



Reply by the Director-General to the discussion of his Report

1. Introduction

The first thing I would like to say is thank you. All of you have put a tremendous effort into this Conference. An effort in terms of hard work, but also in seeking solutions and possibilities for agreement.

We had some difficult issues on the agenda, and ambitious ones too. We had an exceptionally wide-ranging plenary debate. We dealt with human resources and maternity protection. With the freedom of association situation, grim in many parts of the world, and with the hopes of the knowledge economy. With HIV/AIDS and forced labour. On all these issues there has been a debate of high quality and on many, real progress.

President Branco de Sampaio gave a magnificent lead, underlining as he did how social goals have to be built into the fabric of our economies, how tripartism is a force for reform and progress. He drew our attention to the power of public opinion, and how we can mobilize it for the ILO's goals.

I want to thank Mr. Flamarique for his authoritative role as our President. He guided our work with a steady hand and made our dialogue easier.

Participation in the debates of the Conference was the highest for several years – 370 speakers, of whom 77 participated in the discussion of the Global Report. Fifteen per cent of them were women, as compared to 10 per cent last year. It is still not enough, and let me suggest that we all think together how to improve this situation. Our Gender Bureau would be more than ready to work with you on this. It would also be one contribution to the global strategy for gender equality, which the United Nations Special Session on Women 2000 was addressing in New York during our Conference.

I feel very encouraged by the widespread support in this Conference for the strategy of focus and reform on which we have been working over the past year. The message I hear from you is that we are united in this effort to increase the relevance and impact of our work. The term “decent work” has become part of our vocabulary, and it has been reiterated by many speakers in the plenary debate. Ms. Diamantopoulou, on behalf of the European Union, said “we share a commitment to decency and quality” in work. Mr. Elamawy, Minister of Manpower and Emigration of Egypt, pointed out that decent work is a development concept too. The overall framework offered by decent work gives us a way of ensuring coherence in the different aspects of our work, and helps us see the common thread running through the diverse issues discussed at this Conference.

“The ILO must not rest on its laurels”, said Mr. Brett, Workers’ delegate of the United Kingdom. Indeed, we still have a long way to go, and in my opening address I

mentioned our plan to move forward now to putting decent work into practice at the national level, working with governments, employers and workers to make this into an instrument for development and justice, a balanced way of bringing together the rights-based and development-based work of the ILO.

Many of you welcomed the streamlining of the Office operations put in place over the past 12 months with a view to making our work more focussed on the four strategic objectives. As was underlined by Mr. Tabani, President of the IOE, we have made considerable progress in modernizing the ILO and making it more relevant to the changing world of work. This process will continue with the installation of modernized financial and administrative systems, and the implementation of a new human resources strategy. The Strategic Policy Framework for 2002-05 aims to deepen this process of reform. Emphasis will be on focus, coherence and comparative advantage, in order to assume the role foreseen for the ILO by Mr. Nordmann of the Government of Switzerland of “a strong and lean institution, a respected, independent and sought-after partner”.

2. The Declaration

We had a historical first debate under the follow-up to the ILO Declaration on the principles of freedom of association and collective bargaining, based on the Global Report, *Your voice at work*. The picture painted by the Report is alarming: intimidation, threats and sometimes even murder still await many workers who attempt to organize in a number of countries around the world. Employers also face problems in many countries. Many speakers affirmed that respect for these principles and rights, and for the institutions they give birth to, are an integral part of the civil liberties that anchor democratic societies, the indispensable underpinnings of social and economic development in their countries. Mr. Swasono of the Government of Indonesia emphasized this when he commented that “Indonesia has been negotiating to make effective use of ILO assistance and cooperation in respect of the promotion of freedom of association and collective bargaining, which is considered as part of the national reform process”.

Your voices will guide the Governing Body this November, and I will place before it proposals for action in technical cooperation to orient the work of the Office in this area over the next few years. I believe, as stated by Ms. Castrellon, Employers’ adviser of Panama, that this will be a way “to pass from mere statements to fundamental changes in the lives of workers and in labour relations”. We are grateful to countries that have offered financial support to realising the objectives of the Declaration. Many countries that have been recipients of technical cooperation noted the valuable role this support had played.

