



## Record of Decisions

This document is a preliminary working paper for the use of the Governing Body and officials of the Office. It records only the Governing Body's decisions, and not the circumstances of their adoption, except where they were the result of a formal vote. The comments or reservations by individual members or groups subject to which the decisions were made will be found in the minutes of the session.

Where an Office publication or paper refers to a Governing Body decision, the source given should be the relevant Governing Body document and minutes, and not this Record of Decisions.

The Record of Decisions is arranged in the order of the items on the Governing Body's agenda. All decisions relating to a particular paper or section of a paper are grouped together. After the decision the sitting at which it was taken is indicated in brackets together with the basis on which it was taken, including appropriate references to Governing Body papers. The decisions are reproduced in full, with the exception of those relating to reports of the Committee on Freedom of Association, where a simple reference is made to the paragraphs of the report which form the basis of the decision.

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*First item on the agenda*

## **Election of the Officers of the Governing Body for 2004-05**

1. The Governing Body elected its Officers as follows:

*Chairperson:* Mr. Philippe SEGUIN (France)

*Employer Vice-Chairperson:* Mr. Daniel FUNES DE RIOJA (Argentina)

*Worker Vice-Chairperson:* Sir Roy TROTMAN (Barbados)

(First sitting; GB.290/1, paragraph 3.)

*Second item on the agenda*

## **Approval of the minutes of the 289th Session of the Governing Body**

2. Subject to the correction received, the Governing Body approved the minutes of its 289th Session. (GB.290/2, paragraph 2.)

*Third item on the agenda*

## **Questions arising out of the 92nd Session of the International Labour Conference**

3. The Governing Body noted the statements by the Employer and Worker Vice-Chairpersons, as well as the comments and proposals for improvement made by the Government representative of Canada on behalf of the Industrialized Market Economy Countries (IMEC), and by the Government representatives of El Salvador – on behalf of the Americas group – of India, Malawi and Norway. It also took note of the support expressed by the Employer and Worker Vice-Chairpersons and by several Government representatives for the proposal to hold, at the latest in December 2004, a meeting of experts to deal with the question of accommodation in the fishing sector as well as with the questions that had not been covered during the first discussion on work in the fishing sector held at the 92nd Session of the International Labour Conference.
4. In view of the wide support with which this proposal was met, The Governing Body decided that the Programme, Financial and Administrative Committee would have before it in November 2004 a proposal concerning the financing of the meeting of experts from the Technical Meetings Reserve. This meeting, which would be held in December 2004, would consist of six experts nominated after consultations with Governments, six experts nominated after consultations with the Employers' group and six experts nominated after consultations with the Workers' group. The following countries would be approached to obtain government nominations: Canada, Chile, Japan, Norway, Spain and South Africa. A reserve list of countries would include France, Germany, India, Namibia, Portugal, Russian

Federation, Thailand, United Kingdom and United States. The countries on the reserve list could also participate without any cost to the Office. (Statement by the Chairperson.)

5. The Governing Body finally noted the oral report given by the Director-General on the Office's activities since the publication of the report of the World Commission, in response to a request made by Governing Body members in March 2004, and reiterated at the present session of the Conference.

#### *Fourth item on the agenda*

### **Arrangements for the Fourteenth Asian Regional Meeting**

6. The Governing Body decided that the Fourteenth Asian Regional Meeting would be transferred to Busan, in the Republic of Korea, and that it would be held in September 2005. (First sitting; GB.290/4, paragraph 5.)

