



THIRTEENTH 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 14 March 2005. The Committee congratulated Mr. Rimkunas (Government, Lithuania) on his new assignment, regretted that he would no longer be able to chair the Committee, and expressed its deep appreciation for his effective work for the Committee over the years.
2. The representative of the Government of Japan, speaking on behalf of the Asia-Pacific group (ASPAG), proposed Ms. Eastwood (Government, the Philippines) as Chairperson. This was seconded by the representatives of the Governments of Cameroon and the United States and agreed unanimously by the Committee.
3. The Employer and Worker Vice-Chairpersons were Ms. Sasso Mazzufferi and Mr. Zellhoefer, respectively.

Sectoral Activities Programme: Proposals for activities in 2006-07

4. The Committee had before it a paper¹ on this item.
5. Ms. Paxton, Executive Director of the Social Dialogue Sector, introduced the proposals, which had been prepared after broad consultation. They comprised a mixture of meetings and action programmes for the 11 sectors in rotation for 2006-07, proposals for cross-sectoral activities, and a proposal for the continuation of current action programme activity into the next biennium. The first point for decision addressed a perceived need for the Committee to encourage the sectoral steering groups to take into account regional priorities and limit the coverage of individual action programmes. Hard choices needed to be made at this session, particularly since the Office was strongly recommending limiting the choice to a maximum of ten activities (the same as in the current biennium), including the continuation of some current action programmes; thus only nine sectors would be in focus during 2006-07. The need to limit the programme stemmed from financial and staffing constraints. Given the budget cuts foreseen for 2006-07, the continuation of certain existing action programmes, as recommended by the sectoral steering groups, would need to be funded from the overall allocation for action programmes and meetings. The recent action programme review meeting had been very productive and had also provided

¹ GB.292/STM/1.

preliminary indications regarding the next biennium's proposals. It had been noted that, despite the success of smaller meetings, the possibility of larger, longer meetings should not be discarded. Also, the number of themes for new action programmes should be limited. The Office was asked to continue to improve the flow of information to and between constituents and to make greater efforts to integrate the activities and SECTOR's expertise with other ILO departments. Work would also continue on an effective system of evaluation, and proposals would be presented to the global steering group in September. The Office hoped that the Committee would agree on five interconnected issues: the number of activities to be undertaken in 2006-07; the mix of action programmes and meetings; the sectors for action programmes and meetings, including the sectors for continuation beyond the end of the current biennium; topics for early meetings; and the type of meeting – e.g. size and duration. Lastly, an understanding could be reached that the sectors not selected this time would be given priority in the subsequent biennium. Should it be necessary to postpone a decision on the topic of a meeting, follow-up would be limited, since the meeting would have to take place later in the biennium.

6. Ms. Sasso Mazzufferi welcomed the fact that the document reflected the previous discussions of the Committee. Although the Sectoral Activities Programme was the ILO's only window on the real world of work, it continually suffered budget cuts. More funds should be made available in order to ensure its continued impact. The increase in activities at no cost to the Office raised problems regarding participation. The speaker agreed to limit work to ten activities in the coming biennium. Her group could also accept to reduce the number of sectors. Action programmes should be implemented in an appropriate number of countries. While the small, short meeting on transport equipment manufacturing had been successful, not all sectors were suitable for such meetings. She wondered why the textiles, clothing and footwear sector had been excluded from the proposal for continuing existing action programmes, which was otherwise supported by her group. The Employer members' proposals for 2006-07, drawn from the Office document, were:

- a meeting of experts for the chemical industry;
- a meeting on the role of new retail technologies in commerce;
- a meeting to promote decent work in the food-processing industry, which should also look into flexible working arrangements;
- a meeting to address the phenomenon of an ageing workforce in the mechanical and electrical engineering industries;
- a meeting of experts on safety and health in coalmines;
- a meeting on the effect of restructuring in the oil and gas production and oil refining sector;
- an action programme in the postal and telecommunications sector;
- a meeting on the road transport sector; and
- a meeting or action programme on promoting sustainability and growth in the utilities sector through improved social dialogue.

Given the need to limit the choice to ten activities, she did not support the proposals for the health and public services sectors, nor did she support cross-sectoral activities. Rather, the Office should address the priorities of and problems specific to each sector separately.

7. Mr. Zellhoefer expressed his concern over the gradual decrease of resources for sectoral activities. He reiterated the importance of a well-funded Sectoral Activities Programme, which provided a unique insight into the world of work and linked the ILO firmly to it. The programme had to be constituent-driven and needed to be able to react to urgent issues where necessary. He also indicated that flows of information and coordination had to improve between headquarters and the field concerning sectoral activities. He suggested that decisions on the chemicals, mining, oil and gas production/oil refining sector should be postponed until after further consultations. In the other sectors, the Worker members preferred the following proposals:
- a meeting on promoting corporate social responsibility in commerce through social dialogue;
 - a cross-sectoral action programme on challenges and opportunities in global food supply chains;
 - an action programme on migration of health service workers;
 - an action programme on the offshoring of the manufacture of electronic components to transition and developing countries, especially in export processing zones, which should be started by holding a short tripartite meeting of experts to analyse the situation of the industry and to define the components of the action programmes;
 - an action programme on the impact of next-generation networks in telecommunication services. Since the telecommunications and postal sectors were different and should be dealt with separately, the Workers' group also supported holding a small meeting on liberalization in the postal industry. The telecom activity suggested was, de facto, a follow-up from the 2003 meeting. Savings resulting from limiting the size of the meeting on the postal sector could be used to finance the action programme for the telecommunications sector;
 - an action programme on promoting and strengthening social dialogue in the public service and public service reform in a changing environment;
 - a meeting on the road transport sector;
 - an action programme on utilities that would focus on the reform of public utilities in order to promote employment and ensure that utility services were affordable. To this effect, the ILO should bring together the social partners to improve essential public services. This suggestion was in line with the conclusions of the May 2003 meeting on utilities;
 - the continuation of the action programmes on agriculture, construction, education, hotels/catering/tourism and HIV/AIDS and the inclusion of the textile/clothing/footwear sector. Given the high percentage of women workers in this sector, there should be activities that focused on gender equality and collective bargaining. Also, the construction sector should be included in the HIV/AIDS action programme. Additionally, an activity on property maintenance and security services should be suggested by the Office.
8. A representative of the Government of Japan, speaking on behalf of the Asia-Pacific group and IMEC, underlined the important role of the global steering group in evaluating the action programmes. The Office should, therefore, prepare a new document reflecting the discussions in the global steering group meeting for the next session of the Governing Body. Given the delays in the implementation of the action programmes, these could be, exceptionally, prolonged. In order to ensure a faster start in the coming biennium, tripartite