Work on some of the priorities you raised has already begun. For example, we will be presenting a discussion paper on the issue of collective bargaining and development to the Governing Body’s Working Party on the Social Dimensions of Globalization in November.

The Global Report drew both praise and criticism. It was criticized for “lacking current factual presentation of countries’ situations” and drawing on information from existing supervisory mechanisms. Surely, though, the Office must not ignore the wealth of reliable information at its disposal? But we will try to develop and draw on broader and more up-to-date information in the future. The Global Report’s analysis was seen by some speakers as unidimensional and partial since it singled out sectors and countries. On this point, it is difficult to see how the Office can do credible reporting unless countries are identified and facts are stated.

This was our first Global Report and there are still flaws. In addition you received the document late. We will endeavour to do better next time. We have listened to all your comments and suggestions, which will help us shape future reports and the way they are discussed.

Finally, you drew attention to the challenge of making the principles of the Declaration real for working people all over the world. Ms. Onkelinx, Minister of Employment of Belgium, warned that it must not become “a decorative exhibit in certain government showcases”. To exercise their rights, people need to know what they are. Mr. Sweeney, the Workers’ delegate of the United States, undertook to make the distribution and posting of the Declaration a major part of the AFL-CIO’s ongoing campaign to bring fairness to the global economy and hoped that the same can be done in every one of the 175 countries represented in the ILO. This appears to be a very simple practical step. To be effective, the Declaration must come alive for workers in their communities and workplaces.

3. Child labour

During this Conference we have accelerated the movement towards swift and universal ratification of the Worst Forms of Child Labour Convention, 1999 (No. 182). We now have a total of 25 ratifications, making this Convention by far the fastest ratified Convention in ILO history. Ministers and delegates were honoured at a special event held on 7 June recognizing the impressive efforts made by those countries which have already ratified.

We must build upon this early success and move with determination toward ratification and implementation of Convention No. 182, in order to eradicate abusive child labour. We have a moral obligation to confront the worst forms of child labour, now and fast. Our next step is to work with countries that want to adopt a time-bound commitment to eliminate the worst forms of child labour. The Office is already exploring this possibility with El Salvador, Nepal and the United Republic of Tanzania. We need resources, people and energy, but it *is* possible, as Ms. Herman, the United States Secretary of Labor put it, to reach “a world in which children can be children”. I also want to acknowledge the very significant voluntary contributions to IPEC.

4. Maternity protection

In my introduction to the Conference I affirmed my hope that the new instruments being discussed on maternity protection would “be as strong as necessary to provide effective maternity protection in the reality of today’s societies as a key component of decent work”. Today I would like to thank all of you who worked with vision and determination to produce a new maternity protection Convention and Recommendation.

The issue before the Conference was not whether or not maternity protection is a priority for the ILO. It is. This issue was whether to continue to work on the basis of the earlier Convention No. 103, or to revise it. You have decided to adopt a revised Convention, and one which embodies progress in a number of important ways. The new Convention foresees protection for the first time for the huge number of women in atypical forms of dependent work; a conservative estimate suggests that at least 250 million more women would be covered. It encompasses health protection of mother and child, and non-discrimination relating to maternity. Employment protection in relation to maternity applies during pregnancy and for a period after return to work, and the length of maternity leave is extended from 12 to 14 weeks.

As is normal in a negotiation, the final text does not reflect everybody's aspirations. Some wanted a Convention limited to general principles; others wanted stronger and more extensive provisions than were finally agreed. But the net outcome on balance is an instrument which will help ensure that the interests, needs and rights of millions upon millions of mothers and children will be respected.

We now have to pass to policy and practice. Many of you have asked the ILO to support the development of your national policies. We will give a high priority to technical advice and technical cooperation on maternity protection. In some cases, the goal will be to reach the standards of the Convention and support ratification. Other countries will wish to go beyond it in particular ways. Many Latin American and Caribbean countries have asked me to support their efforts to implement at home some of the proposals they made in the discussion of the Convention. The Office will gladly do so upon their request.

The challenge for us all is to see the cause of gender equality and the struggle for maternity protection as a basic need and a basic right. We have affirmed that all in society – employers, workers, governments, and society at large – share the responsibility for maternity protection. We look forward to working with you to make this a reality.

