

Chapter - 21

INTERNATIONAL COOPERATION

INTRODUCTION

21.1 India is one of the founding members of International Labour Organization that came into existence in 1919 and has been a permanent member of the ILO Governing Body since 1922. At present the ILO has 179 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 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, (2) Governing Body – Executive Council of the ILO that meets three times in a year in the months of March, June and November and (3) International Labour Office – a Permanent secretariat. India has been playing a pro-active role in the proceedings of the ILO since its inception.

21.2 The Indian delegation, which is tripartite in composition, has been participating in the International Labour Conference on a regular basis. 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.

94th (Maritime) Session of the International Labour Conference

21.3 The 94th (Maritime) Session of the International Labour Conference was held on 8th – 23rd February, 2006 at Geneva and

adopted the draft Maritime Labour Convention, 2006. This is a single International Labour Convention, which consolidates almost all the Maritime Labour Conventions in a comprehensive instrument setting out the conditions for decent work in the increasingly globalized maritime sector. This Convention has come to be regarded as the “fourth pillar” of the International regulatory regime for shipping, complimenting the key Conventions of the International Maritime Organizations: International Convention for the Safety of Life at Sea (SOLAS), International Convention for the Prevention of Pollution from Ships, 1973 (MARPOL) and Standards of Training Certification and Watch keeping (STCW). The Convention contains several innovative features in order to enable the members of ILO for early ratification and also to ensure that the provisions in the Conventions are effectively implemented, enforced and easily updated.

In order for the Convention to come into force it will require 30 ratification covering 33% world gross tonnage.

95th Session of the International Labour Conference

21.4 The 95th Session of the International Labour Conference was held in Geneva from 31st May to 16th June, 2006. On the opening day, approximately 4000 Governments’, workers’ and employers’ participants representing 178 ILO Member States attended the Conference. The ILC hosted two eminent guest speakers – President Ellen Johnson Sirleaf of Liberia and President Oscar Arias Sanchez of Costa Rica. President Ellen Johnson called for urgent action for peace and development in her country while President Sanchez urged the adoption of

concrete measures to ensure a fair globalization. The main focus of this Conference was on effective abolition of child labour, applications of forced labour conventions 1930 (No. 29) in Myanmar, situation of workers in the occupied Arab Territories., occupational safety and health and employment relationship. The Conference also deliberated upon the reports on programme implementation and the activities of the organization in 2004-2005 and on the changing patterns in the world of work presented by the Director General, ILO.

Committee on Application of Standards

21.5 The Committee expressed its concern about the application of the Principle of the Freedom of Association in Bangladesh and Belarus. It also took note of the information provided by Myanmar on the application of the Forced Labour Convention 1930 (No. 29). Besides this, the Committee examined individual cases covering wide variety of issues inter alia employment policy, labour inspections, wages, freedom of association and forced labour. The Committee also recorded a historic agreement reached, within its framework, between the Government, employers and workers of Columbia on the permanent presence of the ILO in the country to provide technical assistance to implement the national decent work country programme and to promote fundamental principles and the rights at work.

21.6 The General Survey discussed the 6th General Survey on International Standards relating to Labour Inspection. The Report that is based on the information, provided by the member States was extremely informative. It brought out the role; inspections can play in enforcement of labour laws and in protecting the labour interests.

Committee on Technical Cooperation

21.7 The delegates reviewed the ILO Technical Cooperation Programme taking into account the significant changes that have taken place in the approach and the modalities of the ILO programme since 1999. The Committee emphasized the importance of strengthening the tripartite constituents of the ILO and stressed the need for their participation in the technical cooperation projects.

Committee on Safety and Health

21.8 The first discussion on the question concerning occupational safety and health with a view to develop a new instrument which would establish a promotional framework for occupational safety and health took place at the 93rd Session (2005) of the International Labour Conference (ILC). Following this, a second discussion was held in the 95th Session (2006) ILC on the proposed Convention and Recommendation. The proposed instruments place occupational safety and health high on national agendas and aims to strengthen national occupational safety and health systems and promote preventive safety and health culture. The International Labour Conference adopted the proposed instruments.

