



FOURTEENTH ITEM ON THE AGENDA

## Report of the Committee on Technical Cooperation

1. The Committee on Technical Cooperation met on 15 March 2004, chaired by Mr. Yimer Aboye (Government, Ethiopia). The Employer and Worker Vice-Chairpersons were Mr. Jeetun and Mr. Attigbe, respectively.
2. The Committee had the following agenda items:
  - Thematic evaluation report: Gender issues in technical cooperation;
  - On-the-spot review in Europe: Oral presentation;
  - The Committee on Technical Cooperation: Modalities for improved functioning;
  - Operational aspects of the International Programme on the Elimination of Child Labour (IPEC);
  - Follow-up to the ILO Declaration on Fundamental Principles and Rights at Work: Technical cooperation priorities and action plans regarding freedom of association and the effective recognition of the right to collective bargaining;
  - Office-wide implementation of the resolution concerning tripartism and social dialogue;
  - Special technical cooperation programme for Colombia (2001-03);
  - Other questions.
3. The Chairperson called the meeting to order and pointed out to the Committee that, as there were eight items on the agenda, strict time management would be essential. In their initial presentations, the spokesperson for the Employers' group and the Worker Vice-Chairperson voiced their concerns on having such a large number of items on the agenda as they felt that, given the time constraints, the Committee could hardly do justice to the issues to be covered.
4. The groups were very happy to see that the Office had taken note of their earlier requests and most of the agenda items for the current session had points for decision to be considered by the Committee. Furthermore, during the November 2005 session of the Committee, they would like to be informed on the progress made by the Office in implementing the points for decision taken in November 2004.

## I. Thematic evaluation report: Gender issues in technical cooperation

5. Ms. Wirth, the representative of the Director-General, introduced the report,<sup>1</sup> which she said was timely for the Committee to discuss, since ten years ago the Beijing Conference on Women had adopted gender mainstreaming as the strategy for promoting gender equality. The report could be considered as the beginning of a process to systematically monitor and assess the extent of gender mainstreaming in all technical cooperation projects.
6. Ms. Sasso Mazzufferi, speaking on behalf of the Employer members, thanked the Office for the report and the very clear introduction. It underlined the importance of thematic evaluations which should examine projects that had been independently evaluated and should note the projects' success or failure, impact, sustainability and lessons learned – as well as effect on constituents. This would make the work of the committees easier in providing guidance to the Office on the better direction of technical cooperation activities.
7. Turning to the evaluation report before the Committee, the Employers felt that it could have contained more detailed analysis by examining a smaller number of projects. They also wished to see shorter and more focused reports in future. Concerning paragraph 8, they underlined the importance of women's entrepreneurship. She underlined the important work being carried out by employers' organizations in this area. Ms. Sasso Mazzufferi reiterated that employers attached great importance to gender and supported efforts to abolish those barriers which discriminated between men and women. On paragraph 10, she said that, when deciding whether to undertake a project, an analysis should be undertaken to determine the relevance of gender before the project was implemented. Concerning paragraph 11 on capacity building, some indicators used in evaluations were too general to measure impact. As far as paragraphs 12 and 13 were concerned, more analysis on what worked and what did not work would have been helpful. As regards paragraphs 17, 18, 21 and 22 on sustainability, for which there was a link to establish with the Director-General's Delivery Task Force, she asked how the Office was responding to difficulties outlined. Paragraph 25 on impact underlined the group's call for well-defined selection criteria for projects for thematic evaluations. Concerning paragraph 27, the Office was to be congratulated for identifying these good practices and the group encouraged it to undertake further such initiatives. Concerning paragraph 50, a point for decision, the group felt that points for decision should focus more on the issue under discussion. It supported (a) and (b), and requested for more details concerning (c) and (d).
8. The Worker Vice-Chairperson, Mr. Attigbe, said the group found the report provided comprehensive and useful information, endorsed the Employers' views and was pleased that, in preparing the report, a consultation process with regions, sectors and the group for selection of projects had been carried out. The group noted that most projects covered employment and it was suggested that a more diversified selection be done for future thematic evaluations. More information was needed on follow-up and real impacts of projects.
9. The Workers' group supported paragraph 29 which called for the involvement of constituents and beneficiaries and stressed the importance of involving the Bureau for Workers' Activities in the formulation stage of projects. Concerning paragraph 15, the group requested clarification on the involvement of workers' organizations in the Beedi project in India and the impact on creating stable employment for women. He called for giving opportunities to women to become qualified trainers on gender equality. Referring

<sup>1</sup> GB.292/TC/1.

to the resolution concerning the promotion of gender equality, pay equity and maternity protection adopted by the International Labour Conference in 2004, he insisted on capacity building of women in the areas identified by this resolution. He expressed the need for all project evaluations to include criteria for measuring impact on gender equality. Referring to Appendix I, he expressed concern that most projects were funded with extra-budgetary resources and saw the need for technical cooperation to be funded from the regular budget. Finally, he asked whether the gender specialists cooperated with other experts in the field.

