



## EIGHTH ITEM ON THE AGENDA

**Reports of the Committee on Legal  
Issues and International Labour  
Standards****Second report: International labour  
standards and human rights*****Contents***

	<i>Page</i>
V. Examination of standards-related reporting arrangements .....	1
VI. Report of the Working Party on Policy regarding the Revision of Standards .....	17
VII. Ratification and promotion of fundamental ILO Conventions .....	20
VIII. Form for reports on the application of ratified Conventions (article 22 of the Constitution): The Safety and Health in Agriculture Convention, 2001 (No. 184) .....	22
IX. Choice of instruments on which reports under article 19 of the Constitution should be requested in 2003 and 2004 .....	23
X. Intergovernmental Committee on the International Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organizations (Rome Convention, 1961): Report of the 18th Ordinary Session (Geneva, 27-28 June 2001) .....	25

***Appendices***

I. Report form for the Safety and Health in Agriculture Convention, 2001 (No. 184) .....	27
II. Table of ratifications and information concerning the ILO's fundamental Conventions .....	38

## V. Examination of standards-related reporting arrangements

1. The Committee had before it a paper on the examination of standards-related reporting arrangements.<sup>1</sup>
2. The Chairperson recalled that informal consultations had been held on this subject since the last session of the Governing Body and that agreement had been reached at the time on a number of key points contained in the Office document.
3. The Worker members noted that this paper followed up on the discussions held last March and the recent consultations with the constituents in September and October. The paper dealt mainly with the number, nature and frequency of reports due and received, as well as the manner in which they were examined by the supervisory bodies. The Worker members also recalled the modifications made in 1993 to the reporting system under article 22 of the Constitution. These modifications had been fully implemented in 1996 and were due for review this year. The objective in 1993 had been to maintain and improve the quality of the supervisory machinery and to focus the requests for reports on cases where serious problems of application arose. This objective should be maintained. Despite the considerable workload involved, both for the Office and for the constituents, the existing supervisory machinery in the ILO was generally recognized as the most efficient and effective in the United Nations system. The Worker members stressed that, while they were very open to the improvement of any procedure, they would refuse to participate in a process that was conducive to weakening this machinery. The major criticism levelled at the reporting system was precisely the increase in workload due to the fact that the number of reports had grown substantially in recent years. However, the increase in the number of reports should not be perceived as a problem. On the contrary, it was a sign of a healthy supervisory system, for it resulted from an increase in the number of ratifications of Conventions, although there was still room for progress. Moreover, both governments and the social partners were performing their tasks better. The Worker members noted with satisfaction the Committee of Experts' comments on the steady increase in the number of comments received from trade union organizations, reflected in table 1 contained in the paper. The measures proposed in the document were aimed at reducing the number of reports. However, there was no mention of increasing human resources, which was another measure that could be envisaged to reduce the workload. As regards the grouping of reports, it would seem more coherent to report in the same year on instruments covering similar or closely related subjects. This would also make it possible to gain a better overview of a given subject. On the other hand, one might wonder whether there was not a risk of overburdening officials both in governments and in the Office. Reports that were now spread over a five-year period would all have to be dealt with in the same year by the officials concerned, according to their areas of expertise. Paragraph 20 of the paper highlighted this as a disadvantage for Office staff, but the same problem could arise for government officials. While a solution could be reached for the Office by requesting reports from half the member States each year, the problem would remain for the member States concerned. Division according to alphabetical order as proposed in paragraph 21 should be accompanied by certain safeguards to ensure that there was an equitable distribution among the different continents and between the developed and developing countries. As regards non-priority Conventions, it was obvious that some groupings would be so large that there would have to be further division into sub-groups.

<sup>1</sup> GB.282/LILS/5.

4. The Worker members pointed out that, according to paragraph 26 of the paper, a number of reports contained far more detailed information than actually requested by the Office. Through the standards specialists in the multidisciplinary teams, the Office could request governments to confine themselves to the information requested in the report forms. They were in favour of discontinuing the automatic requirement to send a detailed report if a government failed in its obligation to send a simplified report, in so far as the Committee of Experts could always request a detailed report if it deemed it appropriate. The Committee of Experts should also be able to request a detailed second first report if it considered it necessary. In other cases, a simplified report might be sufficient. In any event, the competence of the Committee of Experts should not be called into question with respect to requesting additional reports. As regards the recommendations of the Working Party on Policy regarding the Revision of Standards, the Worker members reiterated their request for the Office to undertake a systematic follow-up to give effect to these recommendations. They stressed that the report of the Committee of Experts still dealt with reports on certain Conventions that had been classified as outdated. The example of the Minimum Age Convention, 1973 (No. 138), given in paragraph 34 was worth mentioning. The Worker members noted that in paragraph 46, the Office stated that the effect of the proposed measures on reducing the number of reports should not be overestimated. For the reasons outlined at the beginning of their statement, the aim should not be to reduce the number of reports. These discussions should serve as an opportunity to strengthen tripartism at national level and if, thanks to social dialogue, consensus-based relations between the social partners could be achieved in some countries, this would be a step in the direction of greater social justice. In the light of the analysis put forward by the Office in paragraphs 35-41, the Worker members declared themselves in favour of leaving the date of the Committee of Experts' session unchanged. They supported the proposal contained in paragraph 50 and considered that the suggestions made in paragraphs 51-55 were very interesting and merited implementation. To conclude, the Worker members stated that they could agree to the points for decision in paragraph 57(a)-(i), and requested the Office to prepare a document concerning clause (c) for the March 2002 session. As regards clause (j)(ii), they commented that the question of representations under article 24 of the Constitution had already been examined on a number of occasions.
5. As regards the informal consultations held in September, the Employer members stated that this was an excellent method which enabled agreement to be reached and led to mutual understanding, which was essential if progress were to be achieved. The paper submitted illustrated the excellence of this method. They maintained that the objective was not to weaken the supervisory machinery, but to make it more effective and less cumbersome. This was an objective that all the parties shared. The aim was to have simpler and perhaps fewer reports by adopting a more efficient approach. Mention should be at the outset of the wording at the end of paragraph 2, which pointed out that the intention was to strengthen the Organization's capacity to supervise the implementation of standards and to provide constituents with the assistance they need to improve their application. The aim is thus to lighten the burden on the Office and to reduce the constituents' workload, and especially to help them to ensure that the standards they have ratified are applied in practice in each country. As regards the periodicity of reporting, this had already been extended and should be maintained for the time being as it stood. However, it was not set in stone and the matter could possibly be discussed at a later date. Concerning the grouping of reports, given the logic informing this approach, one could only support it. This grouping was aimed at improving the supervisory procedures. Decisions taken in this respect should not prejudice a broader approach based on the underlying philosophy of the different Conventions. Like the Worker members, they also welcomed the increase in the number of reports. This was the outcome of the effective campaign that had led to a large number of ratifications of the fundamental Conventions. Nevertheless, some Conventions, which were perhaps less well adapted than others, were still very difficult to ratify. A distinction should be drawn between these different Conventions. They expressed their agreement

with paragraphs 26, 27 and 29, in particular as regards the distinction between detailed and simplified reports. They were surprised to see that States were supplying information that had not been requested. As proposed, the Office should provide assistance to member States on this subject. They supported the idea that only the first report should be a detailed report and that the second report, referred to as the second first report, should automatically be a simplified report, bearing in mind that the Committee of Experts or the Conference Committee on the Application of Standards could always request a detailed report. Concerning States that failed in their obligation to send a simplified report, experience showed that it was better to urge them once again to provide a simplified report rather than systematically raising the ante by asking for a detailed report. The Employer members also gave their approval to maintaining the current calendar.

6. As regards paragraph 50, which they considered very important, they noted that when some countries encountered difficulties, there was a cumulative process at work. They fell further and further behind, and the greater the backlog the more difficult it was to catch up. Countries ended up being discouraged and ultimately breaking away from the institution. Accordingly, it seemed essential to provide assistance each year to four or five member States in order to catch up on the backlog if better results were to be achieved. They recalled that two main lines of thought had emerged during the September consultations: one sought to reduce the workload and the other to invigorate tripartism at the national level where necessary. Tripartism, however, worked much better in the ILO than in some countries. According to the idea put forward in paragraph 51, reporting could be suspended if there were a tripartite consensus at the national level. One wondered how effective this system would be in countries where the social partners – whether on the employer or worker side – were not entirely independent or sufficiently representative. Governments did not appear to have been wholly in agreement with this formula and would prefer to have their action assessed here rather than by the social partners in each country. Lastly, the Employer members expressed agreement with all of the proposals contained in paragraph 57. As regards clause (c), they stated that it was difficult to approve groupings whose exact scope was not yet known. They agreed in principle and could approve the grouping that would be proposed next March.
7. The representative of the Government of the United States, speaking on behalf of the governments of the industrialized market economy countries (IMEC), thanked the Office for a concise, thorough analysis of the standards-related reporting requirements and expressed the appreciation of the IMEC group for the innovations submitted for review. Reporting was the foundation for the entire standards process and the IMEC group was looking to ensure the integrity of the system, while reducing and simplifying the reporting requirements on governments and at the same time providing a way for the Office to manage its workload effectively and efficiently. While individual IMEC governments might have additional substantive comments on the document, the following represented the views of the IMEC group on the points for decision in paragraph 57. The group agreed with the point for decision in paragraph 57(a) to maintain the two-year and five-year reporting cycles, for now, but could review the length of time in the future. It agreed with the point for decision in paragraph 57(b) as described in paragraph 21, to group the fundamental and priority Conventions in pairs and arrange the reporting schedule alphabetically by country. It also agreed with the point for decision in paragraph 57(c) as described in paragraph 22, to arrange all other Conventions by subject clusters for reporting purposes and looked forward to discussing the proposed clusters at the March session. It urged the Office to look carefully at the workloads on individual countries when deciding the clusters and to consider reporting forms, which could include questions common to all Conventions in the cluster and others specific to the separate Conventions. Reporting by clusters should be undertaken on a trial basis as an experiment to determine its feasibility in reducing workloads on the Office and reporting governments. As regards detailed reports on fundamental and priority Conventions, the group agreed with the point

for decision in paragraph 57(d) to discontinue such reports subject to the safeguards as described in paragraph 27. It requested, however, additional clarification of the practical effect of the safeguards to assure that those who did not report would still be held accountable for their obligations. With reference to the proposal to discontinue the requirement for detailed reports in cases where governments failed to submit simplified reports described in paragraph 28, the IMEC group agreed with the point for decision in paragraph 57(e), on the understanding that the requirement for simplified reports remained. As noted in paragraph 26, many governments did not distinguish between simplified and detailed reports resulting in a submission of far more detailed information than requested. This was because the transmittal package was overwhelming – it contained a lengthy letter, four appendices and report forms. The Office should streamline and redesign the transmittal package to clearly separate the report forms to indicate which Conventions required detailed reports and which required simplified reports. This would reduce the burden on reporting governments, the Office and the Committee of Experts. The group noted that recent article 22 reports described what was needed for a simplified report, but the older ones did not. It agreed with the point for decision in paragraph 57(f) as described in paragraph 29 to discontinue the requirement for “second first reports”.