consultations should start well in advance and be reported to the Committee at its next session. The Office should establish a transparent and formalized procedure for planning in order to avoid uncertainties, inter alia, on how to select participating countries, how to get voluntary contributions, the deadline for participation, and the relationship between participation and voluntary contributions. Since nine new activities were planned to run simultaneously, the number of participating countries should be limited. In order to ensure effective participation in sectoral meetings, invitations should be issued at least four weeks in advance. Utilization of the traditional sectoral meetings for follow-up activities for action programmes was also requested. Both groups supported the point for decision on condition that the Office establish a workable procedure for the implementation of action programmes.

9. The representative of the Government of Cameroon, speaking on behalf of the Africa group, referred to the need to limit the number of activities and supported the continuation of existing action programmes. New activities should comprise:

- a meeting on opportunities to promote decent work in the food-processing industry;
- an action programme on the international migration of health service workers, which was of particular importance in the light of the current negotiations in WTO;
- work on the oil and gas production/oil refining sector, given the new discoveries of oil in Africa; and
- an activity on public services.

10. The representative of the Government of the United States, speaking on behalf of IMEC, welcomed the reorientation of the Sectoral Activities Programme, but found it difficult to identify the impact and the benefit of some activities. The added value of the Programme's output should be demonstrated. Activities should rather be selected for timeliness and relevance, not on the basis of rotation, and linked to the strategic programming framework. Outcomes needed to be well defined and feature built-in performance indicators. Clear goals needed to be set to allow for the quantifiable demonstration of success. The change towards smaller, shorter and more focused meetings was welcome. Since follow-up was particularly important, procedures needed to be developed for follow-up processes, as well as their evaluation.

11. The representative of the Government of Barbados, speaking on behalf of the English-speaking Caribbean countries, supported the continuation of current action programmes, since these were having a direct, beneficial impact on member States. While her Government supported the principle of rotation, a programme on occupational safety and health in construction should be envisaged for 2006-07. There was also support for:

- a meeting of experts in the chemicals sector;
- a meeting on the role of new retail technologies in shaping the employment landscape in commerce;
- an action programme on the impact of HIV/AIDS on the public service;
- an action programme on the impact of next-generation networks in telecommunications services;
- a meeting on liberalization in the postal industry; and
- a cross-sectoral action programme on global food supply chains.

12. The representative of the Government of Nigeria supported the views of the representative of the Government of Cameroon, adding that action programmes in health services and the public service were very important, as was a meeting for the oil and gas sector.
13. Ms. Sasso Mazzufferi said that, in the light of the support for an action programme on health services, if it were selected, employer participation should be enabled in line with the arrangement agreed upon in relation to the action programme in education.
14. Ms. Paxton concluded that agreement existed on the continuation of certain current action programmes. This could be finalized in November 2005 in the light of recommendations from the global steering group review meeting to be held in September. For health services and the public service action programme proposals, an arrangement similar to that concerning employer participation in the education action programmes could be envisaged. It would not be feasible to undertake two activities, one in telecommunications and one for postal services. Moreover, in the light of staffing constraints, it would not be possible to have activities in both oil and gas and chemicals, or in both the public service and utilities. Activity in one sector of each of these pairs might be postponed and addressed preferentially in the following biennium. In response to the suggestion of the Workers' group to include another economic sector, she recalled that the need to address the number of economic sectors had been raised before, as had criticism of the principle of rotation. Details on criteria for evaluation of the action programmes would be specified at the next global steering group review meeting in September.
15. Ms. Sasso Mazzufferi agreed that there was consensus on continuing ongoing action programmes and that decisions could be made in November 2005. Her group also supported the following:
 - an action programme on the international migration of health workers, provided that invitations to interested private employers would be made;
 - an action programme on social dialogue, employment and competitiveness in the postal and telecommunications sector;
 - an action programme in the public service sector, provided that private employers were invited to participate and give their views, if interested;
 - a tripartite meeting on the labour and social issues affected by the problems of cross-border mobility of international drivers in the road transport sector, with the inclusion of a HIV/AIDS component;
 - a tripartite meeting of experts on safety and health in coalmines;
 - a tripartite meeting of experts on the chemicals sector.

Further consultations were needed on the food/drink/tobacco and mechanical/electrical engineering sectors, as well as on the topic to be discussed by a meeting on commerce.

