

Chapter - 21

INTERNATIONAL COOPERATION

INTRODUCTION

21.1 India is one of the founding members of International Labour Organisation (ILO) that came into existence in 1919 and has been a permanent member of the ILO Governing Body since 1922. At present, the ILO has 178 Members. A unique feature of the ILO is its tripartite character. At every level in the Organization, Governments are associated with the two other social partners, namely, the workers and the employers. The three organs of the ILO are: (i) International Labour Conference-General Assembly of the ILO, that meets every year in the month of June, (ii) Governing Body- Executive Council of the ILO, that meets three times in a year in the months of March, June and November; and (iii) International Labour Office-a permanent secretariat. India has been playing a pro-active role in the proceedings of the ILO since its inception

ILO PROJECTS IN INDIA

21.2 ILO's technical cooperation in India covers various fields of relevance to Indian labour, such as, employment, occupational safety & health, improvement in working conditions, upgradation of training facilities, management consultancy development, small enterprise programmes for women and the urban poor, family welfare programmes, vocational hi-tech training, workers education etc. A number of projects in these and related areas are in various stages of implementation.

21.3 ILO also provides technical assistance to India in conducting feasibility studies, design of projects and in the organization and implementation of training programmes and workshops where ILO experts function as resource persons. Under the Active Partnership Policy of the

ILO, collaboration between the ILO and India is supported by technical inputs from the multi-disciplinary teams in New Delhi (ILO-SAAT) and regional Office in Bangkok as well as by technical departments at the ILO Headquarters. During the year, technical specialists provided advisory services in international labour standards, statistics and also discussed areas of possible collaboration in future. The Government, alongwith Workers' & Employers' Organisations, worked closely with the ILO in identifying the major country objectives for the ensuing years. The main focus of the exercise was to promote employment and social protection in the process of restructuring of the economy, elimination of child labour, management of working conditions and occupational safety and health in high-risk areas. During 2005, India participated in a number of National and International meetings organized by ILO.

Participation in Overseas Trainings/ Workshops etc.

21.4 During the year, fifteen officers were deputed for training, workshops, seminars and meetings under the fellowships provided by the ILO.

INDIA'S ASSISTANCE TO ILO

21.5 India is a founder member of the ILO and has been playing a leading role in its activities since its inception. Being one of the ten countries of chief industrial importance, India holds a non-elective seat in the Government Group of the Governing Body, which is the executive wing of the organization. India also provides technical manpower for ILO's activities. Several national experts were awarded contracts for undertaking studies in various fields.

21.6 The ILO is financed mainly by contribution received from the member states. The ILO Budget follows the calendar year and annual contributions are paid by the Governments of the member states according to a scale which the International Labour Conference on a year-to-year basis fixes and which in line with the U.N. scale of assessment. India has availed the benefit of the Incentive scheme of ILO for timely payment of contribution. The amount of contribution paid by India to the ILO for the year 2006 was Swiss Francs 1563445 (equivalent to Rs.5,38,65,489.00).

21.7 The ILO also utilises the training facilities available in a number of institutions under the Ministry of Labour & Employment in India including Central Labour Institute (Mumbai), Regional Labour Institutes (Kolkata, Kanpur & Chennai), the Vocational Training Institutes under the Directorate General of Employment and Training, the Indian Institutes of Management and Indian Institutes of Technology.

INTERNATIONAL COOPERATION

21.8 A six-member delegation from the National Training Council of the Ministry of Labour and Human Resource Development of Kenya visited India on 11-12 May, 2005. Later, a delegation of Government and Public Sector Trade Union representations from South Africa visited India on a study tour from 17th to 20th May, 2005. A six-member delegation from the People’s Republic of China led by the Vice Minister for Labour and Social Affairs visited India from 24th to 26th October 2005 on the invitation of the Government of India. An Memorandum of Understanding (MoU), for extension of the Indo-china accord on cooperation in employment,

vocational training and social security for a further three years was signed between the Government of India and the Government of People’s Republic of China on the 25th October, 2005.

