



Twenty-first sitting

Thursday, 14 June 2012, 10.10 a.m.

President: Mr Alburquerque de Castro

REPORT OF THE COMMITTEE ON THE APPLICATION OF STANDARDS: SUBMISSION, DISCUSSION, AND APPROVAL

Original Spanish: The PRESIDENT

We will now proceed to examine the report of the Committee on the Application of Standards, which is contained in three parts in *Provisional Record* No. 19. I invite the Officers of the Committee to come up to the rostrum: Mr Paixão Pardo, Chairperson; Mr Syder, Employer Vice-Chairperson; Mr Leemans, Worker Vice-Chairperson; and Mr Katjaimo, Reporter.

I now give the floor to Mr Katjaimo to present the report.

Mr KATJAIMO (Government, Namibia; Reporter of the Committee on the Application of Standards)

It is a pleasure and an honour to present to the plenary the report of the Committee on the Application of Standards.

The Committee is a standing body of the Conference, empowered under article 7 of its Standing Orders to examine measures taken by Members to give effect to the provision of the Convention to which they are parties, as well as the information in reports concerning Conventions communicated by Members in accordance with article 19 of the Constitution.

The Committee provides a unique forum at the international level. It gathers actors in the real economy, drawn from all the regions of the world, who have sat alongside one another during times of economic booms and busts. Bringing together this diverse group allows for robust tripartite dialogue, but can also, at times, present challenges. The Committee has been faced, this year, with a unique situation. It was not able to examine individual cases of violations of labour rights. While it was not able to fully fulfil its mandate, the Committee held numerous discussions, the content of which is reflected in this report before you.

The report is divided into two parts corresponding to the principal questions dealt with by the Committee. The first part addresses the Committee's discussion on general questions relating to standards and the General Survey of the Committee of Experts, which concerns, this year, the eight fundamental Conventions. The second part concerns the Committee's special sitting on the question of the observance by Myanmar of the Forced Labour Convention, 1930 (No. 29).

I will recall the salient features of the Committee discussions in respect of each of these questions. The Committee had the pleasure of welcoming the Chairperson of the Committee of Experts on the Application of Conventions and Recommendations, who attended the first week of its session as an observer with the opportunity to address the Committee. It also examined the General Survey of the Committee of Experts on the fundamental Conventions concerning rights at work in light of the ILO Declaration on Social Justice for a Fair Globalization.

The Committee held in-depth discussions on the General Survey, highlighting the interrelationship and mutually reinforcing nature of the eight fundamental Conventions. The Committee noted that these Conventions remain relevant and well equipped to deal with existing and emerging issues related to fundamental principles and rights at work. The Committee observed that significant progress has been made in the implementation of these Conventions, and underlined the importance of technical assistance in both improving the application of the fundamental Conventions and removing obstacles to their ratification. Unfortunately, the Committee was not able to present an outcome to the Committee for the Recurrent Discussion on Fundamental Principles and Rights at work due to an absence of consensus between the social partners on the content of such an outcome. A brief summary of the discussion of the General Survey was nevertheless presented to the Recurrent Discussion Committee.

Pursuant to the resolution adopted by the Conference in 2000, the Committee held a special sitting to examine developments concerning the question of the observance by the Government of Myanmar of the Forced Labour Convention, 1930 (No. 29). The Committee welcomed the progress achieved towards complying with the 1998 recommendations of the Commission of Inquiry and observed that many important steps had been taken by the Government of Myanmar since its meeting last year. The Committee also welcomed the elaborate and detailed Action Plan developed between the Government and the ILO. It emphasized that all the social partners and civil society organizations must be able to play an active role in prioritizing and assisting in the accelerated application of the elements in the Plan most relevant to the immediate implementation of the recommendations of the Commission of Inquiry.

The Committee encouraged the Government and the ILO to monitor closely the progress made in the

implementation of this Action Plan. Moreover, the Committee considered that the action taken to prosecute forced labour should continue to be reinforced and the newly adopted legislation effectively applied so as to ensure complete accountability under the law and trusted that effective and dissuasive sanctions would be imposed to punish the use of forced labour in all sectors.

The Committee renewed its call for continuing collaboration of all agencies in the United Nations system in the efforts for the effective elimination of forced labour in Myanmar. It once again called on all investors to ensure that the activity in Myanmar was not used to perpetuate or extend the use of forced labour but rather made a positive contribution to its complete eradication, in full respect for international labour standards.

Lastly, the Committee called for the strengthening of the capacity of the ILO Liaison Office to assist the Government, the social partners and all other relevant stakeholders to play a full and constructive role in the efforts made to eliminate forced labour, including through the empowerment of communities in the knowledge and exercise of their rights and responsibilities.

Turning to the Committee's general discussion, one issue of common interest which has been broadly emphasized by the Committee is the fulfilment of reporting obligations by member States. The work of the Committee on the Application of Standards, as well as that of the Committee of Experts, hinges primarily on the information contained in the reports submitted by governments. This year, again, the Committee noted that, although the strengthened follow-up put in place by the Committees had achieved some positive results, serious difficulties remained. Further progress is still necessary and indeed crucial for the effectiveness of the ILO supervisory system. The Committee reiterated its call on the Office to pursue its technical assistance to member States to enable them to fulfil their constitutional reporting obligations. In this regard, the Committee noted that the Office was implementing technical assistance programmes specifically targeted to those member States hampered by persistent reporting or implementation gaps in their international labour standards obligations.

As mentioned earlier, the Committee was unable to examine individual cases but decided, to avoid any further disruption to the functioning of the ILO supervisory mechanisms, to request the governments included in the preliminary list of cases that had been drawn up to send a report to the Committee of Experts to be examined at its next session.

The Committee also devoted several sittings to a broader discussion on the possible ways forward to ensure that this situation was avoided in the future. In this regard, following tripartite consultation, a decision was adopted which reads as follows.

The Committee noted that different views were expressed on the functioning of the Committee in relation to the reports of the Committee of Experts which were submitted for its consideration as found in paragraphs 21, 54, 81–89, 99–103 and 133–244 of this report.

The Committee recommended that the Conference: (1) request the Director-General to communicate those views to the Governing Body; and (2) invite the Governing Body to take appropriate follow-up as a matter of urgency, including through

informal tripartite consultations prior to its November 2012 session.

This year's meeting highlighted the importance of seeking constructive solutions in spite of a divergence of views. Many members of the Committee expressed their strong commitment to the work of the Committee, and it is hoped that positive steps would be taken to ensure that the work of the Committee can function smoothly next year.

I would like to thank the Chairperson, Mr Sérgio Paixão Pardo, along with the Employer and Worker Vice-Chairpersons, Mr Chris Syder and Mr Marc Leemans, for the work they carried out this year.

I would like to recommend that the Conference approve the report of the Committee on the Application of Standards.

Mr SYDER (*Employer, United Kingdom; Employer Vice-Chairperson of the Committee on the Application of Standards*)

On behalf of the Employers' group I commend to this plenary the detailed Report of the Committee on Application of Standards. You have it before you, and I confirm that it is well described by the Reporter.

Traditionally, the Employers' group report is divided into two parts: first, our views on certain elements of the Committee's work and, second, a look to the future given our reflections arising from the 101st Session of the International Labour Conference. However, this year I think we can all agree that we have had a challenging experience. In the past few days several people have congratulated the Employers in a humorous, often sarcastic way saying that the Employers have won.

Much has been written in external media, much of it is incorrect. Let me be clear, the Employers are firmly of the view that no one has won anything from this year's experience because no cases were supervised, and our Committee did not fulfil its constitutional mandate. Accordingly, we will depart from our tradition, because this year we wish to be transparent to everyone about how we see, firstly, tripartism within the Committee, and secondly, the future supervision of labour standards.

I will start by highlighting that we support the majority of this year's General Survey, which was the first Survey of all eight fundamental Conventions. The General Survey showed that progress had been made in the implementation of the fundamental Conventions in many respects, which is encouraging. However, much remains to be done.

Regretfully, I must now turn to more contentious issues. I must emphasize what I said on the record to this plenary on behalf of the Employers' group last year. I said that "the ultimate responsibility for ILO standards supervision lies with the ILO's tripartite constituency", that is our Committee, the Conference Committee on Application of Standards. Article 23, paragraph 1, of the Constitution stipulates clearly that summaries of the reports that member States have to provide under articles 19 and 22 be submitted to the tripartite Conference for examination and assessment. I said that ILO standards supervision had to be at the service of the ILO's tripartite constituents; its results should duly take into account their needs, which include the needs of Employers. I said that the Committee of Experts is not, and should never be, a policy committee. We fundamentally believe that the purpose of the General Survey is to help the tripartite constituents better understand the application of the provisions of a

given instrument, how to be in compliance, or what steps need to be taken to be in compliance with ILO standards. The increasing policy orientation of the General Survey jeopardizes the technical value of the analysis and thus changes the purpose of the constitutional obligations under article 19.

These comments regretfully are more relevant and pertinent this year. These comments are not new; these comments have been made consistently for decades by my predecessors, Ed Potter and Alfred Wisskirchen.

I turn now to some concerns regarding the status of the experts and the General Survey. The facts of the matter are that the General Survey is a guide to the Conference Committee on the Application of Standards to assist it with its work when supervised in the application of ratified labour standards by member States of the ILO. The General Survey, like the Report of the Experts on the Application of Conventions and Recommendations is not an agreed or authoritative text of the ILO tripartite constituents, namely the Governments, Employers and Workers. Both the General Survey and the Report of the Committee of Experts on the Application of Conventions and Recommendations are created with the assistance of the International Labour Office. The Governments, Employers and Workers are not involved in their creation or publication. The first opportunity for governments, employers and workers to consider these publications as groups is at the International Labour Conference, not at the Governing Body. Our Committee is the apex of the supervisory system and this must be respected. Outside of the ILO, this important distinction is either misunderstood or forgotten, and General Surveys are seen as being the position of the Organization which they are not. It would be damaging if the experts' views were taken as the views of the Organization in other United Nations or international forums. It undermines tripartite relationships and weakens the ILO supervisory machinery. This is an issue we are calling to be discussed at the Governing Body.

The situation is exacerbated by the fact that the General Survey has been published and distributed worldwide without any approval of the Committee first. We are conscious that the fundamental ILO Conventions are already embedded into the United Nations Global Compact, OECD guidelines for multinational enterprises, the UN Human Rights Council's Ruggie Framework, ISO 26000, and the MNE Declaration.

Our Members are asking us how they should respect human rights instruments that reference the fundamental Conventions. The ILO supervisory machinery relates to member States only, not to businesses, so it is vital that when other international institutions use the fundamental Conventions, that such use is correct. A correct understanding of fundamental Conventions is imperative for businesses because they are used in international framework agreements, transnational company agreements and in European framework agreements with global trade unions, where they are often not defined. In our view, the Employer and Worker spokespersons should meet with the experts before they start their work each year, and experts should have far greater interaction with employer and worker bureaux within the ILO in order to strengthen cooperation and governance. The experts

should have a tripartite agreed framework in which to do its work.

In past years, the Employers have proposed changes to the format of reports of the experts with a view to have tripartite views better reflected. More precisely, the Employers propose that there should be possibilities for employers, workers and governments to set out in the reports of the experts their views on standard supervision related issues, including on the application and interpretation of particular Conventions.

Tripartism, which is integral to a democracy, is an essential ingredient to creating a global consensus on the meaning, scope and implementation of ILO standards.

Moving forward, for the standard supervision to have credibility in the real world of work, ACT/EMP and ACTRAV must have equal resources and be fully engaged with the Standards Department to help prepare the Office work in the supervision of standards.

This year, regretfully, matters became a lot worse from our perspective because in advance of this Conference the Committee of Experts published a General Survey on the eight fundamental Conventions of the ILO which set out their highly contentious views on the right to strike within Convention No. 87. In addition, I highlight that this year the experts made 73 observations on Convention No. 87; 63 out of those 73 observations, around 86 per cent deal, at least partly, with various aspects of the right to strike. It is important to recall again that last year in this plenary I said: "a number of the individual cases examined dealt with various aspects of the disputed right to strike". As is well known, we have continuously and strongly objected to the expert's interpretations on the right to strike, and the fact that it has no legal basis whatsoever in Convention No. 87.

We have put forward in detail the legally correct arguments for many years and, in particular, in the context of the 1994 General Survey on Convention No. 87, as well as in many discussions on individual cases in plenary and in the *International Labour Review*.

Regretfully, our longstanding concerns were not addressed in this year's General Survey.

The Employers' position is that Convention No. 87 is silent on the right to strike because there was no agreement at the time of its negotiation to include it in the Convention and, in the view of the Employers, it is therefore not an issue upon which the experts should express any opinion. In doing so, the experts are effectively making policy, which is the exclusive domain of the Governments, Worker, and Employer representatives of the Organization. The mandate of the experts is to comment on the application of Convention No. 87 and not to interpret a right to strike into Convention No. 87.

When the Committee of Experts was created, it was defined by the International Labour Conference at its Eighth Session in 1926 as having, and I quote, "no judicial capacity, nor would it be competent to give interpretations of the provisions of a Convention, nor to decide in favour of one interpretation rather than of another". This mandate has not changed. While the experts can advise on application, they may not determine application on behalf of the constituents, nor can they determine new rights and obligations regarding the right to strike. It may be argued that the experts derived their inter-

pretation of the right to strike from the tripartite Committee on Freedom of Association. However, the Employers have also objected for many years about the use of such cases by the experts when examining Convention No. 87, as the Committee on Freedom of Association creates non-binding recommendations on a case-by-case basis, based on constitutional obligations regarding freedom of association, not the freedom of association Conventions.

While acknowledging the importance of both the Committee on Freedom of Association and the experts, the Employers, regretfully, are critical of the confusion and lack of certainty regarding the relationship between the supervisory bodies. The Employers have always objected to any view that the experts' interpretations of the right to strike are legal jurisprudence or even soft law. As the experts do not have a judicial mandate within the ILO, referring their interpretations of the right to strike within Convention No. 87 to the International Court of Justice is therefore inappropriate.

Further, neither the Committee on Freedom of Association nor the Governing Body, to which it refers its recommendations, produce jurisprudence or supervised labour standards. For the same reason, referring the Committee on Freedom of Association Recommendations to the International Court of Justice is also inappropriate.

It is important, again, to be clear that the Office is not the Organization. The Organization is its Government, Worker, and Employer constituents. This means that the Office has to be very careful when it refers to the views of the experts and the promotion of them, lest the experts' views be taken as the views of the Organization in other United Nations or international forums.

Let me be clear. The Employers' group acknowledges that a right to strike exists at the national level in many jurisdictions, but we fundamentally do not recognize that the meaning of a right to strike should be the one being developed by the experts. The determinative body to decide any rules for a right to strike recognized by the ILO is the Conference. Otherwise, it is up to national legal systems to do so. The experts do not have a mandate to interpret Convention No. 87. An ILO right to strike standard would need to be politically agreed on a tripartite basis by the Conference. For instance, the following issues concerning the right to strike should be discussed on a tripartite basis, rather than left to the experts to develop on their own: lawful strikes, including sympathy strikes and political strikes; essential services, especially if on a narrow basis; legality of workplace occupations during strikes; legality of picketing; dissuasive sanctions for illegal strikes.

Now, when we consider the future supervision of labour standards, it is important to be transparent about what actually happened this year. In summary, given the Employers' long-standing objections to the experts' interpretation of the right to strike, the Employers sought to clarify the mandate of the experts with regard to the General Survey. The Employers brought this important issue to the attention of the Workers and their spokespersons together negotiated and formulated the following draft clarification: "The General Survey is part of the regular supervisory process and is the result of the Committee of Experts' analysis. It is not an

agreed or determinative text of the ILO tripartite constituents."

The Employers' proposal was that the International Labour Office would be instructed to immediately insert the clarification in future hard copy and ILO website publications of this year's General Survey and the Report of the Committee of Experts on the Application of Conventions and Recommendations. It is not possible to simply remove the experts' interpretations as the International Labour Office has already published a General Survey containing the experts' interpretation of the right to strike.

The Employers made it clear that without the abovementioned clarification in respect to the General Survey, they could not accept the supervision of Convention No. 87 cases that included interpretation by the experts regarding the right to strike. Otherwise, their position would not be logical or coherent. All other cases on the provisional long list could be considered, which included the most serious double footnoted cases. After much confidential negotiation with the Workers, regrettably, these negotiations irretrievably broke down, principally because of the request for the clarification and the linkage to the right to strike cases. If the clarification could have been agreed, then the Employers' view is that the list of cases could have been successfully negotiated by the latest on Friday morning of the first week of our Committee.

The Employers' position is that the proposed clarification is fact and should not have been a contentious issue. We subsequently proposed a way forward within the Committee that referenced the agreed position of the experts in 1926, as affirmed in 1947. But it was not possible to reach a consensus on the correct approach.

So, in closing, the Employers remain frustrated that the factually and legally correct arguments we put forward concerning the experts' mandate met with a reaction that had nothing to do with the content of our position, and on occasions clearly misrepresented our position. The risks associated with the General Survey being misused and misconstrued remain. Important communication and committee management issues have arisen this year, which we will all learn from. We must do better in the future.

One of the main tasks of our Committee is to supervise the cases of member States that allegedly violated international labour standards. Let there be no confusion about the fact that Employers wanted to hear cases too. The ones that come to my mind are Serbia and Uruguay. The Employers would have heard the case of Uzbekistan.

