

C. REPORTS ON RATIFIED CONVENTIONS (STATES MEMBERS)

(Article 22 of the Constitution)

Reports received as of 15 June 2000

The table published in the Report of the Committee of Experts, page 452, should be brought up to date in the following manner:

Note: First reports are indicated in parenthesis. Paragraph numbers indicate a modification in the lists of countries mentioned in Part One (General Report) of the Report of the Committee of Experts.

Antigua and Barbuda	11 reports requested
– 6 reports received: Conventions Nos. 17, 29, 81, 87, 111, 138	
– 5 reports not received: Conventions Nos. 11, 12, 98, 105, 108	
Barbados	17 reports requested
– 16 reports received: Conventions Nos. 5, 7, 11, 12, 17, 42, 63, 81, 98, 105, 108, 111, 118, 122, 144, (172)	
– 1 report not received: Convention No. 19	
Belize	14 reports requested
<i>(Paragraph 93)</i>	
– 13 reports received: Conventions Nos. 5, 8, 11, 12, 29, 42, 81, 87, 88, 89, 98, 99, 108	
– 1 report not received: Convention No. 105	
Benin	7 reports requested
<i>(Paragraph 93)</i>	
– 4 reports received: Conventions Nos. 11, 41, 105, 111	
– 3 reports not received: Conventions Nos. 18, 85, 98	
Bolivia	17 reports requested
<i>(Paragraph 89)</i>	
– 13 reports received: Conventions Nos. 81, 87, 89, 98, 103, 105, 111, 121, 128, 131, (138), (159), 162	
– 4 reports not received: Conventions Nos. 102, 117, 122, 160	
Cape Verde	8 reports requested
<i>(Paragraph 93)</i>	
– 7 reports received: Conventions Nos. 17, 29, 81, 98, 100, 105, 118	
– 1 report not received: Convention No. 111	
Costa Rica	15 reports requested
– All reports received: Conventions Nos. 11, 81, 89, 98, 105, 111, 127, 130, 141, 144, 147, 148, 150, 159, 169	
Côte d'Ivoire	9 reports requested
– 8 reports received: Conventions Nos. 11, 41, 81, 98, 100, 105, 111, 144	
– 1 report not received: Convention No. 18	
Cyprus	24 reports requested
– 23 reports received: Conventions Nos. 11, 44, 58, 81, 89, 98, 105, 111, 121, 122, (138), 144, (147), 150, 151, 154, 155, 158, 159, 160, 171, (172)	
– 1 report not received: Convention No. (175)	
Czech Republic	16 reports requested
– 14 reports received: Conventions Nos. 11, 12, 17, 42, 98, 102, 105, 111, 128, 155, 159, 160, 161, 171	
– 2 reports not received: Conventions Nos. 89, 148	
Denmark	21 reports requested
– 19 reports received: Conventions Nos. 11, 12, 27, 42, 81, 88, 98, 105, 111, 130, (138), 144, 149, 150, 151, 155, 159, 160, (169)	
– 2 reports not received: Conventions Nos. 142, 148	
El Salvador	12 reports requested
– All reports received: Conventions Nos. 12, 77, 78, 81, 99, 105, 111, 131, 141, 144, 159, 160	
Ethiopia	8 reports requested
<i>(Paragraph 93)</i>	
– 6 reports received: Conventions Nos. 87, 98, 111, 155, 158, 159	
– 2 reports not received: Conventions Nos. 11, 156	
Ghana	26 reports requested
– 20 reports received: Conventions Nos. 8, 11, 22, 29, 30, 45, 58, 69, 74, 81, 87, 88, 89, 94, 98, 103, 105, 108, 117, 148	
– 6 reports not received: Conventions Nos. 92, 100, 111, 149, 150, 151	
Grenada	18 reports requested
<i>(Paragraph 93)</i>	
– 13 reports received: Conventions Nos. 5, 8, 10, 11, 12, 16, 29, 58, 81, (87), 98, 105, (144)	
– 5 reports not received: Conventions Nos. 19, 26, 99, (100), 108	
Guinea	23 reports requested
<i>(Paragraph 93)</i>	
– 10 reports received: Conventions Nos. 29, 81, 87, 98, 100, 105, 117, 136, 142, 148	
– 13 reports not received: Conventions Nos. 5, 11, 45, 89, 111, 121, 122, 144, 149, 150, 151, 156, 159	
Guinea-Bissau	24 reports requested
– 9 reports received: Conventions Nos. 12, 29, 81, 88, 89, 98, 100, 105, 111	
– 15 reports not received: Conventions Nos. 1, 7, 17, 18, 19, 26, 27, 45, 68, 69, 73, 74, 91, 92, 108	