5. HIV/AIDS

On the occasion of a Special High-Level Meeting: *HIV/AIDS and the World of Work*, the Conference had the honour of receiving the visit of His Excellency Sam Nujoma, President of Namibia. President Nujoma's presence here was of profound significance, representing Namibia's exemplary reaction to the HIV/AIDS pandemic and the recognition that it has created "a deep scar on our global face". Although some regions are more severely affected than others, he stressed that it is a global pandemic that calls for global responses.

On 8 June 1990 this Conference had the privilege to be one of the first international forums to be addressed by Nelson Mandela, then Vice-President of the African National Congress, only months after being released from prison in South Africa. A decade later, to the day, another South African, Ms. Mercy Makhalemele, Founder of the National Women's Alive AIDS Network of South Africa, brought us a moving, personal testimony of her struggle as an HIV-positive widow and single mother, as an example of the human drama lived daily by millions of people around the world; dismissed from work because she was HIV-positive.

"I speak because HIV/AIDS is a human rights issue. My rights have been abused", Ms. Makhalemele told us. "We have for so many years refused to look at the issue of HIV and AIDS as an issue that will affect our labour force and our labour environment and one that will have a major impact on productivity and on the economic status of young people". Her statement was made all the more poignant for all of us by her reminder: "in two years' time if I am still in this situation I will die, and everybody will forget about me". But those who heard her last week will never forget her.

Dr. Peter Piot, Executive Director of UNAIDS, added his voice to the call to the ILO's tripartite constituency to act on this grave problem in the workplace and the labour market. And in the Tripartite Technical Panel there was a general consensus that HIV/AIDS has become a labour issue, with many dimensions, and should be addressed comprehensively by the partners in the world of work. Specific guidance for the ILO's future work in addressing the HIV/AIDS issue emerged and a list of tasks was identified, including:

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- increasing the role of ministries of labour in developing a regulatory framework and programmes of action;
 - mobilizing the tripartite constituents to stimulate political action and change attitudes;
 - formulating and actively promoting international guidelines, including a code of practice, to protect the rights of workers.

I welcome the adoption by this Conference of a resolution on HIV/AIDS. It calls on us all to act, to raise national awareness, to strengthen prevention and the fight against the pandemic and to mobilize resources. It is an important commitment and an instrument which will direct our work in the years to come. It is pertinent to the ILO's four strategic objectives and it provides an opportunity for the ILO to play a key role in partnerships with other United Nations agencies and its own constituents. We have already shown our resolve by signing an agreement with UNAIDS to join the United Nations family in this struggle. Finally, I have invited Ms. Makhalemele to continue working with us in the launch of an awareness-raising and advocacy campaign for action to prevent the further spread of HIV/AIDS and to mitigate its effects on the workforce and in the workplace.

6. Employment and poverty

Many speakers in the plenary debate referred to the ILO's work on employment and argued that it should be reinforced. There was particular stress on the need for the ILO to formulate comprehensive employment strategies, adapted to the needs of individual countries. This was a priority for developing and industrialized countries alike.

For most speakers the promotion of employment has to be seen in the context of the overall goal of decent work. One formulation was "a common approach to employment matters by international organizations, with core labour standards at its heart". Others stressed the developmental dimensions of decent work – without work, there is no decent work. Many speakers were concerned that a large part of the developing world has been unable to take advantage of the opportunities of globalization, while the impact on employment has often been severe.

Dealing with these concerns is a priority for the ILO. The Office is engaged in a variety of actions aimed at formulating employment strategies to promote decent work and so to contribute to reducing poverty and social exclusion. This is our response to the mandate given to the ILO by the Social Summit, to the recent proposals of the G-15, and to the concerns of so many other countries. I am glad to see that these efforts have been favourably received. Several delegates expressed in plenary their appreciation of the assistance provided by the ILO in the formulation of their national employment policies. Others expressed the wish to be associated in such exercises. Nevertheless, we still have a lot of room for improvement. For instance, our Jobs for Africa Programme needs to be put into better shape, collaboration with other international organizations improved and its resource base enhanced. We still need to do more work on the design of a comprehensive framework integrating different aspects of employment policy. In the future, these activities will be increasingly linked to our efforts to put decent work into practice at the national level.