93rd SESSION OF THE INTERNATIONAL LABOUR CONFERENCE

21.9 The 93rd Session of the International Labour Conference was held from 31st May to 16th June, 2005 in Geneva, wherein a 22 member Tripartite Indian Delegation led by Shri Md. Amin, Hon’ble Minister of Labour, Government of West Bengal had attended. Shri G. Vinod , Labour Minister, Government of Andhra Pradesh was also a member of the delegation

THE 40th SESSION OF THE INDIAN LABOUR CONFERENCE

21.10 The 40th Session of Indian Labour Conference was held on 09-10 December, 2005 in Vigyan Bhawan, New Delhi under the Chairmanship of Shri K.Chandrasekhar Rao, Union Labour & Employment Minister. The Conference was inaugurated by Dr. Manmohan Singh, Hon’ble Prime Minister of India on 9th December, 2005 at Vigyan Bhawan, New Delhi. Hon’ble Labour Ministers from 20 State Governments attended the meeting along with representatives of the Workers’ and the Employers’ organizations to deliberate on the following agenda :

- (i) **Social Security for unorganized sector workers including agriculture sector workers covering their service conditions, social security and other benefits, and**
- (ii) **Amendment of Labour Laws**

21.11 In the spirit of tripartism enshrined in the Constitution of ILO, a tripartite delegation from India has been regularly participating in the sessions of the International Labour Conference (ILC) and the Governing Body. The ILC is the main policy making body of the ILO. While the International Labour Standards adopted by the ILC have been enriched by the vast experience of its delegates and advisers, the experience gained in this international forum by the members of the Indian delegations over a period of time has helped in giving the much needed international perspective to our national laws and practices. We have so far ratified 40 Conventions and 1 Protocol of the ILO.

93rd SESSION OF THE INTERNATIONAL LABOUR CONFERENCE:

21.12 The 93rd Session of the International Labour Conference was held in Geneva between 31st May-16th June, 2005, in which a Tripartite delegation of more than 3000 participants (Government, Employer and Worker) from 177 member countries including 23 from India participated. The main focus of this Conference on wide range of issues includes efforts to end the global scourge of forced labour, trends in working hours, occupational safety and health, decent work for young people, the situation of workers in the occupied Arab territories, Myanmar and other countries, and working conditions in the world's fishing sector. The Conference also took up the programme and budget proposals of the ILO for the year 2006-2007.

21.13 The Conference marked the fourth Day against Child Labour by calling for the elimination of child labour in one of the world's most dangerous sectors – small-scale mining and quarrying – within 5 to 10 years. This ‘call to action’ was

aimed at freeing the estimated 1 million or more children aged 5 to 17 who currently toil in dangerous conditions in small-scale mines and quarries around the world.

COMMITTEE ON APPLICATION OF STANDARDS

21.14 The Committee on Application of Standards discussed a wide variety of issues. The Committee, while recognizing that the international labour standards limiting working time are still necessary to contribute to fair competition among countries in a globalized world, it emphasized the need for revising the existing instruments since they do not fully reflect modern realities in the regulation of working time. Delegates stressed the need to find a balance between flexibility on the one hand and protecting workers’ security, health and family life on the other. The Committee on Application of Standards expressed its concern on the use of forced labour in various parts of the world, however, certain countries like Myanmar, Belarus and Columbia were discussed in the Committee at length.

COMMITTEE ON OCCUPATIONAL SAFETY AND HEALTH

21.15 The Committee on Occupational Safety and Health, which met on 31st May, 2005, proposed an instrument. The proposed instrument was designed so as to promote safer and healthier working environments through management systems approach and the development of national occupational safety and health programmes and the continual improvement of national occupational safety and health system. National occupational safety and health programme should be supportive of ILO Conventions, Recommendations, codes of practice etc.