16. Mr. Zellhoefer supported the continuation of current action programmes, including the textile/clothing/footwear sector. He reminded the Committee of his group's request to include work on the construction sector in the HIV/AIDS action programme. His group recognized the importance of migration in the health services, particularly for developing countries. A decision on a topic for the telecommunications sector could be presented to the next session of the Governing Body in June 2005. While his group regretted that no postal sector meeting was possible, he acknowledged the resources situation. He noted the strong interest of governments for the public action programme and supported the inclusion of a HIV/AIDS component. Similarly, such an element should be introduced

with regard to the meeting on the labour and social issues affected by the problems of cross-border mobility of international drivers in the road transport sector, on which general agreement existed. He acknowledged the Employer members' concerns about the topic for the commerce sector preferred by the Workers' group, and pointed out that there was an overlap between elements of corporate social responsibility and the new technologies used in this sector. Topics might therefore be combined. He hoped that consensus on the food/drink/tobacco sector and the suggested cross-sectoral programme would be found by June 2005, as well as agreement on the programme for the electrical and mechanical engineering sector. The Worker members were concerned that a choice needed to be made between the public services and the utilities sectors.

- 17.** The representative of the Government of the United States supported proposals that produced concrete and useful outcomes, such as the revision of sectoral codes of practice. To ensure relevance, the Office needed to establish goals and indicators for each activity and ensure that governments' views were reflected from the start of the process.
- 18.** An Employer member (Mr. Trogen) supported holding a meeting on the chemicals sector. Neither health services nor the public service were relevant to the Employer members but, as his group had already agreed to an activity in the health sector, an activity for the public sector should be given the lowest priority.
- 19.** Mr. Zellhoefer stressed the need for the Office to work on improving communications, to ensure the involvement of tripartite constituents. Therefore, documents such as the report on the recent sectoral steering group meetings needed to be made available in languages other than English. Since it was not just Worker and Employer members who decided the Sectoral Activities Programme, public services should not be given lowest priority.
- 20.** The representative of the Government of the United Kingdom pointed out that the discussion on the proposed activity in the public services sector showed that decisions should be taken on the basis of need, and she supported its inclusion in the work programme.
- 21.** Ms. Sasso Mazzufferi said her group was willing to accept an action programme in the health services and public service sectors, on condition that interested private employers would be allowed to participate.
- 22.** An Employer member (Mr. Anand) agreed, and pointed out that the increasing privatization of the public sector also needed to be considered. Participation would allow his group to present free, independent views on relevant issues.
- 23.** Mr. Zellhoefer recalled his original suggestion to postpone decisions regarding the chemicals, oil and gas and mining sectors. In the light of subsequent discussions, his group would agree to holding a tripartite meeting of experts for both sectors, as proposed in the Office document. He also accepted that the oil and gas and utilities sectors should receive priority consideration in the subsequent biennium.
- 24.** Ms. Paxton concluded that there was agreement: to continue existing action programmes; on an action programme in the telecommunications sector on a topic to be agreed; on a tripartite meeting on the labour and social issues affected by the problems of cross-border mobility of international drivers in the road transport sector, with an added HIV/AIDS component; on a tripartite meeting of experts to revise the code of practice on safety and health in coalmines; and on a tripartite meeting of experts to examine instruments, knowledge, advocacy, technical cooperation and international collaboration as tools with a view to developing a policy framework for hazardous substances. While agreement had been reached to hold a tripartite meeting on commerce, the issues to be addressed required

further consultation. There was also agreement on: action programmes on public service with a HIV/AIDS component and on health services, provided that tripartite participation was possible under existing precedent (if there was no private employer interest, participation in the national steering groups for the health services and public service action programmes would be joint; if private employers participated, they would be full participants). It was agreed that the food/drink/tobacco and the mechanical and electrical engineering sectors would be in focus but required further consultations. Finally, it was understood that the oil and gas production/oil refining and the utilities (water, gas, electricity) sectors would, in principle, have preference for activities in the subsequent biennium. Proposals by the Officers of the Committee could be made to the Governing Body in June on these and on the topics for the commerce meeting and the telecommunications sector action programme.

- 25.** In response to a question by the representative of the Government of Cameroon, Ms. Paxton explained that individual action programmes were not assigned different priorities, since they were run by individual experts. Should the need for additional resources arise, additional funds might be allocated, if available. In principle, however, all action programmes would start on an equal footing.
- 26.** In response to a question from the representative of the Government of the United States, Ms. Paxton explained that the suggestion of holding one meeting in reserve could be kept in mind pending the finalization of discussions on the budget proposals for the coming biennium.
- 27. *The Committee on Sectoral and Technical Meetings and Related Issues advises the sectoral steering groups to:***
- (a) take into account the priorities for ILO action agreed at the regional level when selecting countries to take part in action programmes;*
 - (b) focus each action programme on fewer countries;*
 - (c) seek, as far as possible, an appropriate overall geographical distribution, not one for each programme.*
- 28. *The Committee on Sectoral and Technical Meetings and Related Issues recommends to the Governing Body that:***
- (a) new sectoral action programmes should take place in 2006-07 in the following sectors on the nominated topics:*
 - (i) Health services: International migration of health service workers: The supply side;*
 - (ii) Telecommunication services: (topic to be decided);*
 - (iii) Public service: Promoting and strengthening social dialogue in the public service and public service reform in a changing environment;*
 - (b) current action programmes, recommended by the sectoral steering groups in September 2005, continue in 2006-07;*
 - (c) tripartite sectoral meetings should take place in 2006-07 in the following sectors on the nominated topics:*