Iraq	26 reports requested
– 25 reports received: Conventions Nos. 8, 16, 17, 27, 29, 42, 81, 88, 89, 98, 100, 105, 111, 136, 137, 138, 142, 144, 147, 148, 149, 150, 152, 153, 167	
– 1 report not received: Convention No. 11	
Israel	6 reports requested
– All reports received: Conventions Nos. 81, 98, 105, 111, (147), 150	
Jamaica	8 reports requested
<i>(Paragraph 89)</i>	
– 3 reports received: Conventions Nos. 81, 105, (144)	
– 5 reports not received: Conventions Nos. 11, 98, 111, 149, 150	
Lesotho	2 reports requested
– All reports received: Conventions Nos. 11, 98	
Libyan Arab Jamahiriya	22 reports requested
– 18 reports received: Conventions Nos. 1, 29, 52, 53, 81, 88, 95, 100, 102, 103, 105, 111, 118, 121, 122, 128, 130, 138	
– 4 reports not received: Conventions Nos. 14, 89, 96, 98	
Madagascar	18 reports requested
– 16 reports received: Conventions Nos. 5, 11, 12, 26, 29, 41, 81, 87, 100, 111, 117, 119, 120, 122, 127, 129	
– 2 reports not received: Conventions Nos. 118, (144)	
Mali	17 reports requested
<i>(Paragraph 89)</i>	
– 12 reports received: Conventions Nos. 26, 29, 81, 87, 98, 100, 105, 111, (135), (141), (151), (159)	
– 5 reports not received: Conventions Nos. 5, 11, 17, 18, 41	
Malta	31 reports requested
<i>(Paragraph 93)</i>	
– 30 reports received: Conventions Nos. 1, 2, 8, 11, 12, 16, 19, 29, 32, 42, 45, 81, 87, 88, 96, 98, 100, 105, 108, 111, 119, 127, 129, 131, 135, 136, 141, 148, 149, 159	
– 1 report not received: Convention No. 117	
Niger	18 reports requested
<i>(Paragraph 93)</i>	
– All reports received: Conventions Nos. 11, 18, 41, 81, 87, 98, 105, 111, 117, 119, 131, 135, 138, 142, 148, 154, 156, 158	
Saint Lucia	21 reports requested
<i>(Paragraph 82)</i>	
– 1 report received: Convention No. 98	
– 20 reports not received: Conventions Nos. 5, 7, 8, 11, 12, 14, 16, 17, 19, 26, 29, 87, 94, 95, 97, 100, 101, 105, 108, 111	
San Marino	13 reports requested
– 12 reports received: Conventions Nos. 98, 105, 138, 144, 148, 150, 151, 154, 156, 159, 160, 161	
– 1 report not received: Convention No. 111	
Slovakia	16 reports requested
– 8 reports received: Conventions Nos. 11, 42, (105), 111, 130, (138), (144), 161	
– 8 reports not received: Conventions Nos. 12, 17, 89, 98, 148, 155, 159, 160	
Slovenia	17 reports requested
<i>(Paragraph 93)</i>	
– All reports received: Conventions Nos. 11, 12, 81, 89, 98, 100, (105), 111, 121, 122, 148, 155, 156, 158, 159, 161, 162	
South Africa	7 reports requested
– All reports received: Conventions Nos. (29), 42, 63, 89, 98, (105), (111)	
Sri Lanka	12 reports requested
– All reports received: Conventions Nos. 5, 11, 18, 81, 96, 98, 100, 103, 108, 135, 144, 160	
Sweden	25 reports requested
<i>(Paragraph 93)</i>	
– All reports received: Conventions Nos. 11, 12, 81, 98, 105, 111, 121, 144, 147, 148, 149, 150, 151, 154, 155, 156, 157, 158, 159, 160, 161, 162, 164, 174, (176)	
Syrian Arab Republic	12 reports requested
– All reports received: Conventions Nos. 11, 17, 18, 19, 63, 81, 89, 98, 105, 111, 118, 144	
Tajikistan	23 reports requested
– 18 reports received: Conventions Nos. 27, 29, 45, 47, 87, 92, 98, 100, 103, 108, 111, 122, 126, 133, 142, 147, 159, 160	
– 5 reports not received: Conventions Nos. 11, 119, 120, 148, 149	
United Republic of Tanzania	16 reports requested
– 8 reports received: Conventions Nos. 29, 59, 98, 105, 131, 134, 142, 144	
– 8 reports not received: Conventions Nos. 11, 12, 17, 63, 84, 137, 148, 149	
Trinidad and Tobago	6 reports requested
– 2 reports received: Conventions Nos. (100), 144	
– 4 reports not received: Conventions Nos. 85, 98, 105, 111	
Uruguay	22 reports requested
<i>(Paragraph 93)</i>	
– All reports received: Conventions Nos. 11, 63, 81, 95, 98, 105, 111, 120, 121, 131, 144, 148, 149, 150, 151, 154, 155, 156, 159, 161, 162, 172	

Zambia**19 reports requested**

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- 17 reports received: Conventions Nos. [11](#), [12](#), [17](#), [18](#), [29](#), [89](#), [98](#), [105](#), [111](#), [144](#), [148](#), [149](#), [150](#), [151](#), [154](#), [158](#), [159](#)
 - 2 reports not received: Conventions Nos. [95](#), [122](#)
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Grand Total

A total of 2,288 reports were requested, of which 1,641 reports (71.72 per cent) were received.