COMMITTEE ON YOUTH EMPLOYMENT

21.16 The Committee on Youth Employment discussed pathways to decent work for youth and the role of the International Committee in advancing youth employment agenda. As far as ILO work on youth employment is concerned, the Decent Work Agenda provides the paradigm, and the Global Employment Agenda, including its ten core elements and cross-cutting themes i.e. promoting trade and investment for productive employment and market access for developing countries; promoting technological change for higher productivity, job creation and higher standards of living, promoting sustainable development for sustainable livelihoods; a call for policy integration to ensure macroeconomic policy for growth and employment, decent work through entrepreneurship; employability through improving knowledge and skills; active labour market policies for employment, security in change, equality, and poverty reduction; social protection as a productive factor; occupational safety and health – synergies between security and productivity; productive employment for poverty reduction and development, which include the “four Es” (employability, equal opportunities, entrepreneurship and employment creation) of the Youth Employment Network (YEN), provide the policy pillars.

COMMITTEE ON WORK IN THE FISHING SECTOR

21.17 The Committee on ‘Work in the Fishing Sector’ met on 31st May, 2005 have proposed a Convention on the fishing sector which was found to be extremely prescriptive. The Conference asked the Governing Body to place a corresponding item on the agenda of the Conference in 2007, and that the report submitted to the Conference plenary be used for further consideration.

OTHER ACTIVITIES:

21.18 The Non-Aligned countries were also very active in the ILC and they convened a meeting of Labour Ministers of the NAM countries on 9th June , 2005. Shri G. Vinod, Visiting Minister from the Andhra Pradesh addressed the august

gatherings. Shri Mohammed Amin, Labour Minister of West Bengal while participating in the deliberations of global report, “A Global Alliance against Forced Labour” asserted that the Government of India has already taken a lot of steps regarding elimination of forced labour from the country.

THE ILO GOVERNING BODY MEETINGS

21.19 A tripartite delegation from India took active part in 292nd, 293rd and 294th sessions of the Governing Body held in Geneva during 2005.

The 292nd Session of the Governing Body (GB):

21.20 The 292nd Session of the Governing Body (GB) of ILO was held from 3rd to 24th March, 2005 at Geneva. The Governing Body is the executive body of the ILO and it works through various Committees.

21.21 The Committee on Freedom of Association, set up by the Governing Body (GB) at its 117th session (November 1951) met at the International Labour Office, Geneva on 3rd, 4th and 11th March, 2005 and took up complaints submitted to the GB, alleging violations of freedom of association and representations that concerns such issues.

21.22 The Programme, Financial and Administrative Committee of the Government Body met on 8th, 9th, 17th and

23rd March, 2005. This year, the ILO has proposed an increase of US \$ 30 million in the budget estimates. ILO's main argument behind this increase was that since ILO has to cater for a lot of funds for technical cooperation activities in various regions, hence this increase is imminent. However, this move on part of the ILO to enhance budget was opposed and criticized by several important countries of industrial importance.

21.23 The Committee on Legal Issues and International Labour Standards met on 18th March, 2005. The Indian delegate actively participated in the deliberations of the Committee. India also associated with the group statement made by the Coordinator of the Asia and Pacific Group in regard to Agenda Item No.18 of the Committee. It was asserted that the ILO's attention was drawn many times, from various platforms that geographical representation of developing countries in the ILO, is not transparent and is unequal. ASPAG (Asia and Pacific Group) reiterated its earlier call for a strategy with identified targets and a timeframe for ensuring geographic representation in the Office.

21.24 The Committee on Employment and Social Policy (ESP) met on 16 and 17 March 2005. On behalf of Asia and Pacific Group, India made a statement asserting that informal sector establishments need to be developed to realize their full potential for employment generation, and there is thus a need to analyze and understand the constraints, which affect their growth. It includes active role of global partners to develop this informal sector in key areas like identification of legal and practical obstacles to organizations of workers and employers, conducting research, and extending technical cooperation programmes on policy for development of micro and small enterprises with due

weightage to their cause. Funds for skill training, entrepreneur development, credit, cooperatives and social protection to create more and better jobs for the poor in general and women in particular will have to be provided.