- (i) *Chemicals: A meeting of experts to examine instruments, knowledge, advocacy, technical cooperation and international collaboration as tools with a view to developing a policy framework for hazardous substances;*
- (ii) *Mining (coal and other mining): A meeting of experts to revise the 1984 code of practice on safety and health in coalmines;*
- (iii) *Transport (including civil aviation, railways, road transport) and ports: A meeting on the labour and social issues affected by problems of cross-border mobility of international drivers in the road transport sector;*
- (iv) *Commerce: (topic to be decided).*

Effect to be given to the recommendations of sectoral meetings

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

29. The Committee had before it a document ² concerning this item.
30. Ms. Sasso Mazzufferi, as Chairperson of the Meeting, highlighted the atmosphere of cooperation, the report prepared by the Office, the organization, the high level of participation and the strong conclusions that had been adopted. She reiterated the comment of the Worker Vice-Chairperson, who believed that there was the common feeling of participating in an historic process. The Meeting had underlined the growth of the sector, its dynamism in creating new employment, its use of new technologies and the promotion of occupational safety and health measures. Pointing out the link between the Meeting and the World Summit on the Information Society in Tunis in November, she asked what level of participation was foreseen and expressed her group's great interest in taking part, possibly by sending a tripartite Governing Body delegation.
31. Mr. Zellhoefer said that a tripartite discussion in advance of or in parallel to the World Summit on the Information Society was important owing to the absence of references to fundamental labour standards in the debates and conclusions of the World Summit on the Information Society held in 2003. Moreover, the growing use of self-employed workers had been raised at the Meeting and the presence of employment relationships that were disguised, ambiguous or triangular had been noted; hence the need for further research.
32. The representative of the Government of Cameroon supported the conclusions, and suggested that representatives of the Governing Body could participate in September 2005 in the Prep Com in Geneva.
33. *The Committee on Sectoral and Technical Meetings and Related Issues recommends that the Governing Body:*

² GB.292/STM/2/1.

- (a) *authorize the Director-General to communicate the Note on the proceedings to:*
- (i) *governments, requesting them to communicate these texts to the employers' and workers' organizations concerned;*
 - (ii) *the international employers' and workers' organizations concerned; and*
 - (iii) *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 26-29 of the conclusions.*

**Tripartite Meeting on Employment,
Social Dialogue, Rights at Work and
Industrial Relations in Transport
Equipment Manufacture**
(Geneva, 10-12 January 2005)

34. The Committee had before it a document³ on the above item.
35. Mr. Jennings, Acting Director of the Sectoral Activities Department, provided a short summary of the above Meeting. He pointed out that it had been the first ever tripartite sectoral three-day meeting. It had been successful from the Office's point of view. The report of the discussion had been finalized after the Meeting.
36. Mr. Zellhoefer noted that this first Tripartite Meeting with a new format of three days based on panel discussions showed that shorter, more intensive meetings could be effective. Nevertheless, the time allocated for the panellists and the role of the chairperson needed re-examination. The time available for the group spokespersons was reduced and the draft conclusions did not cover all the issues addressed by the groups. He noted that the Meeting had adopted a number of important conclusions on collective bargaining, information and consultation, core labour standards, decent work deficits, international framework agreements, export processing zones and training. The purpose of having shorter and smaller meetings was to achieve savings, which could be used to fund follow-up: the creation and maintenance of a sustained metal trades industry database, which was readily available and useable by the social partners, was important, as well as the Meeting's other conclusions.
37. Ms. Sasso Mazzufferi said that, despite the reservations expressed initially by the Employers about three-day meetings, this one had been a success. A number of important conclusions had been reached, including on restructuring, subcontracting and acceptance of the employer's prerogative to take decisions.
38. A representative of the Government of Canada noted with satisfaction that, with some adjustments, a three-day meeting could be successful, with excellent practical outcomes.

³ GB.292/STM/2/2.

39. *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 to:***
 - (i) *governments, requesting them to communicate these texts to the employers' and workers' organizations concerned;***
 - (ii) *the international employers' and workers' organizations concerned; and***
 - (iii) *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 paragraph 7 of the conclusions.***

Reports of meetings of experts

Tripartite Meeting of Experts on the Fishing Sector

(Geneva, 13-17 December 2004)

- 40.** Ms. Doumbia-Henry, Director of the International Labour Standards Department, provided an oral report on this item. She explained that the background to the Tripartite Meeting of Experts on the Fishing Sector was the outcome of the first discussion of a new fishing Convention at the 92nd Session of the Conference, where owing to time constraints several complex issues had not been addressed. The Conference in the recommendation to the Committee on the Fishing Sector had decided that, before the second discussion in 2005, the Office should organize consultations on the issue of accommodation. The Committee also agreed, after a record vote, that the Convention should include a new part with additional requirements for larger vessels to be developed by the Office, and that the issue of social security should be left open pending the outcome of the Preparatory Technical Maritime Conference (September 2004). The Governing Body at its 290th Session (June 2004) decided that a meeting of experts should be convened to deal with the question of accommodation and questions that had not been covered during the first discussion. To assist the Tripartite Meeting of Experts on the Fishing Sector, the Office had prepared a document entitled "Proposed provisions for accommodation, large fishing vessels and social security".⁴ While there was consensus on some matters, notably fishing vessel accommodation, there was no consensus on others, in particular the issue of additional provisions for larger vessels. The Meeting adopted a report⁵ on its discussions and a document entitled "Provisions for accommodation, large fishing vessels and social security discussed by the Tripartite Meeting of Experts on the Fishing Sector", which contained both provisions on which there was consensus and on which there was no consensus. It was important that the document be read in conjunction with the report of the Meeting, as in many cases there

⁴ TMEFS/2004.