8. As regards the timing of the meeting of the Committee of Experts and also the due dates for government reports, the IMEC group agreed with the point for decision in paragraph 57(g) to maintain the present dates. It emphasized, however, the importance of an early receipt of the Committee of Experts’ report and recalled the improvements that were under way regarding the functioning of the Conference Committee on the Application of Standards, as well as regarding the early and transparent selection of cases for review. The group agreed with the point for decision in paragraph 57(h) to institute a voluntary country-by-country assistance programme as described in paragraphs 46-50 and congratulated the Office for this innovative approach to the joint goals of reducing the overall reporting burden while increasing the level of compliance with ratified Conventions. A clarification was requested as to how reporting would be handled during this assistance. The view of the IMEC group was that reporting and supervision should continue during this period as the Standards Department staff would be working closely with the governments and could assist with reporting obligations. The group fully supported tripartite consultations in the reporting process. Genuine national tripartite cooperation had a positive impact on the application of ratified Conventions and may lead to improving compliance with reporting obligations as well as to more ratifications. The group shared the concerns raised in the document and could not agree with the point for decision in paragraph 57(i) if the purpose was to suspend reporting on the basis of tripartite consensus. The Office should further clarify this issue. There were other improvements proposed in the document which would have direct effects on reporting and which should be implemented first. If, after they were implemented and reviewed, it seemed appropriate to pursue enhanced tripartite cooperation as a means of reducing the reporting burden, then further consultations might be proposed at that time.
9. The IMEC group agreed with the point for decision in paragraph 57(j): to (i) discuss a draft grouping of non-fundamental Conventions for purposes of reporting but would not agree to (ii) reviving the document on article 24 representations. This Committee had decided in the past that the issue was not pressing and that the solution was more complicated than the problem. A suggestion made last March was to produce a user-friendly publication to explain the process to the constituents. Instead of this item, the IMEC group suggested that the Office prepare a document for March addressing the issues raised in the debate today, including a time frame for the implementation of these reports in a manner which would avoid undue hardship on governments which had already allocated resources to prepare reports for the current cycle. Last March the IMEC group had presented a lengthy statement on the views of the group concerning possible improvements in standards-related activities. The statement had begun, and ended, with the request that the Office should

consider this as a long-term integrated review with the need for a clear, coordinated process, timetable and work plan for moving forward. The group again requested that it would benefit the discussions to have such a work plan included in the document prepared for March. Reporting included not only the quantity but also the quality of the reports. In their March statement the IMEC group had made several suggestions which should be addressed in the Office document for next March. He would not repeat their intervention but recalled that it addressed such matters as: the use of the Internet and email; creation of databases of information to share across departments; simplified questions with clear instructions; user-friendly publications or handbooks; coordination of Geneva-based and field technical cooperation to assure consistent guidance; and the creation of an official mechanism for the interpretation of obligations when governments were considering ratification. The IMEC group understood that the Committee of Experts was undertaking a review of its procedures and had asked for a report on that review. The Committee of Experts should be apprised of the debate on restructuring the reporting requirements and cycles to see if additional reform was necessary in their procedures, for example, perhaps additional interaction with governments before the publication of their report. The discussion of reforms in the working methods of the Conference Committee on the Application of Standards should also continue, as indicated in their March intervention. In the longer term, an element to keep in mind was that reporting and supervision depended on ratification which was closely tied to the selection of topics for standards and a regular process for review and revision of standards.

- 10.** The representative of the Government of Thailand, speaking on behalf of the Asia and Pacific group, reiterated the group's position that a discussion of the improvement in ILO standards-related activities should take place within a broader debate on all aspects of the ILO's standards-related activities and that such a comprehensive review of the ILO's standards-setting and supervisory mechanisms should only be done in the Governing Body. He welcomed the Office document but underscored that reforms in the reporting mechanisms were a component of the comprehensive reform of the ILO's standards-related activities. With reference to the statement made by the Asia and Pacific group during the 280th Session of the Governing Body, he recalled the importance attached by the group to an agreed time frame on a review of all standards-related activities and urged the Office to report on progress made on all proposals made earlier by the group. With regard to the reporting arrangements, he welcomed the proposals aimed at reducing the workload of both the Members and the Office, specifically the proposals in paragraph 57(d), to discontinue detailed reports on fundamental and priority Conventions, subject to changes and requests by the supervisory bodies, and in paragraph 57(e) and (f) to discontinue the automatic requirement for detailed reports. As regards the proposal concerning country-by-country assistance programmes, he cautioned that such programmes should not give rise to any new supervisory mechanism. With reference to paragraphs 52 and 55 of the document, he agreed that the proposals on strengthening tripartite participation should not be further explored and that therefore the Asia and Pacific group did not support paragraph 57(i). Finally, the Asia and Pacific group was interested in a further examination of possible ways to suspend the reporting requirements in order to decrease the burden of reporting and urged the Office to pursue this issue in consultation with constituents.
- 11.** The representative of the Government of Namibia, speaking on behalf of the African group, welcomed the proposals by the Office. More specifically, he agreed that the two-year cycle should be maintained regarding the fundamental Conventions and that a "second first report" should no longer be requested. In keeping with the integrated approach, he expressed support for the concept of grouping Conventions for the purposes of reporting. He expressed general support for increased tripartite participation at the national level, but was sceptical regarding the concept of suspension of reporting obligations based on tripartite certification, as this concept gave rise to a number of legal

and practical problems. Respect for, and compliance with, labour standards were progressive efforts, which required continuous improvements through tripartite consultations. The ILO supervisory mechanisms should be designed to promote this principle in all member countries. With respect to the proposed country-by-country assistance, he was concerned about the implication such an approach could have, in view of the fact that most countries with long-standing problems were developing countries. The African group was of the view that this would weaken the supervisory mechanism in place. The Office was requested to provide further details on this proposal. In so far as the use of information technology was concerned, further advances in this area were advocated but, in order to enable the least developed countries to take part in this process, it was still necessary to retain paper-based procedures. As regards technical cooperation, the African group reiterated its appreciation of efforts by the Office and other collaborators in relation to technical cooperation and urged the ILO to continue to strengthen and increase the multidisciplinary teams and the area offices.

- 12.** The representative of the Government of Brazil, speaking on behalf of the Group of Latin American and Caribbean States (GRULAC), thanked the Office for preparing the paper, which sought to identify means of improving the efficiency and streamlining the presentation and examination of reports under article 22 of the Constitution of the ILO. He considered it necessary to lighten the workload while maintaining the effectiveness of the supervisory system. He felt that the proposals put forward by the Office, on the whole, adequately reflected the opinions expressed by the constituents during the discussion in the Governing Body in March and during the informal consultations held by the Office. This confirmed the importance and value of such consultations, and the Office should therefore be encouraged to continue this practice. After carefully examining the proposals contained in the document and, in particular, the point for decision in paragraph 57, the speaker expressed agreement with the wording contained in clauses (a), (c), (d), (e), (f) and (j) of this paragraph. As regards the other clauses, the speaker made the following comments. Concerning the grouping of countries alphabetically (clause (b)), although the group expressed agreement with the idea inherent in this clause, i.e. that of grouping countries alphabetically for the purposes of presenting reports on fundamental and priority Conventions, the point for decision would have to be redrafted, since it could lead to confusion as currently worded. As it stood, it seemed that Conventions were being grouped alphabetically, which was not the case. The speaker accordingly proposed that this clause be drafted as follows: “approve the grouping of countries alphabetically for the purpose of reporting on groupings by subject matter of fundamental and priority Conventions (paragraph 23)”. As regards the date of the annual session of the Committee of Experts (clause (g)), while the group was still considering this issue, the speaker pointed out the difficulties encountered by States which the Conference Committee on the Application of Standards had requested to apply legislative or administrative measures. Under the current system, in order for the measures adopted to be reflected in the following report of the Committee of Experts, States only had about two months to carry out the legislative changes and inform the Committee of Experts in time, given that the time limit for presenting reports expired on 1 September. Therefore the speaker reiterated the need for the Officers of the Conference Committee to take due account of the additional information presented by States, in addition to the report of the Committee of Experts, when determining cases in which Government members may be invited to provide information in that Committee.
- 13.** As regards specific assistance programmes (clause (h)), the group expressed its agreement with the idea that the Office might carry out specific assistance programmes for certain countries to resolve problems of application of Conventions, provided that this was done with the express consent of the country concerned. He highlighted what appeared to be a key point: the need to avoid confusion between instruments with different underlying concepts and purposes, as was the case of cooperation and supervisory machinery. Such

confusion could lead to unbalanced interpretations, such as the perception that cooperation was also a form of direct supervision. This in turn could give rise to the notion of exempting countries that had concluded cooperation agreements with the Office from the obligation to report. According to the group, this would not further the objective of maintaining the effectiveness of the supervisory system. Although the benefits of strengthening tripartite participation (referring to clause (i)) were obvious and were not limited to the reporting system, the speaker insisted that there should be no linkage between the supervisory machinery and an increase in tripartite participation at the national level. Such linkages could open the door to controversial concepts, such as that of certification, which would elude the international dimension of the supervisory machinery, i.e. the interest that each and every member State of the ILO has in adequate compliance with ratified Conventions.

- 14.** As regards arrangements for the consideration of representations under article 24 (clause (j)(ii)), the group supported discussing this at the next session and requested the Office to hold consultations and draft a document containing the constituents' proposals. Proposals should cover issues relating to the criteria for receivability, the appropriateness of representations being considered by committees established on a case-by-case basis, and the need to avoid overlap with other supervisory mechanisms. However, the group pointed out that there was a need to examine not only the arrangements for the consideration of representations under article 24 of the Constitution, but also the supervisory machinery as a whole. In this context, the group welcomed the initiative of the Committee on Freedom of Association and the Committee of Experts to embark on a review of their procedures. It urged the Conference Committee on the Application of Standards to proceed along the same lines. The group hoped that this review exercise would result in more objective and transparent receivability criteria and expressed the wish for the Governing Body to be kept informed of progress in these discussions. It also considered it necessary to expand the scope of the mechanism laid down in article 19 for reporting on unratified Conventions that are neither fundamental nor priority Conventions, and urged other members to give some thought to this issue. Lastly, the speaker considered it appropriate to apply the same requirement as in 1993 and to subject any modifications approved here to review five years after their implementation. This requirement had been successful in this case and would certainly enjoy the same success for this set of modifications. In this respect, it should be borne in mind that some innovative practices would be introduced, for example, the grouping of reports by subject matter. This was an idea that looked attractive in the abstract but it was not known how it would work in practice. A review of experience once it had been applied for a certain period seemed not only reasonable but necessary.
- 15.** A Worker member (Mr. Blondel) welcomed the informal consultations, which had given the Office food for thought and enabled it to produce the present paper. Such periodical rethinking was necessary, since standards were the lifeblood of the ILO. ILO standards were the embodiment of political will. This was why a number of difficulties arose, and these were not only technical difficulties. Ratification depended on deliberate choice. The same was true of application, and of the degree of enthusiasm with which such application was carried out. In short, political will was the determining factor. The paper submitted should thus provide a more dynamic vision of the system. Moreover, the ILO should not necessarily confine itself to bureaucratic supervisory machinery, but should also utilize the proactive capacity of the International Labour Standards Department, which should be expanded in order to provide incentives and encouragement, and to explain how the objectives of the standards could be met. Underlying this vision, however, was the recurrent problem of the human and material resources needed to come up with an adequate response. In these days of deregulation and globalization, the tendency was to overlook these problems. The speaker recalled that, among the different guarantees provided by standards, two were essential in his view: universality and a process heading towards a form of democracy. Universality was essential for the ILO to be able to carry out

its role. A number of standards were now being discussed and applied within countries, which indicated a certain amount of democratic development. This was where law and policy would appear to converge. The speaker found the paper interesting and felt that it prompted rethinking that could speed up the process. The inevitable question was whether the standards process was continuing to thrive or whether, on the contrary, it was being held up. On this last point, the speaker feared that, for a number of reasons, some groups of countries, including Europe, were more or less unenthusiastic about standards. This could hold up the standards process.

- 16.** The representative of the Government of Italy stated that he was fully in agreement with the observations and comments put forward by the Office in the paper concerning the possible changes that would have to be adopted to improve the ILO's supervisory machinery. He also appreciated the efforts being made by the Office to reduce the workload resulting from the reporting obligations and related activities on the ILO's constituents and the Office itself, which had to cope with a steady and increasing flow of reports. The paper emphasized that the supervisory mechanism of the ILO was generally regarded as one of the most effective in the United Nations system. In this respect, the representative of the Government of Italy stressed the need to ensure that future changes did not undermine the value and effectiveness of the current system. He emphasized that his Government fully supported the statement made on behalf of the IMEC group. He approved all of the clauses of paragraph 57 of the paper, in particular clause (d) and clause (h). However, in his view clause (d) could be the most appropriate means of reducing the workload, but there had to be one prerequisite (*sine qua non*) for its application, i.e. a requirement that the Committee of Experts had noted in its previous report for the effective application of the Convention in law and in practice. Moreover, in order for this requirement to be applied effectively, national workers' and employers' organizations would have to play a decisive role in informing the ILO supervisory bodies of any instances of failure to apply a Convention or one of its provisions. He highlighted the importance of technical assistance. Given the large number of important comments made by the Committee of Experts, countries needed such assistance. In this respect, in order to prevent the recurrence of the situations referred to in paragraph 26 of the paper, which vastly increased the Office's workload and, bearing in mind that the preparation of reports required a considerable amount of work on the part of member States, the reporting process should be eased by providing training courses for the officials who were assigned the task of drafting such reports.
- 17.** The representative of the Government of India congratulated the Office for having prepared a very comprehensive document, expressed support for the statement made by the Asia and Pacific group, and wished to highlight the following points. She emphasized the cumbersome nature of the reporting procedures and that questions were not raised in a clear manner with the member States. In the case of her country, the size of the territory, the diversity of its large population, and different levels of development further aggravated problems. In addition, in certain instances, the available national system of data collection and recording did not always correspond to that of the ILO. Her Government supported the grouping of Conventions for the purposes of convenience of member States in the submission of reports under article 22 of the ILO Constitution, and a roster would have to be prepared to ensure an even distribution between the reporting cycles. In the view of her country, the existing supervisory procedures were far too cumbersome and might involve a country in discussions within the Committee of Experts, the Conference Committee on the Application of Standards and the Committee on Freedom of Association, as well as in the context of the discussion of the Global Report. Her Government had supported the ILO Declaration on Fundamental Principles and Rights at Work in good faith and reiterated that her country was committed to the principles enshrined in the eight core labour

Conventions. With reference to the appendix to the paper “Possible groups of standards”,<sup>2</sup> she noted that the first group was entitled “Fundamental principles and rights at work and related standards” and expressed concern that such a heading might possibly lead to an association between this group of Conventions and the ILO Declaration. The so-called “families” of related Conventions should be maintained solely for the purposes for which they had been grouped, namely, the reduction of the workload and the simplification of the reporting procedures for member States and the ILO secretariat. In this regard, it was essential that the groups be formed so that the fundamental and priority Conventions on a particular subject would not be merged with the non-priority Conventions on the same subject in order to avoid a duplication of the reporting obligations and to remain consistent with the understanding on which the adoption of the Declaration had been based.