We now have a way forward that will involve the Governing Body and tripartite informal consultations. The Employers look forward to reaffirming that the mandate agreed upon in 1926 and affirmed in 1947 is still correct. We look forward to doing so in an environment free of external interference, which exacerbates this situation.

Neutrality and the ability to listen to the constituents will help create mature and respectful international industrial relations between governments, employers, and workers. We look forward to working together with our social partners to resolve these issues before this time next year as we cannot be faced with a situation where the right to strike prevents a list of cases being agreed between the Employers and the Workers.

Once again this year our Chairperson, Sérgio Paixão Pardo, deserves special thanks for the firm, but fair, parliamentary running of the meeting this year. He has been the epitome of calm in the storm and we must not ever forget that it was his optimism and spirit that helped pave the way to the agreed way forward.

Thanks must also go to the Office for bearing with all of us in this unusual and difficult year. We must also thank the Governments. As I said in our Committee, it was never our intent to distress or inconvenience them this year.

We thank our Reporter, David Katjaimo, for keeping us all on balance. Please allow me to thank the Employers' group and especially my colleagues, John Kloosterman, Paul MacKay, Sonia Regenbogen, Juan Mailhos, Jorge de Regil, Peter Ander-

son, Alberto Echavarría and Zodwa Mabuza for the help they gave me. I would like to express my immense gratitude and admiration for the support given by Alessandra Assenza, Haymel Brito of the International Organisation of Employers and Christian Hess and Jennifer Bernardo of ACT/EMP. We would be lost without their support. I must thank Marc Leemans, Worker spokesperson, and his team. Simply put, we have been through an experience this year that none of us will ever forget. And lastly, but certainly not least, thanks to the interpreters who have done their usual excellent job this year.

In conclusion, I affirm again, on behalf of the Employers' group, their continued support for an effective and relevant ILO supervisory system.

(The Conference adjourned at 10.55 a.m.)

Twenty-second sitting

Thursday, 14 June 2012, 11.50 a.m.

President: Mr Alburquerque de Castro

REPORT OF THE COMMITTEE ON THE APPLICATION OF STANDARDS: SUBMISSION, DISCUSSION AND APPROVAL (CONT.)

Original Spanish: The PRESIDENT

We will now resume the discussion of the report of the Committee on the Application of Standards. I give the floor to Mr Leemans, Workers' delegate from Belgium and Worker Vice-Chairperson of the Committee.

Original French: Mr LEEMANS (Worker, Belgium; Worker Vice-Chairperson of the Committee on the Application of Standards)

During this session of the Conference, the Committee on the Application of Standards was not in a position to conclude its work. I would like to explain this failure as best I can, in the sincere hope that it will not be detrimental to the ILO.

The Committee on the Application of Standards is a standing committee, it is part of the regular machinery for the supervision of ILO standards. The General Survey based on the experts' report is within the purview of our Committee. The 2012 General Survey was concerned with the eight fundamental Conventions.

It was expected that our Committee should present joint conclusions with the Committee for the Recurrent Discussion but the concerted attack led by the Employers' group against the General Survey unfortunately prevented this. The Workers' group insisted once more on tripartism, which is the basis for the functioning of the ILO and is unique within the United Nations system.

This tripartism is essential and it should not be endangered in any way. In my capacity as spokesperson of the Workers' group I recalled the originality of the whole supervisory machinery of the ILO. Since it cannot impose any criminal or financial penalties, it can only be effective using regular and special supervisory mechanisms. Here the role of the Committee of Experts is fundamental. Its work is an essential and constant tool for ensuring a better application of standards and this role consists of preparing, with rigour, independence and objectivity, the work which will then be taken up and used as a basis by the Committee on the Application of Standards, and we must make sure that standards are applied properly in law and in practice.

The role of the experts is also to establish a dialogue with governments through direct requests. The experts have a pedagogical role both through the General Surveys and through the identification

of cases of progress. On the basis of the report of the Committee of Experts, the workers' and employers' organizations can find legal and practical ways of advancing and promoting the application of ILO standards.

The work of this Committee and its examination of individual cases is another key aspect of the supervisory machinery. It draws on the work of the Committee of Experts, but the tripartite examination of individual cases also confers exemplary authority on the work of our Committee. Thanks to this collective tripartite examination of individual cases, our Committee, through the conclusions which it adopts, puts clear pressure on States who have simply failed to meet their obligations or are perhaps totally uncooperative.

Despite this and without any warning, from the first week of this session of the Conference we were brutally confronted with the fact that the Employers' group was challenging the mandate of the experts, particularly with regard to their interpretation both of the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), and of the right to strike. Brutally was the word I used. Why?

As in the past, considerable preparatory work had been done within the Workers' group since March 2012, and also in April and May. This preparatory work is taken very seriously because, as far as the Workers are concerned, the discussion of individual cases, the most serious cases, at the Conference is a unique element in our work. It is the only time when the Workers can, without fear, describe the many violations of their rights, the rights which are recognized by the ILO standards.

The experts' report was published on 28 February 2012, and the General Survey was published on the same date. The electronic version of these documents were published on the website on 2 March 2012. At no point during the 313th Session of the Governing Body in March 2012 did the Employers give any sign of any criticism concerning the role of the Committee of Experts or any indication that the latter were exceeding their powers concerning their interpretation of the right to strike.

It was only on Friday, 1 June 2012, that the Employers, in the context of the meeting of the Committee, explained how they regarded this divergence of views. The direct consequence of this was that an explicit veto was expressed concerning any possible examination of individual cases where the right to strike might be involved in the discussion. It was at this point in time that it became absolutely clear

that, as far as the Employers were concerned, the experts' interpretation of the right to strike was totally unacceptable because it did not fit in with the Employers' viewpoint.

Since I had no further possibility to say any more on the right to strike in view of how events unfolded, I will now come back to this matter, since it needs to be clarified for the Employers and the Governments present in this room.

Whether we like it or not, the right to strike is not just a national issue to be judged and dealt with in the light of temporal or economic circumstances. We might suppose that, in response to this analysis, the Employers may suggest that national jurisdictions would be more inclined to take account of economic realities and the needs of business in their decisions rather than the interests of the Workers.

The Employers' group no doubt think that courts and tribunals will be less conservative or less partial than the supervisory machinery of the ILO, particularly the experts. This is insulting to the independence of judges and disregards the supremacy of international law in general with respect to ratified treaties. National courts and tribunals, in their decisions on this subject, must respect a hierarchy of sources of law which, beyond any shadow of doubt, place international treaties above national law and above ratifications.

Apart from Convention No. 87 and the Right to Organise and Collective Bargaining Convention, 1949 (No. 98), I could take as an example the International Covenant on Economic, Social and Cultural Rights. Or there are texts that apply regionally, such as the Charter of Fundamental Rights of the European Union, the European Social Charter, the European Convention for the Protection of Human Rights and Fundamental Freedoms, or the Additional Protocol to the American Convention on Human Rights in the Area of Economic, Social and Cultural Rights ("Protocol of San Salvador").

There are further examples. The Committee of Experts recognizes, in its General Survey of 1959, the right to strike and considers it a fundamental tool for workers' organizations in defending their economic and social rights. The right to strike is an inalienable corollary to the right to organize. It is also set out in the opinion of the Committee on Freedom of Association recognizing such a right in 1952. It is true that the right to strike is not mentioned explicitly in the ILO Constitution, in the Declaration of Philadelphia or in the Conventions specifically relating to trade union freedoms. Nevertheless, there is an indirect reference to it in the Voluntary Conciliation and Arbitration Recommendation, 1951 (No. 92), and in a number of resolutions adopted by the International Labour Conference.

The Committee of Experts considers that this right has been established since the very first report was drawn up in the context of the first discussion following the adoption of the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87).

The Committee of Experts infers the existence of the right to strike from a joint reading of Articles 3 and 10 of Convention No. 87. Article 3 refers to the right of workers' and employers' organizations to organize their administration and activities and to formulate their programmes. Article 10 defines as an organization any organization of workers or em-

ployers for furthering and defending the interests of workers and employers.

The Committee of Experts considers that, in order for workers to be able to further and defend their interests, they must have available to them means of action which can apply pressure so that their claims are successful. The common meaning of the term programme includes going on strike. Going on strike is a collective right and is considered to be an activity, in the sense of Article 3.

On 5 June 2012, after long and difficult negotiations, a draft agreement was submitted by our Chairperson, Mr Sérgio Paixão Pardo, for approval by the Committee, and it was too late at that stage to draw up a list of individual cases, to the great displeasure of the Governments. Under this agreement, the divergence of views between Workers and Employers concerning the report of the Committee of Experts must be resolved as a matter of urgency.

The Workers accepted this text and the procedures it entailed, but our distress at the events that have taken place is immense. This statement is no way makes up for the fact that, at the end of the day, none of the cases were discussed. We will never be able to take a positive view of the events that have blemished our activities. The negotiations were trying and will leave their mark. The way things unfolded will scar the memory of the Workers' group, the experts and the staff of the ILO, whose impartiality has been called into question in an unacceptable manner.

As my colleagues go back to their own homes around the world, they will be upset and in some cases afraid. They came here in order to denounce violations of the rights guaranteed to them by ILO Conventions. They are going home empty-handed, with no conclusions from our Committee and without support from the international community to revive their courage to tackle cases of harassment, assault, murder and violations of their basic rights by governments and by national or international enterprises.

Should I request a minute of silence for the 25 cases that we will never deal with?

We should tell you that, on its own initiative, the Workers' group organized its own examination of some of the cases during this session, which other groups were free to join. This way of proceeding made it possible to ensure that the work already done by our colleagues since the publication of the report of the Committee of Experts on 28 February 2012 did not go to waste.

I would like to add that the 49 countries that appeared on the preliminary list are expected to report to the Committee of Experts by 1 September 2012 at the latest. Their reports must include replies to the comments of the Committee of Experts contained in its report. In this way we would avoid any interruption to the functioning of the supervisory mechanisms. Many governments have indicated their agreement with this request.

These last two weeks have been dark days indeed for the Committee on the Application of Standards. They have been two disastrous weeks for the supervisory mechanisms as a whole. We have the impression that, as far as the Employers are concerned, the 2012 session of the Committee on the Application of Standards is over, that everything will be all right tomorrow and that, in 2013, it will take up its work again as if nothing had happened. Had we been aware of the difficulties well before the Con-

ference, we could have taken immediate action in the framework of a social dialogue in good faith, which would have enabled us to make better progress more quickly here in our monitoring role, instead of creating a crisis situation which is damaging to everyone.

We, more than anyone, want to weather this storm. The Employers need the Workers and their representatives. They should not forget this. Without social peace, without interlocutors, it will be the law of the jungle and there will be no more talk of productivity or growth.

I would like to now thank everybody. Firstly, I would like to thank the Workers' group, especially the Officers of the Workers' group in our Committee, who have worked incredibly hard. I would also like to thank Mr Paixão Pardo, our Chairperson, and Ms Doumbia-Henry and Ms Curtis and their colleagues in the Office for the legal and technical assistance they have given us.

A big thank you also to our Reporter, Mr Katjaimo, for his excellent report. I would also like to thank the Government members for their constructive contributions, and I also thank the Employer spokesperson for his involvement in our work. I thank the ILO staff for being so available and friendly, and of course the interpreters. I would like to thank the International Trade Union Confederation, particularly Stephen Benedict, and our colleagues in ACTRAV, Beatriz Vacotto and Enrico Cairola.

Mr President, I request that the report of the Committee be approved.

Original Spanish: The PRESIDENT

I now give the floor to Mr Paixão Pardo, the Government delegate of Brazil and Chairperson of the Committee on the Application of Standards.

Original Spanish: Mr PAIXÃO PARDO (Government, Brazil; Chairperson of the Committee on the Application of Standards)

It is an honour for me to have this opportunity to share with the all delegates our impressions on the meeting of the Committee on the Application of Standards this year.

We said it in the Committee and I am repeating it now: I consider this year to be a sabbatical, which will help us think about and propose alternatives to break the deadlock we have got ourselves into.

We now have a full year to test our creativity and problem-solving skills for the first time since 1926.

This year, we have seen the Chairperson of the Committee of Experts, Mr Yokota, who will convey our concerns to the other members of his Committee.

We have seen the President of the Conference, Mr Alburquerque, who brought us a message of encouragement and hope, for which we are grateful.

We met with the Director-General to express our concerns and received a wise piece of advice: that we listen carefully to everyone on our Committee and find out what each of us wants for this Committee. To that end, we will be holding informal tripartite consultations so that, in November, we have a diagnosis and possible solutions.

This year, there are no winners or losers. We were always winners, but now we are all responsible for carrying out one of the most important reforms of this Conference, one of which is on the working methods of our Committee, and looking at the role of the regular supervisory mechanisms, and here I

am quoting from the 2008 Declaration when it referred to regular, independent, inseparable, and interrelated supervisory mechanisms. The Governing Body will have to work hard to ensure that next year we can return hope to the world of labour.

This year, we have not had special paragraphs, offers or acceptance of technical cooperation. There have been no dramatic debates. There were no speeches of hope in the conclusions of the Committee.

The eyes of the world are looking to this Committee as a strong defender of the ideals of freedom and democracy. We have not forgotten those ideals and will pick them up again after this sabbatical year.

Freedom of association, the fight against forced and child labour, health and safety at work, the creation of sustainable enterprise and the defence of the right to private initiatives, as well as equality between men and women, an end to discrimination, the rights of indigenous and tribal peoples, the protection of wages, all these are very important issues, but we are going to have to take a pause for the moment from discussing them. In so doing, I must convey my apologies to all those who hoped for a more substantial response to these matters from our Committee and are going to have to return home empty handed.

However, a note of hope: I do believe, that our Committee will emerge from this situation strengthened.

Mr President, we have not wasted our time either – we did hold a special sitting on Myanmar and I am delighted to have had the opportunity today to see and hear a Nobel Peace Prize winner, Ms Aung San Suu Kyi, here addressing us. Our Committee fought for her freedom for many, many years and it was wonderful to see her here today as result of our debates.

Speaking on behalf of the Committee, I would like to say that we hope that very soon freedom of association, the complete elimination of forced labour, and full democracy will become a reality in Myanmar. The Committee on the Application of Standards shall continue to work as it has done in the past to help to bring that about.

Before concluding, I should like to thank our Reporter, Mr Katjaimo, who had a different account to give this year – but it was nonetheless interesting.

My thanks also go to Christopher Syder, for the Employers, and Marc Leemans, for the Workers. They both have a considerable potential for management and an ability for dialogue and conciliation.

I also thank Mr Kloosterman, who accompanied us this week alongside the Employers, for his charisma.

I should also like to thank the spokespersons for the Governing Body groups, Daniel Funes de Rioja and Luc Cortebeek.

My thanks also go to Mr Greg Vines, Chairperson of the Governing Body, for his efforts to help us overcome this impasse.

I would also like to thank the regional groups and Governments because this year we saw that Governments have a great deal to contribute to the work of the Committee. The Governments were excellent as they never shied away from any debate or discussion about the cases. They urged that the rules be complied with and duly observed. My thanks to GRULAC, the European Union, IMEC, the Africa

group and the Asia and Pacific group, thank you for your willingness to contribute.

I would like to extend a special word of gratitude to the Secretariat of the Committee, Ms Cleopatra Doumbia-Henry, who embodies the ILO's values of integrity, impartiality, and neutrality, and to Ms Karen Curtis and the support team who produced excellent quality documents in record time.

I also give my thanks to the interpreters for our Committee, who were always ready to convey our message and facilitate communication.

I invite you to carefully read and approve our report.

(The Conference adjourned at 12.15 p.m.)

Twenty-third sitting

Thursday, 14 June 2012, 2.50 p.m.

Presidents: Mr Sukayri and Mr Alburquerque de Castro

REPORT OF THE COMMITTEE ON THE APPLICATION OF STANDARDS: SUBMISSION, DISCUSSION AND APPROVAL (CONT.)

The PRESIDENT

We will now proceed to the general discussion of the report of the Committee on the Application of Standards.

Original Spanish: Mr BRENTA (Minister of Labour and Social Security, Uruguay)

We would like to refer to what we heard this morning, with astonishment and a certain amount of regret, when Mr Syder, the Employer spokesperson, analysing the situation that had arisen in the Committee on the Application of Standards, rightly mentioned the Employers' aspirations to examine the cases of Serbia and Uruguay.

What surprised us was the assessment that these two countries - and here of course we will refer to Uruguay - showed serious violations of international labour standards. That is what we heard said here, and we want to make it clear, firstly, that in our country, the Eastern Republic of Uruguay, there is full freedom of association in the context of full freedom of expression and democracy.

Employers' and workers' organizations enjoy full freedom of association and of expression. Collective bargaining, historically defended by the International Labour Organization, covers 100 per cent of the workers, including public employees, who engage in bargaining in over 220 occupational groups, over 85 per cent of which have led to the signing of tripartite collective agreements.

Councils have been set up in the Ministry of Industry, Energy and Mining, in which workers, employers and the Government discuss occupational safety and health policies, which have served as the basis of the innumerable decrees issued by the Executive branch based on the agreements reached.

In this regard, this level of tripartite agreement achieved and complemented last year, which was directly witnessed by Ms Doumbia-Henry, Director of the International Labour Standards Department, and Mr Guido, who were specially invited by the President of the Eastern Republic of Uruguay, to visit the country. An agreement was reached, which formed the basis for dialogue and negotiation between the Government, the workers and the employers in order to find a solution based on the recommendations of the Committee on Freedom of Association.