⁵ TMEFS/2004/4.

was no agreement on the text. The report had been included as an annex to the Conference report and placed on the SECTOR web site. The outcome of the Meeting, as well as the comments received from the constituents in response to the text adopted in June 2004, had been taken into account by the Office in the formulation of the proposed texts for the second discussion. The Office hoped that the Conference Committee would fulfil its mandate and develop a Convention and Recommendation that would deliver on the expectations placed on it by the world's fishers, particularly in the light of the impact of the Asian tsunami on fishers' livelihoods.

41. Ms. Sasso Mazzufferi noted the lack of consensus on several complex issues even after the Meeting of Experts. The Employers still sought a flexible Convention that could be widely ratified and implemented. However, the draft texts elaborated following this Meeting were too detailed and complex to achieve this goal. Also, clarification was needed from a procedural standpoint. The Office had announced that, if there were no consensus, the text in the document presented as a basis for discussion at the Meeting of Experts would be submitted to the Conference as it stood. This was difficult to accept, notwithstanding the report of the Meeting, since the Office text would unduly influence participants at the Conference who did not attend the Meeting of Experts.
42. Mr. Zellhoefer said that the lack of progress during the first discussion had been due to the intransigence of the Employers which had created the necessity of having a meeting of experts. Moreover, the Meeting had started badly owing to the Employers' attempt to prevent Government observers from participating fully. The Workers' group was concerned about the possibility of losing an important opportunity for developing a comprehensive international labour standard for fishers. During the first discussion, the Conference Committee had agreed, following two record votes, to include additional requirements for larger vessels. The protection provided by existing Conventions should not be lost, particularly in view of the fact that the historical link between maritime and fishing standards was broken following the exclusion of fishers from the scope of application of the draft consolidated maritime labour Convention (CMLC). This historical link was best illustrated by Article 77 of the Social Security (Minimum Standards) Convention, 1952 (No. 102), which stipulated that the Convention did not apply to seafarers or fishers, since these were protected by the Social Security (Seafarers) Convention, 1946 (No. 70), and the Seafarers' Pensions Convention, 1946 (No. 71). Furthermore, the decent work deficit in fishing had been graphically illustrated by the Asian tsunami, which had led to major job losses in the sector and had increased the necessity of a comprehensive ILO standard for fishers.
43. Ms. Doumbia-Henry recalled that it had been agreed in advance that in the absence of consensus during the Meeting of Experts, the Office text would be retained. The Office's task, in accordance with article 39, paragraph 7, of the Standing Orders of the Conference, was to elaborate proposed texts of a Convention and Recommendation to be submitted to the Conference for the second discussion, taking into account a number of elements, in particular the comments received from member States on the text based on the conclusions adopted by the Conference following the first discussion. The report of the discussion at the Tripartite Meeting of Experts represented an exceptional additional element, from which the Office benefited immensely in preparing the texts. As to the protection afforded to fishers, she confirmed that many existing maritime instruments allow for their application to fishers, and many member States extended the protection covering seafarers to fishers. However, since the draft consolidated maritime labour Convention excluded fishers from its coverage, after its adoption fishers would either be protected by a separate instrument or not at all.
44. The Committee took note of the oral report on the Tripartite Meeting of Experts on the Fishing Sector.

**Meeting of Experts to Develop Guidelines
for Labour Inspection in Forestry
(Geneva, 24-28 January 2005)**

45. The Committee had before it a paper⁶ on the Meeting of Experts to Develop Guidelines for Labour Inspection in Forestry.
46. Mr. Jennings noted that, since there had only been 15 participants at the Meeting, an external consultant had been asked to chair it. This had enabled all the experts to take part fully in the Meeting. The small number of participants had also enabled funds to be earmarked for follow-up activities based on the participants' suggestions.
47. Ms. Sasso Mazzufferi said that her group was satisfied with the guidelines adopted and supported them, as well as the follow-up envisaged. She regretted, however, that the document prepared for the Meeting included many issues not directly related to labour inspection and pointed out that efforts to create very comprehensive documents often led to over-long documents that discouraged their use. Documents needed to be focused and relevant to be effective. She endorsed the point for decision.
48. Mr. Zellhoefer reminded the Committee of the objectives of the guidelines and their intended use. Referring to page 20 of the English version of the guidelines,⁷ he highlighted that all forms of child labour needed to be eliminated; however, the focus on hazardous work suggested was too narrow. Furthermore, labour inspectors needed to be adequately trained, protected and paid, as well as provided with transportation, in order to perform their jobs well. Moreover, a balance in regards to gender and languages spoken needed to be considered when choosing inspectors for a specific site, so that they could reach out to the highest number of workers. Particularly in Africa, labour inspectors were few and training was paramount. Appropriate follow-up to the Meeting was essential to ensure that the guidelines became a working tool. Therefore special attention needed to be given to training in assessing working conditions and labour practices.
49. The representative of the Government of Cameroon reiterated the need to support labour inspectors in Africa and suggested that action be taken by the ILO to improve the situation.
50. An Employer member (Mr. Anand) noted that most forests in developing countries belonged to the State which leased out timbering rights. It was therefore important to ensure that buyers of wood would not be harassed by inspectors. To this effect, inspectors needed to make distinctions based on the situation.
51. A Worker member (Mr. Steyne) reiterated that inspectors needed to be well trained, protected and paid. Recent cases of labour inspectors being killed had highlighted the need for protection.
52. *The Committee on Sectoral and Technical Meetings and Related Issues recommends that the Governing Body:*
- (a) *take note of the report of the Meeting of Experts and authorize the Director-General to publish the Guidelines for Labour Inspection in Forestry; and*

⁶ GB.292/STM/3/2.

