

The 73rd Session of the International Labour Conference, June 1987

The 73rd Session of the International Labour Conference was held in Geneva from 3 to 24 June 1987 and was attended by delegates from 138 member States. Observers were present from Bermuda, the Holy See, the Democratic People's Republic of Korea and the Republic of Korea, as were representatives of numerous international organisations, both governmental and non-governmental, and other bodies invited by the Conference.

In addition to the annual Report of the Director-General, a report submitted by the Governing Body summarising the more important decisions it had taken since the 72nd Session, the regular report on the application of international labour Conventions and Recommendations, programme and budget proposals and other financial questions, and the latest in the series of special reports on apartheid, the Conference had before it three technical items. These concerned (1) employment promotion and social security; (2) safety and health in construction; and (3) the role of the ILO in technical co-operation.

The Conference held a preliminary discussion on the first two of these technical items with a view to adopting a Convention and a Recommendation on both at its next session and, following a general discussion, adopted a resolution on the third item.

Finally, elections were held to designate the members of the Governing Body for the next three years, and the Conference adopted by 349 votes in favour to 56 against, with 19 abstentions, the Organisation's budget for the 1988-89 biennium, amounting to US\$324,860,000, and decided on the apportionment of expenditure among member States.

This article deals in turn with the discussion by the Conference of the items before it and the resolutions adopted on questions not included in its agenda.¹

Employment promotion and social security

The inclusion of this item in the agenda of the Conference was the result of a compromise arrived at in the Governing Body, to which the Director-General had originally submitted proposals relating essentially to unemployment benefits (i.e. the revision of the Unemployment Provision Convention, 1934 (No. 44)). While convinced of the need to revise that Convention, the

Governing Body had nevertheless considered that the question should also embrace the relationship between employment promotion and social security. These two issues, which had originally been linked by the Conference in the 1919 Unemployment Convention and Recommendation, had since been the subject of different standards. Standards on unemployment compensation were embodied mainly in Convention No. 44, which had been adopted in the middle of the Great Depression to ensure a benefit or allowance to the involuntarily unemployed, and in the Social Security (Minimum Standards) Convention, 1952 (No. 102), Part IV of which dealt with unemployment compensation. Among the standards governing employment promotion, the most recent was the Employment Policy (Supplementary Provisions) Recommendation, 1984 (No. 169), adopted to supplement Convention No. 122 of 1964 on the same subject. It was not therefore a question of the Conference reopening a debate on employment policy as such, but of bringing out in the instruments it was being invited to adopt the contribution which social security, and more precisely unemployment compensation, could make to employment promotion along the lines traced out by the Second European Regional Conference in 1974 in its discussions on income security in connection with structural changes. The revision of Convention No. 44 also formed part of the work of revising pre-war social insurance Conventions and of formulating more advanced standards than those contained in Convention No. 102 which the Conference had been engaged in since the 1960s, starting with the adoption of Conventions supplemented by Recommendations on industrial accident and occupational disease benefits, disability, old-age and survivors' benefits, and medical care and sickness benefit.

The conclusions proposed by the Office, which took into account the replies of member States to a questionnaire, favoured the adoption of a Convention supplemented by a Recommendation.² These served as a basis for the discussions in the Committee set up by the Conference. According to the proposed conclusions, as amended by the Committee, the persons protected by the Convention should include 85 per cent, not of all employees, but of all persons in the whole labour force, a statistical concept whose relevance in such an instrument was disputed by some members of the Committee. In any event this percentage is an advance over Convention No. 102, which covers only 50 per cent of all employees. Public employees whose employment is guaranteed might be excluded from protection. The benefits to be provided should be fixed at 50 per cent at least either of an unemployed person's prior earnings, or of the statutory minimum wage or of the wage of an ordinary labourer, for an initial minimum period. This amount is certainly lower than the 70 per cent proposed by the Office, but it is still slightly higher than the 45 per cent fixed by Convention No. 102. The Committee considered that the duration of payment of benefit could be limited to 26 weeks in each spell of unemployment, or to 39 weeks over any period of 24 months, whereas the Office proposals were 39 weeks per period of 24 months or for each spell of unemployment, and the duration

guaranteed by Convention No. 102 was 13 weeks per 12-month period. At the end of this initial period, the benefit should nevertheless continue to be paid over a period to be prescribed by national laws or regulations, but its amount might be determined in the light of the beneficiary's resources. The Committee also accepted that, in countries where all residents are protected, a means test could be applied from the beginning of payment of benefit, as is provided for in Convention No. 102. The Committee retained the idea of extending protection to a minimum number of categories of new applicants for employment who have never belonged or have ceased to belong to an unemployment benefit scheme, such as young persons completing their studies or compulsory military service, parents after a period devoted to bringing up a child, and persons who have been caring for someone who is sick or disabled. It should be noted that, in establishing these various parameters, the Committee intentionally refrained from referring, as some of its members wished, to unemployment insurance and unemployment assistance, and that it left it up to the member States to choose what method of protection to apply for both contributory and non-contributory schemes, in such a way as to avoid the criticisms of excessive rigidity levelled against Convention No. 44.

A certain number of provisions proposed by the Office for inclusion in a Convention were nevertheless transferred to the Recommendation. The question of the respective contents of the two instruments, if not the type of instrument to be adopted, will doubtless be re-examined in 1988 so as to establish an appropriate balance between the desirable guarantees of protection for the unemployed and the degree of flexibility deemed necessary.

Certain aspects of the payment of benefits, such as the notion of suitable employment that might be offered to the unemployed, compensation for partial unemployment and the encouragement of unemployed persons drawing benefits to take on a temporary job, constitute in themselves means of promoting employment. The Committee decided nevertheless to regroup, in special parts of the two sets of conclusions proposed with a view to the adoption of a Convention and a Recommendation, the provisions relating specifically to employment promotion, such as those dealing with counselling, training and retraining services, assistance for occupational and geographical mobility and assistance towards self-employment.