We would like to refer in this context to the ILO/ECLAC report, which states in regard to Uruguay that participatory labour relations which involve workers' organizations and collective bargaining can contribute to improving productivity, bringing about virtuous circles between increased productivity and distribution of profits.

Uruguay has enjoyed economic growth for more than eight years, and this growth has benefited both workers and employers. There has been a tenfold increase in foreign direct investment - which does not happen in a country where serious violations of international standards occur, such as those alluded to by the Employers.

Uruguay is a democratic country; however, during the period 1973-85, our country unfortunately lived under a military dictatorship. Today we have heard an address from someone who has also suffered from this situation. Throughout this period, Uruguayan workers were denied the most basic labour relations. During all those years we did not hear any criticism on the part of the Employers of the serious violations, murders, deaths, forced disappearance and torture to which the Uruguayan workers were subjected.

There are no serious violations. We refute the assertion that there are serious violations of international labour standards in Uruguay. On the contrary, in Uruguay we respect the fundamental rights fully, and we are therefore pained to hear this unfair description of the reality of our country, which is refuted by the very documents of the International Labour Organization.

Ms ROBINSON (*Government, Canada*)

I am speaking on behalf of the 38 members of the IMEC group. IMEC regrets the difficulties which arose in the Committee on the Application of Standards this year, which resulted in an impasse on the list of individual country cases. That said, we welcome the tripartite consensus achieved to move past the deadlock. While not ideal, the consensus addresses, as best as possible in the circumstances, the concerns expressed by the Employers', Workers' and Government groups and allow us to move forward.

Moving forward will depend on the success of the informal tripartite consultations that were agreed to as part of the Committee's recommendations to the Conference. We urge the Governing Body to initiate these consultations without delay to ensure that the Committee on the Application of Standards is able to resume its proper functioning in 2013.

For the first time in the 85-year history of the Committee, the Employers' and Workers' groups failed to agree to a final list of cases. As a result, no individual cases were examined by the Committee. This unprecedented outcome is both disappointing and distressing. The examination of cases is a critically important element of the ILO's supervisory system. These discussions serve to bring international attention to abuses of labour and human rights and to support efforts to promote the full application of ratified ILO Conventions. With no examination of cases this year the true victims are the most vulnerable workers in the world who have been left without a voice at this year's Conference.

The events which arose in the Committee this year also put governments in an extremely difficult position. Not only was there great uncertainty about the status of the list, there were also troubling allegations concerning government involvement in the negotiation of the list. It is important to reiterate once again, for the record, that there was no interference by Governments in the negotiation of the list of individual country cases, nor did Governments at any time request to be part of the negotiations. The impasse in the Committee was not caused by the Governments.

IMEC firmly maintains its long-standing position that it is the prerogative of the social partners to agree to a final list of individual country cases and Governments do not, and should not play any role in the determination of the list. IMEC also firmly reiterates our stated position that it is not appropriate for either the Employers' or the Workers' group to make agreements on the list, conditional upon external issues, on which governments have a role in the discussion and the decision-making process. We fully expect that the social partners will keep this in mind during the negotiation of the list of countries in future years.

The ILO supervisory system is a unique and essential element of the Organization's mandate and mission, and is often cited as the most advanced and best functioning of the international system. IMEC deeply regrets the situation this year that prevented the Committee from fulfilling its mandate under the ILO Constitution and the Standing Orders of the International Labour Conference. This reflected poorly on the functioning of the Committee and also risked irreparable damage to the ILO supervisory system and the Organization as a whole. This cannot be allowed to happen again.

As we move forward, it is important to reflect on some lessons learned. Firstly, open and continuous communication among employers, workers and governments and the International Labour Office is essential to ensure that concerns are addressed in a timely and constructive manner. Secondly, nothing good is achieved when we publicly call into question the professionalism and integrity of our colleagues. Thirdly, notwithstanding the difficulties which arose in the Committee this year, throughout the impasse the Employers', Workers' and Government groups continuously expressed their belief in, and support for the ILO supervisory system. IMEC is encouraged by this unanimous support. There is no doubt that the situation in the Committee placed a great strain on the relationship between the Employers', Workers' and Government groups. However, it is important to recognize that despite the strain we maintained an open dialogue, which allowed us to reach the tripartite consensus for a

way forward. It is often said that out of times of crisis we emerge stronger and better equipped to respond to future challenges. IMEC sincerely hopes that this will be true of the recent events in the Committee on the Application of Standards.

In conclusion, IMEC reiterates once again its strong and enduring support for the ILO supervisory system as well as its firm commitment to moving forward in a positive, constructive manner in the spirit of tripartism.

Mr SHEPARD (*Government, United States*)

The United States Government wholeheartedly supports the statement of the IMEC group. We felt it was important, however, to take this opportunity to give particular emphasis to some of the points in that statement.

First, the United States profoundly regrets that the Committee on the Application of Standards was not able to discuss any individual country cases this year. Not only was this unprecedented, but there were situations of labour rights' violations that badly needed to be heard in an international forum. The failure of the Committee to fulfil its mandate risks serious damage to the credibility of the Committee, the ILO supervisory system and the Organization as a whole.

Second, we want to note for the record the United States' appreciation and strong support for the International Labour Standards Department. As the Director-General told this Conference, the staff of the Standards Department consists of dedicated, competent and high quality professionals, and their impartiality, neutrality and balance are without question. We trust that the new Director-General will ensure that the Department has sufficient resources to keep pace with the ever-increasing demand for its critically important services.

Third, we recall the complementary roles of the Conference Committee and the Committee of Experts. These two Committees, one with a tripartite composition and the other composed of independent experts, constitute the heart of the ILO supervisory system. Neither can operate effectively without the other. Together, they promote, protect and enhance the rights and quality of life of workers around the world. We therefore strongly support and thank the Committee of Experts for their continuing efforts to promote a better understanding of the meaning and scope of ILO Conventions.

We respect the principles of independence, objectivity and impartiality upon which their work is grounded, and while we understand that their decisions are not binding, we recognize that their observations carry enormous moral authority.

Finally, we note that the underlying question that prevented the adoption of a list of cases was not one that could, or should, be decided in the Committee on the Application of Standards. Although the issues to be resolved are complex, we stress the absolute urgency of moving forward in the context of the Governing Body, and beginning with informal tripartite consultations, to ensure that the Conference Committee is able to resume its normal functioning as from next year. We have faith that the ILO can indeed move forward in a positive and constructive manner, and that tripartite dialogue, the ILO's essence and its strength will prevail.

What was stated earlier by the Government delegate of my country has obliged me to take the floor to make a brief statement.

The Uruguayan Employers' sector, in conjunction with the International Organisation of Employers, presented a complaint to the ILO about a case which went before the Committee on Freedom of Association and was analysed by the Committee on the Application of Standards in 2011.

Given that the situation remains unchanged, the case is still before the ILO. We need to stress that the Uruguayan Employers' sector is not seeking preferential legislation; we simply want the guidelines that the ILO tripartite bodies have issued, which include both legislative and practical aspects, to be respected.

We are asking for no more and no less than what the ILO has already proposed, and which we fully endorse. Unfortunately, our efforts to date have not borne fruit beyond the various different tripartite statements that have been made at the ILO.

Negotiations are still under way in our country.

Mr SAHA (Worker, India)

I am Sankar Saha, representing Indian workers. While we talk about standards, the Indian workers' family believes that under globalization the world has been facing the deepest crisis it has ever faced – deeper than the crisis of the 1930s that culminated in world war once again for the division of markets. We are all pained by the admission of the United Nations family that states: “About 5.1 billion people – 75 per cent of the world's population – are not covered by adequate social security and 1.4 billion people live on less than US\$1.25 per day. Thirty-eight per cent of the global population, that is 2.6 billion people, do not have access to adequate sanitation, 884 million people lack access to adequate sources of drinking water, 925 million people suffer from chronic hunger, and nearly 9 million children – I said 9 million children! – under the age of 5 die every year from preventable diseases.”

Capitalist globalization has gifted us with acute joblessness, job insecurity, job cuts and youth unemployment which stands at more than 50 per cent, the systematic withdrawal of existing rights and benefits, which include the right to minimum wages, a pension, health services, housing, education, drinking water, etc. It is reducing them to commodities in the present market; you have to buy them if you have the means to do so, otherwise you are destined to live a life of or die a death of an animal. The society you are born into will hardly care.

Again the ILO Committee of Experts has rightly submitted its report showing violations of the core Conventions; in many of these cases, workers are the only victims. At present, workers of all countries, including the United States, are on the streets, not only in Wall Street, but in all the streets of the world to secure human life and livelihood with dignity and honour. However the employers in the present Session have raised their voice to deny the right to strike – the fundamental and basic human right of workers who have unanimously refused to barter their right for anything else in the world, and have even contemplated a global strike to retain their right to strike.

Friends, ILO Conventions were once aimed at imparting social justice to the working people but the present social order of the state machine only produces injustice and exploitation. The system, which is already suffering from multi-organ failure in the intensive care unit and heading towards the ventilator, is no longer capable of supporting the right to speak up and the right to strike. Different people have different approaches to the problems of injustice and exploitation. Some advocate a change of hearts and minds, while some appeal to the innate goodness of man and his compassion and love for the least privileged. But a great thinker and philosopher of the modern era showed, for the first time, through scientific and rational analysis, where the root of injustice lies. In all the different stages of class divided society, the root of social injustice is in the social and economic conditions of that particular phase for society. He further showed that the emergence of private property with the emergence of class division lies at the root of social injustice. The accumulation of wealth in the hands of a few is caused by the private appropriation of the surplus value that stems from the capitalist mode of production and production relations. It is a reality and we must have the courage to accept it.

Friends, I believe that we should not allow ourselves to be deceived by the slogan of human peace or fairness of globalization. Let us join forces to bring about a poverty-free world where working people have full access to what their labour produces for sustenance of the entire society. This alone can ensure social justice in the real sense and protect the real value of ILO standards.

Original Spanish: Mr PEREIRA (Worker, Uruguay)

I come from a small country of 3.5 million inhabitants. We have one single central union, PIT-CNT, that has faced such serious situations as the coup d'état of 1973. When we faced this situation, we did not come complaining to the ILO – we held a two-week general strike and occupied workplaces in Uruguay. This cost the workers of Uruguay hundreds of victims – murdered, tortured, disappeared, exiled and in deep trouble if they returned to Uruguay. But I know that our trade union would do exactly the same again.

In Uruguay, there are probably differences between employers, governments and workers. There are, in fact, differences as regards the Private Sector Collective Bargaining Act. This Act has allowed workers to bargain for salaries and working conditions in almost all cases, on a bipartite basis. Granted, the Act is not perfect but, in the words of Pablo Milanés, it is close to what I could only dream of – the right to bargain collectively.

Between 1990 and 2005, there were no practically wage councils in Uruguay. As a result of this policy, wages hardly rose at all. From 2005 to 2012, average wages increased by 35 per cent and the minimum wage almost tripled. We therefore fail to understand Mr Syder's statements today and yesterday in the Committee on the Application of Standards, where he said that the case of Uruguay was serious, and can only attribute them to lack of study and rigour. This error is unacceptable to Uruguay's trade union.

First, it is unacceptable because I must insist that the real serious case was the fact that, before the Collective Bargaining Act, rural workers worked a 12-hour day. In 2007, this was restricted to eight

hours. Imagine how many decades went by before these rights for rural workers – workers in the fields – were won. Today, the Government of Uruguay will submit the first agreement on domestic work for official approval, although domestic workers in Uruguay have already signed their second labour agreement. This information is corroborated by reports of the United Nations Economic Commission for Latin America and the Caribbean on human rights and human development and by successive speeches given by Mr Somavia at various conferences, where Uruguay has been held up as an example of solving crises through social dialogue.

The Uruguayan workers will make every effort to resolve our differences with the Ministry of Labour and the employers over the Collective Bargaining Act, and have in fact already submitted two proposals to them to this end. But we believe that the Act has improved the life of Uruguayan workers and goes a long way to bridging the gap that existed between income levels.

We would like our statement to be included in the record, purely so that natural differences between Uruguayan entrepreneurs and workers should not be classified as a serious case. Our complaint here is not against the statement by the Uruguayan employers, which was respectful, but against the Employer spokesperson, who described as serious something that is actually a routine difference of opinion – on an important matter, but nonetheless routine.

*Original Spanish: Mr ECHAVERRÍA SALDARRIAGA
(Employer, Colombia)*

I would like to express my full support, as an Employers' delegate of Colombia, to the statement made by Mr Chris Syder, on behalf of the Employers.

I would also like to say, as a member of the Employers' group, which is a member of the Committee on the Application of Standards, that at no point have we questioned the honour or respectability of the experts or of the staff members who work in the standards supervisory system.

Hence our astonishment at the mistaken interpretation reached by the Director-General himself in this regard at the beginning of the discussion of his Report, on Wednesday 6 June, in the plenary of the Conference.

We have said that the experts do not have the authority to interpret Conventions; disagreeing on the authority of a supervisory body is not the same as calling into question the members of that body.

We have always recognized the right to strike and we examine it in the Committee on Freedom of Association in cases when, because this or other rights enshrined in domestic legislation have been exercised, freedom of association is affected in terms of legislation or in practice. We do not share the view, indicated by the experts in paragraph 118 of this year's General Survey, that the right to strike exists because it is included in the objectives of Convention No. 87.

The Employers disagree with that interpretation, firstly because, under the Constitution of the ILO, it is not within the mandate of the experts to interpret Conventions and, secondly, because there is no reference whatsoever to that right in Convention No. 87.

We have said that, by its very nature, the Office should be at the service of the supervisory bodies.

Giving an opinion on the support role the Office plays in the supervision of standards does not mean that we have doubts about its staff; it clarifies a perception of its meaning and guidance.

We regret that the discussions in the Committee on the Application of Standards have meant that, this year, we do not have a list of individual cases to be dealt with by the Committee.

We are not seeking to apportion blame; the time is ripe to think, as the Chairperson of the Committee, Mr Paixão Pardo, invited us to do, about the mechanisms we should implement so that this does not happen again in the future.

None of this should upset the Director-General or the Office staff. What we need now is the tranquillity and calm that is fitting to this house in order to overcome our differences, which is nothing more than the exercise of social dialogue, the standard for resolving differences and the means with which we have always shown the world that we can achieve concord and social cohesion between peoples.

The PRESIDENT

As the list of speakers is exhausted, we will now proceed to the approval of the report of the Committee on the Application of Standards.

If there are no objections, may I take it that the Conference approves the report of the Committee on the Application of Standards as a whole, that is, parts 1 to 3?

(The report, as a whole, is approved.)

Ms KELLY (Worker, New Zealand)

On behalf of the Workers' group, I want to put on the record the details of a letter to the Director-General by the Workers on the Governing Body in relation to a complaint under article 26 of the ILO Constitution against the Government of Guatemala for the non-observance of the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87).

The Worker delegates that have signed this letter begin, "We, the undersigned Worker delegates to the 101st Session of the International Labour Conference, request the establishment without delay of a Commission of Inquiry against the Government of Guatemala for its egregious non-observance of Convention No. 87, which it ratified on 13 February 1952."

Guatemala has been under the near constant scrutiny of the supervisory machinery of the International Labour Organization for the last roughly 25 years. Since 1989, the Committee of Experts on the Application of the Convention and Recommendations has published observances on Guatemala's application of Convention No. 87 19 times, noting with growing concern the serious violations and calling upon the Government to adopt urgent measures to comply with the Convention.

There are now 13 active cases before the Committee of Freedom of Association and two cases designated for follow-up. These cases are in addition to the 73 cases that have been filed and subsequently closed. The violations alleged in these many cases include, among other things, anti-union discipline and dismissals, the refusal to bargain collectively or the violation of collective agreements, and death threats and the assassination of trade union leaders.

The Conference Committee on the Application of Standards has reviewed Guatemala 14 times on the

extent to which it was giving effect to Convention No. 87, and we list the dates on which these reviews occurred. Guatemala was again designated a double footnoted case in 2012.

In 2011, a high-level delegation visited the country. This delegation is in addition to the numerous previous technical missions. Together the ILO supervisory machinery has detailed extremely serious and systematic violations of the right to freedom of association in law and in practice, up to and including murder.

The ILO has sought each time to engage in a constructive dialogue with the Government in order to find solutions to these very serious violations, but to no avail. The fact remains that grave violations of the right to freedom of association continue unabated and without sanction, leading to a situation of near total impunity in Guatemala. Despite years of promises by the Government to take the necessary steps to respond to this crisis, the situation only worsens with each year.

The undersigned, the signatures to the letter, note the following deeply troubling issues which have been reported by the Committee of Experts: (i) numerous acts of violence have been committed against trade union leaders and union members in recent years, including murders, death threats, abductions, torture, armed assaults and break-ins. The rate of impunity for these crimes stands at roughly 98 per cent, which is primarily due to the lack of political will by the Government to address this extremely serious problem through effective preventative measures or competent investigations and prosecutions; (ii) the Government has consistently failed to bring its national legislation into conformity with Convention No. 87 despite repeated requests and numerous technical missions. The Committee of Experts concluded in 2012 that there has not been significant progress in the legislative reforms requested and it considers that much more effort will need to be made; (iii) significant obstacles remain to the registration of trade unions, with numerous applications pending, without action, for lengthy periods of time; (iv) the Maquila sector remains nearly union-free due to the dismissal of workers for exercising their right to freedom of association and to organize; and (v) the labour justice system remains extremely slow, subject to serious procedural abuses and incapable of enforcing its own orders when they favour workers or trade unions, and these systematic failures deny workers subject to anti-union dismissals and other violations an effective remedy.