⁷ MELIF/2005/8.

- (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 the recommendations for follow-up action by the ILO.*

Meeting of Experts to Develop a Revised Code of Practice on Safety and Health in the Iron and Steel Industry
(Geneva, 1-9 February 2005)

53. The Committee had before it a paper⁸ on the Meeting of Experts to Develop a Revised Code of Practice on Safety and Health in the Iron and Steel Industry.
54. Mr. Jennings stated that the Meeting overcame considerable problems concerning the rights, duties and responsibilities of the competent authority, employers and workers and their organizations and adopted unanimously a code of practice. This was not a revision, rather a new document replete with best practices that would serve the industry for another 25 years.
55. The decision to dedicate the code to workers who had lost their lives in the iron and steel industry was probably a first for the ILO. Although there was no list of proposed follow-up activities in the report, the Meeting of Experts had agreed on a range of follow-up activities in the areas of dissemination and promotion that should be undertaken:

Dissemination

- Publicize and disseminate the Code widely, including by linking it to relevant web sites.
- Translate the code into additional languages.

Promotion

- Adopt a targeted approach that focuses on need (e.g. where weaker competent authorities have been identified).
- Promote the code at international conferences and congresses, such as forthcoming ones organized by the International Metalworkers' Federation, International Iron and Steel Institute and national industry associations.
- Organize, in conjunction with governments, employers and workers' organizations, national tripartite promotional workshops that focus on those identified in the context of the code, to introduce it and discuss how it could be adopted and its provisions implemented.
- Promote the inclusion of knowledge of the code and its contents in the competence criteria for labour inspectors. Promote its inclusion in the induction programmes of new labour inspectors.
- Draw on the expertise of the Meeting's experts by, where possible, enabling them to take part in follow-up activities such as workshops, at the appropriate national or sub-regional level.

⁸ GB.292/STM/3/3.

- Report successes in implementing the code to other member States.
56. Mr. Zellhoefer expressed his group's concerns about the strategy of the Employer experts during the Meeting to withdraw from the text all references to international labour standards. Although useful references to ILO Conventions on occupational safety and health had been deleted or moved to an annex, many technical details had been strengthened. The Worker experts had decided to continue their participation on the basis that it was preferable for the workers concerned to be protected by this new code than have nothing at all. He emphasized the relevance of ILO instruments on occupational safety and health in a year when the International Labour Conference would initiate discussions on a new instrument on occupational safety and health. He supported the follow-up recommendations and approved the point for decision.
57. Ms. Sasso Mazzufferi said that the revised code reflected the changes in the industry, as well as the development of many new instruments concerning occupational safety and health after the adoption of the preceding code. The new code was very well received in the industry. The follow-up recommendations were generally acceptable. While she supported the point for decision, she said that, in future, such documents should be submitted in advance to the Committee.
58. The Government representative of the United States stated that the Office draft submitted to the Meeting had been rather raw with some omissions that required new text to be prepared while it was convening. In future, the Office should consult with knowledgeable social partners beforehand to ensure a smoother process. He welcomed the proposed follow-up activities and approved the point for decision.
59. *The Committee on Sectoral and Technical Meetings and Related Issues recommends that the Governing Body:*
- (a) *take note of the report of the Meeting of Experts and authorize the Director-General to publish the code of practice on safety and health in the iron and steel industry; and*
 - (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 recommendations for follow-up action by the ILO.*

Development of a Joint FAO/ILO/IMO Code and Voluntary Guidelines on Safety and Health on Fishing Vessels

60. The Committee had before it a paper⁹ on the development of a Joint FAO/ILO/IMO Code and Voluntary Guidelines on Safety and Health on Fishing Vessels.
61. Ms. Doumbia-Henry briefly reviewed the history of the Code and Voluntary Guidelines. She noted that it was a revision of an existing joint set of documents, and that the Tripartite Meeting on Safety and Health in the Fishing Industry (December 1999) had concluded, inter alia, that the ILO should participate in the revision of the Code Part B and, following consultation with the IMO, should take a leading role in revising Code Part A. At its 277th Session (March 2000), the Governing Body had requested the Director-General to

⁹ GB.292/STM/4.

bear in mind the conclusions when drawing up proposals for the future work of the Office. This request coincided with the launching of several meetings on the development of the draft consolidated maritime labour Convention and the comprehensive standard concerning work in the fishing sector, as well as other maritime meetings and activities. As a result, the Office could not convene a meeting of experts to review the Code and Voluntary Guidelines.

