



FOURTEENTH ITEM ON THE AGENDA

Report of the Committee on Sectoral and Technical Meetings and Related Issues

1. The Committee on Sectoral and Technical Meetings and Related Issues met on 11 November 2002. Ms. Sally Paxton, Executive Director of the Social Dialogue Sector, opened the sitting and called for nominations for the position of Chairperson of the Committee. The representative of the Government of Romania, speaking on behalf of the Governments of Eastern Europe, proposed the nomination of Mr. Rimkunas, representative of the Government of Lithuania. Mr. Rimkunas had ably chaired the Committee since March 2001, and it was proposed that he continue in this capacity. The representative of the Government of Germany seconded the nomination.
2. Mr. Rimkunas took the chair and thanked the Committee for entrusting him with the task at hand. He asked for nominations for the position of Employer Vice-Chairperson. Mr. Jeetun was proposed by his group, as over the years he had clearly demonstrated his skills and expertise in representing the Employers in this Committee. The Chairperson congratulated Mr. Jeetun.
3. The Chairperson subsequently asked for nominations from the Workers' group for the position of Worker Vice-Chairperson. The Workers' group nominated Mr. Zellhoefer, who had equally served his group and the Committee for many years with great ability. The Chairperson also congratulated Mr. Zellhoefer on his appointment.

I. Review of the Sectoral Activities Programme

4. The Committee had before it a paper¹ on the review of the sectoral activities programme.
5. In presenting the Office paper, Ms. Paxton summarized the experience gained thus far in implementing the new approach to sectoral meetings. She noted the improved identification of topics, increased Government participation, the introduction of greater flexibility with regard to the format, composition, size, duration and rules of meetings as well as innovations with regard to follow-up. Since March 2002, informal consultations

¹ GB.285/STM/1.

had been held and two meetings of the Working Party on the Review of the Sectoral Activities Programme had taken place. As a result, activities for 2003 had been agreed upon; however, the Working Party could not, in the time available, provide definite guidance on the implementation of the approach for the 2004-05 biennium or on the consultative process itself. Further guidance was requested from the Committee with regard to the non-meeting component of the programme, the main objective of which would be to allow for a more strategic approach to sectoral activities to ensure maximum impact within the limit of the available resources. The new approach would enable an appropriate mix of tools to be used in a flexible manner as part of a broader strategy tailored to the particular needs of a sector. It would also allow the needs among the 22 sectors to be prioritized, as an alternative to systematic rotation over a four-year period. Appendix 1 contained three proposed action programmes, put forward by the Office as examples of possible approaches to be explored. Appendix 2 contained a brief summary of major issues in each sector and would need to be further elaborated on the basis of the results of a questionnaire on sectoral issues, needs and priorities that the Office proposed to prepare with input from constituents. The new strategic approach would allow sectoral activities to be more broadly mainstreamed in the work of the Office and might also enable the leveraging of both internal and extra-budgetary resources. It would require more continuous consultation with constituents and the Office paper contained proposals for a system of informal consultations between Committee sessions. Strong consensus had been achieved within the Committee on the value of the “one-stop window” as a tool for mainstreaming sectoral activities and sharing sectoral knowledge with the public. Ms. Paxton warmly thanked the Government of the United States for the generous support it had pledged so that the “one-stop window” could be fully developed and extended to all 22 sectors. Finally, Ms. Paxton noted that the Committee might wish to provide the Governing Body with a recommendation regarding the internal arrangements to govern the joint Government/Employers’ group for the forthcoming Joint Meeting on Public Emergency Services. The Office would present to the Committee in March 2003 a comprehensive document on the basis of which recommendations concerning the programme of sectoral activities for 2004-05 could be made to the Governing Body. This would include an analysis of the cost implications and the benefits of opening sectoral meetings to all Governments.

6. Mr. Zellhoefer, speaking on behalf of the Workers’ group, expressed the appreciation of his group for the Office document as it called on the groups to further elaborate the new approach. The Workers’ group believed that a sectoral approach should be an essential component of the Decent Work Agenda. To implement global social dialogue, the ILO should invest in the development of a more dynamic and continuous approach to sectoral social dialogue. It was crucial in preparing for the 2004-05 biennium to envisage new machinery able to mobilize resources, follow up decisions and broaden labour relations development in the sectors concerned. Other intergovernmental organizations should be included in the follow-up and in a broader discussion. To list only a few examples, WHO, UNESCO, World Bank, FAO, UNEP, IMO and others could be included. The joint ILO/IMO collaboration on many issues, in particular port state control, is leading to innovative forms of work. The ILO should incorporate sectoral aspects throughout the four strategic objectives and InFocus programmes, develop concrete, realistic plans at the regional and subregional levels, and channel both regular budget technical cooperation funds and extra-budgetary resources to programmes in the field.
7. Global framework agreements were becoming a major tool of the decent work paradigm. Almost all global union federations had signed global agreements, in which ILO core labour standards were considered a fundamental component and the relevant sectoral standards often mentioned. Framework agreements were a win-win situation which helped to defuse conflict and provide a basis for practical, meaningful social dialogue internationally, nationally and at enterprise level; they offered a new dimension for sectoral