18. Regarding the proposal to promote country-by-country programmes to resolve problems of application of Conventions and related questions, the Government of India felt that this arrangement might not help to reduce the reporting burden. She underlined that even simplified reports were not actually simple, as they had to contain data on a plethora of issues. The reporting format could be further simplified and a system of less elaborate reports could be established to get feedback as and when required. As stated by the Asia and Pacific group, her Government wished to underscore that the reforms in the reporting arrangements could not be seen in isolation. They were an integral part of the comprehensive review of all standards-related activities and the supervisory mechanism. Accordingly, she requested a holistic status report on the reforms in the entire standards-related process at the next session of the Governing Body.
19. The representative of the Government of Trinidad and Tobago expressed support for the words of concern expressed and suggestions made in the statement by GRULAC. The report addressed a large number of issues and she thanked the Office for its efforts in preparing it. At the outset, she reiterated that her country had confidence in the supervisory mechanism of the ILO. The workload was increasing both for the Office and the member States and a balance had to be struck between an effective implementation of standards and having manageable workloads and time frames. She emphasized that significant problems existed for small developing countries due to a lack of resources – especially human resources – to allocate towards meeting reporting obligations. It was imperative to develop mechanisms that would lessen the reporting burden both for the Office and member States but that would not compromise the intentions behind the process. With this in mind, her delegation agreed that: the existing periods of reporting be maintained; the grouping of reports might help and should be tried along the lines described in the paper; the proposals regarding the requests for detailed reports would serve to ease the reporting burden. With respect to the substance and quality of reports submitted to the Office, her Government considered that the regional offices should be proactive and offer governments, on a regular and formal basis, their assistance regarding the preparation of the country’s reports. This would positively affect the quality and timing of submissions. Furthermore, it could be explored whether expanding the responsibilities of the standards specialists in the MDTs could ease the workload at headquarters. This would imply that staff at these offices be increased but it could augur well for the expansion of the Young Professionals Programme and employment in general at the ILO for member States. With respect to paragraph 50 she would like to know the criteria that would be used for selecting the four or five countries for special assistance. Unless these countries were members of the Governing Body, contacts would have to be initiated by the Office. She also suggested that the Office should identify the countries with the greatest problems – maybe one per region – and pursue this line of assistance. Concerning paragraph 51 regarding possible measures

<sup>2</sup> GB.282/LILS/WP/PRS/4.

at the national level for easing the reporting workload, she felt that it was worthy of serious consideration. Initial experimentation could focus on countries with well-functioning tripartite committees in accordance with Convention No. 144 and with excellent records in social dialogue and social compacts. She would like to suggest, subject to agreement by that country, of course, that Barbados could be an excellent test case in this regard. Finally she expressed her Government's support for the points for decision in paragraph 57.

- 20.** The representative of the Government of China supported the statement made on behalf of the Asia and Pacific group. His Government appreciated the efforts by the Office to streamline the reporting workload and welcomed the proposed reforms in paragraph 57(b), (c), (d), (e), (f) and (g). With regard to the country-by-country assistance proposed in paragraphs 46-50, the proposals of providing technical assistance to member States were appreciated. However, with regard to what was proposed in paragraph 50 about selecting four or five member States each year in order to reduce their reporting workload by accepting assistance, he was concerned that this could harm the equal rights of member States in their reporting obligations and could result in the establishment of a new supervisory mechanism. With regard to tripartite participation mentioned in paragraphs 51-55 to improve the tripartite cooperation mentioned in paragraph 55, he wanted to know by what standard and by which organization this would be decided. There was concern that this would lead to double standards. This did not mean that his country was not in favour of tripartite consultation. China fully supported the conduct of effective tripartite consultations in the implementation of labour standards, but felt that this issue should be discussed in other contexts.
- 21.** The representative of the Government of Cuba observed that the 1993 amendments to the reporting system had contributed towards easing the workload of the national services responsible for this activity. He particularly emphasized the effectiveness of the elements of paragraph 8 of the paper. A distinction between detailed and simplified reports had contributed towards improving the quality of information on the implementation of the priority Conventions without weakening the system. Having the date of the meeting of the Committee of Experts that was agreed in 1993 had produced a positive effect on delegations' preparation for the Conference in that they received the Committee's report with sufficient time to conduct national consultations, circulate its contents and, in a few instances, solve prior to the Conference some of the problems which had arisen regarding implementation of the Conventions. He considered that the date for the meeting of the Committee of Experts as agreed in 1993 should be maintained, as should the schedule for the submission of reports on the ratified Conventions. The representative of the Government of Cuba also recalled that the current situation had changed in some aspects, mainly owing to the increase in the number of ratifications since 1993. The substantial number of these concerned the fundamental and priority Conventions requiring biennial reports and had increased the workload for many countries and also for the Office. One possible solution would be to assess the relevance of additional reports being requested by the supervisory bodies. In some cases, inappropriate use may have been made of this practice, which might be eliminated. The submission of second detailed reports after the ratification of a Convention might also be questioned when the first report contained complete information. The second report might then be omitted and the information limited to a reply to a direct request of the Committee of Experts regarding individual aspects providing clarification.
- 22.** Even though the reporting interval for Conventions subject to the five-year cycle should not be extended, it would be appropriate to reconsider the two-year cycle for the fundamental and priority Conventions, above all if account was taken of the fact that the grouping of reports by subject provided information on various Conventions including the priority Conventions. He emphasized that this grouping was beneficial for both the national services and the Office but, in the case of his country, which had a high number of

ratified Conventions (87 in total), this grouping could in some instances result in a greater workload. The representative of the Government of Cuba thus proposed the possibility of reconsidering the two-year cycle for the fundamental and priority Conventions, and extending it to three years, maintaining the five-year cycle for the remaining Conventions. In his view, all measures relating to the supervisory mechanism should not be adopted in isolation but should take account of interconnections with other measures. The whole system should therefore be evaluated in its entirety, even though this task could not be carried out in one go. He added that he endorsed the various proposals in paragraphs 27 and 29 on the detailed reports. As regards the content and quality of the reports, although the technical assistance of the ILO as a factor contributing to these objectives should be highlighted, emphasis should also be placed on the importance of staff of the national services having the necessary training and stability to be able to perform this work, irrespective of how modest the infrastructure was, if governments had the will and commitment to fulfil the responsibilities of the supervisory system. The stability and training of staff were crucial in this regard to prevent the technical assistance of the ILO being wasted. His final comment referred to his personal experience of tripartite consultation. The participation of the unions and the experience of the corporate environment had contributed repeatedly to improving the quality of information. The Office could confirm an example of this in the report on Convention No. 152 – this was drawn up with direct information obtained from dock enterprises and with the presence of company managers and union representatives. By way of conclusion, his delegation endorsed the statement of GRULAC with regard to the proposals of paragraph 57, and he expressed the wish that the comments of his delegation in relation to subparagraphs (a) and (g) should be taken into account.

23. The representative of the Government of Guatemala, while fully supporting the statement made on behalf of GRULAC, wished to add a number of comments on three points. As regards paragraph 57(g) concerning maintenance of the present timing of the session of the Committee of Experts and the due dates for reports, she noted that, given that the report of the Committee of Experts served as a basis for the Conference Committee on the Application of Standards, the supervisory system would be reinforced if more up-to-date information on the application of Conventions and Recommendations by the member States was available. The current reporting and meeting cycle of the Committee of Experts implied that the Conference Committee acted on the basis of information submitted nine months before its session took place. This problem arose specially in the case of States which had amended their legislation or where circumstances had changed during this nine-month period. Consequently, the question of maintaining the dates mentioned in subparagraph (g) should be considered. With respect to subparagraph (j)(ii), no opposition had emerged with regard to the examination of the procedure under article 24 of the Constitution at the next session even if there was no consensus for modifying the system. In the consultations which had taken place on the standard-setting policy and supervisory mechanisms of the Organization, the question of representations under article 24 formed part of the list of subjects to be considered. Even though a regional group had said that this could be considered a non-priority subject and it was unnecessary to discuss it, she considered that this issue remained on the agenda and should be examined at the same time as other supervisory mechanisms. Finally, she wished to refer to the request of GRULAC concerning the adoption of all the elements contained in paragraph 57. She suggested that the modifications to the supervisory system should be examined after a period of five years, as had been decided in 1993. This would enable evaluation of the implementation of the new ideas proposed and of their influence on other elements of the standard-setting system.
24. The representative of the Government of Venezuela thanked GRULAC for the work it had done. In his view, two points were essential. The first was the improvement of the quality of reports. Secondly, a fresh boost needed to be given to tripartism at a national level. The

ILO was an organization which sought consensus and this consensus culture also had to find an echo at country level. Consequently, technical assistance should refer to the Organization's objectives; this would allow the ratification and implementation of Conventions to be facilitated and would add value to the already highly effective work of the Organization. He thanked the Office for the drafting of this document aimed at strengthening the supervisory mechanisms and improving the quality of reports. He also supported the GRULAC comments concerning paragraph 57.

25. The representative of the Government of the Russian Federation agreed with the preceding speakers that there should be a renewed discussion of this subject in five years' time. As regards the proposed points for decision he noted that at this session, the Committee was called upon to decide on the procedure of grouping Conventions but would only decide at its next session on how to group the non-fundamental Conventions. He noted that the question of possible grouping of Conventions had been discussed in the Working Party on Policy regarding the Revision of Standards on the basis of an Office document on this issue,<sup>3</sup> in which the Indigenous and Tribal Peoples Convention, 1989 (No. 169), and a number of other Conventions had been grouped in the same category as fundamental standards. As evidenced by the discussions in the Working Party, this grouping was questioned. This illustrated why questions of procedure and actual grouping should be examined together. As regards the flexibility proposed for deadlines, the manner of submission and order of submission within the cycle, these were experimental in nature and only practice could prove which was the best approach. Further clarifications were requested on the extent to which the proposals could reduce the workload on governments and the Office during the preparation and assessment of reports. Moreover, the document did not mention the fact that over time the workload for the preparation of reports had increased as countries were required to prepare reports not only on ratified but also on non-ratified Conventions. This issue had also to be taken into account.
26. The representative of the Government of the Libyan Arab Jamahiriya expressed support for the statement made on behalf of the African group and emphasized that the issue before the Committee was very important because the standards and the supervisory mechanism were the pillars of the Organization. Underscoring that the supervisory system had to be strengthened and not weakened by the reforms, he noted that not only was the number of regular reports requested huge, but governments were also requested to respond to additional requests and direct requests made by the Committee of Experts. Such a large number of requests for reports was counter-productive. His Government was also concerned with the pace of this process – which sometimes extended over several years – and that there was a lack of coordination and insufficient interaction between the Committee of Experts and governments. Increased interaction could enhance the understanding between the Committee of Experts and the governments. It would be particularly useful for labour ministries, which in many countries were understaffed, lacked resources and were faced with continued demands to improve their performance. Moreover, one of the biggest obstacles to the submission of timely reports was the problem of translating into Arabic. There were more than 20 Arab-speaking countries and it was time-consuming for each country to translate the reports. A related problem was the question of harmonization of terminology. In conclusion, he proposed that the Office translate reports submitted in order to save time for the countries at issue, to ensure uniformity of terminology and to avoid inaccuracies in translation. Furthermore, there should be an increased dialogue between the Committee of Experts and the various governments.

<sup>3</sup> GB.282/LILS/WP/PRS/4.