The Committee was conscious of the fact that the establishment of compensation schemes and, *a fortiori*, the adoption of more advanced standards for protecting the unemployed than those contained in Convention No. 102 were beyond the means of certain member States owing to their level of development, even if the standards set by Convention No. 102 might still constitute a reasonable goal for some of them. However, the guide-lines proposed by the member States unable as yet to achieve the level envisaged in the new instrument were transferred from the Annex to the Recommendation to the Recommendation itself, and several members of the Committee

even proposed that provisions be drafted in the same spirit for inclusion in the Convention in 1988 so as to strengthen its universality.

The conclusions proposed by the Committee were nevertheless adopted unanimously by the Conference.

Safety and health in construction

In accordance with the double-discussion procedure provided for by the Standing Orders of the Conference, a first discussion on the subject of safety and health in construction was held with a view to the adoption of an international instrument or instruments. The Office had prepared two reports to serve as a basis for the discussion.³ The Conference set up a Committee to consider the subject and to submit a report. The second discussion will take place at the 75th Session of the Conference in 1988.

The first ILO instruments to deal with safety in the construction industry were the Safety Provisions (Building) Convention (No. 62) and Recommendation (No. 53) of 1937. There is general agreement that these instruments, which are limited in scope and do not apply to the civil engineering sector of the industry, are no longer adequate to take account of the new methods of construction that have come into use in the past 50 years.

The mechanisation of construction work has reduced human fatigue and simplified many tasks, but the industry remains labour-intensive, with diverse groups of skilled craftsmen working together in a complex environment. It provides a major and increasingly significant source of employment: in many countries its workforce constitutes between 9 and 12 per cent of the working population, often with a high proportion of casual, seasonal or migrant workers.

The general discussion in the Committee reflected acceptance of the need for a Convention and Recommendation on safety and health in construction. It centred mainly on the contents of a Convention that could be ratified by a large number of countries. The Employers' members believed that, with this goal in mind, the instrument adopted should be a flexible one and should allow for the proper management of construction enterprises. They considered that in some areas the requirements being proposed went beyond the ability of the industry to comply since they demanded standards of protection that were unattainable in practice. In other areas there was an implication that the cost was to be borne wholly by the employers, whereas in many countries this was a matter for collective bargaining. Essential changes would have to be made during the next discussion if the final text was to receive sufficient support.

The Workers' members recalled that an Employers' representative on the Governing Body had stated that, although not normally in favour of adopting sectoral instruments, he advocated doing so for construction in view of its importance in all countries, whatever their stage of development, and because of the high accident rate in the industry. As it was essential to ensure

the safety and health of construction workers, it would not be proper to replace an existing Convention simply by a Recommendation.

Government members, while appreciating the concern of the employers, were generally in favour of a Convention supplemented by a Recommendation. They believed that, if a dialogue were established over the next 12 months, it would be possible to overcome the problems that had been identified.

The Committee paid close attention to definitions of "employer" and of "worker" as well as of the industry itself, in order to take account of the special problems arising from its particular structure and character. There was acceptance of the need for a clear allocation of rights, duties and responsibilities between employers and workers, and of an on-site organisation to promote safety and health. The need to allocate duties and achieve co-operation between the many different contractors working on a site was also recognised. Because of the large amount of self-employment in the industry in some countries, Committee members were agreed that the instruments should, wherever appropriate, apply equally to the self-employed. They also agreed on the duty incumbent on the designers of buildings, such as architects and engineers, to take full account of the safety and health of those who transform their plans into reality.

Although some of the preventive and protective measures it is proposed to include in the new instruments are applicable to any workplace, most are specifically concerned with safety, health and welfare aspects of work in construction processes. Some of the most important of these provisions are those concerning:

- safe and suitable scaffolds and the competence of those who erect them;
- the design, construction, maintenance and operation of lifting appliances and transport, earth-moving and materials-handling equipment;
- safe plant, machinery, equipment and hand tools;
- safety precautions for work at high structure levels such as roofs as well as in excavations and underground;
- safety precautions and medical surveillance for work in compressed air;
- safety precautions for the demolition of structures;
- safe use of electricity and of explosives;
- protection of workers against health hazards from chemical, physical or biological agents;
- protective equipment and clothing;
- welfare facilities such as accommodation for taking meals and shelter from weather as well as washing and sanitary facilities, including separate provision for women workers;
- information, instruction and training of workers.

In the coming months governments, in consultation with the most representative organisations of employers and workers, will be preparing their comments on the conclusions adopted by the Conference, and draft instruments will be submitted to next year's session of the Conference for adoption.

The role of the ILO in technical co-operation

Technical co-operation is a major means of action for achieving the ILO's objectives, and it complements and reinforces its work of standard setting. The Conference made a comprehensive review of the technical co-operation programme in this context.

The Committee set up to examine the report prepared by the Office on this item⁴ undertook an overall examination of relevant ILO activities and adopted a report comprising a summary of the general discussion, a resolution and conclusions concerning the role of the ILO in this field, which provide the Office with a policy framework for the future development and implementation of the ILO technical co-operation programme.

The conclusions emphasised that a broad-based technical co-operation programme for promoting balanced economic and social development was essential for sustained progress in the global economy. A major focus of the programme, the Committee felt, should be on increasing national capabilities and self-reliance, and on promoting sustainable development. For that purpose, greater attention should be paid to human resources development, the creation and strengthening of institutions, the transfer of technology and the involvement of the social partners in the development process.