D. STATISTICAL TABLE OF REPORTS ON RATIFIED CONVENTIONS AS OF 15 JUNE 2000

(Article 22 of the Constitution)

Conference Year	Reports requested	Reports received at the date requested		Reports received in time for the session of the Committee of Experts		Reports received in time for the session of the Conference	
		Number	Percentage	Number	Percentage	Number	Percentage
1932	447	—	—	406	90.8	423	94.6
1933	522	—	—	435	83.3	453	86.7
1934	601	—	—	508	84.5	544	90.5
1935	630	—	—	584	92.7	620	98.4
1936	662	—	—	577	87.2	604	91.2
1937	702	—	—	580	82.6	634	90.3
1938	748	—	—	616	82.4	635	84.9
1939	766	—	—	588	76.8	—	—
1944	583	—	—	251	43.1	314	53.9
1945	725	—	—	351	48.4	523	72.2
1946	731	—	—	370	50.6	578	79.1
1947	763	—	—	581	76.1	666	87.3
1948	799	—	—	521	65.2	648	81.1
1949	806	134	16.6	666	82.6	695	86.2
1950	831	253	30.4	597	71.8	666	80.1
1951	907	288	31.7	507	55.9	761	83.9
1952	981	268	27.3	743	75.7	826	84.2
1953	1026	212	20.6	840	81.8	917	89.3
1954	1175	268	22.8	1077	91.7	1119	95.2
1955	1234	283	22.9	1063	86.1	1170	94.8
1956	1333	332	24.9	1234	92.5	1283	96.2
1957	1418	210	14.7	1295	91.3	1349	95.1
1958	1558	340	21.8	1484	95.2	1509	96.8

As a result of a decision by the Governing Body, detailed reports were requested as from 1959 until 1976 only on certain Conventions.

1959	995	200	20.4	864	86.8	902	90.6
1960	1100	256	23.2	838	76.1	963	87.4
1961	1362	243	18.1	1090	80.0	1142	83.8
1962	1309	200	15.5	1059	80.9	1121	85.6
1963	1624	280	17.2	1314	80.9	1430	88.0
1964	1495	213	14.2	1268	84.8	1356	90.7
1965	1700	282	16.6	1444	84.9	1527	89.8
1966	1562	245	16.3	1330	85.1	1395	89.3
1967	1883	323	17.4	1551	84.5	1643	89.6
1968	1647	281	17.1	1409	85.5	1470	89.1
1969	1821	249	13.4	1501	82.4	1601	87.9
1970	1894	360	18.9	1463	77.0	1549	81.6
1971	1992	237	11.8	1504	75.5	1707	85.6
1972	2025	297	14.6	1572	77.6	1753	86.5
1973	2048	300	14.6	1521	74.3	1691	82.5
1974	2189	370	16.5	1854	84.6	1958	89.4
1975	2034	301	14.8	1663	81.7	1764	86.7
1976	2200	292	13.2	1831	83.0	1914	87.0

As a result of a decision by the Governing Body (November 1976), detailed reports were requested as from 1977 until 1994, according to certain criteria, at yearly, two-yearly or four-yearly intervals.

1977	1529	215	14.0	1120	73.2	1328	87.0
1978	1701	251	14.7	1289	75.7	1391	81.7
1979	1593	234	14.7	1270	79.8	1376	86.4
1980	1581	168	10.6	1302	82.2	1437	90.8
1981	1543	127	8.1	1210	78.4	1340	86.7
1982	1695	332	19.4	1382	81.4	1493	88.0
1983	1737	236	13.5	1388	79.9	1558	89.6
1984	1669	189	11.3	1286	77.0	1412	84.6
1985	1666	189	11.3	1312	78.7	1471	88.2
1986	1752	207	11.8	1388	79.2	1529	87.3
1987	1793	171	9.5	1408	78.4	1542	86.0
1988	1636	149	9.0	1230	75.9	1384	84.4
1989	1719	196	11.4	1256	73.0	1409	81.9
1990	1958	192	9.8	1409	71.9	1639	83.7
1991	2010	271	13.4	1411	69.9	1544	76.8
1992	1824	313	17.1	1194	65.4	1384	75.8
1993	1906	471	24.7	1233	64.6	1473	77.2
1994	2290	370	16.1	1573	68.7	1879	82.0

As a result of a decision by the Governing Body (November 1993), detailed reports on only five Conventions were exceptionally requested in 1995.

1995	1252	479	38.2	824	65.8	988	78.9
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As a result of a decision by the Governing Body (November 1993), reports are henceforth requested, according to certain criteria, at yearly, two-yearly or four-yearly intervals.