The numerous attempts to impel Guatemala to fulfil its obligations under the Convention have obviously failed, due in large part to the Government's lack of political will. Any further use of these mechanisms, which have been employed patiently and persistently over two decades without results, would be futile. By any objective measure, this case represents exactly the kind of situation for which the establishment of a Commission of Inquiry is warranted.

Taking into account all of the above, we, those that signed this letter, feel obliged to lodge a complaint under article 26 of the Constitution and call upon the Governing Body to establish thereafter a Commission of Inquiry for the non-observance of Convention No. 87 in law and in practice. The complainants reserve the right to submit additional information at the appropriate time.

The undersigned also wish to dedicate this complaint to the memory of the at least 63 trade unionists who have been assassinated in Guatemala since 2007. The most recent assassination occurred on 1 June 2012, the commencement of the 101st Session of the International Labour Conference, and it goes on to list the signatures: the Worker representatives from Belgium, Brazil, Canada, Chile, China, Fiji, New Zealand, the United Kingdom, South Africa and the United States.

(Mr Alburquerque de Castro takes the Chair.)

Original Spanish: The PRESIDENT

I would like to inform you that the Officers have taken note of the complaint presented by Ms Kelly on behalf of several workers' organizations from different countries. This complaint will be transmitted to the Governing Body, in accordance with article 26 of the Constitution.

I give the floor to the Clerk of the Conference for an announcement.

Original Spanish: The CLERK OF THE CONFERENCE

Owing to a technical problem with the voting system, we will proceed to the approval of the report of the Committee on Youth Employment to allow time for the technicians to deal with the problem.

**REPORT OF THE COMMITTEE ON YOUTH
EMPLOYMENT: SUBMISSION, DISCUSSION
AND APPROVAL**

Original Spanish: The PRESIDENT

We will now proceed to the examination of the report of the Committee on Youth Employment, which is contained in *Provisional Record* No. 20.

I invite the Officers of the Committee to take their places at the rostrum: Mr Bardad-Daïdj, Chairperson; Ms Alturki, Employer Vice-Chairperson; Mr Dimitrov, Worker Vice-Chairperson; and Ms Marcus-Burnett, Reporter.

I should now like to give the floor to Ms Marcus-Burnett, who will present the report.

Ms MARCUS-BURNETT (Government, Barbados; Reporter, Committee on Youth Employment)

It is with great pride that I present to you for adoption this afternoon, the report of the Committee on Youth Employment. This report includes a resolution and conclusions.

Allow me to start by saying that I feel profoundly honoured to have been appointed the Reporter of this Committee which has dealt with a topic that resonates with me, and is a priority for us all.

I vividly recall the uncertain times, as a young person myself, battling the challenges of the school-to-work transition and those of job searching. I also noted the prominence that was given to the topic of youth employment in many of the statements made during the plenary sittings, including this morning's address by Ms Aung San Suu Kyi.

We started the work of our Committee on 30 May with 171 members, with participation reaching 225 members from more than 110 countries.

Judging by the unfaltering level of attendance, our Committee was one of the most popular given the level of interest in and the high priority assigned by ILO constituents to finding solutions to the youth employment crisis.

During the 15 sittings of our Committee, we extensively and, let me add, passionately, debated a

broad range of policy issues affecting youth employment under the five themes of: (i) employment and economic policies; (ii) employability – education, training and skills and the school-to-work transition; (iii) labour market policies; (iv) youth entrepreneurship and self-employment; and (v) rights for young people.

The Drafting Group worked tirelessly for three days, including late-night hours, to present a comprehensive set of draft conclusions on all the above areas for the consideration of the Committee.

We successfully achieved the task assigned to our Committee by adopting the draft resolution, and the conclusions: “The youth employment crisis: A call for action”, at our last sitting on 12 June.

I believe that all the 55 paragraphs contained in the conclusions will be an important document of reference for the Organization comprising a portfolio of policies for action to guide the tripartite constituents of the ILO in addressing the unprecedented youth employment crisis.

These conclusions supplement those adopted by the Conference in 2005, taking into account the developments since then, the lessons we have drawn and the staggering impact of the global economic and financial crisis.

Allow me to share with you some of the highlights of our discussions and conclusions.

First, we agreed that there is no one-size-fits-all but we need policy responses that are multi-pronged, coherent and context-specific to foster pro-employment growth and decent job creation through macroeconomic policies, employability, labour market policies, youth entrepreneurship and rights to tackle the social consequences of the crisis, while ensuring financial and fiscal stability.

The policy mix would need to be based on a balanced approach that promotes the creation of decent jobs for young people, focusing both on the demand and the supply side of labour.

This means that priority should be given to the economic policies, including macroeconomic policies, that foster growth through higher aggregate demand, improve access to finance and place essential focus on decent employment generation.

Second, we concurred on the need to provide young people with work experience which is highly valued in the labour market. This entails developing and scaling up specific work experience programmes, such as internships and apprenticeships. It also means providing second chance initiatives for early school leavers, or young people who never attended school, as well as young persons who want to resume their studies.

Third, we recognized the need to implement integrated labour market policies whereby active and passive measures are linked together to maximize impact. This includes the provision of adequate social protection.

Fourth, we concluded that support for young people who want to start a business, a cooperative, or a social enterprise, is crucial. An enabling environment, easier access to finance and to markets, and mentorship are essential ingredients for the start-up and sustainability of enterprises.

Fifth, the recognition that young workers have the same rights as other workers and that youth employment policies should take into account national obligations and international labour standards.

On all these five themes, our conclusions highlight the way forward for action by all stakeholders,

governments, employers, workers and partner organizations.

The conclusions also underscore the role the International Labour Office, as a centre of excellence on youth employment, supporting action by governments, social partners and the multilateral system. They provide detailed guidance to the Office for enhancing its capacity and action.

Most importantly, our conclusions voice a strong and loud call for action. Recognizing that the unprecedented situation of the youth employment crisis carries high social and economic costs and threatens the fabric of our societies, the covering resolution underscores our collective resolve to take targeted and immediate action to be guided by these conclusions. The resolution requests the Director-General of the ILO to share these conclusions in relevant international forums and to take leadership in promoting this call for action.

In presenting the report of our Committee, I would like to emphasize the richness of our discussions and the spirit of constructive dialogue that characterized our deliberations. We have learned from the wealth of national experiences presented in our Committee and that is reflected in the report of our Committee.

Given the broad range and complexity of issues examined, naturally we did not always agree on all aspects. However, when we enthusiastically voiced our opinions, we respected each others’ views, remained open to dialogue and committed to our common goal.

I would like to thank our Chairperson, Ambassador Noureddine Bardad-Daïdj from Algeria, who so skilfully steered the work of the Committee and its drafting group in such a balanced way that allowed us to reach tripartite conclusion on all our discussions.

I thank the two Vice-Chairpersons, Ms Noura Saleh Alturki for the Employers and Mr Plamen Dimitrov for the Workers, who with passion and conviction focussed on the goal of effectively addressing the youth employment crisis.

I would also like to acknowledge the support of the secretariat to our Committee under the guidance of the representative of the Secretary-General, Ms Azita Berar Awad, special thanks to Mr Gianni Rosas and Miss Angelica Muller, and indeed the many supporting staff, including the interpreters, who made this possible. Despite the long hours, the team remained passionate, dedicated and always available to assist the members of this Committee. The secretariat helped us get to where we are today, with a report and conclusions that do justice to our work.

We, in this Organization, because of our tripartite structure, have a unique opportunity to provide solutions that take into account the views of governments, workers and employers, for only with such collective efforts can we truly provide sustainable solutions.

With these remarks, I recommend this report, the resolution and conclusions on ‘The youth employment crisis : A call for action’ for adoption, with the hope that they may meet the aspirations of millions of young men and women and the trust that they have placed in this Organization.

Original Spanish: The PRESIDENT

I give the floor to the Clerk of the Conference for an announcement.

Original Spanish: The CLERK OF THE CONFERENCE

The Officers have been informed by the Office of the Legal Adviser of the ILO that we will hold a manual vote in five minutes. We will therefore suspend the approval of the report of the Committee on Youth Employment in order to organize the manual vote. Thank you for your patience.

**FINAL RECORD VOTE ON THE RECOMMENDATION
CONCERNING NATIONAL FLOORS
OF SOCIAL PROTECTION**

Original Spanish: The PRESIDENT

We will now proceed to the final record vote on the Recommendation concerning national floors of social protection, the text of which is contained in *Provisional Record* No. 14A.

I now give the floor Mr Geckeler, to explain the voting procedure.

Mr GECKELER (Representative of the Secretary-General of the Conference, Credentials Committee)

We will proceed to a manual record vote, under article 19, paragraph 7, of the Conference Standing Orders, according to which record votes shall be taken by calling upon each delegation voting in turn, in the French alphabetical order of the names of the Members of the International Labour Organization. A further and final call shall immediately be made in the same alphabetical order of delegates who did not respond to the first call. Delegates will be called in the order – Government, Employers, Workers; first, the titular delegates, then the substitutes, if substitutes have been appointed.

(A manual record vote is taken.)

**REPORT OF THE COMMITTEE ON YOUTH
EMPLOYMENT: SUBMISSION, DISCUSSION
AND APPROVAL (CONT.)**

Original Spanish: The PRESIDENT

While the results of the vote are being prepared, we will resume our discussion of the report of the Committee on Youth Employment. I give the floor to the Chairperson of the Committee, Ambassador Bardad-Daïdj.

Original French: Mr BARDAD-DAÏDJ (Government, Algeria; Chairperson, Committee on Youth Employment)

I would first of all like to congratulate the Committee on Youth Employment, which I had the honour of chairing, on its report and its conclusions.

I would like to thank Ms Emalene Marcus-Burnett, the Reporter of our Committee, for her work and support. Just before the vote, she very succinctly presented the report, the resolution and the conclusions of the Committee.

For more than 12 days and, I might add, a few nights as well, we focused on the vitally important and universal challenge facing us concerning the future of our young people in view of the employment crisis. It was not just a question of their future but a fundamental issue for the present and future of our society.

I have the pleasure of confirming to you that we rose to this task and, after many interesting discussions, with contributions from the Governments from all regions of the world and views presented by the Employers and the Workers, the Committee adopted these conclusions which are before you today.

These conclusions propose a wide-ranging framework of action for all the ILO constituents, with credible and coherent solutions which are adaptable to the diversity of our national situations. There are 55 conclusions and they show the approach that should be adopted by governments, social partners and the ILO in the various areas of activity, distilling the very best of our national experience and tripartite commitment.

Governments are thus called upon to promote and to give maximum priority to the employment of young people in the context of their national development plans and to formulate plans of action with the participation of the social partners. The conclusions emphasize the need to make sure that policies are consistent and that the measures adopted involve smooth coordination among the various players.

Considerable progress has been achieved since our last discussion on youth employment at the Conference. Many lessons were learned concerning the effectiveness of various approaches. Our Committee felt that the resolution adopted in 2005 provides a very good basis which we could use.

However, nobody can ignore the economic and financial crisis which has been affecting our countries at various levels for more than four years. One of its consequences is the serious youth employment crisis which we are experiencing today. This requires a fresh response and innovative approaches which are more balanced and more coherent, focusing on both supply and demand as regards the creation of an adequate number of decent jobs for young people and ensuring respect for their rights.

The conclusions emphasize the fact that striving to achieve strong and sustainable economic growth is at the very heart of the solution to the youth employment crisis, and that macro-economic policies which support global demand and access to funding and create productive employment are essential.

Beyond this detailed list of the initiatives needed, these conclusions, and the resolution which accompanies them, issue a clarion call for action targeting young people, immediate action to respond to the urgent nature of the crisis. This appeal challenges and involves us all. Only strong collective action in conjunction with national, regional and international partnerships will succeed in overcoming the major difficulties facing young people in the employment market.

The ILO's support is needed to back up the efforts of the constituents in various areas, as described in our conclusions. The Office's plan of action for the follow-up to the conclusions will be presented to the Governing Body in November of this year. The resolution asks the ILO Director-General to launch this appeal for action at the global level and to share these conclusions in the relevant international forums.

In conclusion, I would like to emphasize the fact that this work could not have been done so successfully without the assistance of all the members of the Committee, without exception. I would very much like to thank the two Vice-Chairpersons, Mr Plamen Dimitrov for the Workers and Ms Noura Saleh Alturki for the Employers, for their support and advice, their resolve and commitment, so that we were able to discharge our joint responsibilities.

I would also to thank the many government representatives who were members of our Committee and their regional spokespersons for their unfailing

participation and support, both in the plenary of the committee and in the drafting group. Our discussions were always very interesting and at times even passionate.

It is thanks to this open, constructive and cordial tripartite dialogue that we managed to examine together these complex questions and find a consensus. The desire for success contributed very strongly to the achievement of solid and ambitious conclusions.

I would also like to thank the President of the Conference and the three Vice-Presidents for their visits and their encouraging messages to the Committee. And I would also like to express my gratitude for the presence and support of the Secretary-General, Mr Somavia, who right from the beginning of our work showed himself to be completely committed to the cause of young people.

I would also like to conclude by thanking the many officials from the ILO, under the direction of Ms Azita Berar-Awad, representative of the Secretary-General, for helping the work of the Committee. The team worked tirelessly but without sacrificing any quality in the work. The knowledge of Ms Berar-Awad and her team and their evident desire to create an environment that enabled the delegates to arrive at some strong and specific conclusions impressed me greatly.

So I would strongly recommend that we adopt this report and the conclusions in order to restore hope to all young women and men throughout the world and contribute to the creation of the many decent jobs which they need.

Ms ALTURKI (*Employer, Saudi Arabia; Employer Vice-Chairperson, Committee on Youth Employment*)

In speaking on behalf of the Employers' group today, I represent a collection of voices.

I came to the International Labour Conference this year, having spent most of my professional life in Saudi Arabia considering the question of how to effectively integrate our native population, most of whom are young, into the workforce. The motivating factor for me in this call for action on youth employment was an appeal to up-skill youth and to increase their employability. Meanwhile, Ariosto Manrique from Mexico had arrived with a drive to level the playing field for young entrepreneurs. Alf Lønne came in from Norway with a body of knowledge on labour market policies and their impact on job generation. Reagon Graig, who travelled to Geneva from Namibia, has a personal aspiration to create 500 new jobs directly in his home country. This in itself reflected the incredible diversity of contexts and needs that our work in the Committee on Youth Employment had to respond to.

We walked into a Conference and an Organization that had succeeded in bringing more young people into its fold by putting youth employment on the agenda and encouraging young people to speak. I hope that in future years we will see more young people involved across the work of the ILO through its constituents.

So, what have we achieved from our two weeks of discussions? We, the Employers, think many positive things. We recognized that the 2005 conclusions were a balanced and well thought out set of recommendations that are still valid. This year's conclusions add to that by being more action-oriented. They include proposals for governments, the social partners and the ILO to take concrete

measures to help young people to enter the labour market. We recognize that youth unemployment is one of the most important challenges the world is facing today and any action taken, inspired by our conclusions, will be our contribution to responding to that challenge. In particular, we recognize that each of our countries had its own specific challenges and opportunities and that each has to choose its own policy mix taking into account its national context.

The conclusions recognize that private sector growth is absolutely essential to resolving the problem. Private sector growth depends on business confidence to invest in productive activities and to create jobs. We also recognize the role played by entrepreneurship. For us, it is clear that only private sector growth will generate the resources needed by the State to take the actions we propose, while at the same time maintaining the financial and fiscal sustainability that we call for in the conclusions. Only private sector driven employment can create the millions of jobs needed to reverse the crisis that many countries face.

Internships and apprenticeships are also recognized as important ways to help young people make the transition from dependency to independence. We have other quite useful recommendations in the section on education and training. In considering them and others, it is vital that governments consult with businesses, in particular through their representative organizations, to make sure that education and training are designed to meet anticipated enterprise needs. Nothing short of such engagement to maximize employability is needed in order to overcome the structural barriers that prevent millions of educated young persons from getting the jobs that are currently available.

We have also emphasized the importance of youth entrepreneurship. In fact, entrepreneurs of all ages are amongst the most valuable resources in any economy, since it is they who take risks to create the wealth, jobs and revenues that are so vital for society to prosper. Entrepreneurial spirit in all its forms must be encouraged in order to reverse the youth employment crisis.

These, in brief, are the strengths in the conclusions we put before you today. There are, at the same time, some parts of the conclusions that we feel could have been better. For instance, it should be obvious that flexible work arrangements, in particular part-time, fixed and temporary work, are stepping stones for young and inexperienced people to get a foot in the door of the labour market and to bolster their CVs. Unfortunately, the conclusions fail to recognize this. However, we are confident that policymakers around the world already know this and will not deny such opportunities to young people, especially in times of crisis.

A missed opportunity in our conclusions was the failure to recognize reasonable youth rates as an encouragement to hire inexperienced young people and give them their first experience at work.