The Committee recommended a greater measure of concentration in technical co-operation based on the comparative advantage of the ILO, its tripartite structure and its unique mandate. In indicating a number of priority areas for technical co-operation, it considered that employment promotion and human resources development should continue to be in the forefront of ILO concerns, particularly at a time of serious economic difficulties and far-reaching structural adjustments. The employment problems of women, youth and the underemployed deserved increased attention. The role both of labour-intensive programmes and of co-operatives in the least developed countries should be further expanded. In the field of human resources development, more attention should be given to training for productivity and quality improvement, self-employment, small and medium-sized enterprises, vocational skills and management development. Of course, in the final analysis, priorities for ILO programmes could only be determined in the light of each country's developmental needs.

It was agreed that the programme should adopt a target group approach, paying special attention to the urban and rural poor. The conclusions identified the major target groups as women, youth, migrant workers and the disabled. In all areas the full integration of women in development should be

a basic concern. There was thus a need to intensify operational activities designed to draw women into the mainstream of social and economic development. The ILO Plan of Action on equal opportunities and equal treatment of men and women in employment should be a basis for strengthening the role of women in ILO technical co-operation activities.

The conclusions called for increasing the programme content and share of resources devoted to the least developed countries. Activities aimed at the elimination of forced labour and child labour and at the eradication of apartheid in the southern African region should also be reinforced. Greater attention should be paid to strengthening the activities falling directly within the jurisdiction of labour ministries.

Special attention was devoted to tripartism in the context of continued efforts to enhance the participation of workers' and employers' organisations throughout the project cycle of formulation and implementation. Tripartite participation, the conclusions stressed, was essential for ensuring a balanced and broad-based strategy of development co-operation. In both donor and beneficiary countries, employers' and workers' organisations should therefore be involved in ILO technical co-operation matters. Among its specific recommendations on the question, the Committee stressed that the views of the social partners in the recipient country should be taken into account in the determination of priorities. It also considered that employers' and workers' organisations should be encouraged to participate in the process of country programming, especially in connection with projects implemented by the ILO, and should be provided with technical assistance directed at creating and strengthening their institutional framework, their organisational and managerial capacity, their training programmes and co-operation among them. In addition, co-operation and co-ordination with international and regional employers' and workers' organisations should be reinforced. In this context, the importance of ratifying and implementing the Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144), and of applying the Tripartite Consultation (Activities of the International Labour Organisation) Recommendation, 1976 (No. 152), was again stressed.

There was a general consensus regarding the inter-relationship between standard setting, research and technical co-operation, and the Committee endorsed the relevant analysis contained in Chapter V of the Office report. It stressed the need for a well-planned research and development effort to back up technical co-operation and for further strengthening the complementarity between ILO standard setting and technical co-operation. More assistance should be given to developing countries in creating better conditions for the ratification and implementation of standards. Greater use should be made of the ILO regular budget and other available funds for technical co-operation for the purpose of forging closer links between standard setting and technical co-operation.

The Committee made a number of recommendations about ways of enhancing the relevance, impact and cost effectiveness of the technical co-

operation programme, while noting that these outcomes would ultimately be determined by the social and economic context in which development projects were carried out.

The ILO should contribute fully to the co-ordination of operational activities of the United Nations system. While reaffirming the central funding and co-ordinating role of the United Nations Development Programme, the Committee called upon the UNDP to involve the ILO fully in technical consultations in the planning of country programmes, national technical co-operation assessments and programmes (NATCAPS) and Round Tables.

It recommended that greater attention should be given to systematic needs assessment, sectoral reviews, and improvements in project design, monitoring and impact evaluation. Both cost and quality should be taken into account in designing and implementing projects. The Committee recommended that the need for long-term international experts should be carefully examined and their possible replacement by high-level short-term consultants explored. The selection of experts should be improved and greater use should be made of national and regional experts in ILO technical co-operation projects.

The Committee emphasised the need to promote technical co-operation among developing countries (TCDC) and to identify their expertise and institutional capabilities for that purpose.

Expertise and information should be made available to assist developing countries and employers' and workers' organisations in identifying national and international sources for the supply of appropriate equipment, in providing training in procurement methods and procedures, in establishing repair and maintenance arrangements, and in developing research to encourage the use of technologies drawing on national resources.

In highlighting the role played by the Turin Centre in implementing the fellowship components of technical co-operation projects, the Committee urged member States and recipient organisations to take measures to ensure timely, equitable and full utilisation of such fellowships. They should also ensure that the skills acquired by trainees on completing their training were fully utilised.

Recognising the importance of adequate resources in maintaining a meaningful programme, the conclusions called for a further strengthening of co-operation with the UNDP in regard to the use of the various funds administered by it. The ILO should also enhance its collaboration with institutions providing capital and development assistance. Every effort should be made to ensure a steady flow of resources for technical co-operation activities.

Action taken on the Declaration concerning the Policy of Apartheid in South Africa

The discussion on apartheid this year took place against the background of what the Director-General described in his Special Report⁵ as "a year of widespread unrest, fundamental instability, worsening economic prospects, in particular for the Black population of South Africa, and an absence of progress towards the peaceful ending of apartheid". As in previous years, the Special Report, in addition to describing developments relating to apartheid as it is practised in South Africa and Namibia, provided information on the action taken by the ILO's constituents, by the United Nations and by the ILO itself to combat apartheid and its effects.

The Committee on Apartheid also had before it the report of a Working Group which had been appointed by the Governing Body to analyse the replies of governments, employers' and workers' organisations to requests for information on the subject from the ILO, as well as information on recent events and developments that had become available to the Office after the publication of the Special Report. Other up-to-date information was also obtained as a result of the invitations extended by the Committee to representatives of two major trade union organisations in South Africa, the Congress of South African Trade Unions (COSATU) and the National Council of Trade Unions of South Africa (NACTU), to address it during the course of its sittings.

The conclusions contained in the Committee's report, which was adopted by the Conference, recommended that the ILO should, among other things, consider updating the 1981 Declaration on Apartheid at next year's session of the Conference, convene a special tripartite conference in a front-line State in 1988, and increase its technical co-operation and information activities in favour of victims of apartheid, neighbouring States, liberation movements and independent Black trade unions in South Africa and Namibia.