Next year the ILO will hold a World Employment Forum. I would like to work with all of you in making this event a success, and a marker on the road to more effective and comprehensive employment strategies within the decent work framework.

7. Occupied Arab territories

The employment conditions of workers in the occupied Arab territories was the subject of a number of comments in the plenary debate, mainly welcoming the constant attention paid by the ILO to the situation in the region. Echoing the sentiment of several other speakers on this subject, Mr. Thüsing, Employers' delegate, Germany, emphasized that, despite some positive developments, there is still a great need for action. The ILO's recent technical assistance mission to the occupied territories has identified the promotion of decent work for all workers in the region as a key concern, and has developed proposals for technical cooperation which are attracting interest from donors. The Office stands ready to continue to work with our constituents, including through technical cooperation projects, to help promote greater social and economic stability in the region.

8. Human resources development and the knowledge society

The debate in the Human Resources Development Committee was lively and full of substance. It was a significant first step towards the formulation of a new Recommendation on human resources development. The Committee envisaged a dynamic and innovative instrument, complemented by practical guides and collections of good practices, targeted to support effectively the efforts of government, employers and workers to educate and train individuals for employability and decent work in the new knowledge society.

I am glad that consensus was reached in many important areas. The development of human resources is a strategic response to globalization, technological progress and other changes in the labour market, and in order to promote it social dialogue was seen as fundamental. The social partners must engage in partnerships in training, strengthen their capacity to raise training investments, and make training more effective. To support its constituents effectively, the Office must build up its own strengths in this field and develop cutting-edge technical capabilities. We are not there yet, and have to do more.

The debate in both the Committee and in plenary strongly emphasized that the new global society is more than ever based on knowledge, skills and communications. But access to this world is unequal. It depends on the level that countries have reached in developing their human resources. Unless education and training policies are made more effective and inclusive, the gap between countries, between rich and poor, between literate and illiterate, will widen. There was widespread concern – from a rich industrialized country such as Finland to a rural economy such as Mali – that the existing “digital divide” may grow wider.

We should be looking with great attention at the issues raised by the emergence of the new knowledge economy. “A knowledge-based digital economy”, said Mr. Cho, the Employers' delegate of the Republic of Korea, “is one where people are the greatest national resource”. A resource, not a commodity. A resource with a voice and a right to be treated with fairness, respect, and equity.

This goes beyond human resource development to the organization of production and of society. Mr. Jennings, the representative of Union Network International, saw the risks of a *dot-com.world* which is *anti-union.org*. We must consider new initiatives to maintain ILO values and social dialogue in all sectors of the new knowledge-based economy.

9. Safety and health in agriculture

The Committee on Safety and Health in Agriculture took a major step towards the adoption of new ILO instruments, in an area where there is general agreement that they are badly needed. There is no comprehensive international standard dealing with the problems of safety and health in agriculture. Yet agriculture is a highly hazardous industry in both developing and industrialized countries. Agricultural workers account for half of the 335,000 fatalities caused by workplace accidents yearly. If we include related illness, 1,500 farmers die every day. During this Conference some 20,000 agricultural workers around the world lost their lives because of their work.

It will be a major challenge to the ILO and its constituents to find ways and means to improve the safety, health and working conditions of this group of workers. While differing opinions were expressed, it was possible to develop a broad consensus around the important issues discussed. These included a national policy for the sector, risk assessment and risk management, and preventive and protective measures for the working environments concerned. The principle that protection should cover all workers, including self-employed farmers, was fully supported in the Committee discussions. I think the work of the Committee was a good initial step.

10. Application of standards

Social dialogue was a key item of discussion in the Committee on the Application of Standards. The General Survey of the Committee of Experts concerning tripartite consultation was very warmly received, as the members recognized the importance of this subject for all aspects of work at the national level concerning international labour standards and social policy generally. Calls were made for increased ratification of Convention No. 144 (now 94 ratifications) and for its better implementation.