Another point where we could have done better is the concept of a rights-based approach to youth employment which was introduced into the text. We have no difficulty whatsoever in recognizing that all workers need their rights under national law and contracts to be respected, protected and promoted. However, rights do not create jobs. Fundamental rights should clearly be available to all workers regardless of age. Rights relating to working condi-

tions should be set at levels that do not discourage job creation. So the rushed line in paragraph 48 of the text is, in our opinion, inadequate, perhaps even misleading and in any case unclear.

The section on the ILO is a call for action. We endorse the work that the ILO is doing in the field of youth employment and call for more. We encourage the ILO to continue being responsive to the needs of its members and to raise its game, so to speak, with respect to youth employment.

The magnitude of the problem demands this from all of us. At the same time, we believe the ILO should do what it was mandated to do and what it is specialized in, rather than stray into areas that are the mandate of other organizations. This is particularly the case with respect to macroeconomic policies. Saying that employment should be at the heart of economic policy is fine, but then going on to suggest what policies countries should adopt is a step too far. Every country has its own political and economic priorities and with them its own political authorities who make such decisions. The multilateral agencies that specialize in economic policy are better equipped than the ILO to study overall policy options and advise governments in this respect.

Looking back at our work, we note that our conclusions were not arrived at very easily. I think our committee spent more time in getting its work done than any other committee this year. It was partly because of the size of the subject we had to address, partly because of the length of the draft conclusions we had to negotiate, but also and importantly, because of the strength of our convictions and the passion each of us brought to this issue, which is so vital for all of us. But our work was certainly not in vain. On the whole, we consider that we have a text we can subscribe to and we call on all delegates to support it here today, and more importantly to give it serious consideration, as appropriate, when you go home to your countries.

Before closing, my group wishes to thank the various contributors to the result that was jointly achieved. First of all, we salute our Chairperson, Ambassador Nouredine Bardad-Daïdj, for his patience, diplomacy and tact. He guided us through some difficult negotiations with skill and fairness and made time for us when there was no time left.

We thank the Workers' group, and in particular their Vice-Chairperson, Plamen Dimitrov and Spokesperson, Grant Belchamber. It was our shared strong commitment to employment opportunities for young people and to social dialogue that led to our agreement on the text now before us.

We thank our Government colleagues for their contributions. They were the referees calling the shots, if you will, when the Workers and Employers disagreed. The Office played a major part in the success of our committee.

Despite the long hours we spent trying to reach consensus, which gave them very little time in between, they were ready with what needed to happen next. In session, they were always smiling, always helpful. They worked hard and they were efficient. We also appreciated the informative report and the extensive consultations they conducted in the run-up to the Conference that helped to ensure the success of the efforts. Yet, the real test of the value of our work is not in the fact of its adoption with unanimous support, which nevertheless is important, the real test, is if the key stakeholders, who

have the power to make decisions, are actually inspired and guided by the conclusions.

Our Employers' group has mixed feelings about that, but I find myself remembering the eloquent words of Daw Aung San Suu Kyi who spoke from this very podium this morning. On youth employment, she said, "it is not so much joblessness as hopelessness that threatens our future". This put things in perspective for me, because it intensified the challenge before us by linking joblessness to hopelessness, but it also reminded me that no matter how grave a crisis is, we cannot lose hope, and with that I am, on behalf of the Employers, full of hope that our work will contribute a part of the solution and that it will be built on further, inside and outside the ILO, in the coming months and years.

Mr BELCHAMBER (*Worker, Australia, on behalf of the Worker Vice-Chairperson of the Committee on Youth Employment*)

Young people keep alive the hope of changing our societies for the better, yet today there are not enough jobs for our young people. Globally we have delivered them a deficit of decent work. If we do not soon do better, we place at great risk our social cohesion, our future.

I am proud to stand here today after two weeks of hard work. The Committee on Youth Employment has achieved a significant result. It was not easy, but our joint responsibility to deliver for young people made us stick to the task. I believe we have lived up to the challenge and identified key elements needed to respond to the youth employment crisis.

On behalf of my group, the Workers' group, and on behalf of our Vice-Chairperson, Plamen Dimitrov, who led most of the work in our group, I sincerely thank the Government and the Employers' groups for their cooperation and commitment to see the task through, even when discussions were difficult and arduous. It is the joint effort of all three groups that has brought us the conclusions we have today.

Yes, as Workers, we looked for an even stronger document to fight the youth employment crisis, but we do feel that the key issues that we raised at the start of our discussions have found their place in the conclusions that we are adopting today. Coming into this Committee, the Workers' group wanted renewed action on youth employment, concrete proposals for governments, social partners and the Office, and acknowledgement of the urgency of the situation.

The youth employment crisis is severe and needs to be addressed in a much stronger way than it has been since 2005. We also wanted to see a better balance in technical work and resources among the various policy areas on the table. We made this clear. There has been a failure in addressing youth unemployment and the quality of jobs for young people over the past seven years. We need a bold and balanced approach to address this crisis.

Too much weight has been given to supply-side measures – labour market programmes, employability and entrepreneurship. These are measures which are necessary, but they are not sufficient. They do have a role to play in the fight against youth unemployment, but they cannot address the severe and chronic shortage of productive and decent jobs in our societies.

The conclusions we have adopted rightly recognize that macroeconomic policies have failed to de-

liver sufficiently increased employment levels, especially since the crisis. We applaud the explicit acknowledgement that full employment should be a key objective of macroeconomic policy. We urgently need to do this, to put employment back at the centre of macroeconomic policy, and to create jobs in much greater numbers through countercyclical policies and demand-side interventions. The sense of urgency here is critical. Action now is vital if we are to deliver on the quantity of jobs that the world needs.

Beyond this recognition of the central importance of macroeconomic policies for the creation of jobs generally and for youth in particular, the conclusions embrace: a strengthened role for the ILO in the area of macroeconomic policies, including through policy analysis and providing options to governments for promoting full employment; an important role for industrial policies and technological skills to advance production structures and increase productivity levels of employment created; and a strong role for public investment and employment guarantee schemes in the creation of decent and productive jobs. This is particularly important for developing countries with a large informal economy and can help trigger the growth that is needed to create more formal employment. Given the various experiences with youth employment guarantee schemes, we also hope that governments will pursue this option.

We are also pleased that the draft conclusions recognize the importance of the quality of jobs for young people and the rights of young workers. Young people disproportionately find themselves in low-quality jobs, characterized by low wages, insecurity and lack of protection. This recognition is of great importance to young workers. The conclusions highlight the need to address this challenge. They also point out that governments and the International Labour Office should identify and provide mechanisms at national level that facilitate and promote the transition from casual and temporary work to stable and permanent jobs.

We welcome the role for the ILO in this area, for research and data collection on working conditions, wages and contractual arrangements for young people. The explicit acknowledgement that rights should apply to all workers and that young workers should not be discriminated against is welcome and important. So too is the inclusion of the appendix listing all relevant ILO standards – this is recognition of the role ILO standards can play in the fight against youth unemployment and the fight for decent work for young people.

Importantly, the conclusions identify the need to avoid abuses of various schemes, such as internships and apprenticeships, which aim at increasing work experience among young workers. Caution is needed to make sure that such schemes do not displace regular workers with cheap labour and that they do actually deliver good training.

The recognition that minimum wages can be effective in preventing abusive and discriminatory pay practices, while improving the purchasing power of young workers, is significant. The Workers' group suggests that minimum wages can actually be seen as an activation measure. The critical role of minimum wages is an important message coming out of the conclusions. We hope governments and/or social partners will take up minimum wage setting in those countries where it is still lack-

ing, using the guidance from the Minimum Wage Fixing Convention, 1970 (No. 131).

Similarly, the importance of social protection coverage for youth has been stressed.

Finally, we are pleased with the recognition that cooperatives and the social economy have a role to play in creating jobs for young people and contribute to better resilience among young entrepreneurs.

I want to flag here the mandate we have given the Director-General to bring these conclusions to other multilateral forums, such as the meeting of the United Nations Economic and Social Council, the G20, the Rio +20 and beyond, and the hope that these conclusions will be taken up in the same manner and with the same urgency as the Global Jobs Pact.

The Workers' group sincerely hopes that the conclusions we are adopting today will be carried home and that the commitment of governments we have seen in the Committee will be pursued in their countries when implementing these conclusions. We anticipate a similar commitment from Employers and look forward to working with them on the implementation. It is only through implementation that we can really address the youth employment crisis.

I thank everyone who has made these conclusions possible. First of all, the Government group and the Employers' group, led by the Vice-President, Ms Noura Saleh Alturki. Their cooperation and sustained input, along with ours, has made the conclusions the way they are. Our discussions were difficult at times, but they were important in understanding the various positions and in trying to find consensus.

Profound thanks go to the Office, to Azita Berar Awad and her entire team. They worked tirelessly for the past two weeks. Their professionalism and commitment is exemplary.

Thanks kindly, interpreters. You make us all understand each other. Without your fine work, we would be a babbling throng.

A special thanks goes to my own group, the Workers' group, for their active participation, their incisive input, their comradeship and their enduring support.

Finally, I thank our Chairperson, Ambassador Nouredine Bardad-Daïdj, for his leadership and excellent chairing of our Committee.

We are ready to adopt this report and its conclusions and we look forward to their swift implementation. We commend them to the Conference. The time for action is now.

FINAL RECORD VOTE ON THE RECOMMENDATION CONCERNING NATIONAL FLOORS OF SOCIAL PROTECTION: RESULTS

Original Spanish: The PRESIDENT

Before we resume our discussion of the report of the Committee on Youth Employment, I am very pleased to announce the results of the vote on the Recommendation concerning national floors of social protection.

(The detailed results of the vote will be found at the end of the record of this sitting.)

The result of the vote is as follows: 453 votes in favour, 0 votes against; with 1 abstention. As the quorum was 304, and the required two-thirds major-

ity 302, the Recommendation concerning national floors of social protection is adopted.

(The Recommendation is adopted.)

**REPORT OF THE COMMITTEE ON YOUTH
EMPLOYMENT: SUBMISSION, DISCUSSION
AND APPROVAL (CONT.)**

Original Spanish: The PRESIDENT

We will now resume the discussion of the report of the Committee on Youth Employment.

Original Spanish: Mr AURIS MELGAR (Worker, Peru)

I am speaking as the Peruvian Workers' delegate because I have a few brief, but important, comments which I would like to make as I think they are relevant and they will allow us to get a full picture of the seriously deteriorating situation for young people in the labour market and of the labour market in general.

In Latin America, it is estimated that six out every ten young people have informal jobs, under precarious conditions, with very low wages and without any social protection.

In Peru, according to the Economic and Social Research Consortium, in 2009, 79 per cent of the economically active population worked in the informal sector. That means that eight out every ten workers had informal work. As such, they did not enjoy the rights or benefits to which they were legally entitled, such as minimum wage, expenses, social security and compensation for time worked. Youth employment, and indeed employment in general, are being seriously threatened by two phenomena: precariousness and informality. Precariousness is actually something that is as much generated by Government as by employers. In the case of Governments, the State is the biggest offender.

In Peru, 58 per cent of State workers are employed in precarious work, while private sector labour in Peru is made precarious through services and sub-contracting, by means of a set of recruiting procedures.

These workers in precarious employment, without rights or social protection, who are vulnerable and experience social exclusion, are the slaves of the twenty-first century. Therefore, under these conditions, I call on Governments, employers and workers, to adopt intelligent and effective measures to eliminate informal work.

As we all know, work must not only be a source of wealth but, essentially, work has to be mankind's key to attaining human dignity. That is why work has to be decent, dignified and productive.

This world is sick and we are working together to find the best medicine to cure this terrible evil.

The capitalist model of production has only become more irrational and inhumane. Economic and financial crises are occurring with greater frequency and are becoming chronic. In this context, work is an inexpensive commodity. Therefore, the ILO should take the initiative and create conditions to take decisive and steady steps towards a new social contract, where politics, the economy, ethics, solidarity and the scientific and technological revolution come together to build a new world having people the heart of its society.

Original Spanish: Ms MEDINA (Worker, Argentina)

For young men and women workers in Latin America and the Caribbean, it is important to high-

light that there are now something like 75 million people unemployed worldwide and that our region, alas, is one of the worst affected. You also have to add to that the many young people who do not study and are a subject of particular concern. In our countries, young workers have to overcome major structural barriers when they seek a decent job and they, therefore, increasingly turn to the growing opportunities for part-time and informal work as the only option available to them.

Job insecurity and the lack of decent work opportunities are the main cause of this situation. The number of vulnerable jobs is estimated to have increased by 5 million since 2009, with a greater incidence among young women workers.

A high proportion of young people work in the informal sector and the majority of young workers in rural areas remain in situations of poverty. We are also aware of the working conditions in which young people are exploited in export processing zones where their rights are not being respected. Our committee highlighted that it is urgent that we tackle the youth employment crisis by taking a multi-dimensional approach through measures to promote growth, to boost employment and create decent jobs through effective macroeconomic policies that generate sufficient jobs for everyone and, in particular, for young people.

All action taken to tackle the youth employment crisis must bear in mind in the Declaration of Philadelphia, the ILO Declaration on Fundamental Principles and Rights at Work, the Decent Work Agenda, the Global Jobs Pact, the ILO Declaration on Social Justice for a Fair Globalization and the conclusions adopted by the International Labour Conference as a result of the recurrent discussion on employment in 2010. We should also not forget the international labour standards adopted by this Organization. This should be the framework for public policies, based on a strong political commitment to address the current employment crisis.

Of the guiding principles mentioned in the report, I would particularly like to highlight the importance for our region of the following: setting full employment as an essential goal of macroeconomic policies, ensuring effective consistency between economic policies, education and training policies, and social protection policies; promoting the involvement of the social partners in the development of policies through social dialogue; guaranteeing that all programmes and policies respect the rights of young workers and bear in mind the gender aspect, facilitating the transition from temporary to stable jobs.

We hope that the ILO will provide assistance for the national and regional promotion of a focus on youth employment, based on rights that ensure young people receive equal treatment and benefit from social inclusion and that their rights at work are upheld according to international labour standards, above all promoting and protecting their freedom of association and right to collective bargaining.

Original Arabic: Ms KADDOUS (Worker, Algeria)

This year the ILO is discussing the youth employment crisis, which is an absolute necessity especially in view of the worsening global financial crisis, and also in view of the uprising of peoples and young people in the Arab region.

What distinguishes the deliberations of this Committee this year, especially within the Workers' group, is the wide participation of young people from all parts of the world. Thus, this report reflects a good measure of the ambitions and hopes of young people. It differs from the 2005 report in that it contains practical proposals and mechanisms which could be applied in any country, in accordance with its specific characteristics and capacities.

The time has come to strengthen the social dialogue mechanism, and to support the participation of the social partners in the formulation of economic and social policies – especially in the inclusion of the employment policy within macroeconomic policies. This could be done through investment in the productive sectors, which is referred to as “the real economy”. This is the economy which generates wealth, job opportunities, and decent work for young people.

The time has come to move from holding consultations with young people to ensuring their participation in decision-making, especially with respect to employment issues that concern them. This could be undertaken through their involvement at all levels of social dialogue, and collective bargaining, by strongly encouraging them to join trade unions as a means of expression and of decision-making. It is to be recalled that they have the capacity and competence to participate effectively and contribute to the system of education and training in response to the needs of the labour market.

Young people could also, through collective bargaining, defend their occupational rights at work in accordance with national labour legislation and international labour Conventions, especially in relation to protecting young workers who are under contract, and who are in precarious employment.

The time has come for the ILO, in view of the current circumstances, to give a priority to the youth employment issue, and to allocate all possible resources thereto, as it has done with the Decent Work Country Programmes launched in each country, as well as ensure the participation of the social partners especially youth in the preparation and implementation of such programmes.

The time has come for the ILO to formulate a programme on youth employment for each country. In fact, we are running the risk that young people, who are very knowledgeable about new technologies and social networks these days, may not wait much longer. We must take action now.

Ms RUTTO (*Worker, Kenya*)

Thank you, Mr President, for giving me the floor to address this International Labour Conference on the occasion of the approval of the Committee report of the Committee on Youth Employment.

I join our Workers' Vice-Chairperson in expressing appreciation to the Employers and Governments on our Committee and indeed to all the delegates that worked so arduously to arrive at this commendable conclusions that indeed complements the conclusions adopted at the International Labour Conference in 2005.

I would like to highlight two critical issues that, to us, are important at this juncture and in the context of the youth employment crisis.

The first issue is on the magnitude of the crisis of youth employment. It is clear from our deliberations over the last weeks and from the report before us

today, that the youth employment crisis has reached intolerable dimensions and become a threat to social cohesion and political stability in many of our countries. In many of our countries, and especially those in my region of Africa, there are strong grievances among young people, and unemployment and underemployment can be equated to a powder keg waiting to explode.

In this regard, we wish to strongly stress the fact that young people represent the future of our societies. The future must begin now. We must create enough jobs. We must create enough decent jobs, and to do this, we must go beyond the orthodox assumption that the prevailing microeconomic framework, namely, that a sufficiently high rate of economic growth would also increase the rate of employment creation. This is because many countries in Africa have indeed exhibited appreciable labours of economic performance in the last two decades, but much of this growth has simply not been translated to decent employment. Instead, we have been confronted by increased informality and precariousness in almost all our countries. We urge the ILO and its constituents to assert its voice with regard to the role of the microeconomic framework on employment creation.

