



EIGHTH ITEM ON THE AGENDA

Composition and agenda of standing bodies and meetings**Contents**

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Committee of Experts on the Application of Conventions and Recommendations

New appointments

1. In order to fill the seats vacated by Baron Bernd von Maydell (Germany), who has terminated his appointment as member of the Committee, and by Sir William Douglas (Barbados), who resigned in December 2001, *the Officers of the Governing Body recommend that the Governing Body appoint the following persons as members of the Committee for a period of three years:*
 - *Ms. Angelika Nussberger (Germany): Professor of Law, University of Cologne;*
 - *Mr. Michael Halton Cheadle (South Africa): Professor of Labour Law, University of Cape Town.*
2. Short biographies of these two persons are reproduced in Appendix I.
3. *The Officers recommend that the Governing Body ask the Director-General to convey to Baron Bernd von Maydell its deep gratitude for the services he has rendered to the ILO.*

Tripartite Meeting of Experts to Develop Joint ILO/WHO Guidelines on Health Services and HIV/AIDS (Geneva, 1-3 December 2004)

4. Further to the recommendation made by the planning meeting for the HIV/AIDS cross-sectoral action programme in May 2004, it is proposed to hold a Tripartite Meeting of Experts to discuss Joint ILO/WHO Guidelines on Health Services and HIV/AIDS. The Meeting, which would last three calendar days, would be co-financed by the International Labour Organization (ILO) and the World Health Organization (WHO). This Meeting would be held in Geneva, from 1 to 3 December 2004.
5. The health services sector employs over 35 million workers, 80 per cent of whom are women. The HIV/AIDS pandemic is having a devastating impact on these workers who, as health-care providers and thus in the exercise of their profession, are at greater risk of contracting the illness. At the same time, in contracting HIV/AIDS, they are exposed to discriminatory treatment. A joint ILO/WHO initiative to address HIV/AIDS in health services at the workplace is considered to be an important component of a coherent and effective strategy. A more detailed outline of the Meeting is reproduced in Appendix II.

Agenda

6. In agreement with the World Health Organization, the Director-General proposes the following agenda: Discuss and adopt the ILO/WHO Guidelines on Health Services and HIV/AIDS.

- 7. *The Officers of the Governing Body recommend that the Governing Body approve the holding of the above Meeting and its agenda.***

Composition

- 8.** In agreement with the World Health Organization, the Director-General proposes that the Meeting of Experts would be attended by 15 participants: five experts nominated after consultation with the governments of five countries selected by the WHO in agreement with the ILO, five experts nominated after consultation with the Employers' group and five experts nominated after consultation with the Workers' group of the Governing Body. An independent Chairperson, selected after consultation with the government of an additional country, would also be nominated.
- 9. *The Officers of the Governing Body recommend that the Governing Body approve the above composition formula.***

Tripartite Meeting of Experts on the Code of Good Drafting Practices

- 10.** At its 288th Session (November 2003), the Governing Body invited the Office to prepare a code of good drafting practices to be submitted at its 292nd Session (March 2005) and to convene a tripartite meeting of experts to that effect.¹ This meeting should be held in January 2005.
- 11.** The meeting of experts would be attended by six experts: two experts nominated after consultation with the Government group; two experts after consultation with the Employers' group; and two experts after consultation with the Workers' group of the Governing Body.
- 12. *The Officers recommend that the Governing Body approve the above composition formula.***

Joint IMO/ILO Ad Hoc Expert Working Group

- 13.** The Joint Maritime Commission, at its 29th Session (January 2001), adopted a resolution concerning action taken against seafarers in the event of maritime accidents. It requested the Director-General to bring to the attention of the Secretary-General of the International Maritime Organization the ILO's concerns that the threat of arrest or potential arrest could in some instances influence seafarers from taking the necessary mitigating action to protect human life and the environment. In January 2004, the High-Level Tripartite Working Group on Maritime Labour Standards adopted a declaration following the detention of crew members after a maritime accident. The Governing Body, at its 289th Session (March 2004) took note of that declaration.
- 14.** The Director-General has just received a request from the Secretary-General of the International Maritime Organization to establish a joint IMO/ILO ad hoc expert working group to consider the development of guidelines on the fair treatment of seafarers in the

¹ See GB.288/10/1, para. 39, GB.288/PFA/14/2, para. 4, and GB.288/205, paras. 35 and 41.

event of a maritime accident. The IMO will examine this question before the 291st Session (November 2004) of the Governing Body. The terms of reference of the joint working group and any further consideration by the IMO will therefore be submitted to the Governing Body at a future session. The dates for the first meeting of the expert working group will be determined following consultations between the ILO and the IMO. This expert working group would meet at no cost to the ILO.