21.9 The Committee on Employment Relationship discussed and adopted an International Labour Recommendation on employment relationship. The new standard urges member States to formulate and adopt, in consultation with workers and employers, national policies on effectively establishing the existence of an employment relationship and on the distinction between employed and self-employed workers. It also emphasize the need to combat disguised employment relationship and to ensure application of standards to all forms of contractual arrangements.

14th Asian Regional Meeting

21.10 The ILO Asian Regional Meeting is held every four years and brings together the tripartite partners- Government, Employees' and Employers' organization- from 29 countries in Asia and the Pacific and 11 Arab States in West Asia. The 14th Session of Asian Regional Meeting was held in Busan, South Korea from 29th August to 1st September, 2006. The overall theme of the meeting was 'Realizing Decent Work in Asia'. The objective of the meeting was, to identify concrete and practical steps to be taken and specific outcomes to be achieved, to make decent work a reality in Asia. The meeting also aimed to define the role of the International Labour Office in contributing to these outcomes.

21.11 The Director General of the ILO presented two reports at the meeting titled 'Decent Work in Asia: Reporting on Results 2001-2005' and 'Decent Work in the 21st century Asia's leading role'. The first report reviewed ILO's activities in the region undertaken during the said period. The activities undertaken mainly aimed at promoting decent work through efforts principally at the local and national levels. The report also highlighted the priorities for ILO action for 2006-07. The second report namely, *Realizing decent work in Asia* was a thematic report on the action needed to promote decent work at the regional level. In addition to an analysis of decent work opportunities and challenges in the context of globalisation, rationalization and competitiveness in Asia, it identified key policy issues for realizing decent work in the region and discussed regional cooperation and strategic partnerships for addressing these issues. It called on the ILO tripartite constituents to identify concrete and practical outcomes for realizing decent work and to define the role of the International Labour Office in contributing to these outcomes.

21.12. During the meeting, 4 parallel sessions were held to address the principal themes of the Director General's report. These session were as follows:

- **Competitiveness, productivity and jobs in a globalizing context**
- **Labour market governance for realizing decent work in Asia**
- **The millennium generation: Decent jobs for young people**
- **Labour migration: Regional strategy towards implementation of the ILO multilateral framework.**

21.13 India was an active participant in the meeting. The Indian delegate while speaking on the report presented by the Director General, said that the Indian Government is making constant efforts to meet the challenges thrown up by globalization. A considerable emphasis is now being placed to increase labour productivity by upgrading the skills through vocational training in emerging areas. In this context, the efforts made by the Govt. to promote Industrial Training Institutes into Center of Excellence were highlighted. The delegate asserted the need to address the issue of flexibility in the labour market along with security especially in the context of globalization.

21.14 The Asian Regional meeting concluded with the resolution to make concerted and sustained efforts to realize decent work in all countries in Asia. The delegates committed themselves to an Asian Decent Work Decade for period upto 2015. They also resolved to promote active regional cooperation to achieve the objective of decent work. The meeting also drew up the priorities for ILO's action in the future.

The ILO Governing Body Meeting

21.15 The Governing Body is the executive body of the ILO and it works through various committees. India took active part in the 295th, 296th and 297th

Sessions of the Governing Body held in Geneva during 2006.

295th Session of the Governing Body

21.16 The 295th Session of Governing Body of ILO was held from 16th -31st, March 2006 at Geneva.

21.17 The Committee on Freedom of Association set up by the Governing Body at its 117th session (November 1951) met at the International Labour Office, Geneva on 16th, 17th and 18th March, 2006. It took up complaints submitted to the Governing Body, alleging violations of freedom of association and representations that concern such issues. The cases pertaining to India were not listed for discussion in the Committee on Freedom of Association.

21.18 The Programme, Financial and Administrative Committee met on 23rd, 24th and 29th March, 2006. During the meeting International Labour Office informed the Committee about the financial results for 2004-2005. The Committee also discussed the framework for future work on results based management.