The Committee also recommended further action by ILO constituents. Governments were called upon to take two types of action. The first, which could be taken through the United Nations, included measures to give effect to the Programme of Action against apartheid adopted by the United Nations General Assembly as well as the resolutions subsequently adopted by it and other United Nations bodies, especially by taking comprehensive and mandatory sanctions against South Africa in accordance with Chapter VII of the United Nations Charter; establishing a special monitoring unit, in co-operation with the International Maritime Organization, Lloyds Register, the Shipping Research Bureau and other relevant organisations, to ensure that sanctions were strictly applied and to expose sanctions busters; and co-operating by all possible means in the implementation of General Assembly resolution 435 concerning the independence of Namibia.

As for the second type of action, governments were recommended to sever various links with the South African Government wherever these were

still maintained; to stop trade and commercial relations with South Africa and to prohibit new public and private investment there as well as the export of nuclear and other technology to the country; to prohibit loans, trade credits and gold exchanges by banks; and to prohibit collaboration with South Africa in the operation of the international gold market. Governments were also recommended to adopt stringent divestment/disinvestment measures through the appropriate (including regional and local) authorities, to prevent any new investments and to withdraw public funds from banks maintaining commercial relations with South Africa; to deny contracts for the provision of goods and services to all firms and enterprises having commercial relations with that country; to deny the use of facilities intended to circumvent sanctions applied against South Africa; to discourage emigration of their nationals and the promotion of tourism to South Africa, by such means as banning advertising and cutting air and sea links with it. They were recommended as well to withhold recognition of Bantustans, to deny the establishment of representative offices and the entry of representatives of Bantustans into their territories, to prohibit new investments in these areas and to demand the withdrawal of existing investment. Economic support, including development assistance and the devising of alternative trade patterns, should be given to African countries that were forced by their geographical and economic situation to maintain links with South Africa, especially independent African States enclaved within South Africa and those in its immediate neighbourhood. Material and moral support should also be given to the liberation movements, to the independent Black trade union movement and to popular movements struggling for the establishment of human rights in South Africa and Namibia. Lastly, governments were called on to lift all impediments that prevented trade unions from participating in solidarity action with workers engaged in the anti-apartheid struggle.

Employers' organisations, for their part, were recommended to ensure that their members did not maintain trade, commercial or financial relations with South Africa and that economic and financial institutions did not extend loans to or collaborate with the apartheid regime in any way; to disinvest from South Africa and to transfer the investments to other African countries, especially the front-line and SADCC (Southern African Development Co-ordination Conference) States, while ensuring that early consultations were held with the appropriate union representing the Black workers in the enterprise on the conditions and terms of disinvestment. The call for disinvestment should not be circumvented by transferring the operation of the companies to local South African management while still maintaining the same commercial links. Employers should also disinvest from and cease all co-operation with Bantustans, refuse to co-operate with the South African authorities in the implementation of apartheid legislation, and make a firm commitment to the abolition of apartheid. They should urge banks and other financial institutions to refrain from making loans to or providing credit for

trade with South Africa and urge governments to prohibit the activities of the International Gold Corporation (INTERGOLD) in their countries. Lastly, they should provide technical and financial support for small business development and management training programmes for victims of apartheid in exile in the front-line and neighbouring States.

Trade unions the world over, in turn, were urged to exert maximum pressure on their respective governments to ensure that the United Nations Security Council adopted and implemented comprehensive and mandatory sanctions against South Africa and to exert maximum pressure, including industrial action, on companies that did not recognise the independent Black trade union movement and acted in contradiction with internationally recognised labour standards. They should also mobilise workers and the public through information campaigns to exert the strongest possible pressure on their governments to adopt comprehensive sanctions against and sever their links with South Africa, and on companies with interests in South Africa to oblige them to withdraw from that country. They should ensure that workers were informed of measures taken against South Africa in their own countries so that they could participate in their monitoring and be prepared for industrial action in cases of sanctions busting. Furthermore, they should organise consumer boycotts in order to promote sanctions against South Africa; they should give financial and moral support to the Black independent trade union movement inside South Africa, including assistance in organising campaigns and educational programmes and legal and relief assistance to imprisoned and restricted trade unionists and their families, and organise solidarity action in support of the Black workers and their unions; they should conduct campaigns to dissuade trade union members from emigrating to South Africa and withdraw trade union membership cards as a sanction against those who did; and they should exert pressure to ban advertisements for jobs in South Africa and to obtain the closure of South African recruitment offices abroad. All trade union funds should be withdrawn from any company or investment scheme with interests in South Africa. Trade unions should ensure that no pension funds were invested in such companies, banks or schemes; exercise the strongest possible pressure on banks and financial institutions to prevent loans and trade credits being extended to South Africa as well as gold exchanges; and organise campaigns appealing to their members to close their accounts with defaulting banks. Lastly, they were recommended to take all measures aimed at further isolating the South African regime and to support general anti-apartheid activities; to ensure trade union representation in delegations to the United Nations and the specialised agencies and to press for the fullest implementation of the Programme of Action against apartheid; and to co-ordinate trade union action against apartheid in accordance with the Declaration adopted by the International Conference of Trade Unions on Sanctions and Other Actions against the Apartheid Regime in South Africa, held in Geneva in 1983.

Application of Conventions and Recommendations

In accordance with its terms of reference under article 7 of the Standing Orders of the Conference, the Committee on the Application of Conventions and Recommendations examined the measures taken by member States to discharge their obligations in regard to international labour standards and, in particular, to the application of ratified Conventions. Its discussions were as usual based on the report prepared by the Committee of Experts on the Application of Conventions and Recommendations.⁶

In its general discussion, the Conference Committee reaffirmed its full support for the Organisation's activities relating to standards, by which it endeavoured to promote the rights of workers and social progress. Many speakers paid tribute once again to the continuing high quality of the Committee of Experts' work.