10. The Workers' group agreed with the points for decision in paragraph 50(a), (b) and (d), but requested more information on the Gender Equality Partnership Fund (GEPF).
11. The representative of the Government of Malawi, speaking on behalf of the Africa group, noted that a number of the projects implemented in Africa had been mentioned in the evaluation report. It offered useful insights and lessons; paragraphs 17 and 21 which dealt with impact of projects showed the challenges ahead. The group urged the Office to continue providing such useful thematic evaluation reports and to use them for improving the future design and implementation of all technical cooperation projects.
12. The representative of the Government of Italy, speaking on behalf of the IMEC group, welcomed the evaluation report and its overall thrust. The group appreciated the reporting of data to measure impact but asked that data of this nature be provided for all projects, especially for projects in Africa. A request was also made for information on resources involved for all projects and more detailed information on projects promoting tripartism and on the GEPF. Furthermore, integrating gender into decent work country programmes was an important point. The IMEC group suggested an amendment to the first sentence of (a) of paragraph 50, to read: "work with constituents, donors and the beneficiaries so that all future ILO technical cooperation programmes and projects systematically mainstream gender throughout the project cycle". The rest of (a) and (b) could then be deleted.
13. Mr. Anand (Employer member) stressed that technical cooperation should focus on the education and vocational training of girls and women.
14. Mr. Wade (Employer member) underlined the importance of technical cooperation in promoting equality of women, and said that education and vocational training were preconditions for social promotion.
15. The representative of the Government of Indonesia expressed appreciation for ILO technical cooperation programmes and explained how the Ministry of Labour in her country was successfully promoting equal employment opportunities in collaboration with the ILO. She recommended that future technical cooperation programmes be designed in close consultation with the tripartite partners and take into consideration the specific country's customs and culture.
16. The representative of the Government of Mexico accepted the amendments to the point for decision proposed by the IMEC group, as long as the spirit of the text remained the same.
17. The representative of the Government of Norway welcomed the fact that priority had been given to gender as the first point of discussion on the Committee's agenda. He expressed concern that many technical cooperation projects were still gender-blind and appreciated the increased efforts on gender mainstreaming, such as the establishment of the GEPF. Norway supported the amendments proposed by the IMEC group.
18. The representative of the Government of Nigeria highlighted the challenges identified in paragraphs 13, 17, 21, 23 and 25 of the report, and suggested these be addressed in future technical cooperation programmes and projects.

19. The representative of the Government of South Africa endorsed comments made by the spokesperson for the Africa group. He related how the Gender Poverty and Employment Programme, as well as the More and Better Jobs for Women Programme, had contributed to raising awareness on gender equality issues in South Africa. The ILO should continue these programmes in order to strengthen institutional capacity on gender mainstreaming. He supported the point for decision in paragraph 50.
20. Mr. Suzuki (Employer member) observed that, had women's units of employers' organizations been more involved in the projects, implementation could have been more effective and sustainable.
21. Ms. Wirth thanked the Committee for their additional information and suggestions. She and colleagues in the Bureau provided clarification on the points raised by the Committee members.
22. *The Committee on Technical Cooperation recommends to the Governing Body that it request the Director-General to undertake the following, within existing resource levels:*
  - (a) *work with constituents, donors and the beneficiaries so that all future ILO technical cooperation programmes and projects systematically mainstream gender throughout the project cycle. Specifically, this implies the involvement of both women and men in constituents'/beneficiaries' consultations and analysis; the inclusion of data disaggregated by sex and gender in the background analysis and justification of project documents; the formulation of gender-sensitive strategies and objectives and gender-specific indicators, outputs and activities consistent with these; striving for gender balance in the recruitment of project personnel and experts and in representation in institutional structures set up under projects; and, finally, in the terms of reference for evaluations, requiring the inclusion of impact assessment on gender equality and gender expertise in the evaluation team;*
  - (b) *work with donors so that all future ILO technical cooperation partnership agreements make specific provisions to guarantee and support gender mainstreaming in all the programmes included in the agreement;*
  - (c) *increase, through technical cooperation, the capacity of ILO constituents and implementing partners to promote gender equality in the world of work.*

## **II. On-the-spot review in Europe: Oral presentation**

23. The Chairperson provided a background to this report and to the whole exercise itself. The Governing Body had approved the conduct of on-the-spot reviews of projects on the respective topics of the thematic evaluation reports to be submitted to the March session of the Governing Body. On this occasion, the Officers of the Committee on Technical Cooperation selected, for review, two technical cooperation projects in Hungary; this had been carried out in February 2005.
24. The review team comprised three members of the Governing Body: Ms. R. Yakucionyte (Government representative of Lithuania), Ms. L. Sasso Mazzufferi (Employer member) and Mr. M. Blondel (Worker member).