27. The representative of the Government of Lithuania welcomed the important steps that had been taken so far regarding the reporting procedures, although there was always room for further improvements. Moreover, if the new reforms to the supervisory mechanism did not prove successful, she was confident that the Organization was flexible enough to reappraise them. As regards the countries that regularly failed to reply to the Committee of Experts' observations and direct requests referred to in paragraph 31, the Office should make an effort to improve the situation for each country concerned and to examine the reasons why there were so many countries that failed to reply. It would perhaps be useful if countries that regularly replied to the Committee could share their experience with those who were not able to do so through, inter alia, seminars and workshops. Her Government agreed on the importance of tripartite participation, but considered that existing mechanisms were adequate in ensuring such participation. However, if governments failed to transmit their replies to the social partners, the Office should urge them to do so. With regard to the grouping of the fundamental Conventions, and with reference to paragraph 21 and footnote 8, her Government had some concerns that this might increase the workload for governments and the Committee of Experts and proposed a further discussion on this question. In conclusion, she expressed her Government's support for the proposals in paragraph 57.
28. The representative of the Government of Chile considered that a fair balance between simplification of procedures and increasing the efficiency of the supervisory system had been achieved in the Office document. While endorsing the statement made on behalf of GRULAC, he wished to make additional comments on two points. Firstly, country-by-country assistance had to be managed carefully. It should not be mixed with the supervisory mechanisms, and the countries receiving it should continue to submit reports. Secondly, tripartism and social dialogue had to be strengthened. These made it possible to draft reports on a consensual basis. The consultations as described in paragraph 57(i) should be aimed at strengthening tripartism but did not have to include the certification process. The supervisory tasks belonged to the ILO and should not be moved to national level. Tripartism was not observed in all countries and account had to be taken of those that were facing problems in this area.
29. The Chairperson said that the Office would reply to the comments made in order to dispel certain anxieties and propose amendments to paragraph 57 of the report.
30. A representative of the Director-General (Mr. Tapiola, Executive Director, Standards and Fundamental Principles and Rights at Work Sector) specified, with reference to the point raised by the representative of the Government of Chile, that following the informal consultations and an in-depth reflection within the Office, it had become clear, as stated in paragraph 55, that there should not be a link between technical cooperation and the reporting system. Although pursuing both in parallel could have an overall beneficial effect on the quantity and quality of reports submitted, there should be no mechanical link between them. As stated in paragraph 57(h) and (i) the Office proposed to pursue an examination of these issues separately. With reference to the comments made by the IMEC group, he said that paragraph 57(i) did not address the question of suspension of reporting requirements in any way and, in any event, the constitutional obligations to report could not be suspended. As regards the point raised by the representative of the Government of China, he replied that the estimated decrease of reports over a period of time could be achieved through solving standards-related problems. An in-depth examination and resolution of several countries' problems by the Office would not have an effect on reporting obligations as such, but would generate a positive overall impact by helping those countries to overcome the reporting backlog and improve reporting. Regarding the point raised by the representative of the Government of Namibia, he noted that country-by-country assistance was not likely to weaken the supervisory mechanism. Such assistance would be offered by the Office, in accordance with the views expressed by the MDTs, in

case it were decided at the national level and on a tripartite basis that such assistance was desirable. The proposal by the representative of the Government of Trinidad and Tobago to look at one country per region was interesting. In any case, against the background of the informal consultations, there was no link established or intended between the procedure to assist member States to overcome problems and the reporting obligations. It was emphasized that the document contained two categories of proposals. One category was directly related to the reporting system while the other related to more wide-ranging issues, which – in the longer term – could have a positive impact on the reporting system. These latter issues should be further discussed in the future and could contribute to an overall improvement in the conditions within which the reporting system functioned and in the quality of reporting.

- 31.** In conclusion, and in order to reflect better the views expressed at the meeting, the representative of the Director-General proposed the following amendments to the proposed points for decision in paragraph 57: in point (b), replace the current text with “approve the grouping of fundamental and priority Conventions with countries divided alphabetically for reporting purposes”; in point (c), replace the current text with “approve the principle of arranging all other Conventions by subject groups for reporting purposes”. The purpose of this modification was to indicate that the Committee approved this proposal in principle but not yet in its particular modalities which were to be discussed later on. In point (h), replace the current text with “promote cooperation through agreements on country-by-country assistance programmes to resolve problems of application of Conventions and related questions”. The purpose was to make clear that cooperation was based on the agreement of the country concerned and to clarify any misunderstanding on the nature of the cooperation proposed. In point (j)(ii), replace the current text with “all other details, including the time-table, for the implementation of the modifications in the reporting system as outlined in subparagraphs (b) to (f) above”. This formulation reflected the fact that quite a few members were of the view that a discussion of article 24 procedures should take place in connection with the other procedures in the reporting system. However, as the Office was not in a position to present well-prepared new proposals on the special procedures, it seemed more appropriate to propose that the Office submit a document in March which would specify the adjustments which had already been decided upon regarding the reporting system and how to implement these adjustments. Such a document would examine how the adjustments would be applied in practice, how to achieve a functional division of the workload over a five-year cycle and how these modifications would link to other elements of the reporting system. As regards the proposal by the representative of the Government of Guatemala, he noted that in his view, once these elements had been agreed upon, a possible review of the adjustments introduced could be discussed. This question could be addressed in the March report.
- 32.** The Worker members endorsed the amendments proposed by the Office.
- 33.** The representative of the Government of Guatemala thanked the Office for the explanations provided. However, in her opinion, the session due to be held next March should already focus on several points, including a discussion on the special procedures. However, article 24 formed part of the special procedures. As regards the five-year deadline for consideration of adjustments to the supervisory system, a discussion should be held in the Committee to decide whether this was the appropriate interval.
- 34.** The Employer members asked whether the representation procedure pursuant to article 24 of the Constitution should be reconsidered in March 2002 as planned.
- 35.** A representative of the Director-General (Mr. Tapiola) noted that there did not seem to be a consensus in favour of pursuing a discussion on the article 24 procedures in March 2002. In his view, this question could be examined at a later stage as part of a broader overview

of the special procedures. Furthermore, such an approach appeared more appropriate in the light of the ongoing discussions in a different context. An Office report on this question should, in order to be useful, contain proposals that would meet the expectations of the constituents and a discussion on this issue should be taken up when there were prospects for agreement on specific proposals. Previously, when proposals had been submitted to the Committee without adequate preparation and sufficient informal consultations, the result had been that no progress had been made in the Committee. It might be possible to take up these issues in March 2002 if specific proposals would emerge from consultations that, then, should be held between now and March. Although some members of the Committee might prefer to increase the pace of the work in the Committee on this issue, it should be kept in mind that the issues under discussion were complicated and that there were limits to the resources of the Office. There seemed to be a consensus that the Office should proceed to examine the practical implementation of the grouping of non-fundamental Conventions until the next meeting of the Committee and this point alone implied a considerable amount of work. As regards the possibility to re-examine in due time the adjustments that were to be decided, there seemed to be an agreement that this should be done. The Office proposed to reflect further on the appropriate time frame for such a re-examination, which could be five years, and include this in the report to the next session.

- 36.** The Worker members stated that they understood the Office's concerns. The representation procedure had already been examined twice and decisions had been adopted on these occasions. The points that might form the subject of a new discussion were fairly limited. Some suggestions from IMEC deserved to be considered. It appeared preferable to focus on questions on which it was possible to make significant progress.
- 37.** The representative of the Government of the United States commended the use of informal tripartite consultations, which had proved to be a valuable tool in reaching a consensus. In the light of comments made regarding the discussion relating to article 24, he stated that the Committee should not seek to discuss new issues before having concluded the examination of the present issues. A discussion on article 24 procedures would thus not be productive at the current stage, as the Committee needed to be thorough on the topics before it. A discussion on article 24 should be held at a later stage in the context of a general discussion on special procedures. The question of the grouping of Conventions would be an enormous task for the Office in preparation for the March session. Therefore, a discussion of article 24 procedures at the March session did not seem to be a priority and he urged the Employer members to reconsider their proposal.
- 38.** The representative of the Government of Germany expressed support for the comment by the representative of the Government of the United States and the comments made by the IMEC group. An isolated debate of the article 24 procedures was not urgent, as previous discussions in the Committee had demonstrated that it had not been possible to reach a consensus on this subject. One of the points that had been discussed at previous meetings, and on which they had reached a broad agreement, was that the provisions for confidentiality of information were outdated. He recommended that, as there was no indication that the majority of constituents felt that this issue was urgent, the Committee should look at more urgent issues before holding a discussion on article 24.
- 39.** The representative of the Government of Guatemala said that a decision had already been taken by the Governing Body. The Governing Body considered that it was necessary to return to the subject and that special procedures should be the subject of a discussion in March 2002. It feared that the Office lacked the time to organize consultations, in view of the fact that it already had to work on the grouping of standards and the preparation of the document.

40. A representative of the Director-General (Mr. Tapiola) proposed to add a new point for decision which would read as follows: "invite the Director-General to prepare for the 283rd Session (March 2002) of the Governing Body an overview of the discussions on possible improvements in the supervisory mechanism of the ILO, indicating what had already been discussed and what remained to be dealt with". Thus, a summary of what had already been examined until now and what remained to be discussed would be provided. On the basis of such an overview, the Committee could then decide how to proceed in the further examination of possible improvements in the ILO supervisory system.
41. The representative of the Government of France supported this proposal, which would provide a clearer view of the situation.
42. The Worker members approved the proposal of the representative of the Director-General.
43. The representative of the Government of Mexico endorsed the statement of the representative of the Government of Guatemala. In March 2001, the Governing Body had indeed decided that in November 2001 the possible amendments to the reporting cycle would be considered and that an initial debate on the special procedures would take place in March 2002. She wanted to be sure that a discussion on this last point would indeed be initiated next March. She was also in favour of the executive summary proposed by a representative of the Director-General. Finally, she emphasized that the Latin American Government group as a whole wanted the special procedures to be reviewed in March 2002.
44. The representative of the Government of Guatemala accepted the proposal made by a representative of the Director-General for the drafting of a document reviewing all the discussions undertaken since consideration of the supervisory mechanisms began.
45. The Employer members approved the proposal to draft a summary of the progress made in the work for the next meeting of the Committee.
46. The Committee decided to adopt the amendments to the points for decision proposed by the representative of the Director-General.
47. *The Committee recommends to the Governing Body that it decide to:*
- (a) maintain the two-year and five-year reporting cycles, with the Conventions presently in each group;*
  - (b) approve the grouping of fundamental and priority Conventions with countries divided alphabetically for reporting purposes;*
  - (c) approve the principle of arranging all other Conventions by subject groups for reporting purposes;*
  - (d) discontinue detailed reports on fundamental and priority Conventions unless there are changes, or they are requested by supervisory bodies;*
  - (e) discontinue the automatic requirement to send a detailed report if the government fails in its obligation to send a simplified report;*
  - (f) discontinue the automatic requirement for detailed second first reports;*

- (g) *maintain the present timing of the session of the Committee of Experts on the application of Conventions and Recommendations, and the due dates for reports;*
- (h) *promote cooperation through agreements on country-by-country assistance programmes to resolve problems of application of Conventions and related questions;*
- (i) *invite the Director-General to hold further consultations on strengthening tripartite participation at the national level;*
- (j) *discuss at the 283rd Session (March 2002):*
  - (i) *a draft grouping of non-fundamental Conventions for purposes of reporting; and*
  - (ii) *all other details, including the timetable, for the implementation of the modifications in the reporting system as outlined in subparagraphs (b) to (f) above; and*
- (k) *invite the Director-General to prepare for the 283rd Session (March 2002) of the Governing Body an overview of the discussions on possible improvements in the supervisory mechanism of the ILO, indicating what had already been discussed and what remained to be dealt with.*

## **VI. Report of the Working Party on Policy regarding the Revision of Standards**

48. The Committee had before it the report of the Working Party on Policy regarding the Revision of Standards.<sup>4</sup>
49. The representative of the Government of France, Chairperson of the Working Party, recalled the five items on the agenda of the meeting. The first was the examination of the information note on the progress of work and decisions taken concerning the revision of standards.<sup>5</sup> This document was regularly updated and set out in detail the decisions taken by the Governing Body following the recommendations of the Working Party. It was mainly intended for use by the various services within the Office, both at headquarters and in the field, and was systematically distributed to the members of the Conference Committee on the Application of Standards. The information note was not intended for the general public, but was a valuable document due to its high level of precision. Tables 2 and 3 reproduced in Appendix II to the present document were also very useful because they provided an overview of the status of the various Conventions and Recommendations. In this regard, it should be noted that, with the adoption of the Safety and Health in Agriculture Convention, 2001 (No. 184), the number of up-to-date Conventions had risen to 71. Furthermore, the constitutional amendment to abrogate obsolete Conventions had received 69 ratifications or acceptances to date. One of the two conditions for its entry into force had now been fulfilled, as six of the ten States of chief industrial importance had

<sup>4</sup> GB.282/LILS/6.

<sup>5</sup> GB.282/LILS/WP/PRS/1.

either ratified or accepted it. On a general note, the number of ratifications or acceptances was increasing slowly but surely, with regional disparities becoming apparent. Several members of the Working Party had requested that the Office launch another campaign to promote the ratification of this amendment. This campaign could take into account the differences seen among the regions.