One question that attracted the attention of a number of speakers was the establishment of closer links between the ILO's standards and its technical co-operation activities, which was also discussed by the Conference under item VI of its agenda. The speakers stressed that these two means of action were complementary, and that greater benefits could flow from better co-ordination. The Committee also noted with approval that measures were being taken by the Office to improve such co-ordination.

Regarding ratifications of international labour Conventions, a number of speakers stated that the high number achieved (5,300) was a striking sign of the vitality of the ILO's standard setting, and bore witness to the support of the member States for this activity, whatever their level of development. It was noted, however, that the number of ratifications registered in 1986 had been rather low (35), and several speakers hoped that it would be possible to secure a greater number in future years. While no agreement was reached on the reasons for this low figure, it was also noted that in 1986 – unlike other years – no denunciations of ratified Conventions had been registered.

The Governing Body's Working Party on International Labour Standards had recently completed its work. The results, which included a revised classification of instruments adopted by the ILO, were welcomed by a number of the Committee's members, although others regretted that it had dealt only with the purely technical aspects of standard setting.

This year, the 60th anniversary of its establishment, the Committee of Experts had carried out a review of its basic principles, terms of reference and methods of work, which gave rise to a wide-ranging discussion in the Conference Committee. The Conference Committee unanimously agreed that a supervisory system was indispensable for ensuring that the standards adopted by the ILO were applied in practice. It recognised that supervision should be based on the widest and most constructive dialogue possible among all the parties concerned in order to promote better mutual understanding and create a climate of confidence that would allow difficulties to be resolved. The majority of the Committee's members expressed their strong

support for the Committee of Experts' working methods and its basic principles of independence, objectivity and impartiality.

Some speakers, however, considered that the supervisory system should function more democratically and should take account of the degree of economic development of countries and of their political and social structures. They maintained that the Committee of Experts had gone beyond its mandate, and that it interpreted national legislation in violation of its terms of reference and of accepted principles of international law. They thought the Conference should adopt regulations clearly defining the manner in which the supervisory system was to operate.

Most of the Committee's members continued to feel, as they had in the past, that this would mean undermining the supervisory system and in particular the Committee of Experts. They recalled that it was a long-standing principle in the ILO that supervisory bodies should establish their own working methods, within their terms of reference, in order to retain their independence. These members also disagreed with the suggestion that members of the Committee of Experts should be elected by the Conference since such a procedure would likewise have the effect of reducing their independence.

The Committee held a lengthy discussion once again this year on the way in which the application of Conventions and Recommendations should be evaluated in different economic and social conditions. While some members stated, as they had in the past, that these conditions should be taken into account in evaluating how Conventions were applied in different countries, most agreed with the Committee of Experts that this would mean abandoning the principle of universality in the application of ILO standards.

The Committee devoted part of its general discussion to an examination of the Committee of Experts' general survey on the application of the Guarding of Machinery Convention (No. 119) and Recommendation (No. 118) of 1963 and the Working Environment (Air Pollution, Noise and Vibration) Convention (No. 148) and Recommendation (No. 156) of 1977.⁷ This was the first general survey ever carried out in the important field of occupational safety and health. The Committee was unanimous in praising its high standard, thoroughness and expertise. It regretted that, as found by the Committee of Experts, the main difficulties in ensuring safety and health in the working environment were due to the absence in the majority of countries of a body of coherent and compatible measures. The Committee took note of the effects in recent years of situations in which dangers in the working environment had overflowed into the general environment. It also noted a number of problems connected with the transfer of technology, particularly the sale of machinery to developing countries by developed countries without the necessary guards. Several speakers suggested that safeguards should be provided for at the international level. Some referred to the need for effective labour inspection and other enforcement measures to ensure that the instruments were implemented. Financial austerity measures had sometimes resulted in a diminution of inspection services, and there was

need to ensure more effective joint supervision by employers and workers, together with safety training for workers. The importance of technical co-operation by the ILO in assisting member States to overcome the problems encountered in this area was mentioned by many speakers. In conclusion, the Committee hoped that both the ILO and the member States, with the collaboration of employers and workers, would be able to ensure increased safety and health in the working environment, thus contributing to the protection of the general environment as well.

The Committee then examined, together with representatives of the countries concerned, problems related to the discharge of their obligations in respect of international labour standards. In doing so, it decided to follow this year the same working methods as in previous years but – in order to solve the problems caused by the failure in recent years of some governments to respond to the Committee's invitation to engage in a dialogue – to reinforce the arrangements whereby governments were invited to attend, and to mention in its report the cases it wished to discuss with governments which had not responded. This initiative proved effective since 45 governments accepted and only two had declined the Committee's invitation to take part in its deliberations.

While considerable progress was noted in a number of countries regarding the obligation to submit instruments adopted by the Conference to the competent national authorities, the Committee noted with regret the failure of five member States to do so. It also regretted that no information had yet been received from 15 member States regarding most or all of the observations and direct requests of the Committee of Experts. The Committee noted with particular interest the steps that had been taken in 40 cases by 28 States and one non-metropolitan territory to ensure compliance with ratified Conventions following comments by the supervisory bodies. In the course of the Conference the Committee was also notified of a number of other instances in which measures had recently been taken or were about to be taken by governments with a view to ensuring the implementation of ratified Conventions, and it welcomed these renewed indications of the efforts made by States to comply with their international obligations.

The Committee drew the attention of the Conference to special cases concerning the application in four countries of instruments respecting the protection of wages, the abolition of forced labour, freedom of association, the protection of indigenous and tribal populations and discrimination in employment and occupation. It noted with grave concern that there had been continued failure over several years to eliminate serious discrepancies in the application by one country of the Discrimination (Employment and Occupation) Convention, 1958 (No. 111).