Composition

15. After consultation with IMO, as well as with the secretariats of the Shipowners' and Seafarers' groups of the Joint Maritime Commission, the Director-General proposes the establishment of this expert working group, which should be composed of eight Government experts nominated by the IMO, as well as four Shipowner and four Seafarer experts nominated by the ILO after consultation with the secretariats of their respective groups.
16. *The Officers of the Governing Body recommend that the Governing Body approve the establishment of a joint IMO/ILO ad hoc expert working group with the above composition formula.*

Appointment of a Governing Body delegation to the Extraordinary Summit of Heads of State of the African Union and Government on Employment and Poverty Alleviation in Africa (Ouagadougou, 3-9 September 2004)

17. *The Governing Body may wish to recommend that a tripartite delegation, composed of its Officers, should be appointed to the above Summit.*

Geneva, 2 June 2004.

Points for decision: Paragraph 1;
Paragraph 3;
Paragraph 7;
Paragraph 9;
Paragraph 12;
Paragraph 16;
Paragraph 17.

Appendix I

Committee of Experts on the Application of Conventions and Recommendations

Ms. Angelika Nussberger (Germany)

Doctor of Law; Ordinary Professor of Law at the University of Cologne; Legal Adviser in the Directorate General of Social Cohesion (DG III) of the Council of Europe (2001-02).

Mr. Michael Halton Cheadle (South Africa)

Professor of Public Law and Labour Law at the University of Cape Town; former head of the legal service of the Congress of South African Trade Unions; former special adviser to the Labour Minister.

Appendix II

Tripartite Meeting of Experts to Develop Joint ILO/WHO Guidelines on Health Services and HIV/AIDS

1. The ILO considers that health care is a basic human right for all, and over 35 million health-service workers are providing health-care services to women, men and children worldwide. But the provision of health services remains problematic, and substantial inefficiencies exist in the allocation of human, material and financial resources. Increasing costs and structural adjustment policies have had a negative impact on the employment and career prospects of health personnel. In addition, difficult working conditions including stress, long hours, shift work, and violence have resulted in skyrocketing health staff vacancy rates. The HIV/AIDS pandemic is an additional factor. According to the WHO, the impact of HIV/AIDS often strikes hardest where health systems are weakest, and deals a double blow. Systems that in any case cannot cope are weakened further by HIV/AIDS deaths and disability among large numbers of health personnel. The health services sector has the unique feature of having a population of workers who, in providing care to patients suffering from HIV/AIDS, are at risk of contracting HIV/AIDS because of their professional responsibilities. They also face discrimination should they become infected. At the same time, a larger, well-trained health services population is needed precisely to help curb the spread of HIV/AIDS and to provide help for those infected. A key impediment to the success of the antiretroviral programme in Africa is the shortage of health workers available to administer drugs to patients. A specific approach is needed to address the different layers of HIV/AIDS issues facing the health services sector. In particular, clear and coherent policies should be developed that address the prevention of HIV/AIDS specifically among health-care providers; the management and mitigation of the impact of the illness in the health services sector; and the reduction of discrimination and stigma faced by HIV/AIDS-positive health-service workers.
2. Based on the collection of information, best practice and a collaborative effort of both the ILO (Sectoral Activities Department, ILOAIDS and SAFEWORK) and WHO (Human Resources for Health Department and HIV/AIDS Department), the two organizations would develop draft health sector-specific guidelines on HIV/AIDS. This draft would then be circulated to member States for comment. Given that the health sector is a major employer of women, in some cases up to 80 per cent of all workers, the guidelines would address the special concerns of women in this sector.
3. A tripartite meeting of experts would discuss and adopt the draft joint ILO/WHO guidelines on the health services and HIV/AIDS. The joint guidelines would then be translated, published in several languages and disseminated in 2005 by the Office and the WHO, with social dialogue activities and training to encourage its implementation.
4. In addition to promoting Strategic Objective No. 4 (social dialogue), this proposal would advance Strategic Objectives Nos. 2 (employment) and 3 (social protection).