1996	1806	362	20.5	1145	63.3	1413	78.2
1997	1927	553	28.7	1211	62.8	1438	74.6
1998	2036	463	22.7	1264	62.1	1455	71.4
1999	2288	520	22.7	1406	61.4	1641	71.7

II. OBSERVATIONS AND INFORMATION CONCERNING THE APPLICATION OF CONVENTIONS IN NON-METROPOLITAN TERRITORIES (ARTICLES 22 AND 35 OF THE CONSTITUTION)

A. Information concerning Certain Territories

Written information received up to the end of the meeting of the Committee on the Application of Standards¹

France (Guadeloupe). Since the meeting of the Committee of Experts, the Government has sent replies to most of the Committee's comments.

France (Martinique). Since the meeting of the Committee of Experts, the Government has sent replies to most of the Committee's comments.

United Kingdom (Anguilla). Since the meeting of the Committee of Experts, the Government has sent replies to most of the Committee's comments.

¹ The list of the reports received is to be found in [Part II B](#) of the Report.

B. REPORTS ON RATIFIED CONVENTIONS (NON-METROPOLITAN TERRITORIES)

(Articles 22 and 35 of the Constitution)

Reports received as of 15 June 2000

The table published in the Report of the Committee of Experts, page 489, should be brought up to date in the following manner:

Note: Paragraph numbers indicate a modification in the lists of countries mentioned in Part One (General Report) of the Report of the Committee of Experts.

Denmark	2 reports received: 18 requested
Greenland	3 reports requested
– 2 reports received: Conventions Nos. 5, 105	
– 1 report not received: Convention No. 11	
France	109 reports received: 197 requested
French Guiana	26 reports requested
– 5 reports received: Conventions Nos. 8, 12, 98, 108, 111	
– 21 reports not received: Conventions Nos. 5, 17, 27, 29, 35, 36, 37, 38, 42, 45, 81, 87, 89, 100, 105, 129, 136, 142, 144, 147, 149	
Guadeloupe	38 reports requested
<i>(Paragraph 93)</i>	
– 17 report received: Conventions Nos. 8, 12, 35, 36, 37, 38, 42, 92, 98, 100, 108, 111, 129, 131, 142, 146, 149	
– 21 reports not received: Conventions Nos. 3, 5, 11, 17, 27, 29, 45, 58, 81, 87, 89, 105, 112, 120, 126, 133, 135, 136, 141, 144, 147	
Martinique	34 reports requested
<i>(Paragraph 93)</i>	
– 6 report received: Conventions Nos. 8, 12, 98, 108, 111, 146	
– 28 reports not received: Conventions Nos. 5, 11, 17, 27, 29, 35, 36, 37, 38, 42, 45, 58, 81, 87, 89, 92, 100, 105, 112, 123, 126, 129, 133, 136, 142, 144, 147, 149	
St. Pierre and Miquelon	28 reports requested
– 18 reports received: Conventions Nos. 5, 12, 29, 35, 44, 45, 82, 87, 88, 96, 98, 100, 108, 111, 122, 129, 142, 147	
– 10 reports not received: Conventions Nos. 11, 17, 42, 63, 81, 89, 105, 131, 144, 149	
Netherlands	18 reports received: 36 requested
Netherlands Antilles	7 reports requested
– All reports received: Conventions Nos. 11, 12, 17, 42, 81, 89, 105	
United Kingdom	All reports received: 82 requested
Gibraltar	11 reports requested
– All reports received: Conventions Nos. 11, 12, 17, 42, 59, 81, 98, 105, 150, 151, 160	
Grand Total	
A total of 362 reports were requested, of which 240 reports (66.30 per cent) were received.	

III. SUBMISSION TO THE COMPETENT AUTHORITIES OF THE CONVENTIONS AND RECOMMENDATIONS ADOPTED BY THE INTERNATIONAL LABOUR CONFERENCE (ARTICLE 19 OF THE CONSTITUTION)

Observations and Information

(a) Failure to submit instruments of the competent authorities

The Worker members recalled that the obligation to submit instruments to the competent authorities was a fundamental element of the standards system of the ILO. As the Committee had emphasized during the discussion of its General Survey, fulfilment of this obligation provided a basis for strengthening linkages between the ILO and national authorities, promoting the ratification of Conventions and stimulating tripartite dialogue at the national level. In its report, the Committee of Experts had specified the nature and modalities of this obligation and had insisted on the fact that submission to the competent authorities did not imply that governments had the obligation to propose the ratification of the Conventions under consideration. The Worker members also expressed concern over the considerable delay which had been accumulated by certain member States and the difficulties which were likely to arise in the process of making up this delay. The Committee should urge governments to respect this obligation and should have reminded them that they could request the technical assistance of the ILO.