- 62.** Ms. Sasso Mazzufferi pointed out that the Committee was mindful of the mandate it had given to the Office in March 2000. However, her group was now being asked to approve a 500-page document without being given the time necessary to review it. Even though the documents were not mandatory, they could influence discussions on the new fishing Convention in June 2005. Such documents should be the result of a tripartite process, including perhaps a tripartite meeting, to ensure that all parties were involved. The briefing the Office had given on the documents earlier in the week had been extremely helpful. Nevertheless, her group wished to defer the decision on the documents to the 293rd Session (June 2005) of the Governing Body.
- 63.** Mr. Zellhoefer thanked the Office for its input to this work and noted that the work to revise the Code and Voluntary Guidelines had been initiated in a resolution adopted at the International Conference on Safety of Fishing Vessels held in 1993. The IMO had led the work, with a considerable contribution from the FAO and the ILO. The result demonstrated the strength of inter-agency cooperation and could contribute to improvements in safety and health in the fishing sector. The ILO had designated fishing as a hazardous occupation, a situation well illustrated by the high fatality rate of fishers in the recent Indian Ocean tsunami. He recalled that, when the three organizations had worked on the revision of the FAO/ILO/IMO Document for Guidance on Training and Certification of Fishing Vessel Personnel, the Employers had only been able to provide one of the two nominated Employer representatives to a joint working group convened to consider that document.
- 64.** Ms. Doumbia-Henry pointed out that the Committee had received information on the work under way to revise the Code and Voluntary Guidelines at its 277th, 289th and 291st Sessions. In response to the Employers' request for a deferral of consideration of the documents, she stated that two options were possible: either the IMO could agree to await approval by the Governing Body at its 293rd Session in June 2005; or the IMO could go ahead with the publication of the Code and Voluntary Guidelines, without the ILO logo. The IMO was anxious to publish the documents as soon as possible, bearing in mind the high accident rate in the sector as well as safety and health issues arising from the tsunami.
- 65.** Mr. Zellhoefer agreed with this assessment. If the Code and Voluntary Guidelines were published without the ILO logo, his group would make a public statement on this matter.
- 66.** Ms. Sasso Mazzufferi reiterated that her group could not agree to the documents without obtaining the views of its members.
- 67.** Ms. Doumbia-Henry, in response to a request for clarification from the representative of the Government of Canada, said that the Code and Voluntary Guidelines were not binding, and were intended as guidance to the sector. The Office would contact the IMO and report to the Governing Body at its 293rd Session (June 2005).
- 68.** The Committee on Sectoral and Technical Meetings and Related Issues took note of the information provided.

Report of the Joint IMO/ILO/Basel Convention Working Group on Ship Scrapping (London, 15-17 February 2005)

69. The Committee had before it a report ¹⁰ on this item.
70. Mr. Zellhoefer explained that with the entry into force of the Basel Convention ban on the export of wastes and the recent decision by the Conference of the Parties to the Basel Convention that a vessel on its last voyage could be both a ship and waste, it was essential that shipbreaking be performed in an environmentally sound manner. The Workers' group supported the Joint Working Group in order to guarantee that workers' rights were taken into account in the development of a "green" ship recycling capacity, particularly in the light of the rapid phase out of single-hull tankers. He looked forward to a fruitful next session which would be hosted in Geneva by the Basel Convention secretariat.
71. Ms. Sasso Mazzufferi agreed that this was an important issue for her group, but regretted that attendance was at no cost to the Office, since this effectively discouraged involvement, as could be observed by the reduced level of participation. She approved the point for decision.
72. The representative of the Government of Japan noted that a number of legal and practical problems still needed to be resolved together and a variety of different points of view reconciled. A number of stakeholders were involved and the cooperation of all three agencies was needed to take the necessary steps.
73. *The Committee on Sectoral and Technical Meetings took note of the first session of the Joint ILO/IMO/Basel Convention Working Group and recommends that the Governing Body:*
- (a) *authorize the holding of a second session of the Joint ILO/IMO/Basel Convention Working Group on Ship Scrapping in Geneva in late 2005 or early 2006, with a composition of ten ILO (five Employer and five Worker) representatives, five Basel Convention representatives and five IMO representatives; and*
 - (b) *request the Director-General to communicate its decision to the Executive-Secretary of the secretariat of the Basel Convention and to the Secretary-General of the International Maritime Organization.*

Other questions

Report of the Joint ILO/IMO Ad Hoc Expert Working Group on the Fair Treatment of Seafarers in the Event of a Maritime Accident

74. The Committee had before it a paper ¹¹ on this item.

¹⁰ GB.292/STM/5.

¹¹ GB.292/STM/6/1.

75. Ms. Doumbia-Henry explained that the first meeting of the Joint ILO/IMO Ad Hoc Expert Working Group on the Fair Treatment of Seafarers in the Event of a Maritime Accident had taken place in January 2005. As approved by the Governing Body, its terms of reference requested the Group to develop suitable recommendations, including draft guidelines. However, the meeting had considered that it would be premature to develop such guidelines at its first session. Therefore, it had developed a draft resolution containing elements that should be taken into account by member States.
76. Ms. Sasso Mazzufferi said that her group supported the document and the draft resolution annexed.
77. Mr. Zellhoefer remarked that the Workers' group was concerned by the growing trend towards the criminalization of seafarers and noted with concern that a regional economic grouping had sought to criminalize accidental pollution, even though this was not compatible with the treaty obligations of its member States. There was a substantial decent work deficit in the maritime industry and the globalized shipping sector made seafarers particularly vulnerable and in need of special protection, as could be observed from a number of high profile cases. During the Joint ILO/IMO Working Group, workers had noted that the IMO had not defined the term maritime "accident" but used the term "maritime casualties or incidents" in its guidelines of maritime casualty investigation. The lack of clarity about the terms had led to a discussion in the Working Group. His group understood that the terms should not be interpreted in a narrow manner and that cases involving the detention of innocent seafarers in a third country could also come within the remit of the terms of reference. Moreover, given the growth in cases where seafarers were being subject to criminal sanctions in port or coastal States following the discharge of substances in breach of international standards and the vulnerability of seafarers, consideration should, at a later date, be given to ensuring that they also received fair treatment. His group was satisfied with progress to date, was hopeful that the Working Group's task could be completed shortly, and approved the draft resolution and the point for decision.
78. Ms. Sasso Mazzufferi underlined the importance attached by her group to the mandate given to the Working Group.
79. An Employer adviser (Ms. Wiseman) added that the Working Group had been tasked to deal only with the consequence of maritime accidents, and that any change to the terms of reference would be unacceptable to the Employers' group. Her group had requested this discussion to be reflected in the report, since it deemed the term "maritime incident" to be too wide, and it was not willing to change the terms of reference at this time.
80. In the light of the foregoing intervention, Mr. Zellhoefer indicated that, in future sessions of the Committee, his group might request the International Transport Workers' Federation to speak.
81. *The Committee on Sectoral and Technical Meetings and Related Issues recommends that the Governing Body:*
- (a) *take note of the information provided; and*
 - (b) *approve the terms of the draft resolution proposed at the first session of the Joint ILO/IMO Ad Hoc Expert Working Group on the Fair Treatment of Seafarers in the Event of a Maritime Accident.*