In concluding its work, the Committee noted that its discussions this year had demonstrated once again the vitality and importance of ILO standards and of the system for supervising their implementation. It considered that, while its discussion had brought to light differences of opinion on various

aspects of the supervisory machinery, these differences reflected the diversity of the world and the importance of questions related to ILO standards. While the dialogue to which the ILO was devoted had never been simple, it had been shown many times that it was possible, when there was the will, to overcome divergencies and to work together towards the common goal that united governments, employers and workers in the ILO: universal peace through social justice.

Resolutions on questions not included in the agenda of the Conference

The Conference adopted three resolutions on questions not included in its agenda.

The first concerned the International Year of Shelter for the Homeless (IYSH) and the role of the ILO. In it the Conference expressed deep concern at the continuing degradation of housing conditions for large numbers of people throughout the world, who are often forced to live in subhuman conditions in slums and squatter areas, and at the current crisis in the building industry with the concomitant increase in unemployment in that and related sectors – both problems that have been aggravated by the world economic recession. Noting that a world-wide campaign to create housing facilities for the homeless would give a boost to employment in many countries because of the labour-intensive nature of construction and its multiplier effects on other sectors, the Conference called on governments to intensify their efforts, in consultation with employers' and workers' organisations, to achieve the objectives of the IYSH, especially by increasing housing allocations and giving urgent priority to facilities for the poor and disadvantaged. Not only should sufficient dwellings be built for the homeless but adequate attention needed to be paid to the sanitation and safety of the dwellings. Governments should also enact legislation regulating rents and security of tenure and encourage employers' and workers' organisations, co-operatives and similar bodies to contribute to the drive for low-cost housing and to help low-income groups to obtain land, credit, material and technical help for construction, upkeep and repair. The ILO, for its part, was called on to step up its efforts in this field, paying special attention to employment, training for self-help housing schemes, public works programmes and technical co-operation activities to help countries promote the use of simple building techniques and local materials. It should urge governments to embark on a vigorous campaign for the creation of adequate and affordable housing and should consider placing on the agenda of a forthcoming session of the Conference the revision of the Workers' Housing Recommendation, 1961 (No. 115).

The second resolution concerned the 40th anniversary of the adoption of the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87). The Conference stated that the principles of freedom of association must be universally applied irrespective of the social

and economic systems existing in the different countries. It noted that some States had not yet ratified the Convention and that in recent years the Office had received many complaints concerning violations of those principles in a number of countries, and reaffirmed the necessity for their strict implementation in law and practice as well as the obligation incumbent on governments to co-operate with the ILO's supervisory bodies. It urged the governments of all member States which had not yet done so to ratify the Convention in 1988. It also called upon governments to bring their legislation into conformity with the provisions of the Convention in order to ensure its full implementation, and to seek the Office's assistance whenever problems arose relating to the principles of freedom of association.

In the third resolution, on measures against drug and alcohol abuse in working and social life, the Conference noted that such abuse posed serious problems in the workplace, undermined the health and welfare of individuals and their families, was the cause of accidents, increased absenteeism and lower productivity, and hence entailed enormous costs for industry, the economy and society at large. It called on governments and employers' and workers' organisations to promote national policies for guidance and services that would prevent, reduce and eventually eradicate drug and alcohol abuse in the workplace and elsewhere, to develop consultation machinery that would enable the social partners to take an active part in the formulation of strategies to combat such abuse, with particular attention to vocational rehabilitation and social reintegration, and to support appropriate programmes at the workplace level. In carrying out such programmes it was essential to respect the worker's dignity by ensuring confidentiality and to protect his security of employment and income during medical rehabilitation to the same extent as for workers suffering from other health and social problems. The ILO was requested to give priority to activities relating to the control of drug and alcohol abuse, to expand relevant vocational rehabilitation and social reintegration programmes, to help develop appropriate responses to drug and alcohol problems in the workplace through case studies and comparative analysis and the dissemination of relevant findings, and to give special attention to activities directed towards youth.

Report of the Director-General

The Director-General's Report consisted as usual of two parts. The first was devoted to general reflections on the future of multilateral co-operation from the ILO perspective. The second gave an account of the Organisation's work in 1986, and was supplemented by a separate volume of appendices containing information on expenditure on technical co-operation activities during the period 1983-86 and on action taken on the resolutions adopted by the Conference from its 69th to its 72nd Sessions, as well as the report of a mission which had visited Israel and the occupied Arab territories in February 1987. In this second part, the Director-General recalled the

absolute need to overcome the financial difficulties facing the Organisation, particularly as a result of the swift decline in the value of the dollar, and to maintain, despite a potential reduction in resources, a level of activity that would enable it to fulfil its obligations, especially in the field of technical co-operation. He stressed that the social benefits of expenditures depended increasingly on careful programme planning in the light of the discussions in the General Conference, the regional conferences, the Governing Body and the Industrial Committees.

In the introduction to the first part of his Report, the Director-General recalled the major aspects of the crisis facing international institutions and the entire multilateral system. From the financial point of view, the crisis affected the resources available to the various organisations and was aggravated by such practices as late payment of contributions and attempts to make payment subject to certain conditions or to withhold a part of them. The financial crisis, however, should not be allowed to eclipse more fundamental problems and issues whose seriousness at times suggested that the point of breakdown had been reached. Since the 1960s the world had been transformed, and so, consequently, had relations between States: those events had repercussion on the life and operation of international organisations, which mirrored the tensions of a divided world. The multipolarisation of international relations, the increase in the number of ILO member States from some 50 in 1950 to 150 today, growing nationalist feeling, the spread of ideological conflicts, the energy crisis and the recession it had caused in both the industrialised and the developing countries – all had created conditions that were hardly propitious to the development of the multilateral system of organisations, thus jeopardising its balance and efficiency.