The Employer members associated themselves with the statement made by the Worker members. They referred in particular to the exposé of the Committee of Experts on the nature of the obligation to submit. This did not imply any obligation to propose the ratification of Conventions and Protocols. Moreover, they recalled that this section of the report only enumerated countries which had not provided any information that the instruments adopted by the Conference during its last seven sessions had in fact been submitted to the competent authorities. They believed that there might be some countries which had not submitted instruments for more than seven years, but which were not mentioned due to an interruption in their failure to submit instruments to the competent authorities. Finally, they observed that Seychelles was among the countries mentioned in the report for failure to submit, even though it had been the first State to ratify [Convention No. 182](#). Noting this contradiction, they pointed out that the obligation to submit instruments to the competent authorities was in practice fairly easy to fulfil and that the countries concerned should make every effort to comply with this obligation.

A Government representative of Belize apologized for not having submitted the instruments adopted at the last seven sessions of the Conference to the competent authorities. This had been due to administrative and logistical difficulties. However, he pledged to comply with the reporting requirements in the near future. He added that his country had made progress in fulfilling its obligations, such as the submission of the reports under article 22 of the Constitution and supplying replies to the comments of the Committee of Experts.

A Government representative of Cambodia recalled that between 1970 and 1994 his country had experienced a period of war and national reconstruction following the period of the Khmer Rouge regime, during which Cambodia's relationship with the ILO had been suspended. Because of that situation, it had not been possible to submit any of the instruments adopted from the 55th to the 81st Sessions of the Conference to the competent authorities. However, in 1999 Cambodia had ratified [Conventions Nos. 138 and 150](#). The Conventions adopted from 1995 to 1997 had been submitted to the Council of Ministers for consideration, as reported to the ILO. Regrettably, the Council of Ministers had not yet submitted those instruments to the National Assembly or the Senate. With regard to the maritime instruments, he noted that current Cambodian labour law did not cover maritime workers. The Ministry of Labour had therefore requested the Ministry of Transport to examine all instruments relating to maritime issues with a view to their submission to the Council of Ministers. So far, the Ministry of Transport had not done so. He emphasized that his country had never neglected to discharge its obligations under articles 19 and 22 of the Constitu-

tion. With the exception of [Convention No. 182](#), all the fundamental Conventions had been ratified. He reaffirmed his Government's commitment to discharge its obligations in this respect as soon as possible. However, ILO technical assistance was required, particularly on legal issues and to raise the awareness of the responsible officials.

A Government representative of Cameroon replied to the observations of the Committee of Experts regarding the failure to submit certain Conventions and Recommendations to the competent authorities. In general, the submission of instruments did not raise any problems. However, his Government had launched a project for the redrafting of the entire body of legislative and regulatory provisions in order to integrate the principles contained in ILO standards. The Government of Cameroon should be able to fulfil its obligations within a reasonable period. It remained committed to its engagements towards the ILO and concerned to respect the Conventions which it had ratified. He admitted that the submission of instruments to the competent authorities did not necessarily involve the ratification of Conventions. He also expressed the hope that his country would benefit from ILO technical assistance in this field and welcomed the appointment of a standards specialist in the multidisciplinary advisory team in Yaoundé, which would certainly lead to the accomplishment of considerable progress.

A Government representative of Guinea-Bissau informed the Committee that [Conventions Nos. 122, 138 and 144](#) had been sent to the Council of Ministers for discussion and analysis. [Convention No. 87](#) had been examined by the Council of Ministers and subsequently approved by the People's National Assembly. Ratification by the President had not been possible due to the political and military conflict in the country between June 1998 and May 1999. In 1999, despite the efforts made, it had not been possible to complete ratification as a result of the holding of democratic elections and the greater priority of establishing a new government. He highlighted the difficulty of having to translate the documents and, in this connection, expressed his gratitude for the collaboration provided by the Ministry of Solidarity and Labour of Portugal. He stated that his country was committed to endeavouring to fulfil its obligations.

The representative of the Secretary-General provided a summary of a letter from the Permanent Representative of the Republic of Haiti to the United Nations, in which he requested the Committee to excuse the absence of a Government representative; this was due to the fact that Haiti did not have registered delegates. The Government of Haiti intended to immediately launch the process of submission to the competent authorities and of supplying reports on the unratified Conventions and Recommendations. In order to do so, it would request the technical assistance of the ILO.

A Government representative of Honduras stated that his Government, through the Ministry of Labour and Social Security, had established a technical team to analyse and study Conventions and Recommendations with a view to sending them to Congress for their examination and subsequent ratification. Regarding the failure to submit instruments to the competent authorities, he said that his Government had begun a process of study and analysis with a view to fulfilling its obligations. In this connection, he requested the technical assistance of the ILO.