**50.** The Working Party had also carried out the deferred examination of Conventions concerning night work of women in industry,<sup>6</sup> following an initial examination undertaken in November 1996. It was necessary to supplement the decisions taken by the Governing Body on that occasion, bearing in mind the results of the General Survey conducted by the Committee of Experts on the subject, which had been submitted to the Committee on the Application of Standards at the most recent session of the Conference. This question was a particularly interesting one, owing to the changes that had occurred in this sphere. The approach taken for the first Conventions in this area was to prohibit the night work of women. Subsequently, the change in collective attitudes gave precedence to the principle of non-discrimination. Thus, the Night Work Convention, 1990 (No. 171), regulated night work for both men and women. As a result, standards coexisted which were based on entirely different approaches. Following its discussion, the Working Party approved the progressive proposals that had been submitted to it by the Office. These proposals, contained in paragraphs 32 and 33 of the report, reaffirmed that the objective was the ratification of Convention No. 171, while recognizing that the older instruments retained a certain relevance, even if just of a transitory nature. The follow-up to consultations regarding social security instruments<sup>7</sup> constituted the third item on the agenda of the meeting of the Working Party. It was called upon to draw lessons from the general discussion on social security held at the most recent session of the Conference, as well as from the replies by member States to a letter sent by the Office concerning seven Conventions and three Recommendations. As the document prepared by the Office for this purpose was somewhat complex, the Working Party considered that it was not in a position to discuss it during the current session of the Governing Body and deferred the examination until its meeting in March 2002.

**51.** The fourth item on the agenda was possible groups of standards,<sup>8</sup> an extremely prudent formulation. At the beginning of the discussion, the Office provided clarifications on a number of points, recalling the background to this item: namely the discussions on the integrated approach and those concerning possible improvements to the supervisory system. The Working Party held an initial exchange of views on the subject, which did not call for any specific conclusions. The members of the Committee were invited to take note of the comments made during the discussion. The particular interest of this discussion resided in the fact that it was the first time that the grouping of standards by subject had been submitted for tripartite examination. Lastly, the Working Party had before it a document on the publication of the results of its work.<sup>9</sup> A voluntary contribution by the Government of France would make it possible to produce the three types of publications mentioned in the Office document. The first of these were country profiles, about which the Working Party expressed considerable enthusiasm. These documents presented a clear picture of the situation in each country vis-à-vis the implementation of the Working Party's recommendations. They were therefore particularly useful for government authorities and

<sup>6</sup> GB.282/LILS/WP/PRS/2.

<sup>7</sup> GB.282/LILS/WP/PRS/3.

<sup>8</sup> GB.282/LILS/WP/PRS/4.

<sup>9</sup> GB.282/LILS/WP/PRS/5.

the social partners and could now be extended to all the member States of the Organization. In addition, the Office had prepared a publication on international labour standards, intended above all for constituents and researchers. Lastly, there were plans to prepare a guide on standards, together with a CD-ROM, which would serve to increase awareness. At its next meeting, the Working Party would examine how the results of its work had been taken into account in the official publications of the ILO. The speaker submitted the report of the Working Party for approval by the Committee.

52. The Chairperson thanked the representative of the Government of France and the members of the Working Party for their work. He recalled that there had been consensus in the Working Party on its proposals, as indicated in paragraph 67 of the report which referred to paragraphs 32 and 33.
53. The Employer members voiced their approval of the excellent report by the Working Party, but added that the Employer spokesperson in the Working Party wished to make a few comments.
54. An Employer member of Australia, the Employer Vice-Chairperson in the Working Party (Mr. Noakes), noted that generally speaking the Employer members of the Working Party were satisfied with the work that had been carried out. Nevertheless, he wished to make a few remarks concerning the examination of the instruments concerning night work for women. Paragraphs 32-33 of the report contained the proposals that had been adopted by the Working Party. Paragraph 31 indicated that, in the light of the discussions held and, in particular, the views expressed by the Governments, the Employer members had withdrawn their objections to these proposals. This was in fact the case. Nevertheless, the opinions of the Employer members remained as outlined in paragraph 17 of the report. In their view Conventions Nos. 4, 41 and 89, including the Protocol to the latter, were fundamentally discriminatory. They therefore considered that it was not appropriate to invite member States to ratify Convention No. 89 and its Protocol of 1990. On the contrary, they hoped that eventually Convention No. 89 would be shelved and withdrawn, which would resolve the problem of its Protocol. Convention No. 171 applied both to men and women and covered all sectors of the economy. However, there was an obvious problem with that instrument since only six countries had ratified it. Consequently, the Employer members considered that it was not appropriate to promote the ratification of this instrument. They wished that an in-depth re-examination of this Convention would take place in due time in order to identify the problems raised and try to overcome them.
55. The Worker members regretted the remarks made by the Employer members in view of the consensus that had been reached on the proposed decision concerning Conventions on the night work of women. They recognized that considerable work would be necessary before it would be possible to achieve the results hoped for in this area and invited member States to implement the proposals contained in paragraphs 32 and 33 of the report. They thanked the representative of the Government of France for having led the discussions within the Working Party. The discussion on the possible groups of standards had been extremely interesting and contained elements the Office could take into account for the following session of the Governing Body. The agenda for the next meeting of the Working Party was also very full. The Worker members stressed the importance of follow-up and the dissemination of information on the results of the work of the Working Party and supported the adoption of its report.
56. The representative of the Government of Germany thanked the Chairperson of the Working Party for the excellent report that had been submitted to the Committee. He wished for an enumeration of the proposals submitted for adoption on which there had been consensus in the Working Party and which were referred to in paragraph 67. Furthermore, with regard to paragraphs 13 and 14 of the report he recalled that his

Government opposed the ratification of the constitutional amendment to abrogate obsolete Conventions. He also considered that it was not appropriate to launch another campaign to promote the ratification of that amendment.

57. The representative of the Government of France indicated the proposals concerned. With regard to the constitutional amendment he recalled that six of the ten member States of chief industrial importance had already ratified it. Apart from Germany, there was broad consensus in favour of its ratification.

58. *The Committee recommends to the Governing Body that it:*

(a) *take note of the report of the Working Party on Policy regarding the Revision of Standards and of the opinions expressed during the meeting of the Committee;*

(b) *approve the recommendations contained in the corresponding paragraphs of the report on which there was consensus in the Working Party and the Committee.*

## VII. Ratification and promotion of fundamental ILO Conventions

59. The Committee had before it a document<sup>10</sup> on the prospects of the ratification of the ILO fundamental Conventions as part of the campaign launched by the Director-General in May 1995.

60. A representative of the Director-General (the Chief of the Equality and Employment Branch of the International Labour Standards Department) gave an update of the information contained in the document in question. Since the document had been issued (16 October 2001), 12 new ratifications had been registered:<sup>11</sup> Convention No. 100 by *Pakistan*, Convention No. 138 by the *Bahamas, Lesotho* and the *Syrian Arab Republic*, and Convention No. 182 by *Benin, Bosnia and Herzegovina, Cape Verde, Greece, Guatemala, Honduras, Madagascar* and *Pakistan*. This meant that the *Bahamas, Benin, Bosnia and Herzegovina, Greece, Guatemala* and *Honduras* are now among 65 countries that have ratified the eight fundamental Conventions. The available information indicated that *Namibia* would deposit the ratification of Convention No. 111 next week; that *Nepal* had approved the ratification of Conventions Nos. 29 and 182 and instruments of ratification would be sent in due course; that *Saudi Arabia* informed the Office that it had approved the ratification of Convention No. 182 and the original copy of the instrument of ratification was to arrive at the Office; that *Trinidad and Tobago* was considering the declaration of a minimum age for employment required upon the ratification of Convention No. 138; and that the *United Kingdom* was seeking the views of all of its non-metropolitan territories as regards the acceptance of these Conventions following the recent ratifications of Conventions Nos. 111, 138 and 182.

<sup>10</sup> GB.282/LILS/7.

<sup>11</sup> To date, Convention No. 29 has 159 ratifications; Convention No. 87 has 138; Convention No. 98 has 150; Convention No. 100 has 154; Convention No. 105 has 157; Convention No. 111 has 152; Convention No. 138 has 115; and Convention No. 182 has 106.

61. The ILO had also received additional information since the paper was published on progress with regard to the ratification of specific Conventions. The state of progress in different countries was as follows: (a) the competent authorities (President of the Republic, Parliament, Government) were currently examining a proposal for ratification: *Paraguay* (Convention No. 138) and the *United Republic of Tanzania* (Conventions Nos. 100 and 111); (b) the ratification procedure was under way: *Peru* (Convention No. 182) and *Trinidad and Tobago* (Convention No. 182); (c) legislation was being amended: *Jamaica* (Conventions Nos. 138 and 182), *Kenya* (Convention No. 87) and *Peru* (Convention No. 138); (d) ratification was being considered: *Namibia* (Convention No. 100), *Qatar* (Conventions Nos. 87, 98, 100, 105 and 138) and *Zambia* (Convention No. 182); (e) divergences between legislation and the Convention: *Madagascar* (Convention No. 105); and (f) ratification not being considered: *Bangladesh* (Convention No. 138) and *Cuba* (Convention No. 182). As usual, the report of the Committee to the Governing Body would include an updated version of the ratification chart attached to the document.
62. The Worker members welcomed the positive results of the campaign and expected further ratifications. They considered that invoking as a reason for non-ratification that the Convention was not compatible with the national legislation was an unacceptable excuse as the reasoning should be the other way round, and stressed that ratification would be possible if there was political will. In this connection, they stressed that the ILO's technical assistance should continue to be provided to assist government to ratify. Finally, they stressed that, as the campaign was now approaching its goal of universal ratification of the fundamental human rights Conventions, it should be extended to other Conventions.
63. The Employer members noted with satisfaction the number of new ratifications registered since last year and stated that the ILO was coming close to realizing the Director-General's vision of universal ratification of the fundamental Conventions. They considered the campaign so far a great success and hoped that more ratifications of these instruments would continue to be received.
64. The representative of the Government of Peru stated that ratification of Convention No. 182 had been approved in his country, and that the instrument of ratification would shortly be communicated.
65. The representative of the Government of Sudan referred to paragraph 53 of the document and stated that the Government had reported that the Council of Ministers had already approved the ratification of Convention No. 138 and that it would soon be sent to Parliament. The speaker also referred to paragraph 68 of the document and indicated that, as the Government had already sent information to the Office, Sudan should not be listed among those which had not yet reported.
66. The representative of the Government of Cuba referred to paragraph 68 of the document on Convention No. 182 and said that the Government had already sent relevant information to the Office.
67. The representative of the Government of India emphasized that ratification of Conventions is not an end in itself, and that national practice and legislation should be in compliance before Conventions are ratified. He recalled that India has been supporting fundamental principles and rights. The Government was bringing its legislation into conformity with Convention No. 182, the Convention was currently under consideration both by inter-ministerial meetings and tripartite bodies, and a decision on ratification would be made in the near future. A proposal on minimum age for employment, fully in compliance with Convention No. 138, was being considered, and the ratification of this Convention as well would be considered once this was done. In connection with Conventions Nos. 87 and 98, the protection stipulated in these instruments was provided by the national legislation, and

freedom of expression and freedom of association are guaranteed by India's Constitution. Civil servants enjoyed other benefits that compensated for their inability to organize, but this detail had prevented ratification. The Government hoped to continue its dialogue with the Office.

68. The representative of the Government of Germany referred to paragraph 64 of the document and stated that the Bundesrat (Federal Council) had completed its reading of the law to ratify Convention No. 182 and no objection had been made. The Government was currently in the process of collecting the necessary signatures, and the instrument of ratification should be sent to the ILO by the end of this year.
69. The representative of the Government of Malaysia indicated that additional assistance by the Office would allow further progress on ratifications. The speaker indicated that Conventions requiring particular actions, such as those calling for affirmative action, make it difficult for the Government to ratify them. He cited Convention No. 182 as an example of an instrument that had been adopted unanimously at the International Labour Conference, and had achieved a large number of ratifications rapidly, and recalled that it was more difficult to ratify Conventions that had not been accepted with such unanimity. Finally the speaker reiterated that the inflexibility built into many instruments made it difficult to ratify them.
70. The representative of the Government of Namibia, speaking on behalf of the African group, pointed out that many of the new ratifications had been registered by African countries, which was a source of pride for them. They supported the opinion that ratification was not the end of the story and that compliance was equally important. In this regard, he stressed the need for technical cooperation both in the process of ratification and afterwards.
71. The representative of the Government of Nigeria stated that the Government had already ratified five fundamental Conventions out of eight and that action on the remaining three, namely Conventions Nos. 111, 138 and 182, was under way. The speaker indicated that the tripartite National Labour Advisory Council had met and recommended the ratification of the Conventions, and that the ratification procedure was in its final stages.
72. The Committee took note of the document and the additional information provided orally.