21.25 The Committee on Sectoral and Technical Meetings and Related Issues met on 15th March, 2005. Indian delegate actively participated in the deliberations of the Committee. India supported the statement made by the Coordinator on behalf of the ASPAG. It was asserted by the Coordinator that for future development of action programmes, the Office should establish a transparent and formulised procedure for planning them before they begin. The preparatory process had many ambiguities, for example, how to decide the participating countries, how to ask for voluntary contributions, the deadline for participation, the relationship between participation and voluntary contributions, and so on. It was argued that, for the discussion on activities in 2006-2007, the Office should use the traditional sectoral meetings for follow-up activities for action programmes.

21.26 The Committee on Technical Cooperation met on 15th March, 2005 and discussed about proposal on the quality of reports and documents, setting up of realistic approach.

21.27 Working Party on Social Dimension of Globalization met on 21st March, 2005. India asserted that the key areas that are to be targeted as a step towards promoting fair globalisation should be in the interest of developing countries. If due to globalisation, the developing countries start to gain on account of their natural comparative advantage, they should not be negated by other forces. A consensus emerged within the Working Party that the promotion of

decent work as a global goal was the ILO's distinctive contribution to ensuring progress towards a fair globalisation. Many participants had spoken touching on a wide range of subjects. All the observations that had been made were obviously to consider global action subjects. A number of areas of convergence emerged during the discussion.

The 293rd session of the Governing Body

21.28 The 293rd session of the Governing Body, which was held on 17th June, 2005, which considered a range of other business, including a report of the ILO Committee on Freedom of Association.

21.29 The Governing Body of the International Labour Conference elected Carlos A. Pomada, Minister of Labour, Employment and Social Security of Argentina as Chairman for its 2005-2006 session. Sir Leroi Trotman was re-elected Workers' Vice-Chairperson. Similarly, Mr. Daniel Fones De Rioja was also re-elected as Vice-Chairperson from the Employers' Group.

294th Session of the Governing Body

21.30 The 294th session of the Governing Body was held in Geneva from 5th to 18th November, 2005. As India was not a member of the **Committee on Freedom of Association** this year, no one participated in the deliberations of that Committee.

21.31 **The Committee on employment and social policy** of which India is a Member, met on 7th and 8th November, 2005. The Indian delegate actively participated in the deliberations of the Committee. While participating on the agenda item No.1, i.e. Implementation of the global employment agenda: "An Update", it was asserted by the Indian delegate that the Government of India was implementing various employment

generation programmes, both in rural and urban areas, to provide basic and additional sources of livelihood to the people. It was felt that encouraging of self-employment initiatives in the informal sector could play a crucial role in employment strategies. Hence, creation and facilitating job availability to the work-force primarily in the unorganized sector would need to be carried out by national governments. The Indian delegation felt that continuous skill upgradation of the work-force was the only lasting solution to empowering people towards income generation and employment in any given situation.

21.32 While participating in the discussions on agenda item concerning 'ILO Policy Statement: Micro-finance for decent work', it was asserted that the credibility of micro finance institutions depend on their adherence to certain guidelines of financial prudence. There may be a need to ensure that Micro finance operates more like a social responsibility rather than a potential business opportunity. Micro finance, linked with the other poverty reduction strategies and employment generation programmes, can indeed be very useful in providing decent life to the poor, organizing the unorganized and strengthening the democratic institutions at local levels. Further initiatives in micro finance should be based on the institutional framework and attuned with national policies in the developing world.

21.33 With regard to an agenda item on Social Protection as a productive factor, the august gathering was appraised about the meaning of social protection. In the context of India, it was asserted that:

(a) Migrant workers are an important unsung part of globalization. Overseas Indians on short-term contract in other countries are facing a problem of

discontinuity of social security benefits. Migrant workers who pay social security contributions during their work period in the host country are subsequently not allowed repatriation/part payment of their contributions when they complete their stay and leave the host country. ILO could use its good offices to develop guidelines on creating a fair social protection system for such short-term migrant workers employed in other countries.

(b) Considerable attention is required for innovative social protection packages for workers in the informal sector.