and other ILO work. Serious consultations should now begin on specific areas of work. The Workers' group expressed interest in being consulted in the formulation of the short questionnaire and committed itself to begin internal consultations in the weeks ahead and to liaise with the Office, Employer and Government representatives. Global meetings should not become the victim for what may not be working in this field. They had proven useful in determining policy guidelines. Lack of follow-up was the problem. The Workers supported a flexible approach based on sectoral needs and plans of action. Some sectors preferred global meetings; the size of a number of meetings could be reduced to free some resources for innovative follow-up activities. New ways of working and a range of possible outcomes should be explored. Meetings could take a variety of formats. Some are interested in convening a small group of key actors more than once in a biennium to develop a variety of initiatives. Perhaps more Meeting of Experts formats would be useful. If the right choices were made, SECTOR could enhance constituents' views of ILO work. Regional offices should circulate information and seek to organize activities with constituents. The Workers' group expressed concern with regard to a number of staffing issues, including potential post reductions and requested clear information regarding plans for adequately staffing the programme in the upcoming biennium and beyond. The Workers' group expressed its appreciation to the United States Government for its contribution to complete the development of the "one-stop window". The three action programmes in Appendix 1 showed potential and should be further developed with resources from the same sectors, other units and technical cooperation. The proposal on decent work in agriculture lacked a gender dimension and greater emphasis should be placed on freedom of association, the right to organize and the promotion of rural workers' organizations, which had a pivotal role to play. The proposal on improvements in the competitiveness of the textiles, clothing and footwear sectors was in line with Workers' suggestions, but the pilot exercise in Morocco was unknown to the global textile union. Global programmes could only be successful with the full involvement of the global union federations regarding country selection, participating unions and programme. Appendix 2 was somewhat disappointing. Social dialogue, which underlay all areas of ILO work, should be approached from the specific angle of freedom of association. Common themes such as HIV/AIDS and stress and violence appeared frequently. Were the ILO and its constituents sufficiently using the ILO code on HIV/AIDS? Gender should be included as a cross-cutting dimension of primary importance. The speaker pointed to a number of key questions that needed to be addressed, notably: how the 22 economic sectors' constituents could learn from each other and the ILO expertise and share experiences; how information on best practices could be more effectively circulated; and how the research and study component could be increased. The idea of a tripartite consultation mechanism to deal with the planning for the coming biennium was important. There was as yet no mechanism which allowed constituents to identify major subjects for ILO action or to choose which sector should be dealt with on a priority basis. The Workers' group proposed that a strategy group of workers' and employers' organizations and appropriate government ministries be created for each sector, which might work principally by email, but could come together occasionally with the Committee.

8. Mr. Jeetun, speaking on behalf of the Employers' group, stated that the Office paper was a major improvement over previous ones. It faithfully reflected the consultations held in January and June, and recalled the numerous points of agreement; it also acknowledged that the non-meeting component of the new approach required further elaboration carried out in partnership and continuous consultation with constituents. The Office paper had referred to consultation with sectoral employers, sectoral constituents and business groups, but the Employers stressed that it was the Employers' secretariat which should be involved in the consultation process. Such consultations might relate to the overall direction of programmes. Regarding the implementation of the new approach, the Employers had maintained the relevance of the 22 sectors and had been flexible with regard to the size, approach and rules of meetings, but had not questioned the number of meetings to be held

in a biennium. Subregional and regional seminars were useful as follow-up, but were not a substitute for sectoral meetings. Employers wished to be involved in the formulation of the questionnaire and would provide the information needed to establish priority issues. The “one-stop window” was a good initiative and a useful tool of communication. The Employers’ group appreciated the action programmes prepared by the Office, but wished to be more involved, to be consulted and to provide inputs so that they might be more constituent-driven. Action programmes should fit into the new approach and be focused on strategic objectives like the eradication of poverty, sustainable employment, the enhancement of competitiveness, productivity improvements and the viability of enterprises. The three sectors identified were undeniably priority sectors. The Action Programme on Decent Work in Agriculture dealt with a broad and complex problem which would require an integrated approach at different levels: among international institutions; within the ILO itself; and within the countries involved. The biggest problem would be one of resources to implement the project. Technical assistance limited to one or two issues in two or three countries was too restrictive an approach. Employers should have the opportunity to provide their inputs before the proposal was finalized. With regard to the action programme on teacher shortages, regional studies were not a substitute for international sectoral meetings. Linkages with institutions such as UNESCO should be maintained, but the Employers did not favour direct Office consultations with the Business and Advisory Group (BIAC). The Office should consult with the International Organisation of Employers (IOE). The action programme on textiles emphasized social competitiveness, but should rather refer to economic competitiveness. The speaker requested additional information about the pilot programme on textiles in Morocco and concluded by urging that further consultations be undertaken regarding the three action programmes so that a flexible programme could be developed with the participation of all social partners.