Employment needs to be installed as a key core objective of macroeconomic policies. Special attention must be given to youth employment as a priority objective of overall economic policy. We need to emphasize that youth employment is closely bound to the overall employment situation. While there is a clear recognition that macroeconomic policies have a key role to play in the creation of employment, this is not coming very much to the fore in the work of the ILO and policy development in many of our countries. This is now the time for all of us governments, businesses and labour to step up our efforts to tackle the youth employment crisis.

The second issue of concern is the role of youth entrepreneurship and self-employment. As we search for multiple pathways to decent work and sustainable enterprise for some people, we need to realize that there is a limit to entrepreneurship arrangements and that not of all us can be businesswomen and businessmen. As it is, too much credit and emphasis seems to be given to entrepreneurship programmes.

As a Kenyan, I felt rather embarrassed when I learned, during our Committee deliberations, that our country was a global example of youth entrepreneurship. In fact, a day after the expert presented the merits of the Kenyan Youth Entrepreneurship Fund to the Committee, damning media reports emerged back home that raised a number of critical questions that touched on the financial management and sustainability of the programme. This only strengthens our concern that youth entrepreneurship or self-employment may not always be a cure-all but panacea to tackling unemployment. The genesis of the matters raised in internal audit activities of the Kenyan Youth Employment Fund also supports our observation that there is little evidence on the quality of impact of youth entrepreneurship programmes. We therefore endorse the conclusion assertion that calls for exhaustive evaluation of such programmes.

Finally, we wish to pay tribute to the President and to the social partners. The contribution of the ILO and its constituents to the welfare and dignity of the worker cannot and should not be understated.

We must prevail and take action to deal with the youth employment crisis.

Original French: Mr TRICOCHE (Worker, France)

The employment situation for young people has never been as serious as it is today. The scale of the youth employment crisis varies by region and country, but across the world young people are faced with increasing difficulties in finding a decent job.

Youth unemployment has reached staggering proportions, prompting young people to lead political and social protest movements and to demand “jobs, freedom and social justice”.

In my region, Europe, the youth unemployment rate is three times higher than that for adults and 40 per cent or more of jobseekers are young people.

Many young people have given up all hope of finding a job and those who are in jobs are too often in precarious situations, forced to work part time, badly paid or living in poverty, so the risk of a generation being lost is a very real one in my region. This situation fully justifies the fact that the 2012 Conference has addressed this issue and proposed effective measures, of which the main objective is to promote decent work for young people.

From the Workers’ point of view, the tripartite conclusions of our Committee are commensurate with the challenges facing governments and social partners.

Youth employment is a subset of the issue of employment in general. We will not be able to find a satisfactory solution to youth unemployment, and adult unemployment as well, without massively creating jobs that guarantee decent work. So the question of macroeconomic policies is key. Avoiding that issue and settling for interim measures would amount to reshuffling the order of the young people in the unemployment line, without making it any shorter.

In Europe, where lopsided austerity policies are driving some economies into recession and increasing social debt, a recovery with demand-driven, job-creating growth will be a decisive factor in bringing young people out of unemployment and precariousness.

In response to the challenge posed by the world economic and financial crisis, the conclusions of the Committee stress how vital it is for governments and social partners to be mobilized in order to move toward growth and strong and sustainable economic development which emphasize job creation and social integration.

In the chapter headed: “Employment and economic policies for youth employment”, the conclusions insist on the fact that a one-sided approach will not be effective. A holistic approach is needed in which both macro- and microeconomic policies work in tandem to boost the employability of young people, while ensuring that there are productive employment possibilities to absorb the skills and talents of young people.

The conclusions recognize that pro-employment macroeconomic policies that support aggregate demand and improve access to finance are essential, as is public investment in large-scale infrastructure and public employment schemes.

In its conclusions, the Committee invites governments to implement policies that promote full, productive and freely chosen employment, informed by the Employment Policy Convention, 1964 (No. 122), and to anchor a job-friendly development

agenda in industrial and sectoral policies that contribute to an environmentally sustainable economy. Also, in the area of macroeconomic policies, governments have every interest in involving the social partners in policy decision-making through regular tripartite consultations, and establishing and consolidating monitoring and evaluation mechanisms to measure impact and improve policy instruments.

Education, training and skills are key to a productive recovery in our economies. The conclusions recall the importance of these factors to enhance employability and ease the transition to decent jobs. Governments must therefore not only ensure that quality basic education is freely available, but also develop skills strategies in support of sectoral policies and result in higher skills and better paying jobs. It is also indispensable to improve the links between education, training and the world of work through social dialogue and the establishment of recognized qualification standards in response to market needs. Technical vocational education and training, including apprenticeships and other forms of alternate training, must be enhanced.

The conclusions recognize that youth entrepreneurship can be a pathway to decent work and sustainable enterprise for some young people. In that context, different types of assistance will be appropriate to meet the special challenges faced by young aspiring entrepreneurs in both rural and urban areas. However, the Workers would not like the development of entrepreneurship to lead to precarious micro-enterprises and disguised forms of labour relations.

Since 2008, in my country, there has been a legislative provision which promotes entrepreneurship. The aim is, in fact, to enable young or adult unemployed people, and people whose labour does not provide them with sufficient revenue, to start up a micro-enterprise while benefiting from a favourable tax regime, including exemption from VAT, during the first few years after start up.

This system is, however, encountering major difficulties. The first of these is the low survival rate of these micro-enterprises, which all too often leaves the entrepreneurs in a precarious situation and unemployed. The second difficulty is competition between these entrepreneurs and SMEs, who do not benefit from such a favourable tax regime. This explains why employers in micro-, small and medium-sized enterprises, particularly in the craft sector, are not in favour of this type of entrepreneurship.

It is thus important that the Committee concluded, in the area of entrepreneurship, that rigorous monitoring and evaluation of the programmes by governments is needed to review their effectiveness. The key performance indicators should be the sustainability of the start up, the level of income generated, the number of jobs created and their quality.

The ILO report, on which the work of the Committee was based, is called *The youth employment crisis: Time for action*. The tripartite conclusions submitted to the Conference fully meet this expectation by proposing a series of relevant pathways to be followed that are entirely consistent with the Global Jobs Pact adopted in 2009.

I therefore invite delegates to adopt the conclusions unanimously, after having thanked the members of the Committee, the Chairperson, and the two Vice-Chairpersons, for the quality of their work and the spirit of tripartite negotiation that made it possible.

As Victor Hugo wrote in *Les Misérables*: “There comes a time when protest is not enough. After philosophy, action is required.”

Let us draw inspiration from this message and take action. On the basis of these conclusions, let us act everywhere in our regions and our countries to restore young people’s hope. Let us not forget that it is they who will be writing the future of our civilizations. So let us ensure that they can write a chapter of a better and fairer humanity.

Original Spanish: The PRESIDENT

As there are no more speakers on the list, we will now proceed to the approval of the report of the Committee on Youth Employment, paragraphs 1–554, and its appendix on international labour standards relevant to work and young persons, which you will find on page 109 of the English version.

If there are no objections may I take it that the Conference approves the report and its appendix?

(The report – paragraphs 1–554 and its appendix are – approved.)

**CONCLUSIONS – THE YOUTH EMPLOYMENT CRISIS:
A CALL FOR ACTION: ADOPTION**

Original Spanish: The PRESIDENT

We will now proceed to the adoption of the conclusions on the youth employment crisis: A call for action, part by part.

(The conclusions – paragraphs 1–55 – are adopted, part by part.)

If there are no objections, may I take it that the Conference adopts the conclusions, as a whole?

(The conclusions, as a whole, are adopted.)

**RESOLUTION – THE YOUTH EMPLOYMENT CRISIS:
A CALL FOR ACTION: ADOPTION**

Original Spanish: The PRESIDENT

We will now proceed to the adoption of the resolution concerning the youth employment crisis: A call to action.

If there are no objections, may I take it that the Conference adopts this resolution?

(The resolution is adopted.)

That concludes our consideration of the report of the Committee on Youth Employment. I would like to congratulate the Chairperson, the Vice-Chairpersons and the Reporter of the Committee, as well as the members of the Committee, for the efficient work they have done in a relatively short time. I would also like to thank the secretariat for the effective support it provided.

CLOSING SPEECHES

Original Spanish: The PRESIDENT

We will now proceed to the closing ceremony of the 101st Session of the International Labour Conference.

I invite you to listen to the closing speeches.

Mr MATTHEY (*Employer, Switzerland; Employer Vice-President of the Conference*)

It has been a great honour to serve my group as the Employer Vice-President of this 101st Session of the International Labour Conference.

Let me convey my thanks to the President and my co-Vice-Presidents from the Workers’ and Government groups for the goodwill and fellowship all through this Conference. Let me also thank the Office for its support in helping me to discharge my duties.

This year’s Conference agenda addressed three important policy areas that not only lie at the heart of the mandate of the ILO, but are also of high priority for the G20 and other policy forums: youth employment, social protection, fundamental principles and rights at work.

We have heard yesterday and today from the spokespersons of three Committees about their intensive but successful work. I am convinced that the outcomes in all three areas are highly relevant and can make a real difference on the ground. That is what our work here is all about – to develop policy approaches, standards and frameworks for technical cooperation which improve the situation for workers, employers and companies.

Our Geneva paperwork is not an end in itself, but a means to change situations and circumstances at regional, national and local levels. If the results of this Conference do not meet the needs of the constituents, our work becomes meaningless.

After the last game is before the next game, as we say in football, and we can say it these days. Now a proper follow-up process to the Conference is needed. We have to ensure that the outcome of the discussion on youth employment feeds into the G20 process and is operationalized in national employment policies.

The Recommendation concerning national floors of social protection needs to be disseminated and taken up by governments when developing social security systems. We need a sound and detailed action plan on fundamental principles and rights at work based on the conclusions of the recurrent item discussions.

This Conference was only the kick-off, but the real work starts now. The ILO needs to focus the resources to realize the outcomes the process of tripartism has produced.

This was also the last Conference for Juan Somavia, as the leader of this House. He has already heard a tsunami of appreciation and praise in the last weeks, and especially yesterday. I would also like to join this chorus and thank him for his dedication and commitment to the course of this Organization, and especially the visibility of the ILO in the international arena, which must be attributed mainly to his work. His legacy goes beyond the 500 speeches that will be published soon. He leaves an Organization which addresses the social dimension of globalization in a much more focused and direct way than was done before.

My speech today is not a goodbye but an *au revoir*. I am sure not only that many of us will stay in close contact with him, but that he will continue to be a widely heard voice for social justice in a globalized world.

I would like to finish my speech with the clear commitment of the Employers’ group to this Organization and its structure. There was a good deal of remorse, misunderstandings and misinformation about the course of the Committee on the Application of Standards. I do not want to speak much about this topic. We already did today and we will do the same tomorrow in the Governing Body. I want to deliver just one clear message to you. The

Employers' group believes in the ILO, in the need for the international labour standards and it supports the supervisory machinery of the Organization which has to follow clear rules and in which every actor has a clear mandate.

The Employers are very much committed to working jointly with Workers, the Governments and the newly elected Director-General for the success of this Organization. I thank you all.

Mr ATWOLI (*Worker, Kenya; Worker Vice-President of the Conference*)

It has been a great pleasure and honour for me and my organization to be elected Vice-President of the 101st Session of the International Labour Conference. I would like to express my sincere thanks to the Workers' delegates for the trust they have placed in me.

I would also like to congratulate the President of the Conference, His Excellency Dr Rafael Francisco Alburquerque de Castro from the Dominican Republic, the Government Vice-President, Mr Sukayri from Jordan, and the Employer Vice-President, Mr Matthey from Switzerland, for their excellent and fruitful cooperation.

I am particularly grateful to have served a session of the Conference that had the honour and privilege to receive Ms Aung San Suu Kyi. This was truly a historic moment and one we will not forget.

This session of the Conference was also the last one for our Director-General, Mr Juan Somavia. The tributes paid to him yesterday showed the many achievements he has accomplished and his great personality. I wish him well for the future and can only hope our paths will cross again.

Let me also take this occasion to congratulate Mr Guy Ryder on his election as the new Director-General. The Workers look forward to collaborating with you, Guy, and also with the Employers and Governments in the years to come.

Let me now turn to the various subjects discussed at the Conference this year.

Unfortunately, I have to start on a negative note, when it comes to the work of the Committee on the Application of Standards. This year we were confronted with a serious attack by the Employers against the mandate of the independent Committee of Experts and, in particular, the interpretation it had given to the linkage between the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), and the right to strike. Having demanded the inclusion of an unacceptable disclaimer in this year's General Survey, *Giving globalization a human face*, more than two months after its publication, the Employers refused to allow the discussion of a list of cases provided for under the Committee's mandate.

This prevented many workers from giving international visibility to their struggles in defence of their rights and taking comfort from international solidarity. It has been agreed that the November Governing Body will have to address the matter of the functioning of the Committee in relation to reports of the Committee of Experts. The Workers are willing to engage in this discussion but it should be clear that they will not allow the undermining of a supervisory mechanism, put in place many years ago, to protect their fundamental rights.

Let me now turn to the many positive results of this Conference.

The Committee on Youth Employment has lived up to the challenge of providing a robust set of conclusions and actions that affirm the urgency of this matter. Governments, social partners and the International Labour Organization need to step up their efforts to address the crisis and deliver decent jobs for young people.

The importance of employment-centred macro-economic policies and industrial policies to increase employment intensity and the quality of employment growth are recognized as key pillars in the fight against youth employment. Governments should make much more effort in this direction and there is clear evidence that macroeconomic policies are a key determinant in levels of employment.

The conclusions further stress the importance of equal rights and treatment for young workers. The deterioration of the quality of jobs for young people was expressed as a growing concern and there is a need to turn the tide. As the conclusions indicate, governments can do a lot to improve the quality of jobs through application and enforcement of labour legislation, but also through regulation that promotes the transition from temporary and casual jobs to stable and permanent ones.

Finally, the importance of public investment and employment programmes, as well as cooperatives and the social economy in contributing to the creation of jobs for youth, is recognized in the conclusions.

We also welcome the conclusions of the recurrent discussion on fundamental principles and rights at work. On behalf of the Workers' group, I would like to highlight two major achievements in these conclusions.

First, the confirmation of the universal and immutable character of these rights and their importance as human rights. These conclusions therefore confirm that an absolute priority should be given by the ILO and its member States to achieve universal ratification and effective application. Universal ratification is within our reach. This would also strengthen the legitimacy of the ILO and its role in the multi-lateral system.

Secondly, the framework for action also contains strong provisions to increase coherence between social policies, on the one hand, and economic, fiscal and trade policies, on the other, both at the national and international level. Such coherence is severely lacking at the moment, which has caused further suffering as a result of the crisis. The commitment of the constituents and the ILO to coherence should lead to greater respect for the fundamental principles and rights at work, social justice and the emancipation of workers, with as a main priority the right to organize and the right to collective bargaining, as these are the foundations of the ILO.

Last, but certainly not least, we are extremely proud that this Conference has adopted the Recommendation concerning national floors of social protection. The adoption of the Recommendation can be seen as a milestone. It also shows the relevance of the ILO as a standard-setting organization. It insists on the importance of member States to put in place social protection guarantees accessible to all human beings regardless of their situation in the labour market, and regardless of the level of development of the country in which they live.

The Recommendation establishes a rights-based approach to social protection. While recognizing

national specificities, the Recommendation provides useful guidance to member States on how to extend social protection in both dimensions: the horizontal dimension, to increase coverage to as many people as possible, and the vertical dimension, to increase the level of protection along the lines set forth in the Social Security (Minimum Standards) Convention, 1952 (No. 102), which member States are invited to ratify.

The background for this Recommendation lies in the successful experience of some developing countries over recent years, which has proved that social protection is not only good for social progress and poverty reduction, but also for economic development. Social protection floors are therefore a global necessity. The ILO must now actively promote the implementation of social protection floors everywhere it is needed and allocate the necessary resources for it.

Finally, we welcome the work of the Subcommittee of the Selection Committee on Myanmar. The revision of the 1999 and 2000 resolutions reflects the progress made towards the elimination of forced labour. However, the practice of forced labour has not been fully eradicated and we invite the Government to continue its efforts in order to make rapid progress on the implementation of the joint strategy.

Our group equally welcomes the identification of the effective and full realization of freedom of association as a priority in the resolution. In this regard, we are very pleased that the Government has agreed to the return of U Maung Maung and his colleagues from the FTUB to Myanmar. We trust that the FTUB will very soon be able to register under the new legislation and operate freely in the country.

Let me conclude by thanking the Director-General, the ILO staff and the interpreters, who all worked tirelessly to ensure the success of this Conference.

I thank you for your attention and wish you all a safe trip back home.

Mr SUKAYRI (*Government, Jordan; Government Vice-President of the Conference*)

I am honoured today as the Government Vice-President to have the opportunity to address this august Conference. The 101st Session of the International Labour Conference comes at a time when the world is facing one of the most serious socio-economic crises in history.

However, because the ILO has enjoyed an outstanding status on the international arena, it has really become a major player in stabilizing the global socio-economic situation. The ILO, under the wise leadership of Mr Juan Somavia, has been able to face the challenges of today's world.

Our Conference this year has served as a forum for world leaders who conveyed their messages to the world on social, economic, financial and, above all, human rights and humanitarian issues.

