience at the head of this 102nd Session of the International Labour Conference.

Thank you, Minister. Thank you, President.

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The PRESIDENT

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You have left me speechless, and I have to make a confession. I wanted to close the 102nd Session from this podium with this gavel! I am going to leave it here and use this one.

I would like to thank you all and wish you a safe journey back home. I declare the 102nd Session for the International Labour Conference closed, and wish you all the best for the coming year.

*(The Conference adjourned sine die at 1.05 p.m.)*

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