Many interventions in plenary also underlined the importance of social dialogue in advancing the decent work agenda. We heard about the progress of tripartite dialogue and consultation in many countries in all regions – Brazil, Chile, Hungary, Ireland, the Republic of Korea, Mauritius and Turkey, among others. The Minister of Labour and Social Affairs of Spain, Mr. Aparicio Pérez, summarized some of the results of successful social dialogue in his country: more jobs, better living and working conditions of workers, and improved economic performance of companies. And as the representative of the Government of Malaysia pointed out, social dialogue has particular importance in the context of the knowledge economy, to “lay the groundwork to produce a highly skilled and knowledgeable workforce”. Social dialogue remains the foundation of the ILO’s work, its distinctive contribution to the development of socially sustainable economic policies.

Twenty-four “individual cases” on the application of Conventions were taken up by the Committee. All the governments invited attended the Committee, if they were present in Geneva. The cases discussed covered a wide range of questions, ranging from fundamental human rights to more technical – but not less important – issues including labour inspection, payment of wages and the treatment of indigenous and tribal people. In many of these cases progress was noted, but the Committee also noted that there were real problems on all of them and urged the governments to take effective steps. In the general discussion the members of the Committee stressed that the supervisory work of the Committee of Experts remained an indispensable corollary of the adoption of standards.

11. Observance of the Forced Labour Convention, 1930 (No. 29): Myanmar

The Conference approved a resolution submitted by the Selection Committee concerning action to be taken under article 33 of the ILO Constitution with respect to the observance by Myanmar of its obligations under the Forced Labour Convention, 1930 (No. 29). This resolution details a series of actions, some or all of which are to come into effect on 30 November unless the Governing Body is satisfied that appropriate legislative, executive and administrative measures to implement the recommendations of the Commission of Inquiry have been taken by the Government of Myanmar by that date.

The Government of Myanmar has, in the Minister of Labour's letter of 27 May, indicated its agreement to take into consideration appropriate measures. By not putting action under article 33 into immediate effect the Organization has shown that it is prepared to respond to signs of willingness to change. The Office stands ready to assist the Government of Myanmar in implementing immediately the recommendations of the Commission of Inquiry, in line with the decisions already taken at the 1999 session of the International Labour Conference. Under the authority given to me at the 88th Session, I wish again to offer the Government of Myanmar the Office's services so as to achieve this purpose within the time frame determined by the resolution which the Conference has approved. I particularly welcome the wise words of Ambassador Haraguchi of Japan in this respect.

12. Review of standard setting

At its November session the Governing Body is to proceed with a review of the standard-setting and supervisory activities of the ILO to which several members referred in the Committee on the Application of Standards. During the plenary debates there have again been many calls to modernize and reinvigorate these activities so that they remain relevant. Economies and societies evolve, and standards must respond to changing needs and priorities. As Ms. Filatov, Minister of Labour of Finland, put it: "It is vital for the credibility of the ILO that the body of labour standards is kept in line with developments in working life. ... Work is gradually being liberated from the old ties of time and space". Mr. Potter, of the United States Employers' delegation, called for "high-impact standards on which there is a broad consensus for ratification". Many Workers' representatives strongly defended standards, which "remain the backbone and the justification of the ILO", said Mr. Blondel, Workers' delegate of France.

Historically, standard setting has been the defining contribution of the ILO to social progress. We all face the challenge of renewing our common purpose around that mandate. That means progressing beyond the sterile debate about whether standards should be stronger or weaker, and rather seeing them as instruments for dealing with complex social objectives that reflect our goals and offer ways in which they can be embedded in social and economic reality. As I stated in *Decent work*, "improving the visibility, effectiveness and relevance of the ILO's standard-setting system must become a political priority". To do so, we need to build on a shared commitment to have effective standards that reflect ILO values and respond to the realities of today's workplace. This will require innovative ideas, in terms of both process and substance, and a full understanding of diverse concerns among ILO constituents. The task is difficult, but it is possible. In the Governing Body we are developing new methods of work that we have used successfully to tackle other hard questions. I am certain that we will also be successful in this endeavour, but it will require – as I recalled in last year's session of the Conference – a major effort of cohesive tripartism.

13. Ideas and initiatives

In the plenary debate and the other events of this Conference, many attractive ideas have been tossed into the ring, suggesting creative new ways of tackling old or new issues, innovative ways of achieving our goals. Let me mention a few.