25. The representative of the Government of Lithuania presented the findings of the on-the-spot review on the gender dimension in two technical cooperation projects in Central and Eastern Europe. She spoke on the background, and provided information on the two technical cooperation projects.
26. She confirmed that the team had found both projects technically sound and of high quality and that their implementation had been smooth and to schedule. She highlighted the appropriate timing of the projects and explained how the new European Union Member States were modernizing their social security systems and endeavouring to improve labour market performance. Both projects provided concrete recommendations on how gender concerns could be adequately addressed.
27. The representative reiterated that both projects were relevant, effective and sustainable, and, furthermore, would not only have long-term impact but also help strengthen the ILO's image in the region.
28. Ms. Sasso Mazzufferi, speaking on behalf of the Employers' group, expressed her appreciation of the review exercise in bringing awareness of the technical cooperation programme to Governing Body members, and reiterated the support of the Employer's group to this mechanism. She regretted having had to miss some interesting meetings which had unfortunately coincided with others scheduled during the European Regional Meeting.
29. With reference to the review undertaken, she expressed the interest of the Employers' and Workers' groups in addressing the problems related to "flexisecurity". She pointed out that, although the representative of the Employers' Association of Hungary had expressed their interest in the project, there were five other associations in the country. In that context she stated that there were also eight more workers' associations in Hungary. She regretted the general lack of information about the International Turin Centre and its important role in technical cooperation. She felt that her experience in the review exercise had not been very positive. She urged the Office to determine a valuable format that would allow sufficient time, and make future exercise cost effective and valuable, one way being to hold the exercise two days before or after the Regional Meeting.
30. Mr. Blondel (Worker member) emphasized the need to review the methodology of on-the-spot reviews. The Office in Budapest had done its best to prepare a suitable work programme and welcome the mission. However, time restrictions and a conflicting schedule with the Regional Meeting had prevented an in-depth review of the project activities. He called for changes and a serious review in the mechanism of the on-the-spot review – particularly its timing and agenda. While acknowledging that cost reduction was an issue for the Office, he felt this could be counter-productive to good quality work. Commenting on the review itself, he indicated that he would have expected to see examples of the true spirit of tripartite social dialogue.
31. Speaking on behalf of the Africa group, the representative of the Government of Malawi encouraged the Office to continue with on-the-spot reviews as they were vehicles for good governance, transparency and accountability to the Governing Body. Furthermore, the reviews might also serve as a form of motivation for the project staff as they felt honoured, encouraged and recognized by the Governing Body and the Office.
32. The Chairperson summed up the deliberations which had clearly shown that combining the on-the-spot review with the European Regional Meeting made it extremely difficult for all concerned in the exercise to come up with something meaningful. Should the exercise continue in the future, adequate funds should be made available to keep the exercise separate from other ongoing engagements.

### **III. The Committee on Technical Cooperation: Modalities for improved functioning**

33. The representative of the Director-General, Ms. Ducci, introduced the report.<sup>2</sup> She recalled that, during the November 2002 session of the Governing Body, the IMEC group had presented a discussion paper on improving the functioning of the Committee on Technical Cooperation to the Officers of the Committee. Subsequently, in November 2004, the Officers had requested the Office to circulate the paper among members of the Committee and to request the views of the Employers' and Workers' groups as well as Governments through their regional coordinators. The report before the Committee outlined the main issues addressed by the three groups and was intended to facilitate discussions and provide a basis for the Committee to: (1) agree on the specific changes to be introduced in the functioning of the Committee and their order of priority; (2) indicate the measures that should be implemented immediately and over time, taking into consideration their feasibility and resource implications; and (3) identify the changes that would require consideration in the broader context of the rules and procedures governing the functioning of the Governing Body and its committees.
34. The Employer Vice-Chairperson, Mr. Jeetun, observed that the document was both sound and practical and extracted the shared views of Committee stakeholders on the scope for improving the relevance and effectiveness of the Committee's work and deliberations. Highlighting the participatory and transparent process that had led to the attainment of a broad consensus within the Committee, he gave thanks to both the IMEC group and the Workers' group in particular for their contributions.
35. Mr. Jeetun echoed the reference made in the Workers' position paper to the need for rooting the ILO's technical cooperation programme in the principles contained in the Declaration of Philadelphia and the resolution on technical cooperation adopted by the International Labour Conference in 1999. He stressed several points made in the document relating to: the governance role of the Committee on Technical Cooperation; translating ILO policy debate into action; monitoring implementation; the importance of streamlining the process of setting the Committee's agenda; the involvement of the social partners; mobilization of extra-budgetary resources; and the effective evaluation of technical cooperation. On this last point, however, he requested some clarification on the future role and mandate of the new Evaluation Unit.
36. In the light of the existing workload, Mr. Jeetun recommended flexibility in establishing the rules on the nature and volume of documentation submitted to the Committee. He urged that special attention be paid to finding a balance between the informative and analytical nature of the documents, and allocating the appropriate time to the different themes and a more interactive debate. Anticipating the implementation of the decisions on the functioning of the Committee to be a dynamic process, he advised the Committee to periodically review progress.
37. Finally, on behalf of the Employers' group, Mr. Jeetun endorsed the points for decision, subject to an explanation by the Office on the type of arrangements that would be needed by the November session of the Governing Body and on the meaning of point for decision (c) on the relationship between the Committee on Technical Cooperation and other Governing Body committees.
38. The Worker Vice-Chairperson, Mr. Attigbe, noting that the Office document represented an attempt to synthesize proposals made by the three groups, stressed that it was the

<sup>2</sup> GB.292/TC/3.

International Labour Conference and the Governing Body, rather than the groups, which confirmed the importance of technical cooperation in the work of the ILO, and that the Committee on Technical Cooperation based its work within that framework. With respect to paragraph 7 and the question of resource mobilization, the Workers' group had repeatedly suggested that it was for the Committee on Technical Cooperation to discuss priorities on which resource mobilization efforts should be based and he recommended that subparagraph (d) be amended to read "definition of priorities and mobilization of resources", while sub-item (i) should read "strategy for mobilization and allocation of resources, in particular extra-budgetary resources".