9. The representative of the Government of Argentina, speaking on behalf of the Group of Latin American and Caribbean States (GRULAC), expressed support for appropriate alternatives to meetings. The three action programmes were based on clear analyses, used appropriate means of action within the parameters set and could thus have impact; however, additional consultations were needed. The speaker favoured a clear concise questionnaire which would enable constituents to clearly indicate their priorities. Regarding the mechanism for informal consultations, it was not clear how national focal points would be able to participate in the process. If they were to come to Geneva, the costs involved might be prohibitive, particularly for experts from developing countries. The decision to open sectoral meetings to all interested governments was a considerable improvement. A report on open participation should be prepared for March 2003. The speaker recognized the budget constraints, but urged the Committee to look for new ways and means to fund the participation of national sectoral experts from developing countries whose contribution was essential to achieving positive impact. Finally, he referred to the statement made by GRULAC in June that the Joint Meeting on Public Emergency Services, to be held in January 2003, should be tripartite.
10. The representative of the Government of the Republic of Korea, speaking on behalf of the Governments of the Asia-Pacific Group (ASPAG), supported the implementation of the “one-stop window” and urged the Office to further elicit Governments’ views on the sectors to receive priority attention. The item cycle should be shortened and the number of topics covered in meetings reduced to provide for more focused discussion. ASPAG attached importance to strengthening government participation and urged the Office to fund government delegations, in particular those from the least developed countries. The speaker asked for clarification of the concept of “social competitiveness” in the proposed action programme on textiles, noting that the labour cost advantage of developing countries should not be called into question. He requested the Office to convey to

governments the names of employers and workers invited to participate in sectoral meetings in advance of the meetings.

- 11.** The representative of the Government of Kenya, speaking on behalf of the Governments of the African group, welcomed the key elements in the proposed new approach, notably the recognition of the need for: flexibility; follow-up and continuity of activities; stronger consultation mechanisms; enhanced government participation; and the integration of a sectoral approach throughout the work of the ILO. National tripartite delegations would help to maximize the impact of meetings, since they would facilitate the implementation of the conclusions and resolutions adopted, and the ILO should develop a mechanism for monitoring and evaluating their implementation. With regard to the budget, any savings should remain within the programme for follow-up in one or more sectors or on a sector-by-sector basis. Each sector selected should carry out consultations to determine the issues and means of action. The speaker supported the current selection of sectors on a rotating basis, as well as the continuation of the current practice of opening meetings to all interested governments. He noted, however, that employers and workers from some countries were never invited to sectoral meetings, so it was left to governments to present the conclusions to national tripartite bodies. This practice could make it difficult to market the outcomes of meetings in which Employer and Worker delegates had not participated. He recalled the advantages of the previous system under which countries were selected for specific sectors according to regional distribution, importance of the sector in their countries and tripartite national delegations.
- 12.** The representative of the Government of Germany, speaking on behalf of the governments of the IMEC group, welcomed the suggestions and proposals contained in the Office document. The challenge for ILO sectoral activities was to be timely, relevant and targeted in order to achieve the impact desired by constituents and to contribute to the implementation of the strategic policy framework and the Decent Work Agenda with the maximum possible integration of sectoral activities in the work of the Office. More emphasis should be given to the non-meeting component. Funding for action programmes should be financed through the regular budget, but might be supplemented through extra-budgetary funding. The adoption of action programmes might enable the Sectoral Activities Department to leverage expertise and resources from other units as well. The idea of focusing on a limited number of sectors while remaining as an observatory of trends for all 22 sectors seemed worth pursuing. IMEC was in favour of a system of informal consultations of regional coordinators and group secretaries between Committee sessions to deal with planning and other programme issues. Government participation had definitely improved, but questions regarding numerical balance among the groups, interpretation facilities, and secretarial assistance needed to be clarified. The “one-stop window” should be further developed. With regard to the internal arrangements for the upcoming Joint Meeting on Public Emergency Services, IMEC repeated its request that prominence be given to Government representatives, who would form the majority within the joint Government/Employers’ group, and that representatives of the Sectoral Activities Programme have access to internal group meetings as is the case in tripartite sectoral meetings. IMEC believed that in deciding on the final composition of joint meetings (with the exception of the Joint Committee on the Public Service) in sectors such as education, health and public emergency services, the large public service share should be taken into account, as well as the private share of the sectors.
- 13.** The representative of the Government of China associated his delegation fully with the statement made on behalf of the Asia-Pacific Group. With regard to informal consultations, Government regional coordinators should participate. The three action programmes were innovative and needed further consultations so that they would relate more closely to Office objectives. The problem of teacher shortages needed careful consideration, as competence for this sector lay with the Ministry of Education in many

countries. If retained, the content should be more closely related to vocational education and training. Activities in the area of textiles should focus on enhancing working conditions and improving employability through training. The term “social competitiveness” raised the spectre of the “social clause”. Further debate was needed.