21.19 The Committee on Legal Issues and International Labour Standards met on 22nd March, 2006. It discussed the practical arrangements for the discussion, at the 95th Session (June, 2006) of the International Labour Conference, of the Global Report prepared under the follow up to the ILO Declaration on the Fundamental Principles and Rights at Work. It also discussed the Status Report on ILO action concerning discrimination in employment and occupation.

21.20 The Committee on Employment in Social Policy met on 20th and 21st March, 2006. The Committee discussed the implementation of the Global Employment agenda including the modalities for evaluation of the Global

Employment Agenda in the context of Decent Work Country Programmes. It also discussed the issue of enhancing

employability by improving knowledge and skills.

21.21 The Committee on Sectoral and Technical Meetings and related Issues met on 20th March, 2006. The Committee among other issues, discussed the outcomes of the tripartite meetings concerning fair globalization in textiles and clothing in the post MFA Environment and ILO Multilateral framework on labour migration.

21.22 The Committee on Technical Cooperation met on 21st & 22nd March, 2006. The Committee discussed the operational aspects of the International Programmes on the elimination of child labour and Technical cooperation in the context of Decent Work Programmes.

21.23 The Working Party on Social Dimension of Globalisation met on 27th March, 2006. During the meeting of the Committee, India reiterated its commitment to the principles inherent in Decent Work Agenda. It was suggested that ILO while focusing on Decent Work as global goal, must fix the parameters of decent work keeping in view the socio-economic and cultural context of each country. It was asserted that the basic requirement for decent work should be to first ensure a job to any potential worker. In this respect it was felt that ILO's involvement through technical cooperation in training and skill upgradation could enable skilled and unskilled workers in developing countries to harness emerging job opportunities.

296th Session of the Governing Body

21.24 T The 296th Session of the Governing Body of ILO was held in June, 2006. It discussed a range of issues

including the questions arising out of the 95th Session of the ILC and the report of the ILO Committee on Freedom of Association.

297th Session of the Governing Body

21.25 The 297th Session of Governing Body of ILO was held in Geneva from 2nd to 17th November, 2006.

21.26 **The Committee on Employment Social Policy** met on 6th & 7th November, 2006 and deliberated among other things upon issues related to youth employment, collective bargaining in the context of Decent Work Agenda and the implementation of the Global Employment Agenda.

21.27 **The Programme, Financial & Administrative Committee of Governing Body** met on 8th and 9th November, 2006. The Committee discussed, inter alia, the strategy for continued improvement of results based management in the ILO and International Public Sector Accounting Standards.

21.28 **The Committee on Technical Cooperation** met on 7th November, 2006 and discussed the progress made in the implementation of Decent Work Country Programme and the follow up to the resolution on technical cooperation adopted by the 95th Session of the International Labour Conference and the priorities/ action plan regarding abolition of child labour. It also discussed the policy in respect of the resource mobilization for technical cooperation and the implementation status.

21.29 **The Committee on Legal Issues and International Labour Standards** met on 10th November, 2006. It discussed the ratification of 1997 Instrument of Amendment to the ILO Constitution.

21.30 **The Committee on Sectoral and Technical and Related Issues** met on 6th Nov., 2006 and discussed the recommendations made by the tripartite meetings held on the issues concerning safety and health in coal mines and on the social and labour implications of the increased use of advanced retail technologies.

TECHNICAL COOPERATION PROGRAMME

21.31 International Labour Organisation (ILO) and India have an enduring and vibrant relationship which is marked by close and dynamic cooperation over the years. India has been actively supporting and participating in ILO's Technical Cooperation Programmes.

ILO PROJECTS IN INDIA

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

21.33 ILO also provides technical assistance to India in conducting feasibility studies, design of projects and in organizing and implementation of training programmes and workshop where ILO experts function as resource persons. Under the Active Partnership policy of the ILO, collaboration between the I.L.O and India is supported by technical inputs from the multidisciplinary teams in New Delhi (ILO-SAAT) and regional office in Bangkok as well as by technical departments at the I.L.O. Headquarters. During the year, technical specialists

provided advisory services in international labour standards, statistics and also discussed areas of possible collaboration in future. The tripartite machinery of the Government, Workers' and Employers' Organisations, worked closely with the I.L.O. 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 2006, India participated in a number of National and International meetings organized by ILO.