(c) Social protection is a wide-term for a range of products and services to workers belonging to different categories and age groups. While looking at social security design we need to see whether there are groups of package deals that are suited to the needs of different generations of workers.

(d) Ways and means need to be explored on how to increase investment returns based on financial prudence, options to protect investments from sudden market swings, how to ensure that social security programmes meet the needs of current and future generations, reducing the levels of socially significant diseases through reform of the health care system, sharing responsibilities for health protection between the state and individual, implementing a unified social security information system, etc .

21.34 The **programme financial and administrative committee** of the Governing Body met on 9th-10th November, 2005. It was asserted by the Indian delegate in regard to agenda item titled, “Independent evaluation of the In Focus Programme on Socio-Economic Security (IFP/SES)” that the evaluation of any programme is very important as it helps in the formulation of policies for the future. In the Indian context, there remains a

definite case for using ILO programmes to develop policy options for extending social protection. Considerable attention is required for designing innovative social protection packages for workers in the informal sector. The Indian delegate supported the findings of the evaluation report and believed that there would be a consensus-based follow-up to internalise these findings in future work on socio-economic security.

21.35 On the agenda item “**A New Policy and Strategic Framework for Evaluation at the ILO**” it was asserted by the Indian delegate that timely and comprehensive evaluation was crucial in any effort to achieve strategic and meaningful outcomes. Programme activities have to measure up not only in terms of effective and visible outputs but also in terms of the contributions of partners and that while evaluating an activity, we could draw on comparisons between planned and achieved results and make judgements accordingly. The pointers generated from such periodic evaluation could then be used to improve performance in future programming and the promotion of learning. The Indian delegate stated that since outcome evaluations were more likely to lead to mid-course adjustments and fine-tuning of programme objectives, the Indian delegate expressed support to the need to internalize the lessons learnt from such evaluations.

21.36 With regard to agenda item on Programme and Budget for 2006-2007 - Technical Meetings Reserve, the following preferential order was drawn and the ILO was apprised that the following should be taken care of:

- (i) A Tripartite Meeting of Experts on Equal Remuneration for Men and Women.
- (ii) An Inter-regional symposium on the Informal Economy;

- Enabling Transition to Formalization.
- (iii) A Symposium on Labour and Social Issues in Regional Economic Integration
 - (iv) An International Symposium on the Role of Trade Unions in Workers Education – The Key to Trade Union Capacity Building.

21.37 The **committee on technical cooperation** met on 10th-11th November, 2005. The Indian delegate actively participated in the deliberations of the Committee.

21.38 The **committee on sectoral and technical meetings and related issues** met on 7th November, 2005.

21.39 The **committee on legal issues and international labour standards (LTLS)** met on 11th November, 2005. In regard to Improvements in the standard-related activities of the ILO: Outlines of a future strategic orientation for standards and for implementing standards-related policies and procedures, it was asserted by the Indian delegate that advocacy, training and technical cooperation are acceptable forms and tools of action for promotion of international labour standards. In this context, The Indian delegate, however, stated that we are not in favour of any horizontal linkage between the ILO and other international organizations on

international labour standards and that the ILO system was sufficient to address all international labour issues. Further, in any technical cooperation with international agencies to make international labour standards more effective part of development at national and international levels, the interest of the developing countries should be kept in mind.

21.40 The Governing Body met on 14th-18th November, 2005. Discussion took place on various issues. The Secretary (L&E) participated in the deliberations of the Committee and made interventions, wherever necessary. With regard to agenda item no.1 i.e. “Making Decent Work a Global Goal: Recent Developments and a Proposal for Global Policy Forum”, Secretary (L&E) made an intervention outlining our stand on the relevant subject.

CONCLUSIONS

21.41 India has always had a positive approach towards International labour standards. The basic principles set out in the International labour standards are by and large reflected in our national laws and regulations specially for free exercise of and for protection of rights of our work force. We have so far ratified 40 Conventions and 1 Protocol of the ILO. Conventions. The details are given in the **Table 21.1**.