- Ms. Aubry, the Minister of Employment and Solidarity of France, suggested that we call upon eminent personalities in the social field to think about respect for the rules and the ethical values of the ILO, and to explore the contours of new issues and problems.
- The representative of the United States employers, Mr. Potter, suggested we use focus groups more and establish a high-level advisory committee of business executives and labour leaders to help the ILO organize for the future.
- Mr. Jordan, the representative of the International Confederation of Free Trade Unions, put forward the idea of an annual social forum bringing together ministers of labour and of social protection, academics and social thinkers, as well as representatives of workers and employers, “to think outside the constraints of history”.
- Invitations to involve the ILO in new international initiatives have come from the Government delegates from Tunisia, Switzerland, Uruguay and the European Union. They attest that the ILO is a much sought-after partner in the social policy debate.
- And our guest of honour, President Branco de Sampaio, called for a world campaign involving artists, intellectuals and writers to raise public awareness of our goals and values.

These ideas, among many others, indicate both the commitment of our constituents to the ILO’s mission and the potential of working together in an open, creative manner. I would like to think these ideas through with you. Let us keep the channels open to explore how we might take some of them forward.

14. The social dimensions of globalization

In the plenary debate the need for the ILO to respond effectively to globalization was reiterated by many speakers. As stated by Ms. Chitauro, Minister of the Public Service, Labour and Social Welfare of Zimbabwe, “the much cherished concept of decent work” can be eroded by globalization. And Mr. Zhang, Minister of Labour and Social Security of China, pointed out that “the South-North gap in development and wealth is widening”. Several speakers emphasized that promoting decent work has to be seen as an integral part of development, in which the growth of employment goes hand in hand with representation, protection and respect for rights.

If globalization is to reach everyone, as I said in my opening address, we need to develop a new integrated approach to economic and social development. Developing this integrated approach requires interaction and dialogue with other international organizations, and this is reflected in the call by many speakers for closer coordination and interchange with the Bretton Woods institutions, and other organizations of the United Nations family. In this process, I intend to take full advantage of our Governing Body’s Working Party on the Social Dimensions of Globalization, which provides a forum for tripartite debate, and one which is open to other organizations; indeed, the World Bank, the

IMF and the WTO were all represented in the last meeting of the Working Party, and all intervened in its deliberations.

Several speakers referred to the question of labour standards and international trade. The past year has again shown that this is a controversial issue, in which contradictory positions reflect a lack of trust and differing underlying assumptions. A debate on this issue is taking place in another organization. If there is a conclusion to that discussion which is of significance for the ILO, then I will place it before the Governing Body for review and guidance. Last year, in my reply to the Conference, I explained my view that this question should not be considered in isolation from the broader context of the global economy and its contribution to economic and social progress.

As we have seen over the past year, concern with the effects of globalization has led to a backlash, sometimes expressed in the streets, more often within the privacy of the home. Too many people feel that their interests and voices are not being heard. Many civil society organizations have expressed disquiet at the course of events. I believe it is important for the ILO to be able to listen to these voices. I sometimes perceive a lack of openness among constituents for ILO to communicate with citizens' groups in society. Such outreach in no way weakens our constitutional principles. It is the normal way modern institutions operate today, by acknowledging relevant voices in community and society. We should have enough confidence in the strength of our tripartite structure. It constitutes the fundamental force of the Organization and the *sine qua non* condition of its existence. But we must not close our eyes and ears to the contributions and opinions of other groups in society. Many organizations of civil society share our basic values and can help us promote them.

An example can be found in the forthcoming Special Session of the United Nations Assembly dedicated to the follow-up to the World Summit for Social Development, which is due to open in ten days' time here in Geneva. It is an event which can help spread the ILO's messages and multiply our impact, in part because of the diversity of actors who will be present. There were several comments in the plenary debate about the importance of this Conference. Mr. Riester, Minister of Labour of Germany, thought that we should work to make sure the Declaration is given greater prominence there. I agree; indeed, one of the most important results of the Social Summit was the recognition by the Heads of State and Government gathered there that the fundamental rights and principles of the Declaration constitute a social floor for the global economy. I was also pleased that the Declaration is referred to in the final outcome of Beijing+5. At the same time, promoting productive employment is the major route to eliminating poverty and exclusion. We must bring these issues together, and link them to the goals of protection, of security and of representation and dialogue in ways that are relevant to this Special Session.