### **VIII. Form for reports on the application of ratified Conventions (article 22 of the Constitution): The Safety and Health in Agriculture Convention, 2001 (No. 184)**

73. The Committee had before it a document prepared by the Office<sup>12</sup> and was requested to examine the draft forms to be used as a basis for the reports on this instrument which the governments of ratifying States would be required to submit under article 22 of the Constitution of the ILO.
74. The Worker members proposed three amendments. With respect to the questions under Article 5 of the Convention, they noted that these related only to paragraph 2 of the Article. They suggested an additional question requesting indications on the measures

<sup>12</sup> GB.282/LILS/8.

taken to implement paragraph 1 of the Article. With respect to Article 11, they felt that both questions related to paragraph 1 of the Article and that there was no specific question concerning provisions giving effect to paragraph 2 of the Article. They proposed to add a new question to cover this point. Regarding Article 16, they proposed to add a new question to be a new subparagraph (b) under paragraph 1 of the Article, and for the current subparagraph (b) under paragraph 1 to be renamed subparagraph (c). The proposed new subparagraph (b) could then read “supply information on the categories and definitions of hazardous work that young workers are not allowed to do”.

75. The Employer members expressed their acceptance of the proposed amendments from the Worker members.
76. The representative of the Government of India, while stating that the report form under discussion did not appear to deviate from earlier ones approved by the Governing Body, made some remarks relating to earlier discussions on the reporting system.
77. *The Committee on Legal Issues and International Labour Standards recommends to the Governing Body that it adopt the report form for the Safety and Health in Agriculture Convention, 2001 (No. 184), as amended in light of the observations of the Worker and Employer members (see Appendix I).*

## **IX. Choice of instruments on which reports under article 19 of the Constitution should be requested in 2003 and 2004**

78. The Committee had before it a document<sup>13</sup> containing proposals concerning the choice of Conventions and Recommendations on which governments might be invited to submit reports in 2003 and 2004 under article 19, paragraphs 5(e), 6(d) and 7(b) of the Constitution.
79. The Worker members stated that the document contained five proposals, set out in paragraph 15. As indicated in paragraph 9, of the recommendations made by the Working Party on Policy regarding the Revision of Standards, only the Hours of Work (Industry) Convention, 1919 (No. 1), and the Hours of Work (Commerce and Offices) Convention, 1930 (No. 30), had not yet been selected for a General Survey. The question of hours of work constituted a priority for the Worker members, while for the Employer members the priority subject was employment. The Worker members indicated that following a discussion the two groups had agreed to propose that employment and hours of work should be the subjects of General Surveys in 2003 and 2004 respectively.
80. The Employer members confirmed the information given by the Worker members. They also considered that the practice of making a selection for two years was a good one. While paragraph 9 of the document (hours of work) was of interest to the Workers, Employer members felt themselves more concerned by paragraph 12 (employment) because that subject constituted a follow-up to the Global Agenda for Employment and was therefore a priority in their view. They were satisfied with the agreement they had reached with the Worker members concerning the choice of subjects for 2003 and 2004.

<sup>13</sup> GB.282/LILS/9.

- 81.** The representative of the Government of Germany, while indicating that he did not wish to put the agreement reached into question, noted that in Appendix 2 of the document it was stated that reports under article 19 had been requested in 1966 on Conventions Nos. 1 and 30, while according to paragraph 9 of the document these two Conventions had not yet been chosen for a General Survey. The representative of the Government of Germany wondered if there was some contradiction.
- 82.** The Worker members explained that the matter at hand concerned the proposals of the Working Party and that the recommendation for a General Survey on the two instruments in question had indeed been the only one not yet to have been followed up.
- 83.** The representative of the Government of India agreed that General Surveys were important instruments of reference to ascertain the position of national laws and practice in respect of a given subject. They provided a basis for comparison and exchange on successful practices to overcome the obstacles faced in particular areas. From the point of view of the ILO, General Surveys served as guides for directing technical assistance towards areas where such assistance could be most beneficial. General Surveys had also contributed to the evaluation of standards, including the assessment of the possible need for their revision. Among the five subjects suggested in the document, the Government of India proposed to choose hours of work for 2003, as the two Conventions at issue (Conventions Nos. 1 and 30) had not yet been selected for a General Survey. Such a subject would also complement surveys undertaken in 1991 on minimum wages and in 2000 on night work of women and foreseen for 2002 on protection of wages. The subject of employment could be chosen for 2004, because, as indicated in the document, this would help to develop a strong information base. Such a survey would also constitute a useful follow-up to the Global Agenda for Employment initiative, which aimed at placing employment at the top of national and global agendas and to build a platform for strategic alliances between the ILO and other United Nations agencies and the Bretton Woods institutions for the faster creation of productive employment. His delegation therefore supported the choice of the subject of hours of work for a General Survey in 2003 and the subject of employment for a General Survey in 2004.
- 84.** The representative of the Government of France took note of the agreement reached between the two groups. On a more general note he stressed the usefulness of General Surveys as instruments of evaluation. They could also rightly be seen as a very important element to take into consideration in the framework of a possible integrated approach. Furthermore, reports under article 22 submitted by group of Conventions might also constitute another possible source of precious information. In future, one could perhaps try to develop a more structured approach.
- 85.** The representative of the Government of Portugal associated himself with the statement by the representative of the Government of France, stressing the importance of an integrated vision. He supported the choice of employment, which constituted a priority theme for his country. While regretting that working time had not been chosen instead of hours of work, he also felt that the agreement reached by the two groups should be respected. He hoped for a slightly more forward-looking approach in future.
- 86.** The representative of the Government of Trinidad and Tobago said that, as indicated in Appendix 2, no General Survey had been undertaken with respect to the nursing personnel instruments, but that a General Survey had been conducted on hours of work. If the basis for the agreement between Employer and Worker members were to choose a subject on which no General Survey had been carried out, then maybe consideration could be given to having a General Survey on nursing personnel instead of hours of work.

87. The Chairperson asked the Committee if it had any objections to the subject of employment being selected for 2003 and hours of work for 2004, given the agreement reached by the Employer and Worker members. In the absence of objections these choices were approved.

88. *The Committee recommends to the Governing Body to invite governments to submit reports under article 19 of the Constitution on the following instruments:*

- *In 2003: the Employment Policy Convention, 1964 (No. 122), the Employment Policy (Supplementary Provisions) Recommendation, 1984 (No. 169), the Human Resources Development Convention, 1975 (No. 142), and the Job Creation in Small and Medium-Sized Enterprises Recommendation, 1998 (No. 189).*
- *In 2004: the Hours of Work (Industry) Convention, 1919 (No. 1), and the Hours of Work (Commerce and Offices) Convention, 1930 (No. 30).*

## **X. Intergovernmental Committee on the International Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organizations (Rome Convention, 1961): Report of the 18th Ordinary Session (Geneva, 27-28 June 2001)**

89. The Committee had before it a paper presented by the Office,<sup>14</sup> and the report of the 18th Ordinary Session (27-28 June 2001) of the Intergovernmental Committee on the International Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organizations (Rome Convention, 1961) was available in the room in English, French and Spanish.

90. The Committee took note of the Office document and the report.

Geneva, 12 November 2001.

*Points for decision:* Paragraph 47;  
Paragraph 58;  
Paragraph 77;  
Paragraph 88.

<sup>14</sup> GB.282/LILS/10.

## Appendix I

**Appl. 22.184**  
**184. Safety and Health in Agriculture, 2001**

INTERNATIONAL LABOUR OFFICE GENEVA

### REPORT FORM

FOR THE

### SAFETY AND HEALTH IN AGRICULTURE CONVENTION, 2001 (No. 184)

The present report form is for the use of countries which have ratified the Convention. It has been approved by the Governing Body of the International Labour Office, in accordance with article 22 of the ILO Constitution, which reads as follows: "Each of the Members agrees to make an annual report to the International Labour Office on the measures which it has taken to give effect to the provisions of Conventions to which it is a party. These reports shall be made in such form and shall contain such particulars as the Governing Body may request."

The Government may deem it useful to consult the appended text of the Safety and Health in Agriculture Recommendation, 2001 (No. 192), the provisions of which supplement the present Convention and can contribute to a better understanding of its requirements and facilitate its application.

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### PRACTICAL GUIDANCE FOR DRAWING UP REPORTS

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#### *First reports*

If this is your Government's first report following the entry into force of the Convention in your country, full information should be given on each of the provisions of the Convention and each of the questions set out in the report form.

#### *Subsequent reports*

In subsequent reports, information need normally be given only on the following points:

- (a) any new legislative or other measures affecting the application of the Convention;
- (b) replies to the questions in the report form on the practical application of the Convention (for example, statistics, results of inspections, judicial or administrative decisions) and on the communication of copies of the report to the representative organizations of employers and workers and on any observations received from these organizations;

- (c) **replies to comments by the supervisory bodies:** the report must contain replies to any comments regarding the application of the Convention in your country which have been addressed to your Government by the Committee of Experts or the Conference Committee on the Application of Standards.

**Article 22 of the Constitution of the ILO**

Report for the period ..... to .....

made by the Government of .....

on the

**SAFETY AND HEALTH IN AGRICULTURE  
CONVENTION, 2001 (No. 184)**

(ratification registered on .....) )

- I. Please give a list of the laws and regulations, etc., which apply the provisions of the Convention. Where this has not already been done, please forward copies of these texts to the International Labour Office.**

**Please give any available information concerning the extent to which these laws and regulations have been enacted or modified to permit, or as a result of, ratification.**

- II. Please indicate in detail for each of the following Articles of the Convention the provisions of the abovementioned laws and regulations, etc., or other measures, which give effect to each Article.**

**If in your country ratification of the Convention gives the force of national law to its terms, please indicate by virtue of what constitutional provisions the ratification has had this effect. Please also specify what action has been taken to make effective those provisions of the Convention which require a national authority to take specific steps, such as measures to define its exact scope and the institution of indispensable practical measures and procedures to apply it.**

**If the Committee of Experts or the Conference Committee on the Application of Standards has requested additional information or made an observation on the measures adopted to apply the Convention, please supply the information asked for or indicate the action taken by your Government to settle the points in question.**

PART I. SCOPE

*Article 1*

For the purpose of this Convention the term “agriculture” covers agricultural and forestry activities carried out in agricultural undertakings including crop production, forestry activities, animal husbandry and insect raising, the primary processing of agricultural and animal products by or on behalf of the operator of the undertaking as well as the use and maintenance of machinery, equipment, appliances, tools, and agricultural installations, including any process, storage, operation or transportation in an agricultural undertaking, which are directly related to agricultural production.

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*Article 2*

For the purpose of this Convention the term “agriculture” does not cover:

- (a) subsistence farming;
- (b) industrial processes that use agricultural products as raw material and the related services; and
- (c) the industrial exploitation of forests.

*Article 3*

1. The competent authority of a Member which ratifies the Convention, after consulting the representative organizations of employers and workers concerned:

- (a) may exclude certain agricultural undertakings or limited categories of workers from the application of this Convention or certain provisions thereof, when special problems of a substantial nature arise; and
- (b) shall, in case of such exclusions, make plans to cover progressively all undertakings and all categories of workers.

2. Each Member shall list, in its first report on the application of the Convention submitted under article 22 of the Constitution of the International Labour Organization, any exclusions made in pursuance of paragraph 1(a) of this Article giving the reasons for such exclusion. In subsequent reports, it shall describe the measures taken with a view to extending progressively the provisions of the Convention to the workers concerned.

*If recourse has been had to paragraph 1(a), please:*

- (a) *indicate the agricultural undertakings or the categories of workers excluded from the application of the Convention or certain provisions thereof, give the reasons for such exclusions and describe the employers' and workers' organizations concerned that have been consulted and how they are consulted on the application of this Article;*
- (b) *communicate information on plans for progressively covering all agricultural undertakings and all categories of workers.*

## PART II. GENERAL PROVISIONS

*Article 4*

1. In light of national conditions and practice and after consulting the representative organizations of employers and workers concerned, Members shall formulate, carry out and periodically review a coherent national policy on safety and health in agriculture. This policy shall have the aim of preventing accidents and injury to health arising out of, linked with, or occurring in the course of work, by eliminating, minimizing or controlling hazards in the agricultural working environment.

2. To this end, national laws and regulations shall:

- (a) designate the competent authority responsible for the implementation of the policy and for the enforcement of national laws and regulations on occupational safety and health in agriculture;

- (b) specify the rights and duties of employers and workers with respect to occupational safety and health in agriculture; and
- (c) establish mechanisms of inter-sectoral coordination among relevant authorities and bodies for the agricultural sector and define their functions and responsibilities, taking into account their complementarity and national conditions and practices.