Table 21.1		
List of International Labour Organisation Conventions Ratified by India		
Sl. No.	Number and Title of Convention	Date of ratification
1.	No.1 Hours of Work (Industry) Convention, 1919	14.07.1921
2.*	No.2 Unemployment Convention, 1919	14.07.1921
3.	No.4 Night Work (Women) Convention, 1919	14.07.1921

4.	No.5 Minimum Age (Industry) Convention, 1919	09.09.1955
5.	No.6 Night Work of Young Persons (Industry) Convention, 1919	14.07.1921
6.	No.11 Right of Association (Agriculture) Convention, 1921	11.05.1923
7.	No.14 Weekly Rest (Industry) Convention, 1921	11.05.1923
8.	No.15 Minimum Age (Trimmers and Stokers) Convention, 1921	20.11.1922
9.	No.16 Medical Examination of Young Persons (Sea) Convention, 1921	20.11.1922
10.	No.18 Workmen's Compensation (Occupational Diseases) Convention, 1925	30.09.1927
11.	No.19 Equality of Treatment (Accident Compensation) Convention, 1925	30.09.1927
12.	No.21 Inspection of Emigrants Convention, 1926	14.01.1928
13.	No.22 Seamen's Articles of Agreement Convention, 1926	31.10.1932
14.	No.26 Minimum Wage-Fixing Machinery, Convention, 1928	10.01.1955
15.	No.27 Marking of Weight (Packages Transported by Vessels) Convention, 1929	07.09.1931
16.	No.29 Forced Labour Convention, 1930	30.11.1954
17.	No.32 Protection Against Accidents (Dockers) Convention (Revised), 1932	10.02.1947
18.@	No.41 Night Work (Women) Convention (Revised), 1934	22.11.1935
19.	No.42 Workmen's Compensation (Occupational Diseases) Convention (Revised), 1934	13.01.1964
20	No.45 Underground Work (Women) Convention, 1935	25.03.1938
21.	No.80 Final Articles Revision Convention, 1946	17.11.1947
22. **	No.81 Labour Inspection Convention, 1947	07.04.1949
23.	No.88 Employment Services Convention, 1948	24.06.1959
24.	No.89 Night Work (Women) Convention (Revised), 1948	27.02.1950
25.	No.90 Night Work of Young Persons (Industry) (Revised), 1948	27.02.1950
26.	No.100 Equal Remuneration Convention, 1951	25.09.1958
27.	No.107 Indigenous and Tribal Population Convention, 1957	29.09.1958
28.	No.111 Discrimination (Employment & Occupation) Convention, 1958	03.06.1960
29.	No.116 Final Articles Revision Convention, 1961	21.06.1962
30.#	No.118 Equality of Treatment (Social Security) Convention, 1962	19.08.1964
31.@@	No.123 Minimum Age (Underground Work) Convention, 1965	20.03.1975
32.	No.115 Radiation Protection Convention, 1960	17.11.1975
33.	No.141 Rural Workers' Organisation Convention, 1975	18.08.1977
34.	No.144 Tripartite Consultation (International Labour Standards) Convention, 1976	27.02.1978
35.	No.136 Benzene Convention, 1971	11.06.1991
36.##	No.160 Labour Statistics Convention, 1985	01.04.1992
37.	No.147 Merchant Shipping (Minimum Standards), 1976	26.09.1996
38.	No.122 Employment Policy Convention 1964	17.11.1998

39.	No.105 Abolition of Forced Labour, 1957	18.05.2000
40.	No.108 Seafarers Identity Documents Conventions, 1958'	17.01.2005
41.	P89 Protocol of 1990 to the Night Work (Women) Convention (Revised), 1948	21.11.2003

- * Later denounced, The Convention requires, internal furnishing of statistics concerning unemployment every three months which is considered not practicable.
- @ Convention denounced as a result of ratification of Convention No.89.
- ** Excluding Part-II.
- # Branches (c) and (g) and Branches (a) to (c) and (i).
- @@ Minimum Age initially specified was 16 years but was raised to 18 years in 1989.
- ## Article 8 of Part-II.

SOURCE: - Ministry of Labour & Employment.