A Government representative of Mali stated that his Government wished to reaffirm its commitment to the goals and principles of the ILO and was particularly eager to comply with its constitutional obligations. Since the last session of the Conference, and with the technical assistance of a standards specialist of the Dakar multidisciplinary advisory team, all the measures had been taken for the submission of the instruments in question to the competent authorities. The Labour Department had recently informed the ILO of the steps which had been taken for the submission of the instruments which had been adopted at the 79th, 80th and 81st Sessions of the Conference to the competent authorities. The Government

of Mali undertook to make every effort to submit other instruments as soon as possible. He hoped that his country would continue to benefit from the technical cooperation of the ILO, especially in the field of training those in charge of standards issues. Finally, he informed the Committee that the instruments which had been adopted at the 87th Session of the Conference had been submitted to the National Assembly with a view to their ratification.

A Government representative of Sao Tome and Principe referred to his previous statement and emphasized the need for assistance in technical, legal and linguistic training in order to fulfil his country's obligations to the ILO. He stated that although his country was poor and was passing through a situation that was difficult in various ways, it was aware of its obligations and intended to respect them.

A Government representative of Senegal admitted that Senegal was behind in submitting the instruments adopted from the 79th to the 85th Sessions of the Conference. This was an exceptional situation. This was the first time since it had become a Member of the ILO in 1960 that Senegal had been called upon to supply information to the Committee on the Application of Standards as a result of a failure to submit. Senegal was deeply committed to the aims and objectives of the ILO and had always considered it a point of honour to fulfil all of its constitutional obligations and to give full effect to all ratified Conventions. To date, Senegal had ratified 36 Conventions, including the eight fundamental Conventions. The failures noted were therefore not a result of any bad intentions or inattentiveness by the Government. They were a result of a certain rigidity in the interaction between the executive and the legislature and above all structural and organizational weaknesses within the Ministry of Labour. In spite of its failure to submit the instruments adopted since 1992, the Government had ratified three Conventions over the two preceding years. He recognized that while the Government had not submitted these instruments to Parliament, this was due to a lack of vigilance and follow-up of the instruments for submission on the part of the Ministry of Labour, which was confronted with a series of organizational, material and human problems. This situation had caused the Government in 1998 to seek the assistance of the ILO with a view to reinforcing the capacity of the Ministry. The ILO Office in Dakar had recently organized a subregional seminar on standards with the participation of four representatives of the Ministry of Labour. Since then, the Government had sought to make good the delays incurred in relation to submission. At present, all the files for submission had been prepared and were on the verge of being transmitted to the President of the Republic, who had the sole competence to submit them to Parliament. He expressed regret at the situation, but relied on the understanding and indulgence of the Committee while his Government sought to complete the reforms it had embarked upon.

A Government representative of the Seychelles recalled that his country had made significant progress since becoming a Member of the ILO in fulfilling its reporting obligations. He reported that, with the ratification of [Convention No. 138](#), his country had now joined the ranks of those which had ratified all eight fundamental Conventions. With regard to the obligation to submit instruments adopted by the Conference to the competent authorities, he explained that, as a very small island State with very limited human resources, his country had only a limited capacity to fulfil all of its obligations within the specified period. The difficulties were compounded by the limited numbers of qualified personnel. He said that his country would seek the assistance of the ILO to help it meet its obligations to submit international labour standards to the competent authorities and reaffirmed that it would do its best to honour all of its obligations under the ILO Constitution.

A Government representative of Sierra Leone reported that [Conventions Nos. 138, 151 and 182](#) had been submitted to Parliament for ratification. However, he stated that assistance would be required from the ILO to overcome the delays experienced in the submission of reports to the supervisory bodies. Practical difficulties occurred in obtaining sufficient copies of the instruments for the submission process. The ILO should therefore provide more copies of the instruments it adopted. He also called for further technical assistance in relation to the submission of instruments to the competent authorities.

A Government representative of the Syrian Arab Republic referred to the action taken by his Government and the continued dialogue with the Council of Ministers concerning the need to submit instruments adopted by the Conference to the People's Assembly. The tripartite partners were consulted concerning recommendations for the ratification of Conventions. However, the ratification process had been delayed pending amendment of the national legislation. Under article 71 of the Constitution of the Syr-

ian Arab Republic and section 70 of the Statute of the People's Assembly, it was the People's Assembly which was the competent authority for ratification of international labour standards. On 17 May 2000, at a meeting between the Minister of Social and Labour Affairs, the Office of the Prime Minister and other partners, it had been agreed that the outstanding instruments would be submitted to the People's Assembly by the President. The instruments adopted by the Conference over the past seven years had therefore been submitted to the People's Assembly by the President on 28 May. This action confirmed his country's commitment to fulfil its obligations under the ILO Constitution and its agreement to submit all instruments adopted by the Conference to the People's Assembly after due examination by all the relevant authorities.

A Government representative of Yemen informed the Committee that the instruments adopted by the Conference could only be submitted to the People's Assembly by means of a Bill of Ratification. The difficulty therefore arose that Conventions which were not being recommended for ratification could not be submitted to the legal authorities. Advice had been sought from the ILO with a view to overcoming this problem, which had given rise to the delay in submitting international labour standards to the competent authorities.