39. With regard to the agenda and paragraph 8, the Workers' group felt that it was for the Office to propose standing items and items for discussion on a case-by-case basis, based on the decisions and directions of the Governing Body. At any rate, all the items listed in paragraph 7 were interlinked and interdependent. For example, it was impossible to separate the questions of implementation of national decent work country programmes, promotion of tripartism, participation of the social partners in technical cooperation and resource mobilization from the conclusions and recommendations of the International Labour Conference. Similarly, it was not possible to discuss evaluation of the impact of national decent work country programmes separately from issues relating to tripartite participation and resource allocation. The annual report on ILO technical cooperation should reflect the follow-up given to the conclusions and resolutions of the Conference and contain sections analysing the impact and effectiveness of the various activities, which would contain all the elements mentioned in paragraph 7.
40. In conclusion, the Worker Vice-Chairperson proposed that documentation for the Committee should: be concise, clear and specific with regard to measures taken to improve ILO technical cooperation programmes; give effect to previous decisions; and contain analysis of the specific impact on the intended target beneficiaries as well as frank assessments of difficulties encountered and measures to overcome them. As regards the management of time, some flexibility was required in view of the complexity and importance of different items under discussion. For the same reason, it was important to have recourse to extension of the time allocated to the Committee to one-and-a-half days, and to avoid the Committee meeting simultaneously with other committees which prevented full participation in its sessions. With an understanding that these issues would be considered, his group supported the point for decision in the report.
41. The representative of the Government of Malawi, speaking on behalf of the Africa group, noted the different proposals presented in the paper and, in particular the constraints imposed by the limited amount of time and resources made available to the Committee on Technical Cooperation. However, the Africa group did not wish to stand in the way of consensus and supported the points for decision in paragraph 14.
42. The representative of the Government of Italy, speaking on behalf of the IMEC group, welcomed the opportunity to have a thorough discussion on the functioning of the Committee on Technical Cooperation. He stressed the common ground shared with the social partners on the importance of a number of issues regarding technical cooperation in the ILO, and recommended that the Office report to the Committee on, amongst other things: the real impact of technical cooperation activities on the four strategic objectives; the outcome of technical cooperation projects at the country and regional levels and the obstacles encountered; and the integration of technical cooperation activities into the decent work country programmes. The linkage to PRSPs and to the wider United Nations Development Framework, including the Millennium Development Goals, should also be reported.

43. The representative of the Government of Italy recommended that the Committee receive regular briefings by regional directors and, where appropriate, members of the regional and country staff involved in relevant activities and discussions. Moreover, he felt that the Committee should receive a regular presentation of the Office's resource mobilization strategy and be provided with an analysis on the effect given through technical cooperation projects to conclusions and resolutions adopted by the International Labour Conference. He further suggested that beneficiaries participate in the debate with enforced time restrictions to ensure a full and interactive dialogue. The spokesperson for IMEC concluded by reiterating the group's wish to discontinue with the on-the-spot reviews by Governing Body members.
44. The representative of the Government of Japan, speaking on behalf of the member States of the Asia-Pacific group (ASPAG), felt that, when considering ways to improve its functioning, the Committee should recall its role and mandate (as defined in paragraph 4 of the document). The Committee needed to further strengthen the resource mobilization strategy. He stressed the value of thematic evaluations and the involvement of relevant departments therein. With regard to time constraints facing the Committee on Technical Cooperation, ASPAG suggested limiting the duration of each intervention. Consultations between the Committee on Technical Cooperation and other committees of the Governing Body could be achieved via a report to the plenary of the Governing Body by the Office on the outcome of the meetings of other committees relevant to the work of the Committee on Technical Cooperation.
45. The representative of the Government of China underlined the importance of technical cooperation in the ILO and agreed that improved working modalities for the Committee would be welcomed. She added that ensuring the efficiency and impact of technical cooperation should be a priority. Furthermore, results achieved and best practices were equally important features that should be reported.
46. The representative of the Government of Mexico remarked that tripartism and the participation of constituents in technical cooperation should be strengthened and should take place throughout the life cycle of projects with a view to obtaining the best possible results. Reports should be more analytical and inform donors of obstacles and restrictions encountered as that would increase donor confidence. He believed that informative meetings with regional directors and field staff would improve the efficiency of programmes and projects.
47. The representative of the Government of France reminded the Committee of its mandate and its responsibility for formulating recommendations and setting guidelines for technical cooperation. France agreed on the suggestions made in paragraph 5.4 of the paper, regretting that, in the issues studied in paragraph 7(d), regular budget resources had not been considered. She underlined the importance of a better balancing of resources to regions and sectors.
48. The representative of the Director-General, Ms. Ducci, replied to the comments made by the Committee, confirming that necessary arrangements would be made in line with the decisions of the Committee. She pointed out, however, that some of the issues discussed and positions taken went beyond the scope of the Committee on Technical Cooperation and would be referred to the group that was looking at the overall functioning of the Governing Body. Ms. Ducci agreed that committee sessions could be conducted in a more interactive way and arrangements would be made to that effect. The representative of the Director-General further announced that, as recommended by the Programme, Financial and Administrative Committee at the November 2004 session of the Governing Body, the Director-General had established a new Evaluation Unit and had nominated Mr. Paraiso as

Director. The Evaluation Unit would be preparing a paper for the November 2005 session of the Governing Body, in which its specific roles and functions would be outlined.