Nevertheless, although international institutions were often completely bypassed in negotiations on major issues relating to peace, disarmament, security or international trade, and opinions differed sharply about their appropriate role, the legitimacy of the system and the need for multilateral co-operation had not been called in question. The quarrel lay elsewhere: it was concerned more with the effectiveness of the system, its ability to gear its programmes and activities to present-day needs, and its capacity to adapt to a world marked by ever stronger competition and growing cultural and political differences. The ILO, despite resources that amounted to no more than 5 per cent of those available to the United Nations system as a whole, had played a major role in multilateral co-operation. In the Director-General's opinion, that experience should prompt it to examine critically whether it was capable of keeping pace with the changing world. More generally, if the international organisations were to overhaul their activities, there had to be a core of common interests, and each country had to serve these to the best of its ability within the international system, which alone was able to respond to certain needs.

In reviewing the ILO's experience in promoting justice, social gains and freedom, the Director-General reaffirmed that economic and social progress

was an essential condition for peace. If the seeds planted by the founders of the ILO had borne fruit, it was largely thanks to the concerted efforts of governments, employers and workers within a tripartite structure unparalleled in the multilateral system. Tripartism had proved to be a force for reducing political and ideological tensions by permitting international interests to prevail over national ones and by strengthening the cohesion of the ILO, thus serving at the same time the interests of multilateral co-operation. Its experience was also grounded in the procedures for supervising Members' observance of their collective engagements and in the body of international labour Conventions – the outcome of its standard-setting activities which needed to be both reinforced and adapted. These standards constituted a genuine instrument for change. Technical co-operation, with its undisputed achievements, was another, to judge from the number of men and women it had helped to train in each country and the major social policy institutions it had helped to bring into being. In emphasising both the worldwide and regional nature of technical co-operation and the close links between it and standard setting, the Director-General stressed the need to strengthen and expand these major ILO activities. The ILO was confronted with a number of essential tasks: to establish a list of priorities according to foreseeable resources, to identify new problems, particularly under the Medium-Term Plan, to take a fresh look at accepted notions and to seek a consensus on the chief issues it would have to tackle.

The Director-General also devoted part of his Report to the way forward for the ILO in what had become in fact a polycentric system where each component had its own institutional identity that responded to the needs for international action. That structure was still viable even if, as the Director-General acknowledged, it had flaws and weaknesses. These could be corrected in various ways, without having to resort to radical reforms, in order to reinforce co-operation between the United Nations agencies and to achieve better co-ordination in economic and social policies for combating unemployment, underemployment and poverty since such questions as monetary policy, capital flows, exchange rates and labour issues could not be dealt with separately. The calling of a high-level meeting on employment and structural adjustment in November 1987 testified to the recognition of the need for increased co-operation between the international organisations. It would mark a first step towards co-ordinating economic, financial, monetary and social policies.

To achieve greater convergence, a better division of work between the various organisations was needed. The United Nations should place more reliance on the contribution of the specialised agencies; if that were done, each would feel itself endowed with greater responsibility and the risk of overlapping or confusion would be reduced. Moreover, political questions should be left to the competent United Nations bodies in order to reduce the politicisation of technical discussions in the specialised agencies.

At a time when every dollar counted, the Director-General called for a special effort to combat waste and incompetence and to improve the

management of international organisations through more rigorous planning, budgetary and financial management and personnel administration. The effective functioning of organisations depended on stable finances: an appropriate mechanism to offset the vagaries of currency fluctuations and the prompt payment of contributions by member States would shield the ILO from the serious difficulties it had run up against. International organisations could not achieve their objectives – which ought to be made fewer and more precise – without continuity of action and the active participation of their secretariats. The role assigned to the secretariats demanded an independent, efficient and loyal international civil service, and the quality of the officials engaged depended on their conditions of employment and on stability in their pay and pensions, which had been seriously undermined in recent years.

In conclusion, the Director-General called on governments, employers and workers to continue the process of reflection embarked on last year following the submission of his Report entitled *The changing world of work: Major issues ahead*. It was also absolutely essential to reach a consensus on the means of developing multilateral co-operation within a more coherent framework in order to cope with a crisis that showed every sign of lasting.

Discussion of the Report

Two hundred and fifty-seven speakers, including 106 Ministers, took part in the discussion of the Director-General's Report. Two Heads of State, President Alfonsín of Argentina and President Soares of Portugal, honoured the Conference with their presence. Mr. Alfonsín recalled that the ILO was an "indispensable framework" for the developing countries, and particularly those of Latin America, and constituted "the social conscience of world development". He called for a revival of economic growth and an expansion of international trade, for otherwise it would be impossible to put an end to unemployment in the countries of the North or to alleviate the external debt burden which was causing increased poverty in the countries of the South. President Soares, for his part, laid stress on the need to combat unemployment and appealed for international solidarity and the concerted efforts of all international organisations to that end.

Most speakers considered that the subject dealt with in Part I of the Director-General's Report was a highly topical one. There was a broad consensus on the need to strengthen multilateral co-operation in order to reduce the gaps between rich and poor countries. The economic crisis, poverty, unemployment and external indebtedness loomed large in the discussions. Some government delegates from the industrialised countries laid particular stress on the ILO's contribution to preserving social equilibrium during a period of recession and contracting international trade. ILO action should be based on clearly defined objectives and should not be unduly dispersed, either in standard setting or in technical co-operation. To

reinforce the Organisation's fight against unemployment and poverty, its resources should be used to the best advantage and its programmes rigorously evaluated.

Many delegates from developing countries spoke with great concern about external indebtedness and the financial crisis in the Third World. Most regarded multilateral co-operation as an appropriate instrument for reducing the economic and social imbalances between North and South and called upon the ILO to strengthen multilateral co-operation and assistance to developing countries in order to promote more equitable adjustment and prevent social gains from being undermined. Several delegates stated that in seeking solutions to the financial problems of international organisations the difficulties encountered by the poorest countries should be borne in mind.