The Worker members noted that this procedure could not create problems in a democracy. It was obvious that the ILO's instruments had to be submitted to the competent authorities, which usually meant the Parliament. They expressed the hope that the situation would improve in this regard.

The Employer members endorsed the statement made by the Worker members. They noted that, of the various explanations provided by the Government representatives concerned, none led to the conclusion that the countries concerned were bound to fail in their obligation to submit instruments to the competent authorities. They recalled that only those countries had been mentioned which had failed to comply with the obligation of submission in respect of the last seven sessions of the Conference. Problems which arose only occasionally could not therefore cause the failure to comply with the constitutional obligations referred to by the Experts. In conclusion, they hoped that the countries concerned would make every effort in future to comply with their constitutional obligation to submit the instruments adopted by the Conference to the competent authorities.

The Committee noted the information supplied and explanations given by the Government representatives and by other speakers who took the floor. It also noted the specific difficulties encountered in complying with this obligation, mentioned by various speakers. Lastly, it took due note of the commitments made by several Government representatives to comply with their constitutional obligation to submit Conventions and Recommendations to the competent authorities in the shortest possible time. The Committee expressed the firm hope that the countries mentioned, namely, Afghanistan, Belize, Cambodia, Cameroon, Central African Republic, Comoros, Congo, Guinea-Bissau, Haiti, Honduras, Kyrgyzstan, Mali, Saint Lucia, Sao Tome and Principe, Senegal, Seychelles, Sierra Leone, Solomon Islands, Somalia, Syrian Arab Republic and Yemen would, in the near future, send reports containing information relating to the submission of Conventions and Recommendations to the competent authorities. Delays and failures to submit and the increase in the number of such cases were of great concern to the Committee because these were obligations emanating from the Constitution and were essential to the effectiveness of standard-setting activities. In this connection, the Committee reiterated that the ILO could provide technical assistance to help comply with this obligation. The Committee decided to mention all these cases in the appropriate section of its General Report.

(b) Information received

Benin. The Government has indicated that the instruments adopted by the Conference at its 78th, 79th, 80th, 82nd, 83rd, 84th and 85th Session have been submitted to the National Assembly by Decree No. 98-570 of 18 November 1998.

Papua New Guinea. The Government reported that, on 12 April 2000, notice was brought in Parliament of the texts of the seven international labour Conventions that the National Executive Council approved for ratification and of the instruments adopted from the 66th to the 87th Sessions of the International Labour Conference.

Swaziland. The Government reported that the instruments adopted by the Conference at its 78th, 79th, 80th, 81st, 82nd and 83rd Sessions were submitted to Parliament on 18 October 1999.

IV. REPORTS ON UNRATIFIED CONVENTIONS AND RECOMMENDATIONS

(Article 19 of the Constitution)

(a) Failure to supply reports on unratified Conventions and on Recommendations for the past five years

The Worker members thanked the Government representatives for the information that they had provided to the Committee. However, they stressed that the failures to submit noted were not caused by chance, since the same failures had occurred over the past five years. The statements had not supplied many new details regarding these failures. The Committee should urge governments to respect fully this obligation deriving from the Constitution of the ILO, to enable the Committee of Experts to prepare complete General Surveys.

The Employer members fully agreed with the remarks made by the Worker members. They pointed out that according to the General Report, it appeared that only 52 per cent of the reports requested had been received. They recalled that these reports provided very important information and questioned why governments would be reluctant to send such reports; they could not face criticism, since they had not ratified the Conventions. They emphasized that if a large number of reports were received they provided a more realistic picture. They considered that the failure to submit such reports was serious and should be mentioned in the report of the Committee of Experts.

A Government representative of Algeria recalled that his Government had ratified the Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144), in 1993. It had submitted the first report on the application of this Convention in 1997 and a second report in 1999. Algeria had also fulfilled its obligations by submitting several other reports in response to requests from the ILO. It was true, however, that some of these reports had been submitted after the last meeting of the Committee of Experts. Furthermore, the procedure for the ratification of the Worst Forms of Child Labour Convention, 1999 (No. 182), had been commenced. Algeria had made every effort to honour its obligations towards the ILO, particularly in previous years. The failures noted by the Committee of Experts were rather embarrassing for his Government, as they did not reflect the efforts it had made. The situation would be examined in order to determine the causes of these failures. Algeria attached the greatest importance to rigorous compliance with its international obligations and would endeavour to ensure that this uncomfortable and regrettable situation did not recur in the future.

A Government representative of Bosnia and Herzegovina noted that the clarifications which she had provided also applied to the question under discussion.