**49. The Committee on Technical Cooperation may wish to invite the Governing Body to:**

- (a) *endorse the proposed modalities for improved functioning of the Committee on Technical Cooperation as recommended by the Committee's meeting;*
- (b) *request the Director-General to instruct the secretariat to make the necessary arrangements to implement the agreed modalities in accordance with the priorities indicated by the Committee taking account of their feasibility and resource implications;*
- (c) *consider in its future deliberations on "The functioning of decision-making bodies: The Governing Body" any proposals concerning the functioning of the Committee on Technical Cooperation affecting modalities governed by rules and decisions established by the Governing Body for the functioning of its committees.*

#### **IV. Operational aspects of the International Programme on the Elimination of Child Labour (IPEC)**

**50.** The Committee had before it a paper<sup>3</sup> on the operational aspects of IPEC.

**51.** The representative of the Director-General, Mr. Röselaers, presented the IPEC 2004 results, contained in the Implementation Report 2004. Expenditure of the Programme exceeded the target at \$56.4 million, an increase of 19.5 per cent over 2003 and a fivefold increase since 1999. New ratifications of Conventions Nos. 182 and 138 numbered three (total 150) and four (total 135), respectively. Nineteen time-bound programmes (TBPs) were operational. IPEC's aim to disseminate methodologies, research and good practices had been pursued vigorously and the 2004-05 target of 30 additional countries had been exceeded. A major publication, "Investing in every child: An economic study of the costs and benefits of eliminating child labour" had been well received by constituents, the media and partner organizations such as the World Bank. Forty-nine countries had undertaken, during this biennium, one or more ILO-supported interventions to ensure implementation of the Conventions. The target of 1.3 million child beneficiaries would easily be achieved. IPEC continued to place child labour in the social-economic development context of member States to encourage mainstreaming of child labour issues as part of the Decent Work Agenda. IPEC was reviewing and implementing the recommendations of a gender audit and a global programme evaluation, both completed in 2004. Activities involving workers' and employers' organizations were being reinforced worldwide, at the country level and through tripartite alliances for certain sectors, including the garments, sporting goods, tobacco and cocoa industries. Systematic training had been introduced for project staff, before posting in the field. Interagency cooperation, especially with UNICEF, the World Bank and UNESCO, had been reinforced in 2004.

**52.** The Employer spokesperson stressed that more involvement of workers and employers was needed in IPEC's work, and asked for a list of involved organizations in future

<sup>3</sup> GB.292/TC/4.

implementation reports. There was a need to mainstream IPEC activities into the ILO's work programme to avoid an over-reliance on extra-budgetary resources.

53. The Worker spokesperson reiterated the points made by the Workers at the Steering Committee, listed in paragraphs 8-9 of Appendix II to the document under consideration. He questioned the publication of two similar reports at a four-month interval and reiterated the proposal made at the Steering Committee that a whole day would be devoted to it at the Governing Body's March session. The Workers wanted more information on the rumours that IPEC and the DECLARATION would merge.
54. The representative of the Government of El Salvador, speaking on behalf of the Group of Latin American and Caribbean States (GRULAC), stated that GRULAC valued the analysis and research carried out under the impact strategy, in so far as it could encourage the elaboration of models which could help prevent an increase in child labour. GRULAC supported collaboration with UNICEF, the World Bank and UNESCO. GRULAC insisted on the need for the region to redouble its efforts to eradicate child labour in its various forms and different sectors, as well as to combat commercial sexual exploitation of children. He stressed the importance of managing the process of globalization in an appropriate manner, so that it might play a role in reducing child labour.
55. The representative of the Government of Kenya proposed greater involvement of government agencies and constituent partners in the planning of projects. He also advocated increased participation of ministries of labour by appointing staff in projects.
56. The representative of the Government of Nigeria supported the integration of the ILO's work in child labour and other fundamental labour rights.
57. A representative of the Employers' group emphasized the need for closer links with other ILO programmes such as IFP/SKILLS and IFP/SEED, and called for the establishment of an international skills development fund.
58. A representative of the Workers' group welcomed the growing emphasis on the interrelationship of eliminating child labour and the provision of universal, free, basic education.
59. A representative of the Workers' group welcomed the TBP implemented in his own country, Pakistan, and the involvement of the social partners.
60. The representative of the Government of the Islamic Republic of Iran suggested declaring a "Year against child labour", and reported that the Ministry of Labour had submitted a bill on decent work to the Cabinet and the Parliament.
61. The representative of the Director-General, Mr. Röselaers, referred to the suggestion that involvement of social partners should be listed in reports, as in the past, and a way would be found to do so again. As far as the contract situation of IPEC staff was concerned, he specified that the vast majority of staff was by necessity under fixed-term technical cooperation contracts. The production of two reports annually could be streamlined and maybe combined with the idea of having the Steering Committee meet in March. As concerns the rumours of a merger of IPEC and the DECLARATION, Mr. Tapiola was trying to achieve more synergies and operational efficiency between the various components of the fundamental principles and rights at work sector. There was no intention to do away with the programme names that were well known. On linking the IPEC programme more closely to IFP/SKILLS and IFP/SEED, cooperation arrangements had been achieved with these programmes.