- 14.** The representative of the Government of India generally endorsed the suggestions put forward by the Working Party and welcomed the improved participation of developing countries in the review process. He supported the thrust and focus of the new approach, which would maximize impact and enhance flexibility. The consultation of constituents by means of a questionnaire regarding prioritization of sectors and means of action was welcome, since many issues fell outside the purview of the Ministry of Labour. Switching some resources from global meetings to regional and subregional seminars might enhance government participation. Action programmes could be an effective means of addressing areas of concern. The proposal on teacher shortages should be given the highest priority.
- 15.** The representative of the Government of the United States strongly supported efforts to revitalize and reform the Sectoral Activities Programme, noting that the challenge facing the ILO was to be timely, relevant and targeted. Improvements in recent meetings were favourably noted. The United States had been pleased to provide extra-budgetary financial assistance to further develop the “one-stop window” and wished to know the time frame within which work would be completed. The criteria for the selection of sectors should be the urgency and magnitude of needs and the impact of proposed ILO action were reasonable. Focusing on one or two sectors per biennium would offer greater potential impact towards achieving ILO objectives. With regard to the three action programmes, there was no firm tripartite base in agriculture and the ILO had only a limited role to play in solving the worldwide problem of teacher shortages. The speaker therefore supported the Action Programme on Improvements in the Competitiveness of the Textile, Clothing and Footwear (TCF) Sectors, particularly in light of the expiration in the WTO of the Multifibre Arrangement. He urged further consultations with the social partners concerned. The proposal to remain an observatory of trends in 22 sectors was supported, and any perceived marginalization of sectors should be avoided. The upcoming meeting on stress and violence, which involved six different sectors, was a model for future sectoral cooperation. The speaker expressed support for both Office proposals regarding possible consultation mechanisms and would wish to combine both options to ensure comprehensive consultations. Shifting resources from global meetings to subregional and regional seminars was acceptable, if the principle of open government participation was maintained. In conclusion, the speaker expressed support for the point for decision in paragraph 20.
- 16.** The representative of the Government of Canada endorsed the IMEC statement and supported the new approach to government participation. The provision of information on which employers and workers would be attending sectoral meetings had proven helpful and should continue. The criteria for the selection of sectors were sound. The speaker noted that since the questionnaire would cover a broad range of issues and sectors, it would take time to gather meaningful responses. Also, the proposed mechanism for informal consultation needed clearer explanation, in particular as to the functioning of the focal point system.
- 17.** The representative of the Government of Lithuania welcomed the opportunity to improve the consultation mechanism. Informal consultations would have to be well organized in order to be effective. Perhaps it would be better to work through Government representatives rather than regional coordinators. The speaker supported the IMEC position that governments participating in joint meetings should have the assistance of the ILO secretariat and that the Office should have access to their internal meetings.

18. Mr. Jeetun welcomed the IMEC suggestion that initially action programmes be limited to a few sectors. Lessons could be drawn from experiences of the first sectors involved. Further consultations were needed to finalize the action programmes and these could be conducted with the IOE secretariat. The term “social competitiveness” used in the textiles proposal was a new concept. He hoped that it was not a kind of “social clause” and recalled in this connection the decision of the Singapore summit in the last millennium. Furthermore, the reference to “human rights at work” was puzzling, since normally reference was made to fundamental principles and rights at work or simply to workers’ rights. Regarding the internal arrangements for joint meetings, there was a need for consultations to continue on this question so that agreement could be reached.
19. Mr. Zellhoefer welcomed the numerous useful inputs from Governments and Employers. The Office paper had been a step forward in conceptualizing the work of SECTOR as a vital component in achieving the ILO’s mission. The term “social competitiveness” had raised concerns regarding the social clause, even if that had not been the intent of the Office. Freedom of association and gender issues, for example, were cross-cutting issues that needed to be incorporated. There were no objections to further consultations to work these matters out. Careful consideration had to be given to the rotation of the 22 sectors and determination of priority areas and likely impact. Regarding the Government of Kenya’s comments on national tripartite delegations, the speaker pointed out that having opened up meetings to all governments, there were certainly financial constraints that would prevent participation of full national tripartite delegations. While the groups maintained autonomy of choice in naming participants, the Workers’ group had no objection if Governments were notified as to which Employers and Workers were chosen to attend.
20. The representative of the Government of Kenya referred to a paper before the Governing Body’s Subcommittee on Multinational Enterprises² and suggested that the sectoral approach was an effective way to market the Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy. He encouraged the Office, when preparing documentation for sectoral meetings, to emphasize the MNE Declaration and to show how to implement it in the sector concerned. Knowledge of the MNE Declaration as a code of good practice should reach a wider audience.
21. The representative of the Government of Nigeria commended the Office on the new action programmes, but asked that clearer focus be given to achieving decent work for peasant subsistence farmers, who account for over 70 per cent of employment in Nigeria. He expressed his country’s desire to participate in the next stage of the action programme on textiles with a view to achieving effective social competitiveness as a way of mitigating the negative impact of globalization.
22. Ms. Paxton thanked the Committee for the important feedback provided. The textiles and clothing project in Morocco had been developed as a Decent Work Pilot Project. The Policy Integration Department was the unit with primary responsibility and the Sectoral Activities Department was providing technical assistance. ACTRAV and ACT/EMP had also been closely associated with the project. The Government of Morocco and the national employers’ and workers’ organizations had chosen to adopt a sectoral approach and had selected textiles as the priority sector. A Memorandum of Understanding had been signed between the ILO and the Government of Morocco in June 2002. The thrust of the project was to enhance competitiveness through the promotion of decent work, including social dialogue. The term “social competitiveness” had been proposed by the Moroccan

² GB.285/MNE/2.

employers and accepted by the Government and the workers' organizations. It was important to note that the proposed action programme went further than the current project in Morocco. Regarding possible consultation mechanisms, informal consultations were ongoing between the ILO, the secretariats of the two groups and the five regional coordinators. The proposal to use focal points or national sectoral experts was foreseen after sectors had been designated and could be carried out using electronic communications. It was possible to combine the two approaches. Work should begin immediately on the questionnaire in order to allow the maximum time possible for replies. Ms. Paxton called for immediate nominations of those who wished to participate in the design phase of the questionnaire. The Office confirmed its willingness to provide Governments with the names of Employer and Worker participants and had done so in advance for the last three sectoral meetings. In order for the ILO to do this in a timely manner, however, the nominations must come from the Employers' and Workers' groups before the invitations were sent to Governments. In reply to the proposal by the Government of Kenya concerning tripartite national delegations, there was no consensus on this point. However, it was important to maximize the impact of participation in meetings while recognizing the autonomy of the groups and this could be taken up later in the informal consultations. Ms. Paxton thanked the representative of the Government of Kenya for his remarks concerning the MNE paper and follow-up. She looked forward to further collaboration between MULTI and SECTOR. Finally, it was foreseen that the "one-stop window" would be fully developed for all sectors and operational in three languages by June 2004. The English version would be operational by June 2003.