PARTICIPATION IN OVERSEAS TRAININGS/WORKSHOPS ETC

21.34 During the years, thirteen officers have been deputed as yet for training, workshops, seminars and meetings under the fellowships provided by the ILO.

INDIA'S ASSISTANCE TO ILO

21.35 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.

21.36 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 2007 was Swiss Francs 1532462.

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

INTERNATIONAL COOPERATION

21.38. A high-level trade union delegation from U.K. visited India on 10th May, 2006. A seven member delegation from Kenya visited India on 16th May, 2006. A delegation from Turkey visited India on 15th September, 2006. A Thailand delegation visited the Ministry of Labour & Employment on 2nd November, 2006. Besides these delegations, a 6 member Chinese delegation led by Mr. Gao Fengtao, Vice-Minister of Legislative Office of the State Council of China visited India from 15th to 18th August, 2006 on the invitation of Govt. of India. During the visit an MoU was signed between the two parties for extension of cooperation for further three years.

21.39 The European Commission and the Indian Ministry of Labour & Employment signed a memorandum of Understanding (MoU) to strengthen dialogue and exchange on employment and social affairs issues of common interest. It follows a decision at the EU-India Summit in September 2005 to reinforce cooperation between the two partners, including in the area of employment and social policy. It will provide the frame work to exchange ideas on areas such as social protection, social cohesion, labour legislation, employment, labour relations and social dialogue. Vladimir Spidla, EU Commissioner for Employment, Social

Affairs and Equal Opportunities and Oscar Farnandes, Indian Minister of State for Labour & Employment headed the EU delegation.

State for Labour & Employment had attended. Shri M.R. Singhal Labour

21.40 A Indo-EU Joint Seminar on Skills Development, Training & Employment on

Minister, Government of Delhi and Shri J.N. Mishra, Labour Minister, Orissa were also the members of the delegation.

27-28 November, 2006 as a first exchange under the MoU.

CONCLUSIONS

95th SESSION OF THE INTERNATIONAL LABOUR CONFERENCE

21.42 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 especially 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. The details are given in the **Table 21.1**.

21.41 The 95th Session of the International Labour Conference was held from 31st May to 16th June, 2006 in Geneva, wherein a 27 member Tripartite Indian Delegation led by Shri Chandra Sekhar Sahu, former Hon'ble Minister of

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) Conventions (Revised), 1948	27.02.1950
26.	No.100 Equal Remuneration Convention, 1951	25.09.1958
27.	No.105 Abolition of Forced Labour, 1957	18.05.2000
28.	No.107 Indigenous and Tribal Population Convention, 1957	29.09.1958
29.	No.108 Seafarers Identity Documents Conventions, 1958'	17.01.2005
30.	No.111 Discrimination (Employment & Occupation) Convention, 1958	03.06.1960
31.	No.115 Radiation Protection Convention, 1960	17.11.1975
32.	No.116 Final Articles Revision Convention, 1961	21.06.1962
33.#	No.118 Equality of Treatment (Social Security) Convention,	19.08.1964

	1962	
34.	No.122 Employment Policy Convention 1964	17.11.1998
35.@@	No.123 Minimum Age (Underground Work) Convention, 1965	20.03.1975
36.	No.136 Benzene Convention, 1971	11.06.1991
37.	No.141 Rural Workers' Organisation Convention, 1975	18.08.1977
38.	No.144 Tripartite Consultation (International Labour Standards) Convention, 1976	27.02.1978
39. ##	No.147 Merchant Shipping (Minimum Standards) Conventions, 1976	26.09.1996
40.	No.160 Labour Statistics Convention, 1985 (Article 8 of Part-II)	01.04.1992
42.	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(on 27.02.1950)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.