## **V. Follow-up to the ILO Declaration on Fundamental Principles and Rights at Work: Technical cooperation priorities and action plans regarding freedom of association and the effective recognition of the right to collective bargaining**

62. In introducing the paper,<sup>4</sup> the representative of the Director-General (Mr. Shaheed) noted that the discussion on a preceding paper in November 2004 had been helpful for the Office in reformulating proposed priorities for an action plan. The action plan adopted by the Governing Body in 2000 remained essentially valid, since creating an enabling environment for freedom of association and collective bargaining required a breadth of action and considerable time. Therefore, although under the overall umbrella of the Declaration Programme, the action plan was implemented by a number of units in the field and headquarters, namely the Programme on Social Dialogue, the Employers' and Workers' Activities Bureau, and the Freedom of Association Subprogramme.
63. The Global Report on this subject, discussed by the Conference in June 2004, provided details on technical cooperation interventions of the Office in addressing issues raised in the action plan adopted in November 2000, including: labour law reform; capacity building for labour administrations; training for judges; and training in collective bargaining, conciliation and mediation. Consultations with constituents determine priorities and the kinds of interventions. The political will of the government, in partnership with employers' and workers' organizations, to implement and sustain the project activities and impacts was an important determining factor. Donor interest was another important factor. The Office was also attempting to integrate this principle into other fundamental principles and rights at work, and with the Decent Work Agenda.
64. Lessons drawn from a number of projects showed the importance of starting with national tripartite diagnoses of what needed to be done to give effect to the principle/right. In their national action plans, countries could also identify what they could do by themselves or with the minimum of external help. This would make it more likely for donors to consider funding. In this respect, the national action plans would need to be carefully interlinked to the national PRSP and UNDAF process.
65. Mr. Jeetun, speaking on behalf of the Employers, noted that the paper had been reformulated since its original submission in November 2004 to include priorities for the continuation of the action plan. He noted the importance of training in collective bargaining targeting employers and workers separately, as well as in bipartite settings, and encouraged tripartite analysis and action plans. The Employers looked forward to a compendium of good practice in freedom of association and collective bargaining.
66. He said that several questions that had been raised in the November session had been addressed by the representative of the Director-General in his introduction. Important questions that needed to be examined in having a meaningful action plan included: what governments requested, and what the ILO could deliver; criteria for selection of participants, numbers served, and from what constituencies; requesting countries' commitment to achieve and realize this principle/right; comparison of the ILO's regular budget for technical cooperation on freedom of association versus extra-budgetary resources. The Employers endorsed the point for decision in paragraph 24.

<sup>4</sup> GB.292/TC/5.

- 67.** Mr. Attigbe, speaking on behalf of the Workers, noted that the paper resembled the one submitted in November 2004; therefore their comments made at that time remained valid. He stressed that the action plan should be based on the four objectives adopted by the International Labour Conference in 2004. Action plans in this area should: take into consideration the findings of the supervisory bodies and the Annual Review under the Declaration; develop criteria for selecting beneficiary countries; involve the national trade unions; support innovative initiatives such as the training of judges and worker and employer members of labour courts; and reinforce labour administrations.
- 68.** In supporting the proposal of the Office to pursue the universal ratification of Conventions Nos. 87 and 98 and to achieve this by 2015, Mr. Attigbe recalled the importance of implementation of these standards, citing the situation in Nigeria, where tripartite negotiations on the Labour Code seemed to have broken down. He made an appeal to the Government of Nigeria to reconsider its decision of adopting a labour bill which was not a result of a tripartite consensus. While agreeing that one goal of technical cooperation should be organizing new trade union members, he noted the importance of extending the coverage of collective agreements. He appealed to donors to support the action plan.
- 69.** Speaking on behalf of the Africa group, the representative of the Government of Malawi took note of the lessons learned, and the fact that ministries of labour had improved their internal management and disputes were settled more quickly as a result of training in conciliation and mediation. He also drew attention to assistance given to ministries to lobby for more funding from their national governments. The Africa group supported the point for decision.
- 70.** Speaking of behalf of GRULAC, the representative of the Government of El Salvador supported the ratification campaign for Conventions Nos. 87 and 98, and special measures to reach excluded workers. It was important to cover more vulnerable groups such as those in the informal economy, and to have alliances between workers and employers and groups such as cooperatives and women's organizations. He supported studies for better data on the impact of applying these principles/rights, especially on sustainable development and productivity. In supporting the point for decision, he stressed the need for adequate regular budget resources in this key area.
- 71.** The representative of the Government of Kenya appreciated the attention given to ministries of labour. He called for strengthening of the application of Convention No. 150 so that labour administrations could promote the application of this principle. He supported training on collective bargaining and the dissemination of best practices, and addressing the concerns of migrants and domestic workers.
- 72.** Mr. Anand (Employer member) requested the ILO to focus more attention and resources on vocational training and employment, and less on freedom of association, if it wanted to give effect to the Declaration in its full meaning.
- 73.** The representative of the Government of Nigeria, endorsing the point for decision, thanked the ILO and the United States Department of Labor (USDOL) for their support. In response to the Worker Vice-Chairperson, she noted that the tripartite labour law review process continued to function well, and that all parties were engaged in constant dialogue.
- 74.** The representative of the Government of South Africa noted with concern the stagnation in funding for labour administration projects. He urged the ILO to strengthen the capacity in the field, and welcomed the dissemination of best practices on labour legislation and collective bargaining.