23. In order to reflect accurately the discussions held in the plenary, the Office proposed a draft of the revised points for decision for the consideration of the Committee at its second sitting. Amendments to the revised subparagraphs 20(a) and (b) were suggested, discussed and subsequently adopted by the Committee.
24. Concerns were raised by members of the IMEC group (Germany, Canada and the United Kingdom) regarding revised subparagraph 20(c) on the distribution of the questionnaire to constituents in order to identify the issues, needs and priorities of the economic sectors and the proposed action programmes. It was felt that there would be severe time constraints in distributing and returning this questionnaire to the Office. Governments would need to consult with the appropriate ministries and experts concerning each sector in order to obtain a meaningful response; this would imply that either certain sectors needed to be selected first or governments needed to prioritize which of the 22 sectors would be targeted.
25. Ms. Paxton replied that these concerns would be taken into consideration and addressed by the Office when drafting the introductory paragraphs of the questionnaire.
26. The amended text of paragraph 20(a), (b) and (c) in the document submitted to the Committee (GB.285/STM/1) is reproduced below in the point for decision in paragraph 43.
27. Concerning the Joint Meeting on Public Emergency Services, a revised point for decision (paragraph 21) had been proposed by the Office, reading:

The Committee on Sectoral and Technical Meetings and Related Issues invites the Governing Body to take note that consultations concerning the internal arrangements for the Joint Meeting on Public Emergency Services, to be held in January 2003, will continue to enable effective arrangements to be made for that Meeting.

28. The representative of the Government of Germany, speaking on behalf of the IMEC group, proposed an amendment to the text to read: "... will continue to enable effective arrangements, ensuring, inter alia, access to the representatives of the Sectoral Activities

Department to the internal meetings of the Government/Employers' group for that Meeting".

29. Mr. Jeetun indicated that the Employers' group did not agree with the proposed amendment as no one could predict the results of the consultations. He proposed that the word "considering" replace the word "ensuring", allowing the consultative process to determine the outcome of the negotiations.
30. The spokesperson for the IMEC group then proposed the word "enabling" to replace "ensuring" as a compromise. His group felt that governments would benefit enormously in having a full briefing on the ILO, how it functioned and an elaboration on the role of the Sectoral Activities Department.
31. Mr. Jeetun repeated that the Employers' group was not in favour of such an amendment as, once again, the wording pre-empted the deliberations and outcome of the consultations to be held.
32. The representative of the Government of Canada pointed out that in any case the Committee would not be aware of the outcome of the consultations until March 2003, well after the Joint Meeting had taken place in January. Given that the composition of the Joint Meeting had already been decided, only the access of the Government/Employers' group to briefings from the members of the Sectoral Activities Department was in question. She wondered whether the Office could explain the background and evolution of joint meetings. This request was reiterated by the Employers' group. Mr. de Vries Reilingh, a representative of the Director-General, gave a brief history of the functioning of joint meetings.
33. Mr. de Vries Reilingh, a representative of the Director-General, explained that the history of joint meetings went back some 20 years when the meetings were still industrial committees held over two weeks. The first joint committee had been on public services. It had been purely bipartite and the Governments were present both as Employers and regulators. In the early eighties, it was decided that a small joint committee for postal and telecommunications services was to be established. A few private employers were invited, who were included with the Governments to form a Government/Employers' group. Later it was decided that the education, health services and utilities meetings would also include a limited number of private employers in Government/Employers' groups, in light of the increasing number of private service providers in these sectors. In 1996, these sectors were formally incorporated into the 22 economic sectors currently covered by the Sectoral Activities Department. Because of new developments in the sectors of utilities and postal and telecommunications services, the meetings for them have since become tripartite. During the health services meeting in 1998, it had been decided that the Employers' secretariat, as well as the ILO Bureau for Employers' Activities (ACT/EMP), would be responsible for servicing the Government/Employers' group of that meeting. This arrangement has also been applied since to the joint meetings for education and for municipal services.
34. Mr. Jeetun reminded the Committee that, in the absence of consultations, the point for decision might not be applicable to the Joint Meeting in January. The discussion would have to be continued through the consultations, which would determine whether the outcome would apply to the Joint Meeting or not.
35. The spokesperson for the IMEC group stated that consultations with the Employers' group had been requested a few weeks prior to the present Governing Body; yet these consultations had not taken place. He requested that the Committee take a vote to accept the amendment to the point for decision that was proposed by his group.