3. The designated competent authority shall provide for corrective measures and appropriate penalties in accordance with national laws and regulations, including, where appropriate, the suspension or restriction of those agricultural activities which pose an imminent risk to the safety and health of workers, until the conditions giving rise to the suspension or restriction have been corrected.

*Please indicate:*

- (a) *the measures taken to formulate, carry out and review periodically the policy on safety and health in agriculture aimed at the prevention of accidents and injuries to health arising out of, linked with, or occurring in the course of work;*
- (b) *the employers' and workers' organizations concerned that have been consulted and how they are consulted;*
- (c) *the rights and duties of employers and workers with respect to occupational safety and health in agriculture;*
- (d) *the mechanisms of inter-sectoral coordination among relevant authorities and bodies for the agricultural sector, and the national conditions and practice that have been taken into consideration when defining their functions and responsibilities; and*
- (e) *the competent authority referred to in this Article and the steps taken to ensure that effect is given to this Article.*

#### *Article 5*

1. Members shall ensure that an adequate and appropriate system of inspection for agricultural workplaces is in place and is provided with adequate means.

2. In accordance with national legislation, the competent authority may entrust certain inspection functions at the regional or local level, on an auxiliary basis, to appropriate government services, public institutions, or private institutions under government control, or may associate these services or institutions with the exercise of such functions.

*1. Please indicate the measures taken to give effect to paragraph 1 of this Article.*

*2. If recourse has been had to paragraph 2, please indicate the provisions of national legislation authorizing such recourse. Please indicate the inspection functions entrusted to the regional or local level and the government services, public institutions or private institutions under government control to which they are entrusted; and whether and how those services and institutions are associated with the exercise of such functions.*

## PART III. PREVENTIVE AND PROTECTIVE MEASURES

## GENERAL

*Article 6*

1. In so far as is compatible with national laws and regulations, the employer shall have a duty to ensure the safety and health of workers in every aspect related to the work.

2. National laws and regulations or the competent authority shall provide that whenever in an agricultural workplace two or more employers undertake activities, or whenever one or more employers and one or more self-employed persons undertake activities, they shall cooperate in applying the safety and health requirements. Where appropriate, the competent authority shall prescribe general procedures for this collaboration.

*Please indicate how employers are required to ensure the safety and health of workers in every aspect related to the work in conformity with national laws and regulations.*

*Please indicate the provisions of national laws and regulations or the measures taken by the competent authority laying down the prescribed cooperation in applying safety and health requirements. Please indicate whether the competent authority has prescribed general procedures for such collaboration.*

*Article 7*

In order to comply with the national policy referred to in Article 4 of the Convention, national laws and regulations or the competent authority shall provide, taking into account the size of the undertaking and the nature of its activity, that the employer shall:

- (a) carry out appropriate risk assessments in relation to the safety and health of workers and, on the basis of these results, adopt preventive and protective measures to ensure that under all conditions of their intended use, all agricultural activities, workplaces, machinery, equipment, chemicals, tools and processes under the control of the employer are safe and comply with prescribed safety and health standards;
- (b) ensure that adequate and appropriate training and comprehensible instructions on safety and health and any necessary guidance or supervision are provided to workers in agriculture, including information on the hazards and risks associated with their work and the action to be taken for their protection, taking into account their level of education and differences in language; and
- (c) take immediate steps to stop any operation where there is an imminent and serious danger to safety and health and to evacuate workers as appropriate.

*Please indicate the legislative or other provisions whereby employers are required to take the action called for in this Article.*

*Article 8*

1. Workers in agriculture shall have the right:

- (a) to be informed and consulted on safety and health matters including risks from new technologies;

- (b) to participate in the application and review of safety and health measures and, in accordance with national law and practice, to select safety and health representatives and representatives in safety and health committees; and
- (c) to remove themselves from danger resulting from their work activity when they have reasonable justification to believe there is an imminent and serious risk to their safety and health and so inform their supervisor immediately. They shall not be placed at any disadvantage as a result of these actions.

2. Workers in agriculture and their representatives shall have the duty to comply with the prescribed safety and health measures and to cooperate with employers in order for the latter to comply with their own duties and responsibilities.

3. The procedures for the exercise of the rights and duties referred to in paragraphs 1 and 2 shall be established by national laws and regulations, the competent authority, collective agreements or other appropriate means.

4. Where the provisions of this Convention are implemented as provided for by paragraph 3, there shall be prior consultation with the representative organizations of employers and workers concerned.

*Please indicate the legislative or other measures taken to determine the procedures for exercising the rights and duties listed in paragraphs 1 and 2, and the prior consultations had with the representative organizations of employers and workers concerned.*

*Please indicate legislative or other measures ensuring that workers who remove themselves from danger and inform their supervisor as provided in paragraph 1(c) shall not be placed at any disadvantage as a result of these actions.*

## MACHINERY SAFETY AND ERGONOMICS

### Article 9

1. National laws and regulations or the competent authority shall prescribe that machinery, equipment, including personal protective equipment, appliances and hand tools used in agriculture comply with national or other recognized safety and health standards and be appropriately installed, maintained and safeguarded.

2. The competent authority shall take measures to ensure that manufacturers, importers and suppliers comply with the standards referred to in paragraph 1 and provide adequate and appropriate information, including hazard warning signs, in the official language or languages of the user country, to the users and, on request, to the competent authority.

3. Employers shall ensure that workers receive and understand the safety and health information supplied by manufacturers, importers and suppliers.

*Please indicate the legislative or other provisions that give effect to this Article.*

### Article 10

National laws and regulations shall prescribe that agricultural machinery and equipment shall:

- (a) only be used for work for which they are designed, unless a use outside of the initial design purpose has been assessed as safe in accordance with national law and practice and, in particular, shall not be used for human transportation, unless designed or adapted so as to carry persons; and
- (b) be operated by trained and competent persons, in accordance with national law and practice.

*Please indicate the provisions of national laws and regulations giving effect to this Article.*

## HANDLING AND TRANSPORT OF MATERIALS

### *Article 11*

1. The competent authority, after consulting the representative organizations of employers and workers concerned, shall establish safety and health requirements for the handling and transport of materials particularly on manual handling. Such requirements shall be based on risk assessment, technical standards and medical opinion, taking account of all the relevant conditions under which the work is performed in accordance with national law and practice.

2. Workers shall not be required or permitted to engage in the manual handling or transport of a load which by reason of its weight or nature is likely to jeopardize their safety or health.

*1. Please indicate the safety and health requirements established for the handling and transport of materials, particularly manual handling.*

*2. Please indicate:*

- (a) the consultations had to this end;*
- (b) the factors that they are based on; and*
- (c) the relevant conditions taken into account.*

*3. Please indicate the measures taken to give effect to paragraph 2 of this Article.*

## SOUND MANAGEMENT OF CHEMICALS

### *Article 12*

The competent authority shall take measures, in accordance with national law and practice, to ensure that:

- (a) there is an appropriate national system or any other system approved by the competent authority establishing specific criteria for the importation, classification, packaging and labelling of chemicals used in agriculture and for their banning or restriction;
- (b) those who produce, import, provide, sell, transfer, store or dispose of chemicals used in agriculture comply with national or other recognized safety and health standards, and provide adequate and appropriate information to users in the appropriate official language or languages of the country and, on request, to the competent authority; and

- (c) there is a suitable system for the safe collection, recycling and disposal of chemical waste, obsolete chemicals and empty containers of chemicals so as to avoid their use for other purposes and to eliminate or minimize the risks to safety and health and to the environment.

*Please indicate the competent authority referred to in this Article.*

*Please indicate the measures taken, in accordance with national law and practice, to ensure that effect is given to this Article.*

#### Article 13

1. National laws and regulations or the competent authority shall ensure that there are preventive and protective measures for the use of chemicals and handling of chemical waste at the level of the undertaking.

2. These measures shall cover, inter alia:

- (a) the preparation, handling, application, storage and transportation of chemicals;
- (b) agricultural activities leading to the dispersion of chemicals;
- (c) the maintenance, repair and cleaning of equipment and containers for chemicals; and
- (d) the disposal of empty containers and the treatment and disposal of chemical waste and obsolete chemicals.

*Please indicate how effect is given to this Article.*

#### ANIMAL HANDLING AND PROTECTION AGAINST BIOLOGICAL RISKS

#### Article 14

National laws and regulations shall ensure that risks such as those of infection, allergy or poisoning are prevented or kept to a minimum when biological agents are handled, and activities involving animals, livestock and stabling areas, comply with national or other recognized health and safety standards.

*Please indicate how effect is given to this Article.*

#### AGRICULTURAL INSTALLATIONS

#### Article 15

The construction, maintenance and repairing of agricultural installations shall be in conformity with national laws, regulations and safety and health requirements.

*Please indicate how effect is given to this Article.*

## PART IV. OTHER PROVISIONS

## YOUNG WORKERS AND HAZARDOUS WORK

*Article 16*

1. The minimum age for assignment to work in agriculture which by its nature or the circumstances in which it is carried out is likely to harm the safety and health of young persons shall not be less than 18 years.

2. The types of employment or work to which paragraph 1 applies shall be determined by national laws and regulations or by the competent authority, after consultations with the representative organizations of employers and workers concerned.

3. Notwithstanding paragraph 1, national laws or regulations or the competent authority may, after consultation with representative organizations of employers and workers concerned, authorize the performance of work referred to in that paragraph as from 16 years of age on condition that appropriate prior training is given and safety and health of the young workers are fully protected.

*1. Please:*

- (a) indicate the legislation or other provisions adopted to ensure that the minimum age for assignment to work likely to harm the safety and health of young persons is not less than 18 years;*
- (b) supply information on the types of employment work determined by national laws and regulations or by the competent authority likely to harm the safety and health of young persons under 18 years of age; and*
- (c) supply information on the consultations carried out for this purpose with representative organizations of employers and workers concerned.*

*2. If recourse has been had to paragraph 3, please:*

- (a) indicate the minimum requirements adopted to ensure that any prior training given is appropriate; and*
- (b) supply information on the consultations with representative organizations of employers and workers concerned which have taken place on this subject.*

## TEMPORARY AND SEASONAL WORKERS

*Article 17*

Measures shall be taken to ensure that temporary and seasonal workers receive the same safety and health protection as that accorded to comparable permanent workers in agriculture.

*Please indicate the measures taken to give effect to this Article.*

WOMEN WORKERS

*Article 18*

Measures shall be taken to ensure that the special needs of women agricultural workers are taken into account in relation to pregnancy, breastfeeding and reproductive health.

*Please indicate the measures taken to give effect to this Article.*

WELFARE AND ACCOMMODATION FACILITIES

*Article 19*

National laws and regulations or the competent authority shall prescribe, after consultation with representative organizations of employers and workers concerned:

- (a) the provision of adequate welfare facilities at no cost to the worker; and
- (b) the minimum accommodation standards for workers who are required by the nature of the work to live temporarily or permanently in the undertaking.

*Please:*

- (a) *indicate the legislation or other provisions that give effect to this Article; and*
- (b) *supply information on the consultations with representative organizations of employers and workers concerned which have taken place.*

WORKING TIME ARRANGEMENTS

*Article 20*

Hours of work, night work and rest periods for workers in agriculture shall be in accordance with national laws and regulations or collective agreements.

*Please indicate how effect is given to this Article.*

COVERAGE AGAINST OCCUPATIONAL INJURIES AND DISEASES

*Article 21*

1. In accordance with national law and practice, workers in agriculture shall be covered by an insurance or social security scheme against fatal and non-fatal occupational injuries and diseases, as well as against invalidity and other work-related health risks, providing coverage at least equivalent to that enjoyed by workers in other sectors.

2. Such schemes may either be part of a national scheme or take any other appropriate form consistent with national law and practice.

*Please indicate how effect is given to this Article.*

**III. In so far as such information has not been supplied under Article 4 of the Convention, please state to what authority or authorities the application of the abovementioned legislation, regulations, etc., is entrusted, and by what methods such application is supervised.**

- 
- IV. Please state whether courts of law or other tribunals have given decisions involving questions of principle relating to the application of the Convention. If so, please supply the text of these decisions.**
- V. Please give a general appreciation of the manner in which the Convention is applied in your country and supply – in so far as the information has not already been supplied in connection with other questions in this form – extracts from inspection reports and, where such statistics exist, information on the number of workers covered by the measures giving effect to the Convention, the number and nature of infringements reported, etc.**
- VI. Please indicate the representative organizations of employers and workers to which copies of the present report have been communicated in accordance with article 23, paragraph 2, of the Constitution of the International Labour Organization.<sup>15</sup> If copies of the report have not been communicated to representative organizations of employers and/or workers, or if they have been communicated to bodies other than such organizations, please supply information on any particular circumstances existing in your country which explain the procedure followed.**
- VII. Please indicate whether you have received from the organizations of employers or workers concerned any observations, either of a general kind or in connection with the present or previous report, regarding the practical application of the provisions of the Convention, or the application of the legislation or other measures implementing the Convention. If so, please communicate a copy of the observations received, together with any comments that you consider useful.**

## **SAFETY AND HEALTH IN AGRICULTURE RECOMMENDATION, 2001 (No. 192)**

[Text not reproduced here]

<sup>15</sup> Article 23, paragraph 2, of the Constitution reads as follows: “Each Member shall communicate to the representative organizations recognized for the purpose of article 3 copies of the information and reports communicated to the Director-General in pursuance of articles 19 and 22”.