75. Mr. Attigbe noted the information provided by the representative of the Government of Nigeria, and disagreed with the point made by Mr. Anand (Employer member). In supporting the point for decision, he looked forward to greater detail as a reference point for future evaluation.
76. Responding to the discussion, Mr. Shaheed thanked the Committee for the valuable ideas for improving action in this area, and provided some information, including on numbers of employers, workers and government officials trained. The Committee endorsed the point for decision.
77. *The Governing Body may wish to endorse the above priorities for the continuation of the action plan on freedom of association and the effective recognition of the right to collective bargaining, as outlined in this paper, and request that it be kept informed, through the Committee on Technical Cooperation, of the implementation of the activities proposed.*

## VI. Office-wide implementation of the resolution concerning tripartism and social dialogue

78. The representative of the Director-General, Ms. Paxton, introduced the paper<sup>5</sup> that summarized the efforts made by ILO departments to mainstream social dialogue. The three main sections of the paper offered examples of good practices along with specific obstacles to mainstreaming tripartism and social dialogue, both within and outside of the Office. The paper recognized the key role of ACT/EMP and ACTRAV specialists, with many departments reporting an interest to increase collaboration with these specialists. It also identified strengths and weaknesses in the Office's efforts to mainstream tripartism and social dialogue, while providing information, insights and suggestions on how to improve.
79. Ms. Paxton stressed the importance of tackling both the internal and external obstacles to mainstreaming social dialogue. Internally, the process of consultation needed clarification, to ensure that the workers' and employers' priorities and needs were included within the practical constraints of resources and time. Externally, capacity building needed to address key technical issues in addition to the traditional training offered to ensure that the social partners and labour administrations were able to engage effectively.
80. The Employer Vice-Chairperson, Mr. Jeetun, thanked Ms. Paxton for the document, stressing that this work was of priority concern to the Employers' group. Mr. Jeetun suggested that the report was a fair assessment of the current state of tripartism and social dialogue in the Office, and expressed concern that certain departments and field offices did not include social partners in their work. The paper recognized the unique roles of ACTRAV and ACT/EMP in the Office and correctly underlined the need to build the capacity of the social partners rather than seeking other partners for collaboration. He also made reference to the conclusion that, while considerable efforts had been made to involve the social partners, there was a need to explore opportunities to improve performance and to overcome constraints and obstacles in this regard. He ended by endorsing all points for decision.
81. The Worker Vice-Chairperson, Mr. Attigbe, welcomed the document and the opportunity to take stock of the situation in the house. The report reflected the need to strengthen

<sup>5</sup> GB.292/TC/6.

tripartism and social dialogue in the Office's day-to-day operations and noted that there remained room for improvement. It identified objective obstacles to social dialogue and tripartism in the field, such as restrictions or dramatic denial of freedom of association. These and other obstacles should not be construed as a pretext to overlook tripartism or seek out other partners, but should help the Office identify priorities for action. The Bureaux for Workers' and Employers' Activities must be strengthened. Tripartite consultation and social partners' involvement should not be measured by the number but by the quality of tripartite consultations. The Workers' group supported the conclusions and the points for decision, suggesting a reference to "and other ministries concerned" after "ministries of labour" in paragraph 40. Mr. Attigbe requested that the Governing Body be kept informed of developments.

- 82.** The representative of the Government of Malawi, speaking on behalf of the Africa group, stressed the importance of the Office examining its own efforts to mainstream tripartism and social dialogue. The Office should ensure an inclusive consultation process when critical consultations take place concerning the Governing Body. The problem of weak institutions and lack of capacity of constituents was underlined by the Government representatives. The representative of the Government of Kenya noted that the reality of short-term capacity building needs within the lifespan of a technical cooperation project would need to be addressed. The representative of the Government of South Africa suggested that the institutional weaknesses noted in the Office document provided opportunities to prioritize activities.
- 83.** The representative of the Government of Italy, speaking on behalf of the IMEC group, raised concerns regarding the practicality of the points for decision. As the specific amendments proposed were not accepted by the Committee, he asked that the IMEC group's interpretation of the points for decision, in particular paragraph 40, be included in the record, so that the paragraph be understood to mean that the various parties mentioned would only be involved where appropriate.
- 84.** Ms. Paxton thanked the Committee for their comments. She reiterated the consensus on the importance of tripartism and social dialogue that emerged through the assessment. Addressing both internal and external obstacles to fully mainstreaming tripartism in the work of the Office was seen as a high priority, and one which would require significant efforts in both the regular and extra-budgetary work of the ILO. Of particular importance was the need to better understand how to engage in effective consultations between technical departments and the Bureaux. Ms. Paxton also reported that the Office has been engaged in the development of a module on tripartism to be included in new staff orientation.
- 85. *The Governing Body may wish to request the Director-General to:***
- (a) ensure that the principles of tripartism and social dialogue are further embedded in technical cooperation activities through various means, including the active participation of governments, through the ministries of labour and other ministries concerned and their administration, and employers' and workers' organizations in their preparation, implementation and evaluation;*
  - (b) develop clear protocols for consultations and for facilitating the relationships between all departments and the Bureaux for Employers' and Workers' Activities, recognizing their unique role in presenting the priorities and views of workers and employers within the ILO;*

- (c) *strengthen training initiatives on the importance of tripartism and social dialogue – including the key roles played by labour administration, workers and employers – particularly with respect to new staff orientation and management training.*