- 36.** Ms. Doumbia-Henry, a representative of the Director-General, wondered whether the Governments' request for access to the Office's briefing could not be accommodated before the groups began their work. Sectoral meetings were a unique opportunity for Government participants – both as employers and regulators – to get to know the ILO, and the secretariat could give a broad overview of how the Organization functioned. She proposed that the Sectoral Activities Department could provide guidance on procedural matters and not on the substantive issues, and proposed the following amendment to paragraph 21 for the consideration of the Committee, reading: "... will continue to enable effective arrangements, ensuring an initial briefing by members of the Sectoral Activities Department, and access to the deliberations of the Government/Employers' group at the request of its members".
- 37.** The spokesperson for the IMEC group was not in favour of this proposed text. He reiterated that the Government group should have free access to the Office as in the case of group meetings or tripartite meetings. The Workers' group was serviced by ACTRAV, and the Employers' group by ACT/EMP. Since there was no department that dealt with the issues of the Government group, unrestricted access of representatives of the Sectoral Activities Department to the internal meetings of the Government/Employers' group was necessary. The request for a vote on the amendment proposed by the IMEC group to the Office draft of paragraph 21 was reiterated, the text proposed being:

The Committee on Sectoral and Technical Meetings and Related Issues invites the Governing Body to take note that consultations concerning the internal arrangements for the Joint Meeting on Public Emergency Services, to be held in January 2003, will continue to enable effective arrangements, ensuring, inter alia, access of the representatives of the Sectoral Activities Department to the internal meetings of the Government/Employers' group.

- 38.** On the question raised as to the legal effect of the request for a vote in the event of the vote not being carried, the Legal Adviser explained that in the absence of a quorum the amendment could not be adopted. If a vote on the original text was not carried, the result would be that the paragraph in question would not have been adopted and there would be no decision paragraph on this point. The meeting proceeded to a vote by simple majority. The voting resulted in 15 votes in favour of the amendment, no votes against the amendment, and eight abstentions. As the quorum of 26 votes was not achieved, the amendment to paragraph 21 was not carried.
- 39.** A second vote was subsequently held to decide whether the original Office draft of paragraph 21 was acceptable as it stood without the proposed amendments by the IMEC group. The voting resulted in no votes in favour of the original Office text, one vote against, and eight abstentions. As the quorum of 26 votes was not achieved, the original text of paragraph 21 was not carried.
- 40.** The spokesperson for the IMEC group expressed his group's regret about the outcome of the voting. He feared that governments might lose interest in attending sectoral meetings should they be denied access to the Office's services in the context of Government/Employers' groups.
- 41.** Mr. Jeetun pointed out that the Employers' group regretted that a vote had been proposed on the subject as they had been willing to engage in consultations. He realized the implications of the vote for the upcoming Joint Meeting on Public Emergency Services, but reaffirmed his group's willingness to continue the discussion through informal consultations which could bear fruit at a later date.
- 42.** Mr. Zellhoefer indicated that the Workers' group had abstained in the two votes that were conducted, as the group firmly believed in the principle of the autonomy of the groups.

43. The Committee on Sectoral and Technical Meetings and Related Issues invites the Governing Body to request the Director-General to:

- (a) *prepare and submit to the 286th Session (March 2003) of the Governing Body, in accordance with the consultation mechanism set out in subparagraph (b)(i) below, a comprehensive paper covering the meeting and non-meeting components of the new approach to sectoral activities and how it should be implemented in the 2004-05 biennium. This paper should take into account all the information available, including Appendices I and II of GB.285/STM/1, as well as the views expressed by the Committee on Sectoral and Technical Meetings and Related Issues and the responses received from the questionnaire referred to in subparagraph (c) below;*
- (b) *implement, on an experimental basis, a system of consultation at no cost to the Office between Governing Body sessions which would combine:*
 - (i) *informal consultations through the Employers' and Workers' group secretariats as well as the government regional coordinators; and*
 - (ii) *a consultation process with focal points designated by governments for selected economic sectors;*
- (c) *design, in consultation with the tripartite representatives appointed by the Committee on Sectoral and Technical Meetings and Related Issues, a questionnaire to identify the issues, needs and priorities of the economic sectors as well as the action programmes included in Appendix I referred to above.*

II. Effect to be given to the recommendations of sectoral meetings

(a) Tripartite Meeting on the Promotion of Good Industrial Relations in Oil and Gas Production and Oil Refining (Geneva, 25 February-1 March 2002)

- 44.** The Committee had before it the *Note on the Proceedings*³ of the Tripartite Meeting on the Promotion of Good Industrial Relations in Oil and Gas Production and Oil Refining.
- 45.** Mr. Jeetun noted the satisfaction of the Employers' group with the effectiveness of the Meeting, which had adopted a series of conclusions and a resolution. He endorsed the points for decision in paragraphs 4 and 5.
- 46.** Mr. Zellhoefer thanked Ms. Yacob from the Workers' group who ably chaired the Meeting, inviting it to look at social dialogue as an effective instrument to address industrial relations issues in the climate of change and uncertainty caused by restructuring and downsizing in the sector. Both the conclusions and the resolution on the future ILO

³ TMOR/2002/11, appended to GB.285/STM/2/1.

work programme in this sector contained useful and practical follow-up indications. For reasons of brevity, he indicated only some of the relevant areas of work outlined for the ILO: the promotion of the ratification and implementation of the Chemicals Convention, 1990 (No. 170), and the Prevention of Major Industrial Accidents Convention, 1993 (No. 174), and of the ILO core Conventions; the promotion of activities in the areas of health, safety and the environment (specifically examining the impact of subcontracting on these areas); and the establishment of a mechanism for follow-up and continuity of activities in consultation with the tripartite constituents, in order to avoid the “stop-start” approach that had characterized activities so far. With these comments Mr. Zellhoefer reported the Workers’ group’s approval for the points for decision in paragraphs 4 and 5.