Our Conference this year is a historic event on many counts. Among these is that it marked the change in leadership. Mr Juan Somavia has really demonstrated true leadership and a clear vision throughout his term in office. The tribute paid to Mr Somavia yesterday by the Conference is strong evidence of the high regard he enjoys by the ILO tripartite constituents. While we express our deepest regret for the departure of Mr Somavia, we are confident that he leaves the ILO in good hands. Mr Guy

Ryder enjoys everybody's highest regard and respect. We are certain that he will build on the achievements of Dr Somavia and further advance the status of the ILO.

As we close the proceedings of the 101st Session, we feel more confident than ever that the future of the ILO and its work, through its unique tripartite structure, is bright and promising.

The 101st Session has made history by adopting the Recommendation concerning national floors of social security, as well as the report on youth employment. These achievements are truly a milestone in the history of the ILO. I should congratulate all stakeholders for their achievements. With these achievements, the International Labour Organization, of which this Conference is the supreme parliament, has now become the most privileged organization on the international scene. The main decisive elements of every existing society converge in the Organization: Governments, Employers and Workers. This undoubtedly creates much hope among all human beings in our world. This has led, for more than nine decades now, to many Conventions, treaties, resolutions and recommendations for the good of all mankind.

We hope that these achievements will be sufficient to eventually eradicate social injustice and to contribute to establishing peace and security for all mankind.

In conclusion, allow me to extend my sincere thanks to all participants of the Conference and, in particular, to the Asia and Pacific group, whose support to my country, Jordan, and to me personally, has been vital. Without that support I would not have had the honour of assuming the post of Government Vice-President of the Conference. I wish to pay tribute, first and foremost, to the President of the Conference, His Excellency Dr Rafael Francisco Albuquerque de Castro. To him I say, "*Muchas gracias, señor Presidente.*"

I also want to thank my colleagues, the Employer Vice-President, Mr Blaise Matthey, and the Worker Vice-President, Mr Francis Atwoli, for their kind cooperation. Each time I needed that cooperation they were there for me.

Allow me also to extend my sincere thanks to all ILO officials and members of the secretariat, whose assistance was most vital to me in order to perform my duties as Vice-President. I mention in particular Mr Christian Ramos Veloz and Ms Antoinette Juvet-Mir.

Finally, I again extend my heartfelt gratitude to all stakeholders of this Conference, including delegates, participants, ILO officials, the ILO secretariat and also to the representatives of civil society and the media. And last but not least, to the interpreters, as well as to the members of my delegation, in particular the Jordanian ILO expert, Mr Shukri Dajani.

Original Spanish: The SECRETARY-GENERAL OF THE CONFERENCE

Thank you very much, Mr President. Firstly, I would like to thank you for the way in which you have conducted the plenary and the general Conference, and also for the long-standing relationship you have with the ILO and the ILO has with you.

I would also like, at this point, to celebrate the fact that you are here with us today, on your birthday, so please let us give a round of applause for the President.

(Applause.)

My thanks also to the Vice-Presidents, Mr Atwoli, Mr Sukayri and Mr Matthey. Thank you very much for the work you have done, for the speeches you have just made, and also for your kind words to me. Many thanks.

To the teams of the ILO, in full complement here at the Conference, many thanks. And my thanks, of course, to you, the delegates.

I will, of course, be brief at this stage. We have had an excellent Conference.

(The speaker continues in English.)

I would like to make two comments. The first is that you have dealt with issues that are at the heart of the problems of national societies and the global economy. We have done our work; you have done your work. You have proposed policy recommendations, products and standards which are practical, concrete and useful instruments for us at the ILO, but also for the world beyond: the call to action on youth employment; the Recommendation concerning national floors of social protection; and an action plan on fundamental rights and principles at work. I cannot imagine anything more useful for our own work and beyond.

I have already said this, and I will say it again, and you request this in your own decisions, that these issues be taken to the G20, be taken to the Rio +20, be taken to the United Nations Economic and Social Council, and we will certainly do so. It points to the fact that you take decisions for the governance of the ILO, but you also take decisions that can be utilized beyond what we do, through precisely the relationship with organizations other than ours.

So my comment on this issue is: why this receptivity to our products? Why is it that we systematically bring these products to other organizations and they say, "Hey, good, thank you, good job; we find it useful, we will support it?" I think that, first of all, it is the quality of the work; the quality of your professional work, what you produce, is high. Second, the balance of your conclusions, the balance that tripartism brings to our decision-making. Third, the recognition of the diversity of situations, which is very necessary in such a diverse world. And, finally, and probably the most important one, is the capacity for tripartite consensus behind the products. When you present to the world a standard or Recommendation and you can say that it has been approved unanimously, that is very strong. It is not just another resolution from another organization, it is a very strong political expression of support for something that we are proposing for our own work, but also for countries and the entire world. So this, I think, is what we will be using towards the future and the Office, naturally, will engage in the follow-up.

My second point is, I believe that the session we had today, with Aung San Suu Kyi, is an indication of where we are. It was very impressive to come in through the door with her, to find this room absolutely full, and the world telling her, "Thank you for coming to the ILO. Thank you, because we believe in you, we believe in what you have done, we believe what you mean." She gives us something very important by coming here and acknowledging us, but you also gave her something very important, which is that, on her first trip to this continent, and

her first trip to an international organization, she felt the energy, the vibrancy that was in the room and also confirmation of the decision we have taken on Myanmar/Burma.

And, finally, let me say that you were kind enough, throughout the whole Conference and particularly yesterday, to thank me for my stay with you, and the work that we have done together throughout these years. I am handing over the baton to Guy in September, when he will have in his hands the responsibility of moving forward on the decisions that you have taken. But as I said yesterday, this is not good bye, it is very much thank you. It is, I would say, *au revoir, hasta la vista*, and as you well know, I will continue to be fully engaged in the values that we have shared all these years. Those values were there before I came to the ILO, they were deepened and expanded in the ILO, and I will continue fighting for them because they are part of my life and also my linkage to the ILO.

So, thank you so much to all of you for what you have wanted to tell me during this whole Conference in relation to our work together. Thank you so, so very much.

Original Spanish: The PRESIDENT

I would like to say a few words as President of the 101st Session of the International Labour Conference and share with you a few personal thoughts.

As we move towards the closure of this 101st International Labour Conference, I would like to express my thanks, as I did in the opening sitting, for the confidence you placed in me when you elected me as President of this Conference.

I think we can safely describe this Conference as a historic one, for several reasons.

Firstly, because we had the privilege to receive, in this room, this morning, Ms Aung San Suu Kyi, an icon, a symbol of human rights and of the fight for democracy and freedom.

Secondly, because this is the last Conference at which Ambassador Juan Somavia will be Director-General of this Organization, so it is his farewell Conference. In the course of his long term of office, conferred on him by the member States of the International Labour Organization, he has led this Organization to take its place in the global arena, putting the concept of Decent Work at the heart of the international agenda and endeavouring to give a human face to globalization. Mr Somavia deserves our thanks for this considerable achievement and effort.

At the same time, at the beginning of this Conference, we witnessed the election of a new Director-General in the person of Mr Guy Ryder. A man with direct ties to the world of work, he has a great many years experience of working in this House, and we are convinced that he will continue to work for the sake of fundamental principles and rights at work.

Thirdly, the issues under discussion at the 101st Session of the International Labour Conference have been primordial. We have just adopted an autonomous Recommendation concerning national floors of social protection, as the culmination of many years' debate. The Recommendation defines social protection floors as nationally defined sets of basic social security guarantees which secure protection aimed at preventing or alleviating poverty, vulnerability and social exclusion. We have also had before us a report on youth employment, an

issue of the utmost importance at a time when millions of young people are unable to find a decent job and thus risk falling into social exclusion.

There is, as the report says, no one-size-fits-all solution to this problem; we must take a multi-pronged approach by ensuring job-rich growth and decent work through macroeconomic policies, employability, labour market policies, promotion of youth entrepreneurship and rights in order to address this scourge affecting millions of young people throughout the world.

The Conference has also taken up the recurrent discussion on fundamental principles and rights, which I would like to highlight here. It reaffirmed the universal and immutable nature of fundamental principles and rights at work, both as human rights and as enabling conditions for the achievement of the other ILO strategic objectives. The report emphasizes the inseparable, interrelated and mutually reinforcing nature of each category of fundamental principles and rights, and the consequent need for an integrated approach to their realization.

As Mr Atwoli mentioned, we have also addressed the issue of Myanmar. We have been able to express a cautious optimism, which led the Committee to note progress in comparison with the previous situation.

Lastly, I must express my concern at the vicissitudes affecting the Committee on the Application of Standards in the course of this Conference.

I would like to reiterate my hope that events will lead us to reflect and to find solutions to those problems as quickly as possible to enable the social partners to be guided by their objectives and mandate.

I would like to reiterate the call for dialogue, which has served to strengthen and preserve the Committee as a unique international body which has proved invaluable to Government, Workers and Employers over many decades.

I will conclude this statement by expressing my deepest gratitude for the support that has been pro-

vided to me, as I presided over this session by my Vice-Presidents: the Government Vice-President, His Excellency Ambassador Dr Rajab Sukayri of the Permanent Mission of Jordan – *shukran*; the Employer Vice-President, Mr Blaise Matthey of Switzerland – *merci bien*; and the Worker Vice-President, Mr Atwoli of Kenya – thank you. Without them it would have been impossible for me to steer the discussions in this session.

I would also like to thank the Conference secretariat for the support provided to us, and in particular, Christian Ramos, the Clerk of the Conference, Antoinette Juvet-Mir, who also acted as Clerk on several occasions, and my personal assistant, Mr Humberto Villasmil, and the secretary of our Office, Yalile Rovira. Without them, it would have been absolutely impossible to get any of the work done at all.

I would also like to thank the interpreters, who have enabled us to communicate, as well as all the staff of the Office. And I would like to conclude with a tribute to Juan Somavia for the legacy which he has left us: decent work, and the fight for social justice and human dignity and human decency.

Original Spanish: The SECRETARY-GENERAL OF THE CONFERENCE

Mr President, before you close the session, I have a very important task to carry out: to present you with the gavel of the Presidency of the Conference, as a souvenir of your Presidency of the 101st Session of the International Labour Conference. Your name is engraved on it. I have the honour to present you with it, in front of the members and delegates of the Conference.

Original Spanish: The PRESIDENT

I declare the 101st Session of the International Labour Conference closed.

(The Conference adjourned sine die at 8.15 p.m.)



**Vote final par appel nominal sur la recommandation concernant
les socles nationaux de protection sociale, 2012**

**Final record vote on the Recommendation
concerning national floors of social protection, 2012**

**Votación nominal final sobre la Recomendación relativa
a los pisos nacionales de protección social, 2012**

Pour/For/En Pro: 453
Contre/Against/En contra: 0
Abstentions/Abstentions/Abstenciones: 1
Quorum: 304
Maj./May.: 302

Pour/For/En Pro: 453

Afghanistan/Afganistán
NIRU, Mr (G)

Afrique du Sud/South Africa/Sudáfrica
SKHOSANA, Mr (G)
SERUWE, Mr (G)
MDWABA, Mr (E)
NTSHALINTSHALI, Mr (T/W)

Albanie/Albania
KSERA, Mr (G)
QERIMAJ, Mr (G)

Algérie/Algeria/Argelia
ZAIDI, M. (G)
BOUKADOUM, M. (G)
MEGATELI, M. (E)
SIDI SAID, M. (T/W)

Allemagne/Germany/Alemania
KOLLER, Mr (G)
SCHUMACHER, Mr (G)
KÜHL, Ms (T/W)

Angola
LUSSOKE N'GOVE, M. (G)
FRANCISCO F.C., Mme (T/W)

*Arabie saoudite/Saudi Arabia/
Arabia Saudita*
AL HOQUBANI, Mr (G)
ALYAHYA, Mr (G)
ALSULAIMAN, Ms (E)
RADHWAN, Mr (T/W)

Argentine/Argentina
ALVAREZ WAGNER, Sr. (G)
ROSALES, Sr. (G)
FUNES DE RIOJA, Sr. (E)
MARTINEZ, Sr. (T/W)

Australie/Australia
ANDERSON, Ms (G)
VINES, Mr (G)
BELCHAMBER, Mr (T/W)

Autriche/Austria
DEMBISHER, Ms (G)
ZWERENZ, Mr (G)
BRAUNER, Mr (E)
FOGLAR, Mr (T/W)

Bahamas
BROWN, Mr (G)
HAMILTON, Ms (G)
FERGUSON, Mr (E)
COLLIE, Ms (T/W)

Bahreïn/Bahrain/Bahrein
HASAN, Mr (G)
MOHAMED, Mr (T/W)

Bangladesh
ALAM, Mr (G)
HOSSAIN, Mr (G)
RAHMAN, Mr (E)
SERAZ, Mr (T/W)

Barbade/Barbados
BURNETT, Mr (G)
COX, Mr (G)
WALCOTT, Mr (E)
MOORE, Ms (T/W)

Bélarus/Belarus/Belarus
KHOVOSTOV, Mr (G)
POPOV, Mr (G)
GALYNIA, Mr (T/W)

Belgique/Belgium/Bélgica
BOUTSEN, Mme (G)
VAN HOLM, M. (G)
DE MEESTER, M. (E)
LEEMANS, M. (T/W)

Bénin/Benin
DJAGOUN AFOUDA, M. (G)
FAKEYE, M. (E)
TODJINO, M. (T/W)

*Bolivie (Etat plurinational)/
Bolivia (Plurinational State)/
Bolivia (Estado Plurinacional)*
SANTALIA TORREZ, Sr. (G)
ZABALETA VERÁSTEGUI, Sr. (G)

Botswana
MOJAFI, Mr (G)
SENNANYANA, Ms (G)
MACHAILO-ELLIS, Ms (E)
KEITSENG, Mr (T/W)

Brésil/Brazil/Brasil
BRIZOLA NETO, Sr. (G)
FARANI AZEVÊDO, Sra. (G)
LIMA GODOY, Sr. (E)
GUIMARAES VIEIRA, Sr. (T/W)

Brunéi Darussalam/Brunei Darussalam
SHAIKH HAJI KHALID, Mr (E)

Bulgarie/Bulgaria
PIPERKOV, Mr (G)
SLAVCHEVA, Ms (G)
DJIDJEV, Mr (E)
DIMITROV, Mr (T/W)

Burkina Faso
SAWADOGO, M. (G)
BAKYONO-KANZIE, Mme (G)
NACOUUMA, M. (E)
KABORE, M. (T/W)

Cameroun/Cameroon/Camerún
AKOLLA, M. (G)
NGANTCHA, M. (G)
BATONGUE, M. (E)
ZAMBO AMOUGOU, M. (T/W)

Canada/Canadá
L'HEUREUX, Ms (G)
ROBINSON, Ms (G)
WOOLFORD, Mr (E)

Cap-Vert/Cape Verde/Cabo Verde
BARROS, M. (G)
MONTEIRO, M. (G)

Chili/Chile

LETURIA, Sr. (G)
ZEGERS, Sr. (G)
DIAZ, Sr. (T/W)

Chine/China

LIU, Mr (G)
WANG, Mr (G)
LI, Mr (E)
JIANG, Mr (T/W)

Chypre/Cyprus/Chipre

ANDREOU PANAYIOTOU, Ms (G)
SPATHI, Ms (G)

Colombie/Colombia

MENDOZA AGUDELO, Sra. (G)
ECHAVARRIA SALDARRIAGA, Sr. (E)
TOVAR ARRIETA, Sr. (T/W)

République de Corée/

Republic of Korea/República de Corea

AN, Mr (G)
PARK, Mr (G)
KIM, Mr (E)
KIM, Mr (T/W)

Costa Rica

GAMBOA, Sra. (G)
TINOCO, Sra. (G)
SABORÍO, Sr. (T/W)

Croatie/Croatia/Croacia

KRIŠTOF, Mr (G)
KOCMUR, Ms (E)
ŠOBOTA, Ms (T/W)

Cuba

LAU, Sra. (G)
QUINTANILLA, Sr. (G)
PARRA, Sr. (E)
NAVARRO, Sr. (T/W)

Danemark/Denmark/Dinamarca

LORENTZEN, Mr (G)
DREESEN, Mr (E)
OHRT, Mr (T/W)

République dominicaine/

Dominican Republic/

República Dominicana

DOMÍNGUEZ BRITO, Sr. (G)
HERNÁNDEZ, Sr. (G)

Egypte/Egypt/Egipto

HASSAN, Mr (G)
EL SHARKAWI, Mr (T/W)

El Salvador

ESPERANZA AMAYA, Sr. (T/W)

Emirats arabes unis/

United Arab Emirates/

Emiratos Árabes Unidos

AL HADRAMI, Mr (G)
BIN DEEMAS, Mr (G)
AL GAIZI, Mr (E)
AL SHAMSI, Mr (T/W)

Equateur/Ecuador

ENRIQUEZ, Sr. (G)
VILLACRÉSES, Sra. (G)
BUSTAMANTE, Sr. (E)
SOLÓRZANO, Sr. (T/W)

Espagne/Spain/España

MEMBRADO GINER, Sr. (G)
MONTESINO MARTÍNEZ DEL CERRO,
Sr. (G)
FERRER DUFOL, Sr. (E)
MONTERO, Sra. (T/W)

Estonie/Estonia

KAADU, Mr (G)
PROOS, Ms (G)
MERILAI, Ms (E)
TAMMELEHT, Ms (T/W)