## **VII. Special technical cooperation programme for Colombia (2001-03)**

86. The Employer Vice-Chairperson, Mr. Jeetun, introducing a paper,<sup>6</sup> noted the reduction in the number of kidnappings and other violations of general safety which had also been reported to his group by the National Employers' Association (ANDI). He stressed the importance of the project and supported the strengthening and maintenance of activities aimed at improving labour relations and the respect for the rights of freedom of association and collective bargaining. He supported the continuation of the special technical cooperation programme for Colombia and urged the Government of the United States to maintain its support. He also called on the Office to explore other opportunities for funding.
87. The Worker Vice-Chairperson, Mr. Attigbe, stated his group's continuing concerns about the situation in Colombia which appeared to be deteriorating with the ongoing killings of trade unionists and threatening of their family members. He emphasized that the improvement of the situation could not be measured by the reduction of the death toll but by the total absence of killings and respect of basic human rights. The survival of the trade union movement was under threat. Massive layoffs were taking place as a result of workers' efforts to defend their rights. There are strict limitations imposed on the rights to organize, to collective bargaining and to strike. This called for renewed efforts by the ILO and the international community to put further pressure on the Colombian Government.
88. He requested the Office to provide information on its resource mobilization strategy for securing funding of projects on strengthening freedom of association and collective bargaining; he proposed a point for decision which appeared in paragraph 93 of this report.
89. Supplementing the above statement, Mr. Steyne (Worker member), referring to recent visits of high-level trade union delegations, and reports from Colombian trade union leaders, questioned sections of the Office report which indicated an improvement in the situation.
90. The representative of the Government of Malawi, speaking on behalf of the Africa group, underlined the importance of ensuring respect of life, the personal safety of workers and trade union leaders and members of workers' organizations. He urged the Office to continue supporting technical cooperation activities and thanked USDOL for its active financial support which he hoped would continue.
91. The representative of the Government of El Salvador, speaking on behalf of GRULAC, emphasized the need to ensure continuity of the technical cooperation programme in Colombia and urged donor countries to continue providing financial support for it.
92. Mr. De Arbeloa (Employer member) indicated that the technical cooperation programme in Colombia was progressively achieving its objectives. He underlined the importance of social dialogue, tripartism and freedom of association. He was concerned that the situation

<sup>6</sup> GB.292/TC/7.

in Colombia was badly affecting the whole region and therefore called for continuation of the programme and donor funding for it.

93. The representative of the Government of Colombia indicated that the report clearly showed the progress made on labour issues over the last year. She highlighted the following for 2004: eight tripartite consultations on social dialogue and freedom of association with 800 participants; 40 workshops and seminars with 1,300 participants from tripartite partners on fundamental rights at work; commissions and bodies in charge of labour laws and salaries had been reactivated as well as the Committee on Conflicts Resolution with the support of the ILO; a tripartite seminar on the analysis of Convention No. 144 had been carried out followed by an initiative taken by the five major universities of Bogotá dedicated to reviewing fundamental labour standards; five other workshops carried out for 250 judges and attorneys on labour standards. A list of activities for 2005 had already been established by the Government in consultation with the ILO Regional Office in Lima. This included joint work with the Minister of Labour of Brazil and training on labour issues for the judicial and legislative bodies and ministries concerned. She reiterated the commitment of tripartite social partners in Colombia to continue strengthening technical cooperation activities within the programme and called upon renewed support to the programme by donor countries and the ILO.
94. The representative of the Government of the United States, whilst observing a decrease in the number of assaults to trade union leaders, pointed out the lack of success in locating and punishing perpetrators and called upon the Government of Colombia to take all necessary measures to bring criminals to justice. The urgency of this issue was a strong argument for an ILO-supported programme.
95. The Regional Director a.i. for the Americas, Mr. Martínez, expressed the Office's concern with the seriousness of the situation. Whilst the ILO did not have direct information on the number of assaults on and assassinations of trade unionists in Colombia, the same was obtained through official sources, such as the Government, the General Attorney's office, and the "Escuela Nacional de Medellín", an institution enjoying the confidence of Colombia's main trade union organizations.
96. The special technical assistance programme for Colombia had so far been financed through: IPEC programmes funded by the United States and Spain; a US-funded project on labour relations; the Government of Colombia itself; and the ILO cash surplus. Whilst the second and fourth programmes were coming to an end, the others would continue. The Office was in consultation with the Government and the social partners to extend the programme with new donor partnerships.
97. *The Governing Body may wish to request the Director-General to:*
- (a) *seek to maintain, with all means necessary, the continuation of the special programme of technical cooperation for Colombia, particularly as regards strengthening social dialogue, improving labour relations, and promoting freedom of association and the right to collective bargaining;*
  - (b) *implement an effective resource mobilization strategy in order to continue and strengthen the programme;*
  - (c) *keep the Governing Body regularly informed on the implementation of the programme and on the results achieved.*

## VIII. Other questions

- 98.** The representative of the Director-General, Ms. Ducci, informed the Committee on recent changes made in the Office that would have implications on technical cooperation and the workings of the Committee.
- 99.** The Director-General had created, with effect from 1 March 2005, a new Department of Partnerships and Development Cooperation (PARDEV). It comprised the External Relations and Partnerships Branch, the Development Cooperation Branch and the New York Liaison Office. This had been done to make best use of synergies that would go a long way towards developing a strategic approach to development cooperation and in having an integrated programme in harmony with the multilateral system and the donor community.
- 100.** Mr. Frans Röselaers, former Director of IPEC, had been assigned Director of the new Department which would report directly to the Office of the Director-General. Mr. Orphal Hembrechts, former Deputy-Director of EUROPE, had been appointed new chief of CODEV, whilst its former Director, Mr. Moucharaf Paraiso, would head the new Evaluation Unit.
- 101.** There being no other issue under this agenda item, the Chairperson closed the meeting, informing the Committee that, in accordance with standard procedures, the report of the meeting would be approved on its behalf by the Officers of the Committee. They would also agree on the agenda for the November session of the Committee on Technical Cooperation.

Geneva, 21 March 2005.

*Points for decision:* Paragraph 22;  
Paragraph 49;  
Paragraph 77;  
Paragraph 85;  
Paragraph 97.