47. The representative of the Government of India stressed that social dialogue provided an important means for enhancing understanding, especially in light of the ongoing structural changes in the industry. As far as his country was concerned, well-organized unions and associations in the oil and gas sector already existed, and tripartite dialogue had resolved many contentious issues: at least five major bipartite and tripartite long-term agreements and settlements had been reached in the past two years. While India had not ratified Conventions Nos. 87 and 98, his Government was implementing the spirit of these Conventions since the Industrial Disputes Act allowed for freedom of association and collective bargaining. His delegation supported paragraph 29 of the Meeting’s conclusions regarding the dissemination of good industrial relations practices in the sector.

48. *The Committee on Sectoral and Technical Meetings and Related Issues recommends that the Governing Body:*

(a) *authorize the Director-General to communicate the Note on the Proceedings:*

(i) *to governments, requesting them to communicate the texts to the employers’ and workers’ organizations concerned;*

(ii) *to the international employers’ and workers’ organizations concerned;*

(iii) *to the international organizations concerned;*

(b) *request the Director-General to bear in mind, when drawing up proposals for the future work of the Office, the wishes expressed by the Meeting in paragraphs 29-33 of the conclusions and in the relevant parts of the resolution.*

(b) Tripartite Meeting on Employment, Employability and Equal Opportunities in the Postal and Telecommunications Services
(Geneva, 13-17 May 2002)

49. The Committee had before it the *Note on the Proceedings*⁴ of the Tripartite Meeting on Employment, Employability and Equal Opportunities in the Postal and Telecommunications Services.

⁴ TMPTS/2002/12, appended to GB.285/STM/2/2.

50. Mr. Zellhoefer underscored that, while postal and telecommunications services remained fundamental components of a nation's infrastructure and the key to the ability of nations to adapt to the information technology revolution, the reality was that privatization and deregulation had weakened the ability of nations to provide universal access and universal services at a uniform and affordable price. The telecommunications sector was a financial disaster and, in addition, privatization and liberalization had cost it thousands of jobs. Therefore, the Workers' group welcomed the conclusions and resolutions adopted by the Meeting as a way to forge new partnerships in order to find new solutions. A few crucial components included the reference to the ILO Declaration as a foundation for employment, employability and equal opportunities; lifelong learning that would draw "adequate funding by employers and governments and commitment by workers"; measures to enhance equal opportunities (with full reference to the principles of non-discrimination); the reconciliation of work and family responsibilities; and the positive reference to codes of conduct on employment that took into account international labour standards. While regretting that the resolution tabled by the Workers' group on codes of conduct and multinationals had to be withdrawn owing to lack of support, the Workers' group believed that the conclusions and the two resolutions adopted by the Meeting would constitute a serious platform for the work ahead. With these statements, Mr. Zellhoefer approved the points for decision in paragraphs 4 and 5.
51. Mr. Jeetun pointed out the satisfaction of the Employers' group with the Meeting and endorsed the points for decision in paragraphs 4 and 5.
52. *The Committee on Sectoral and Technical Meetings and Related Issues recommends that the Governing Body:*
- (a) *authorize the Director-General to communicate the Note on the Proceedings:*
- (i) *to governments, requesting them to communicate the texts to the employers' and workers' organizations concerned;*
- (ii) *to the international employers' and workers' organizations concerned;*
- (iii) *to the international organizations concerned;*
- (b) *request the Director-General to bear in mind, when drawing up proposals for the future work of the Office, the wishes expressed by the Meeting in paragraphs 22-24 of the conclusions and in the relevant parts of the resolution concerning tripartite consultation.*

III. Report of the Meeting of Experts on Working and Living Conditions of Seafarers on board Ships in International Registers (Geneva, 6-8 May 2002)