Proposals for a Tripartite Meeting on Promoting Fair Globalization in Textiles and Clothing in a Post-MFA Environment

- 82.** The Committee had before it a paper¹² on this item.
- 83.** Ms. Paxton said that the proposals for a Tripartite Meeting on Promoting Fair Globalization in Textiles and Clothing in a Post-MFA Environment followed a discussion at the Committee's last session in November 2004. At the time, general agreement on the principle to hold such a meeting had been reached, but funding was not secured. Subsequently, there had been some consultations with constituents and within the Office – both in the headquarters and in the field – to utilize all available expertise and existing work. As indicated in the proposal, the Meeting would attempt to make a rapid assessment of the impact of the phase out of quotas and focus on the elaboration of appropriate strategies that could be adopted. Similar action had been taken by the Office on previous occasions. Since these strategies would need to be implemented at the national level, the Office suggested participation of national tripartite delegations.
- 84.** Ms. Sasso Mazzufferi agreed that the phase out of quotas affected millions of workers worldwide. The topic was very important and relevant for the ILO. She expressed strong reservations on the way the Meeting was supposed to be funded by redistributing priorities in the Sectoral Activities Programme. Her group had only supported holding the Meeting on the understanding that it would be financed without affecting sectoral activities. Another concern was its proposed composition. Since many countries were concerned by the changes, having only ten representatives from each group was insufficient. Her group estimated that 24 participants from each group needed to be invited.
- 85.** Mr. Zellhoefer recalled that the original proposal originated from the Workers' group and appreciated the efforts made by the Office. He took note of the proposed composition, but felt that, in view of the importance of the Meeting, representation could be increased to 15 participants from each group, depending on the cost. National tripartite delegations should be encouraged, with Workers and Employers selected by their respective groups. His group accepted that the funds for the Meeting had to come from SECTOR's resources.
- 86.** A representative of the Government of the United States strongly supported the proposal for this Meeting with regard to its timeliness and impact and its relevance in relation to the ILO's operational objectives. Evidence showed that economies were seriously impacted by the end of the quota system.
- 87.** A representative of the Government of Canada agreed and expressed her appreciation for the proposal for national tripartite participation, since it facilitated national follow-up.
- 88.** A representative of the Government of Brazil supported the Employers' concern relating to the composition of the Meeting and recommended a larger representation.
- 89.** A representative of the Government of Cameroon said that the proposed list of countries was geographically imbalanced since it excluded the West African region, which was a major producer of cotton.
- 90.** An Employer member (Mr. Anand) said that, to reflect the real impact of the phase-out of quotas, evidence should be drawn from field experience. Since this required time, the Meeting should be postponed. International brainstorming on the subject took place some

¹² GB.292/STM/6/2.

years ago and the Office should focus on understanding the reality in the countries concerned.

91. Mr. Zellhoefer opposed postponing the Meeting. As indicated in the proposal, the representation of major brand names and retailers would ensure that the global chain would be represented. While he understood the calls for wider participation, this was a question of funding.
92. Ms. Sasso Mazzufferi reiterated the need to find extra-budgetary sources and to enlarge the proposed participation.
93. Mr. Zellhoefer considered that if an agreement in principle could be reached, the question of cost and composition could be discussed in the Governing Body's next session in June 2005.
94. Ms. Paxton pointed out that there was an agreement on the major elements of the proposals and agreement to move forward. The question of the Meeting's size and funding required further discussion. Since the Meeting had not been foreseen in the budget and had not been funded from the Technical Meetings Reserve, it was necessary to reallocate priorities within SECTOR in order to finance it. The suggested level of representation was not ideal, but the prospects for securing additional funding were not good. Given the high impact on the workforce worldwide, input from several ILO units would be mobilized. Also, further discussions on the composition could take place if the Committee would agree to go ahead in principle with the Meeting.
95. A representative of the Government of Canada said that her Government would be ready to approve the proposals in principle and to discuss further the question of the composition at the Governing Body's next session in June 2005. Member States should also be consulted.
96. Mr. Zellhoefer agreed in principle to the meeting being held subject to further discussions on resources and composition.
97. Ms. Sasso Mazzufferi said agreement on holding the meeting was definitely subject to those further discussions on resources and composition.
98. ***The Committee on Sectoral and Technical Meetings and Related Issues recommends to the Governing Body that a Tripartite Meeting on Promoting Fair Globalization in Textiles and Clothing in a Post-MFA Environment be held during the second half of 2005.***

Geneva, 17 March 2005.

Points for decision: Paragraph 27;
Paragraph 28;
Paragraph 33;
Paragraph 39;
Paragraph 52;
Paragraph 59;
Paragraph 73;
Paragraph 81;
Paragraph 98.