Some reservations were expressed by a number of government delegates from countries with centrally planned economies about the analysis of the causes of unemployment and poverty in the world. Stressing the links between the arms race and increased unemployment, these speakers proposed that a system of international economic security should be set up to limit military expenditures and contribute to the establishment of peace. The sums thus released could be spent on development and the fight against unemployment and poverty.

In view of the growing international crisis and the risk of a collapse in social protection, several workers' delegates from both industrialised and developing countries reaffirmed their attachment to the system of labour standards and appealed to the Organisation and governments to extend social protection wherever the fundamental standards were not recognised and to safeguard workers' rights through increased supervision of the application of standards. Some employers' delegates from industrialised countries focused on the problems of free trade and the competitiveness of enterprises on the international markets. Several called for the strengthening of technical co-operation, which should be looked upon not as assistance but as a contribution to development (particularly that of small enterprises), to technical progress and to the application of international labour standards in the new world economic context.

The Director-General's reply

In his reply to the discussion of his Report, the Director-General stressed that, in the present climate of tension, countries could only overcome their difficulties through solidarity, which had to be based on a common vision of the situation and a determination to forge instruments that would quell conflicts. This was because the world was now marked by increasing interdependence of nations in economic matters, research, technological innovation and scientific progress. The multilateral framework which they needed for economic and political development was provided by the international organisations and, in particular, the ILO. Action by these

organisations could help to correct the economic, financial and trade imbalances between countries.

A constant and concerted effort had to be made first and foremost on the economic plane, especially to resist protectionist pressures due to increasing competition between countries. Economic self-sufficiency was costly in terms of incomes because it increased the price of products and penalised the consumer. It was also costly in terms of jobs, as emerged from numerous studies carried out by UNCTAD, the OECD and the ILO, which showed that the lifting of protectionist barriers and the stimulation of trade created more jobs than they destroyed. It was not in reducing trade that the solution should be sought but in expanding production and promoting growth for the benefit of all economies, particularly those of the Third World, whose needs and potential markets were immense.

The Director-General argued that a new international division of labour would make it possible to attain a higher level of productive employment, provided competition remained "fair" since the development of industry in the Third World could not be achieved at the price of a deterioration in social conditions in the North. A narrowing of differences in labour costs was not to be sought in wage parity but in respect for international standards aimed specifically at protecting workers. Attempts to introduce minimum standards in GATT had failed mainly because of the suspicions of protectionism that hung over them; the difficulties could be overcome only if it was understood that the standards drawn up by the ILO were not designed primarily to achieve economic objectives but reflected a concern for fair trading practices between countries with different priorities and systems of values. Economic development and social development could not and must not be separated.

The Director-General considered that the ILO should work, along with the other organisations of the United Nations system, to solve the problems of unemployment in countries of the North and underemployment and poverty in countries of the South, for it had long been clear that unemployment in the North could be reduced only if the markets of the developing countries were expanded. The Director-General called upon all countries to accelerate growth and the process of adjustment and to open up their markets so that debtor countries could honour their commitments and pursue their development. The Tripartite Preparatory Meeting on Employment and Structural Adjustment, held in April at the ILO headquarters, had demonstrated the need for multilateral co-operation and for co-ordinating the approaches of international organisations in this field.

Another aspect brought out by the Director-General was the deterioration of living standards in countries of the southern hemisphere, where the population would continue to grow at a faster rate than production. That situation was aggravated by the inadequate income earned from exports of raw materials. The developing countries needed to put the limited resources they had to better use. The development of human resources was vital for achieving the social objectives of growth at a time when the availability of

capital was diminishing, since progress would ultimately depend on the quality of the men and women responsible for industrial production, services and other activities. This issue would figure prominently in the Medium-Term Plan to be submitted to the Governing Body in February 1988.

The Director-General called upon the Conference to consider two demographic phenomena that would have a growing influence on the labour market in the years to come. First, rural-urban migration in the countries of the Third World would raise the urban population from 900 million in 1980 to more than 2,200 million in the year 2000. Second, the imbalance in the rates of growth of the active population in the North and the South would lead during that period to an increase in migratory movements from the developing to the rich countries and a more or less uncontrollable movement of labour spurred by the prospect of jobs and better living standards. These two examples supported the thesis developed in the report submitted to the Conference in 1986 on the changing world of work. They also illustrated the extent of the challenge facing the international organisations and raised the question whether they had the ability to respond to new problems and whether new tools and instruments could be devised. While the problems ahead seemed formidable, and the solutions proposed often seemed modest, the future would depend on the ambition, generosity and awareness of a common destiny on the part of all.

Notes

¹ The texts adopted by the Conference are reproduced in *Official Bulletin* (Geneva, ILO), 1987, Series A, No. 2.

² ILO: *Employment promotion and social security*, Report IV (2), International Labour Conference, 73rd Session, Geneva, 1987.

³ *idem*: *Safety and health in construction*, Reports V (1) and (2), International Labour Conference, 73rd Session, Geneva, 1987.

⁴ *idem*: *The role of the ILO in technical co-operation*, Report VI, International Labour Conference, 73rd Session, Geneva, 1987.

⁵ *idem*: *Special Report of the Director-General on the application of the Declaration concerning the Policy of Apartheid in South Africa*, International Labour Conference, 73rd Session, Geneva, 1987.

⁶ *idem*: *Report of the Committee of Experts on the Application of Conventions and Recommendations*, Report III (Part 4A), International Labour Conference, 73rd Session, Geneva, 1987.

⁷ *idem*: *Safety in the working environment*, Report III (Part 4B), International Labour Conference, 73rd Session, Geneva, 1987.

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