53. The Committee had before it the report⁵ of the Meeting of Experts on Working and Living Conditions of Seafarers on board Ships in International Registers.
54. The representative of the Government of the United States made a brief statement on behalf of Mr. Sommer of the United States Government, who had chaired the Meeting. The Meeting had touched on one of the most difficult issues in the maritime industry, and in particular on conditions of work on board ships under flags of convenience and in international registers. The Meeting had adopted a consensual statement containing ten principles and rights to govern working and living conditions at sea. These principles and rights were already being taken into account by the High-level Tripartite Working Group on Maritime Labour Standards in the consolidation work of maritime labour instruments.
55. Mr. Zellhoefer supported the adoption of the report and the consensual statement, but also expressed the Workers' group's grave concern about the reality underlying the agreed conclusions: the substantial decent work deficits in the shipping industry. Since the tripartite constituents had clearly recognized and agreed that seafarers were a group of vulnerable workers who were in need of special protection, the Workers formally asked the Office to secure further action, in consultation with the constituents, to effectively address the decent work deficits in the shipping industry. Conditions of employment, social protection, social security and social dialogue, including freedom of association and collective bargaining, had to be considered as priorities. Particular attention had to be given to breaches of international labour standards, including violations of freedom of association, the right to organize and collective bargaining, which undermined decent living and working conditions for seafarers. The Workers' group also noted with great concern that in a number of flag States there was no social dialogue due to the fact that there were no representative shipowners' or seafarers' organizations in the country concerned. That issue needed to be urgently addressed, as it had clear implications for the current process of consolidating the ILO maritime instruments into a framework Convention. To this end, the Workers' group invited the Director-General to consult other competent United Nations bodies, such as the United Nations Division for Ocean Affairs and the Law of the Sea, with a view to addressing the substantial decent work deficit which arose from the impossibility of securing social dialogue in certain flag States, by defining and seeking the establishment of a "genuine link" between the vessel and the flag State, as required under Article 91 of the United Nations Convention on the Law of the Sea (UNCLOS). One possible way forward was to request the United Nations Division for Ocean Affairs and the Law of the Sea to revise the United Nations Convention on Conditions for Registration of Ships (1986), given that some 16 years later it had still not entered into force. With these remarks the Workers' group approved the point for decision contained in paragraph 4.
56. Mr. Jeetun communicated the satisfaction of the Employers' group with the Meeting and approved the point for decision contained in paragraph 4.

⁵ MEWLCS/2002/8, appended to GB.285/STM/3.

57. *The Committee on Sectoral and Technical Meetings and Related Issues recommends that the Governing Body:*

- (a) take note of the final report of the Meeting of Experts on Working and Living Conditions of Seafarers on board Ships in International Registers, and in particular the consensual statement adopted by the Meeting, which is appended; and*
- (b) request the Director-General to communicate the final report to member States, international organizations of employers and workers, and relevant international organizations.*

IV. Other questions

Maritime security: An update on work under way and ILO action concerning port security

- 58.** The Committee had before it a paper⁶ on Maritime security: An update on work under way and ILO action concerning port security.
- 59.** Ms. Doumbia-Henry explained that the document sought to inform the Committee of work under way in the International Maritime Organization (IMO) with implications for port security and the role that the ILO was being called upon to play. The IMO proposals were being considered in the context of the IMO International Convention for the Safety of Life at Sea (SOLAS). The paper referred to informal consultation with port constituents on the margins of the IMO meetings and the possible resolution to be adopted by the IMO Diplomatic Conference in December 2002, which would call on the ILO to set up a joint ILO/IMO working group on port security. It also referred to a proposal contained in the document before the Programme, Financial and Administrative Committee (PFAC) for the financing under the cash surplus (Crisis response: Economic sectors) of an ILO Meeting of Experts on Security, Safety and Health in Ports, tentatively scheduled for December 2003. Ms. Doumbia-Henry proposed to give the Committee a paper in March 2003 on the IMO Diplomatic Conference and to propose further action within the framework of the ILO. She also provided information on the progress of work on improved security of seafarers' identification, which was to be the subject of an agenda item at the 91st Session (June 2003) of the International Labour Conference. A new instrument would be adopted to replace Convention No. 108.
- 60.** Mr. Jeetun stated that the Employers had taken note of Ms. Doumbia-Henry's statements and looked forward to receiving the Office paper in March 2003. They approved the point for decision.
- 61.** Mr. Zellhoefer stated that the Workers' group continued to follow with great interest that important line of work and thanked the Office for its written and oral reports. Shipping was a key international industry and seafarers routinely had to travel across international borders. Shore leave was one of the most time-honoured maritime customs and was undoubtedly one of the most vital elements of seafarers' well-being in terms of living and working conditions and was, therefore, essential to decent work at sea. Shore leave,

⁶ GB.285/STM/4/1.

however, was under threat both in law and in practice and there were growing problems for many workers while their vessel was in port. Not only were seafarers being denied shore leave and therefore access to shore-based health and welfare facilities, but there were also more frequent instances of armed security guards being posted to ensure that they did not leave the vessel. His group hoped that the work towards the revision of the Seafarers' Identity Documents Convention, 1958 (No. 108), would mitigate some of these recent developments, which were causing serious hardships for seafarers. The major common task was to find an agreed text that, while recognizing the need for security for all, would not impinge on basic human and trade union rights. The Workers' group noted with interest the various consultations under way for a successful outcome, and supported the proposal for a Meeting of Experts on Security, Safety and Health in Ports submitted for financial approval to the PFAC. With these comments, Mr. Zellhoefer approved the recommendation in paragraph 11 of the document.

62. The representative of the Government of the United States stated that his delegation deeply appreciated the active participation of the Office to ensure successful ILO action on maritime security in conjunction with the IMO. His delegation looked forward to a fruitful discussion on improving the security of seafarers' identification at next year's session of the International Labour Conference. He warmly welcomed the paper to be prepared by the Office on the outcome of the IMO Diplomatic Conference for the next Committee meeting in March and supported the point for decision in paragraph 11 to inform the Governing Body of the progress made to date.
63. *The Committee on Sectoral and Technical Meetings and Related Issues requests the Governing Body to take note of the progress summarized above and invites the Office to submit a report on the outcome of the IMO Diplomatic Conference to the 286th Session of the Governing Body.*

Geneva, 15 November 2002.

Points for decision: Paragraph 43;
Paragraph 48;
Paragraph 52;
Paragraph 57;
Paragraph 63.