A Government representative of Burundi stated that for the last five years his Government had not been able to produce any reports on the unratified Conventions because of the crisis that the country had been experiencing since 1993 and the embargo which had been imposed on it from 1996 to 1999. Another constraint was related to the shortage of skills in the country and the absence of a standards specialist in the multidisciplinary advisory team in Yaoundé. The situation would certainly improve as a result of the recent appointment of a standards specialist and the participation of a representative from Burundi in the annual training course on international labour standards which had just taken place. He expressed the hope that his Government would fulfil its obligations in this field before the next session of the Conference. He also requested that a technical assistance mission be sent to Burundi in order to help make up the delay quickly and provide training for the officials of the labour administration and the social partners at the local level.

A Government representative of Georgia stressed that his country was making every effort to respect its international obligations, but that his Government was currently going through a process of reorganization. He indicated that the officials dealing with these reports did not have the necessary skills and mentioned that work-

ing groups had to be created in this respect. He hoped that these working groups could receive technical assistance from the ILO.

A Government representative of Liberia indicated that in the past two years his country had tried to submit the requested reports and had made great efforts to reply to all the observations formulated by the Committee of Experts. The Ministry of Labour had asked for technical assistance from the ILO multidisciplinary advisory team in Dakar and as soon as they came to Liberia, the reports would be supplied.

A Government representative of the Libyan Arab Jamahiriya indicated that a large number of instruments had been submitted to the competent authorities of his country for ratification. In this regard, he enumerated several Conventions and pointed out that the Worst Forms of Child Labour Convention, 1999 (No. 182), had been submitted to the competent authorities in 1999. He stressed that, due to the great number of Conventions, his country needed to devote more time and effort to this process, but that it would be done gradually. He emphasized that his country always took into account the observations made by the Committee of Experts.

A Government representative of Malawi indicated that there were several reasons why his country had failed to submit the reports required under article 19. Firstly, his country had emerged from a dictatorial regime which had no democratic structures for tripartite cooperation and social dialogue. A tripartite labour advisory council had been established in September 1998 and it was largely involved in the ratification of fundamental Conventions. Secondly, the Ministry of Labour had lost most of the officials trained in the preparation of reports on the ILO Conventions through retirement and resignations, and it was proving difficult to replace them without proper training. Thirdly, due to the number and frequency at which ILO Conventions and Recommendations were being produced, it was difficult to submit regular reports on unratified Conventions and Recommendations, since his country put most of its efforts into reporting on ratified instruments. Finally, he indicated that his country had not received a positive answer when it requested technical assistance from the ILO multidisciplinary advisory teams in South Africa and Zimbabwe. He looked forward to complying with the demands of the Committee in the future, provided the ILO helped with the necessary training, as requested.

A Government representative of Nigeria indicated that the statement he had made earlier applied equally here.

A Government representative of Rwanda stated that his Government had prepared and submitted all the reports requested, and that he would deposit at the ILO copies of all the reports that had been drawn up. It seemed, however, as though the communications between his country and the ILO had been disturbed recently. He further remarked that the request for submission of reports on non-ratified Conventions had been received rather late and that his Government had been able to transmit its report on 3 May 2000. He therefore hoped that, in the future, requests would be received at an earlier date to enable the Government to react in time.

The Worker members recalled that under article 19 of the Constitution member States had to report on unratified Conventions and Recommendations. These reports served as the basis for the drafting of the General Surveys and provided an overview of the obstacles to ratification facing member States. The reports also made it possible to evaluate the manner in which Conventions were applied in the countries which had not yet ratified them. Twenty-three member States had not fulfilled this obligation compared with 17 last year. The Worker members renewed their call to the governments concerned to comply with their obligations under article 19 of the Constitution.

The Employer members once again fully endorsed the statement made by the Worker members. They noted that many requests had been made for ILO technical assistance in order to train

government civil servants responsible for supplying the reports. In this regard, they expressed their concern that the ILO should invest most of its resources in normal training activities and not in training government bureaucrats.

The Committee noted the information and explanations supplied by Government representatives and other speakers. The Committee emphasized the importance it attached to the constitutional obligation to send reports on unratified Conventions and on Recommendations. In fact, these reports made possible a better evaluation of the situation within the context of the General Surveys of the Committee of Experts. The Committee insisted that all member States should fulfil their obligations in this respect and expressed the firm hope that the Governments of Afghanistan, Algeria, Armenia, Bosnia and Herzegovina, Burundi, Comoros, Djibouti, Equatorial Guinea, Fiji, Georgia, Grenada, Haiti, Liberia,

Libyan Arab Jamahiriya, Malawi, Republic of Moldova, Nigeria, Rwanda, Saint Lucia, Solomon Islands, Somalia, The former Yugoslav Republic of Macedonia and Turkmenistan would fulfil their obligations under article 19 of the Constitution of the ILO in the future. The Committee decided to mention these cases in the appropriate section of its General Report.

(b) Reports received on unratified [Convention No. 144](#) and on [Recommendation No. 152](#) as of 15 June 2000

In addition to the reports listed in Appendix E on page 99 of the Report of the Committee of Experts (Report III, Part 1B), reports have subsequently been received from the following countries:

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