Etats-Unis/United States/Estados Unidos

SHAILOR, Ms (G)
SHEPARD, Mr (G)
POTTER, Mr (E)
FINNEGAN, Mr (T/W)

Ethiopie/Ethiopia/Etiópía

DEMISSIE, Mr (G)
HAILE, Mr (G)
FOLLO, Mr (T/W)

ex-Rép. Yougosl. de Macédoine/

The former Yug. Rep. Macedonia/

ex Rep. Yugoslava de Macedonia

BURIM, Mr (G)

Fidji/Fiji

KUNATUBA, Mr (G)
SHARMA, Mr (G)
BRADLEY MATHEWS, Mr (E)
ANTHONY, Mr (T/W)

Finlande/Finland/Finlandia

SIITONEN, Ms (G)
SAJAVAARA, Ms (E)
TYÖLÄJÄRVI, Ms (T/W)

France/Francia

BOISNEL, M. (G)
DUPUIS, M. (G)
JULIEN, M. (E)
COUTAZ, M. (T/W)

Gabon/Gabón

MOULOMBA NZIENGUI, M. (G)
PAMBO, M. (G)
AWASSI ATSIMADJA, Mme (E)
BEKALE, M. (T/W)

Ghana

DZAH, Ms (G)
HAGAN, Ms (G)
FRIMPONG, Mr (E)
OSEI, Mr (T/W)

Grèce/Greece/Grecia

PAPADATOS, M. (G)
CHRYSANTHOU, Mme (G)
MENGOLIS, M. (E)
TZOTZE-LANARA, Mme (T/W)

Guatemala

CHÁVEZ, Sra. (G)

Guinée/Guinea

DOUMBOUYA, M. (G)
KABA, M. (G)
CONDE, M. (E)
CAMARA, M. (T/W)

Guinée équatoriale/

Equatorial Guinea/Guinea Ecuatorial

EFUA OWONO, Sra. (G)
EKUA SIMA, Sr. (G)
MATZEN MAKOSO, Sr. (E)

Haïti/Haiti/Haití

ALEXANDRE, M. (G)

Honduras

FLORES BERMÚDEZ, Sr. (G)
VILLANUEVA, Sr. (G)
MARTÍNEZ, Sr. (E)

Hongrie/Hungary/Hungría

KÖSZEGI, Ms (G)
PELEI, Ms (G)
ROLEK, Mr (E)

Inde/India

SARANGI, Mr (G)
PANDEY, Mr (G)
PATWARDHAN, Mr (T/W)

Indonésie/Indonesia

LUTHFIE, Mr (G)
HANDAYA, Mr (G)
YASAR, Ms (E)
IQBAL, Mr (T/W)

République islamique d'Iran/

Islamic Republic of Iran/

República Islámica del Irán

HOSSEINI, Mr (G)
SHAHMIR, Mr (G)
OTAREDIAN, Mr (E)
ALIBEIGI, Mr (T/W)

Iraq

EL-SOODANI, Mr (G)
AHMMED, Mr (E)

Irlande/Ireland/Irlanda

MCMAHON, Ms (G)
O'CARROLL, Ms (G)
O'SULLIVAN, Mr (E)
LYNCH, Ms (T/W)

Islande/Iceland/Islandia

KRISTINSSON, Mr (G)
STEFANSSON, Mr (G)
SIVERTSEN, Ms (E)
ARNBJORNSSON, Mr (T/W)

Israël/Israel

AMRANI, Mr (G)

Italie/Italy/Italia

MIRACHIAN, Mme (G)
MARGIOTTA, Mme (G)
BRIGHI, Mme (T/W)

Jamaïque/Jamaica

MAGNUS, Ms (G)
MORRIS, Ms (G)
CUTHBERT, Ms (E)

Japon/Japan/Japón

OTABE, Mr (G)
SENOO, Mr (G)
MATSUI, Mr (E)
YASUNAGA, Mr (T/W)

Jordanie/Jordan/Jordania

SUKAYRI, Mr (G)
DAJANI, Mr (G)

Kazakhstan/Kazajstán
TILEUBERDI, Mr (G)
BAIKENOV, Mr (E)
MUKASHEV, Mr (T/W)

Kenya
KITUYI, Ms (G)
NYAMBARI, Mr (G)
MUGO, Ms (E)
ATWOLI, Mr (T/W)

Kiribati
KIATI, Mr (G)
TAATO, Ms (G)

Koweït/Kuwait
AL-KANDARI, Mr (G)
AL-REZOUQI, Mr (G)
AL-FULAIJ, Mr (E)

*Lao, Rép. démocratique populaire/
Lao People's Democratic Rep./
Rep. Democrática Popular Lao*
MOUNTIVONG, Mr (G)
PHENGTHONGSAWAT, Mr (G)
BANGONESENGDET, Ms (E)
SOPHIMMAVONG, Mr (T/W)

Lesotho
LEDIMO, Ms (G)
MATSO, Ms (G)
MAKEKA K.C., Mr (E)
RAMOCHELA, Mr (T/W)

Lettonie/Latvia/Letonia
JAUNZEME, Ms (G)
GRIKE, Ms (G)

Liban/Lebanon/Líbano
DAHROUJ, Mme (G)
SHALLITA, Mme (G)
SAADE, M. (T/W)

Libéria/Liberia
LIGHE, Mr (G)
NATT, Mr (T/W)

Lituanie/Lithuania/Lituania
GAILIŪNAS, Mr (G)

Luxembourg/Luxemburgo
FEYDER, M. (G)
WELTER, Mme (G)
KIEFFER, M. (E)
HOFFMANN, M. (T/W)

Madagascar
RAMANATRINIONY, M. (G)

Malaisie/Malaysia/Malasia
SEMAN, Mr (G)
MOHD SAAID, Ms (G)
HARON, Mr (E)
MANSOR, Mr (T/W)

Malawi
KAWAMBA, Ms (G)
KAYUNI, Mr (E)
MAMBALA, Mr (T/W)

Maldives/Maldivas
AHMED, Ms (G)
ADAM, Ms (G)
HALEEM, Mr (E)
KHALEEL, Mr (T/W)

Mali/Mali
DIAKITE, M. (G)
KOITA, M. (G)
TRAORE, Mme (E)
KEBE, M. (T/W)

Malte/Malta
AZZOPARDI, Mr (G)
VELLA, Mr (G)
FARRUGIA, Mr (E)
VELLA, Mr (T/W)

Maroc/Morocco/Marruecos
BOUHARROU, M. (G)

Maurice/Mauritius/Mauricio
KOA WING, Ms (G)
JEETUN, Mr (E)
BENYDIN, Mr (T/W)

Mexique/Mexico/México
AMERO COUTIGNO, Sra. (G)
MORALES GAUZÍN, Sr. (G)
DE REGIL GÓMEZ, Sr. (E)

*République de Moldova/
Republic of Moldova/
República de Moldova*
IATCO, Mr (G)
CERESCU, Mr (E)
BUDZA, Mr (T/W)

Monténégro/Montenegro
SIMOVIĆ, Ms (G)
ŠOĆ, Ms (G)
RADULOVIĆ, Ms (E)
KRSMANOVIC, Mr (T/W)

Mozambique
DENG, Mr (G)
FERNANDO, Mr (G)
BUQUE, Mr (E)
MUNGUAMBE, Mr (T/W)

Myanmar
AUNG, Mr (G)
LYNN, Mr (G)
NWE, Ms (E)
OO, Mr (T/W)

Namibie/Namibia
SMIT, Mr (G)
YA TOIVO, Ms (G)
PARKHOUSE, Mr (E)
MANGA, Mr (T/W)

Népal/Nepal
PANDEY, Ms (T/W)

Nicaragua
CRUZ TORUÑO, Sr. (G)

Niger/Níger
DAN-AZOUMI, M. (G)
SIDDO, M. (G)
SAGBO, M. (E)
ABDOU, M. (T/W)

Nigéria/Nigeria
ILLOH, Mr (G)
OLAOPA, Mr (G)
OSHINOWO, Mr (E)
ESELE, Mr (T/W)

Norvège/Norway/Noruega
YTTERDAL, Ms (G)
RIDDERVOLD, Ms (E)
HOLMER-HOVEN, Mr (T/W)

*Nouvelle-Zélande/New Zealand/
Nueva Zelandia*
HIKUROA, Ms (G)
HOBBY, Mr (G)
MACKAY, Mr (E)
KELLY, Ms (T/W)

Oman/Omán
AL MULLAHI, Mr (G)

Ouganda/Uganda
SSENABULYA N., Ms (E)

Pakistan/Pakistán
IQBAL, Mr (G)
KHAN, Mr (G)
AHMED, Mr (T/W)

Panama/Panamá
FLETCHER, Sr. (E)
TORRES, Sr. (T/W)

*Papouasie-Nouvelle-Guinée/
Papua New Guinea/Papua Nueva Guinea*
KALI, Mr (G)
VASO, Mr (G)
WILLIE, Ms (E)
SEKUM, Mr (T/W)

Pays-Bas/Netherlands/Países Bajos
BEETS, Mr (G)
VAN DER VELDEN, Mr (G)
VAN EMBDEN ANDRES, Ms (E)
VAN WEZEL, Ms (T/W)

Pérou/Peru/Perú
CABALLERO DE CLULOW, Sra. (G)
PINTO-BAZURCO RITTLER, Sr. (G)
AURIS MELGAR, Sr. (T/W)

Philippines/Filipinas
CRUZ, Mr (G)
GARCIA, Mr (G)
TAN, Mr (E)

Pologne/Poland/Polonia
HENCZEL, Mr (G)
NOJSZEWSKA-DOCHEV, Ms (G)
SLADOWSKI, Mr (E)
WOJCIK, Mr (T/W)

Portugal
PINHEIRO DA FONSECA, Mr (G)
VALADAS DA SILVA, Mr (G)
PERALTA DA PENA COSTA, Mr (E)
GOMES PROENÇA, Mr (T/W)

Qatar
AL-MULLA, Mr (G)
AL-OBEIDLY, Mr (G)
AL-MEER, Mr (E)
BUHINDI, Mr (T/W)

*Rép. Démocratique du Congo/
Democratic Republic of the Congo/
Rep. Democrática del Congo*
INZUN OKOMBA, Mme (G)
MUSONDA KALUSAMBO, M. (G)
ATIBU SALEH MWEKEE, M. (E)
DUNIA MUTIMANUA LUBULA, M. (T/W)

Roumanie/Romania/Rumania
DUMITRIU, Mme (G)
SPANU, Mme (G)
NICOLESCU, M. (E)

Royaume-Uni/United Kingdom/

Reino Unido

DENNISON, Mr (G)

WARRICK, Ms (G)

SYDER, Mr (E)

GURNEY, Mr (T/W)

Fédération de Russie/

Russian Federation/Federación de Rusia

BORODAVKIN, Mr (G)

KUZMENKOV, Mr (G)

SHOKHIN, Mr (E)

SHMAKOV, Mr (T/W)

Rwanda

KAYITAYIRE, Mr (G)

NYIRAHABIMANA, Ms (G)

Saint-Marin/San Marino

MENICUCCI, Mme (E)

PIERMATTEI, M. (T/W)

Sénégal/Senegal

SECK, Mme (G)

THIAM, M. (G)

DIOP, M. (E)

GUIRO, M. (T/W)

Serbie/Serbia

RADOVANOVIĆ, Ms (G)

MILOŠEVIĆ, Mr (G)

SAVKOVIĆ, Mr (E)

ČANAK, Mr (T/W)

Seychelles

BAKER, Mr (G)

MOREL, Ms (G)

LABROSSE, Ms (E)

ROBINSON, Mr (T/W)

Slovaquie/Slovakia/Eslovaquia

ONDRUŠ, Mr (G)

ROSOCHA, Mr (G)

MOJŠ, Mr (T/W)

Soudan/Sudan/Sudán

AHMED, Mr (G)

BABEKHAIR, Mr (G)

AHMED, Mr (E)

GHANDOUR, Mr (T/W)

Sri Lanka

WEERASINGHE, Ms (G)

RAJAPAKSA PALLEGEDERA, Mr (G)

PEIRIS, Mr (E)

DEVENDRA, Mr (T/W)

Soudan du Sud/South Sudan/

Sudán del Sur

DENG, Mr (G)

KWAJOK, Mr (G)

ALEU, Mr (T/W)

Suède/Sweden/Suecia

ERIKSSON, Mr (G)

EKEUS, Mr (G)

KOVAR, Ms (E)

THAPPER, Ms (T/W)

Suisse/Switzerland/Suiza

BERSET BIRCHER, Mme (G)

CALDER, Mme (G)

MATTHEY, M. (E)

TORCHE, M. (T/W)

Swaziland/Swazilandia

DLAMINI, Ms (G)

MATSEBULA, Mr (G)

MABUZA, Ms (E)

République-Unie de Tanzanie/

United Republic of Tanzania/

República Unida de Tanzania

ABDULLA, Ms (G)

SHITINDI, Mr (G)

MLIMUKA, Mr (E)

MGAYA, Mr (T/W)

Tchad/Chad

MAHAMOUT, M. (G)

TOINA, M. (G)

ALI ABBAS, M. (E)

DJONDANG, M. (T/W)

République tchèque/

Czech Republic/República Checa

FUCHS, Mr (G)

PINTÉR, Mr (G)

HEJDUKOVÁ, Ms (E)

ZAVADIL, Mr (T/W)

Thaïlande/Thailand/Tailandia

AMORNCHEWIN, Mr (G)

THONGTIP, Ms (G)

RONGSAWADI, Mr (E)

KUMKRATHOK, Mr (T/W)

Timor-Leste

BARROS GUSMAO, Mr (G)

DOS SANTOS MARTINS, Ms (G)

DA SILVA, Mr (E)

Togo

AMEGNIGNON, M. (G)

AMOUSSOU-KOUEDE, M. (G)

LEGUEDE, Mme (E)

TSIKPLOU, M. (T/W)

Trinité-et-Tobago/

Trinidad and Tobago/Trinidad y Tabago

RAMPERSAD, Ms (G)

YOUNG, Ms (G)

Tunisie/Tunisia/Túnez

MEGDICHE, M. (G)

GHORAB, Mme (G)

AFAYA BZEOUICH, M. (T/W)

Turquie/Turkey/Turquía

COŞKUN, Mr (G)

SANDAL, Mr (G)

PIRLER, Mr (E)

Ukraine/Ucrania

MAIMESKUL, Mr (G)

NADRAHA, Mr (G)

FIRTASH, Mr (E)

KULYK, Mr (T/W)

Uruguay

BAZ, Sr. (G)

WINTER, Sr. (G)

PENINO, Sr. (E)

PEREIRA, Sr. (T/W)

Venezuela (Rép. Bolivarienne)/

Venezuela (Bolivarian Republic)/

Venezuela (Rep. Bolivariana)

ARIAS PALACIO, Sr. (G)

FLORES, Sr. (G)

MUÑOZ, Sra. (E)

LÓPEZ, Sr. (T/W)

Viet Nam

DAO, Mr (G)

NGUYEN, Mr (G)

Yémen/Yemen

AL-NASSIRI, Mr (G)

AL-QADRI, Ms (G)

AL-AHLASI, Mr (E)

AL-GADRIE, Mr (T/W)

Zambie/Zambia

MGEMEZULU, Mr (G)

SHAMENDA, Mr (G)

CHIBANDA, Mr (E)

MWABA, Mr (T/W)

Zimbabwe

MANZOU, Mr (G)

MUSEKA, Mr (G)

CHIKOWORE, Ms (T/W)

**Abstentions/Abstentions/
Abstenciones: 1**

Panama/Panamá

MENDOZA GANTES, Sr. (G)

CONTENTS

Page

Twenty-first sitting

Report of the Committee on the Application of Standards: Submission, discussion, and approval	1
--------------------------------------------------------------------------------------------------------	---

Twenty-second sitting

Report of the Committee on the Application of Standards: Submission, discussion and approval (<i>cont.</i>)	6
------------------------------------------------------------------------------------------------------------------------	---

Twenty-third sitting

Report of the Committee on the Application of Standards: Submission, discussion and approval (<i>cont.</i>)	10
------------------------------------------------------------------------------------------------------------------------	----

Report of the Committee on Youth Employment: Submission, discussion and approval	14
-------------------------------------------------------------------------------------------	----

Final record vote on the Recommendation concerning national floors of social protection	16
--------------------------------------------------------------------------------------------------	----

Report of the Committee on Youth Employment: Submission, discussion and approval (<i>cont.</i>)	16
------------------------------------------------------------------------------------------------------------	----

Final record vote on the Recommendation concerning national floors of social protection: Results	19
-----------------------------------------------------------------------------------------------------------	----

Report of the Committee on Youth Employment: Submission, discussion and approval (<i>cont.</i>)	20
------------------------------------------------------------------------------------------------------------	----

Conclusions – The youth employment crisis: A call for action: Adoption	23
---------------------------------------------------------------------------------	----

Resolution – The youth employment crisis: A call for action: Adoption	23
--------------------------------------------------------------------------------	----

Closing speeches	23
------------------------	----

Final record vote on the Recommendation concerning national floors of social protection: Results	29
-------------------------------------------------------------------------------------------------------------------	-----------

.....
• This document is printed in limited numbers to minimize the environmental impact of the ILO's activities and
• contribute to climate neutrality. Delegates and observers are kindly requested to bring their copies to meetings
• and to avoid asking for additional ones. All ILC documents are available on the Internet at www.ilo.org.
•