## Appendix II

### Table of ratifications and information concerning the ILO's fundamental Conventions (as at 2 October 2001)

No. 29	–	Forced Labour Convention, 1930
No. 87	–	Freedom of Association and Protection of the Right to Organise Convention, 1948
No. 98	–	Right to Organise and Collective Bargaining Convention, 1949
No. 100	–	Equal Remuneration Convention, 1951
No. 105	–	Abolition of Forced Labour Convention, 1957
No. 111	–	Discrimination (Employment and Occupation) Convention, 1958
No. 138	–	Minimum Age Convention, 1973
No. 182	–	Worst Forms of Child Labour Convention, 1999

### Explanation of symbols in the table

- X Convention ratified.
- O Formal ratification process already initiated (with or without mention of time frame); approval of ratification by the competent body, although the Director-General has not yet received the formal instrument of ratification or it is incomplete (concerns chiefly Convention No. 138) or is a non-original copy; bill currently before the legislative body for approval.
- ▲ Ratification will be examined after amendment/adoption of a Constitution, Labour Code, legislation, etc.
- Convention currently being studied or examined; preliminary consultations with the social partners.
- Divergencies between the Convention and national legislation.
- ◆ Ratification not considered/deferred.
- No reply, or a reply containing no information.

Member State	Forced labour		Freedom of association		Equal treatment		Child labour	
	C. 29	C. 105	C. 87	C. 98	C. 100	C. 111	C. 138	C. 182
Afghanistan	–	X	–	–	X	X	–	–
Albania	X	X	X	X	X	X	X	X
Algeria	X	X	X	X	X	X	X	X
Angola	X	X	X	X	X	X	X	X
Antigua and Barbuda	X	X	X	X	O	X	X	O
Argentina	X	X	X	X	X	X	X	X
Armenia	O	O	O	O	X	X	●	●
Australia	X	X	X	X	X	X	◆	●
Austria	X	X	X	X	X	X	X	O
Azerbaijan	X	X	X	X	X	X	X	O
Bahamas	X	X	X	X	X	X	X	X
Bahrain	X	X	●	●	●	O	●	X
Bangladesh	X	X	X	X	X	X	◆	X
Barbados	X	X	X	X	X	X	X	X
Belarus	X	X	X	X	X	X	X	X
Belgium	X	X	X	X	X	X	X	●
Belize	X	X	X	X	X	X	X	X
Benin	X	X	X	X	X	X	X	X
Bolivia	▲	X	X	X	X	X	X	●
Bosnia and Herzegovina	X	X	X	X	X	X	X	X
Botswana	X	X	X	X	X	X	X	X
Brazil	X	X	▲	X	X	X	X	X
Bulgaria	X	X	X	X	X	X	X	X
Burkina Faso	X	X	X	X	X	X	X	X
Burundi	X	X	X	X	X	X	X	–
Cambodia	X	X	X	X	X	X	X	–
Cameroon	X	X	X	X	X	X	X	O
Canada	O	X	X	■	X	X	■	X
Cape Verde	X	X	X	X	X	X	●	X
Central African Republic	X	X	X	X	X	X	X	X
Chad	X	X	X	X	X	X	O	X
Chile	X	X	X	X	X	X	X	X
China	◆	◆	◆	◆	X	●	X	O
Colombia	X	X	X	X	X	X	X	O
Comoros	X	X	X	X	X	O	O	O
Congo	X	X	X	X	X	X	X	–

Member State	Forced labour		Freedom of association		Equal treatment		Child labour	
	C. 29	C. 105	C. 87	C. 98	C. 100	C. 111	C. 138	C. 182
Costa Rica	X	X	X	X	X	X	X	X
Côte d'Ivoire	X	X	X	X	X	X	●	●
Croatia	X	X	X	X	X	X	X	X
Cuba	X	X	X	X	X	X	X	◆
Cyprus	X	X	X	X	X	X	X	X
Czech Republic	X	X	X	X	X	X	▲	X
Democratic Republic of the Congo	X	X	X	X	X	X	X	X
Denmark	X	X	X	X	X	X	X	X
Djibouti	X	X	X	X	X	○	▲	▲
Dominica	X	X	X	X	X	X	X	X
Dominican Republic	X	X	X	X	X	X	X	X
Ecuador	X	X	X	X	X	X	X	X
Egypt	X	X	X	X	X	X	X	●
El Salvador	X	X	■	■	X	X	X	X
Equatorial Guinea	X	X	X	X	X	X	X	X
Eritrea	X	X	X	X	X	X	X	●
Estonia	X	X	X	X	X	●	▲	X
Ethiopia	○	X	X	X	X	X	X	○
Fiji	X	X	○	X	○	○	○	○
Finland	X	X	X	X	X	X	X	X
France	X	X	X	X	X	X	X	X
Gabon	X	X	X	X	X	X	●	X
Gambia	X	X	X	X	X	X	X	X
Georgia	X	X	X	X	X	X	X	–
Germany	X	X	X	X	X	X	X	○
Ghana	X	X	X	X	X	X	○	X
Greece	X	X	X	X	X	X	X	X
Grenada	X	X	X	X	X	▲	▲	–
Guatemala	X	X	X	X	X	X	X	X
Guinea	X	X	X	X	X	X	–	–
Guinea-Bissau	X	X	◆	X	X	X	◆	◆
Guyana	X	X	X	X	X	X	X	X
Haiti	X	X	X	X	X	X	●	●
Honduras	X	X	X	X	X	X	X	X
Hungary	X	X	X	X	X	X	X	X
Iceland	X	X	X	X	X	X	X	X
India	X	X	■	■	X	X	■	●

Member State	Forced labour		Freedom of association		Equal treatment		Child labour	
	C. 29	C. 105	C. 87	C. 98	C. 100	C. 111	C. 138	C. 182
Indonesia	X	X	X	X	X	X	X	X
Iran, Islamic Republic of	X	X	▲	▲	X	X	●	○
Iraq	X	X	●	X	X	X	X	X
Ireland	X	X	X	X	X	X	X	X
Israel	X	X	X	X	X	X	X	▲
Italy	X	X	X	X	X	X	X	X
Jamaica	X	X	X	X	X	X	▲	▲
Japan	X	●	X	X	X	●	X	X
Jordan	X	X	●	X	X	X	X	X
Kazakhstan	X	X	X	X	X	X	X	○
Kenya	X	X	▲	X	X	X	X	X
Kiribati *	●	●	●	●	●	●	●	●
Korea, Republic of	■	■	▲	▲	X	X	X	X
Kuwait	X	X	X	■	■	X	X	X
Kyrgyzstan	X	X	X	X	X	X	X	●
Lao People's Democratic Republic	X	●	●	●	●	●	●	-
Latvia	○	X	X	X	X	X	○	○
Lebanon	X	X	▲	X	X	X	○	X
Lesotho	X	X	X	X	X	X	X	X
Liberia	X	X	X	X	-	X	-	-
Libyan Arab Jamahiriya	X	X	X	X	X	X	X	X
Lithuania	X	X	X	X	X	X	X	▲
Luxembourg	X	X	X	X	X	X	X	X
Madagascar	X	■	X	X	X	X	X	X
Malawi	X	X	X	X	X	X	X	X
Malaysia	X	◆	◆	X	X	◆	X	X
Mali	X	X	X	X	X	X	○	X
Malta	X	X	X	X	X	X	X	X
Mauritania	X	X	X	○	○	X	○	-
Mauritius	X	X	▲	X	●	●	X	X
Mexico	X	X	X	◆	X	X	■	X
Moldova, Republic of	X	X	X	X	X	X	X	◆
Mongolia	○	○	X	X	X	X	●	X
Morocco	X	X	▲	X	X	X	X	X
Mozambique	○	X	X	X	X	X	○	○
Myanmar	X	◆	X	●	◆	◆	◆	●
Namibia	X	X	X	X	●	○	X	X

Member State	Forced labour		Freedom of association		Equal treatment		Child labour	
	C. 29	C. 105	C. 87	C. 98	C. 100	C. 111	C. 138	C. 182
Nepal	O	●	▲	X	X	X	X	O
Netherlands	X	X	X	X	X	X	X	O
New Zealand	X	X	▲	▲	X	X	◆	X
Nicaragua	X	X	X	X	X	X	X	X
Niger	X	X	X	X	X	X	X	X
Nigeria	X	X	X	X	X	◆	▲	–
Norway	X	X	X	X	X	X	X	X
Oman	X	●	●	●	●	●	●	X
Pakistan	X	X	X	X	X	X	◆	X
Panama	X	X	X	X	X	X	X	X
Papua New Guinea	X	X	X	X	X	X	X	X
Paraguay	X	X	X	X	X	X	O	X
Peru	X	X	X	X	X	X	O	O
Philippines	O	X	X	X	X	X	X	X
Poland	X	X	X	X	X	X	X	O
Portugal	X	X	X	X	X	X	X	X
Qatar	X	●	●	●	●	X	●	X
Romania	X	X	X	X	X	X	X	X
Russian Federation	X	X	X	X	X	X	X	O
Rwanda	X	X	X	X	X	X	X	X
Saint Kitts and Nevis	X	X	X	X	X	X	●	X
Saint Lucia	X	X	X	X	X	X	●	X
Saint Vincent and the Grenadines	X	X	O	X	O	O	O	O
San Marino	X	X	X	X	X	X	X	X
Sao Tome and Principe	●	●	X	X	X	X	O	–
Saudi Arabia	X	X	●	●	X	X	●	O
Senegal	X	X	X	X	X	X	X	X
Seychelles	X	X	X	X	X	X	X	X
Sierra Leone	X	X	X	X	X	X	◆	–
Singapore	X	◆	◆	X	●	◆	◆	X
Slovakia	X	X	X	X	X	X	X	X
Slovenia	X	X	X	X	X	X	X	X
Solomon Islands	X	–	O	O	●	●	–	–
Somalia	X	X	–	–	–	X	–	–
South Africa	X	X	X	X	X	X	X	X
Spain	X	X	X	X	X	X	X	X
Sri Lanka	X	▲	X	X	X	X	X	X

Member State	Forced labour		Freedom of association		Equal treatment		Child labour	
	C. 29	C. 105	C. 87	C. 98	C. 100	C. 111	C. 138	C. 182
Sudan	X	X	●	X	X	X	O	–
Suriname	X	X	X	X	■	■	●	●
Swaziland	X	X	X	X	X	X	–	–
Sweden	X	X	X	X	X	X	X	X
Switzerland	X	X	X	X	X	X	X	X
Syrian Arab Republic	X	X	X	X	X	X	X	O
Tajikistan	X	X	X	X	X	X	X	●
Tanzania, United Republic of	X	X	X	X	O	O	X	X
Thailand	X	X	●	●	X	●	●	X
The former Yugoslav Republic of Macedonia	X	●	X	X	X	X	X	–
Togo	X	X	X	X	X	X	X	X
Trinidad and Tobago	X	X	X	X	X	X	O	O
Tunisia	X	X	X	X	X	X	X	X
Turkey	X	X	X	X	X	X	X	X
Turkmenistan	X	X	X	X	X	X	O	–
Uganda	X	X	●	X	■	■	▲	X
Ukraine	X	X	X	X	X	X	X	X
United Arab Emirates	X	X	◆	◆	X	X	X	X
United Kingdom	X	X	X	X	X	X	X	X
United States	●	X	●	●	●	O	●	X
Uruguay	X	X	X	X	X	X	X	X
Uzbekistan	X	X	O	X	X	X	●	●
Venezuela	X	X	X	X	X	X	X	O
Viet Nam	●	●	◆	◆	X	X	◆	X
Yemen	X	X	X	X	X	X	X	X
Yugoslavia **	X	–	X	X	X	X	X	–
Zambia	X	X	X	X	X	X	X	●
Zimbabwe	X	X	▲	X	X	X	X	X

\* Kiribati only became a Member of the ILO on 3 February 2000.

\*\* The Federal Republic of Yugoslavia became a Member of the ILO on 24 November 2000. It accepted, as from that date, the international labour Conventions which had been ratified by the former Socialist Federal Republic of Yugoslavia.