#### *Fifth item on the agenda*

### **Reports of the Committee on Freedom of Association**

#### **334th Report (Parts I and II)**

7. The Governing Body noted the introduction to the report. (First sitting; GB.290/5, Part I, paragraphs 1-94.)
8. The Governing Body adopted the recommendations in paragraphs 131 (Case No. 2197: South Africa); 146 (Case No. 2224: Argentina); 165 (Case No. 2256: Argentina); 226 (Case No. 2222: Cambodia); 241 (Case No. 2215: Chile); 274 (Case No. 2296: Chile); 320 (Case No. 2253: China/Hong Kong Administrative Region); 360 (Case No. 2046: Colombia); 380 (Case No. 2097: Colombia); 396 (Case No. 2239: Colombia); 407 (Case No. 2297: Colombia); 467 (Case No. 2258: Cuba); 490 (Case No. 2214: El Salvador); 507 (Case No. 2316: Fiji); 526 (Case No. 2241: Guatemala); 580 (Case No. 2259: Guatemala); 599 (Case No. 2295: Guatemala); 622 (Case No. 2266: Lithuania); 639 (Case No. 2282: Mexico); 660 (Case No. 2267: Nigeria); 680 (Case No. 2211: Peru); 699 (Case No. 2279: Peru); 721 (Case No. 2310: Poland); 762 (Case No. 2200: Turkey); 796 (Case No. 2269: Uruguay); 812 (Case No. 2271: Uruguay); 826 (Case No. 2280: Uruguay); 876 (Case No. 2249: Venezuela); 1089 (Case No. 2254: Venezuela); and 1121 (Case No. 2313: Zimbabwe). (First sitting; GB.290/5 (Parts I and II).)
9. The Governing Body adopted the report in its entirety. (First sitting; GB.290/5 (Parts I and II).)

*Sixth item on the agenda*

## **Report of the Director-General**

10. [No discussion under this item.]

*Seventh item on the agenda*

## **Reports of the Officers of the Governing Body**

***First report: Representation alleging non-observance by Cuba of the Protection of Wages Convention, 1949 (No. 95) and the Fee-Charging Employment Agencies Convention (Revised), 1949 (No. 96), made under article 24 of the ILO Constitution by the National Confederation of Sugar Workers of Cuba, Inc. (Federación Nacional de Trabajadores Azucareros de Cuba, Inc.)***

11. The Governing Body decided that the representation was not receivable. (Second (Private) sitting; GB.290/7/1, paragraph 5.)

*Eighth item on the agenda*

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

### **Committee of Experts on the Application of Conventions and Recommendations**

#### ***New appointments***

12. In order to fill the seats vacated by Baron Bernd von Maydell (Germany), who had terminated his appointment as a member of the Committee, and by Sir William Douglas (Barbados), who had resigned in December 2001, the Governing Body decided to appoint the following persons as members of the Committee for a period of three years:
- Ms. Angelika Nussberger (Germany): Professor of Law, University of Cologne.
  - Mr. Michael Halton Cheadle (South Africa): Professor of Labour Law, University of Cape Town.
13. The Governing Body also asked the Director-General to convey to Baron Bernd von Maydell its deep gratitude for the services he had rendered to the ILO. (First sitting; GB.290/8, paragraphs 1 and 3.)

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

(Geneva, 1-3 December 2004)

### **Agenda**

14. The Governing Body approved the holding of the above Meeting, with the following agenda: Discuss and adopt the ILO/WHO Guidelines on Health Services and HIV/AIDS. (First sitting; GB.290/8, paragraph 7.)

### **Composition**

15. The Governing Body decided that the Meeting would be attended by 15 participants: five experts nominated after consultations with the governments of five countries selected by the WHO in agreement with the ILO, five experts nominated after consultations with the Employers' group and five experts nominated after consultations with the Workers' group of the Governing Body. An independent Chairperson, selected after consultations with the government of an additional country, would also be nominated. (First sitting; GB.290/8, paragraph 9.)

## **Tripartite Meeting of Experts on the Code of Good Drafting Practices**

(Geneva, 19-21 January 2005)

### **Composition**

16. The Governing Body decided that this Meeting would be attended by six experts: two experts nominated after consultations with governments, two after consultations with the Employers' group, and two after consultations with the Workers' group of the Governing Body, and noted the following appointments:

- Ms. S. Markman (Government; Canada).
- Mr. A. Lyon-Caen (Government; France).
- Mr. E. Potter (Employer; United States).
- Ms. M.-P. Roiland (Employer; France).
- Mr. J. Vigne (Worker; Switzerland).
- Mr. L. Compa (Worker; United States).

(First sitting; GB.290/8, paragraph 12.)

## **Joint IMO/ILO Ad Hoc Expert Working Group on the fair treatment of seafarers in the event of a maritime accident**

17. The Governing Body approved the establishment of a Joint ILO/IMO Ad Hoc Expert Working Group on the fair treatment of seafarers in the event of a maritime accident, to be composed of eight Government experts nominated by the IMO, as well as four Shipowner and four Seafarer experts nominated by the ILO after consultations with the secretariats of their respective groups. (First sitting; GB.290/8, paragraph 16.)

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

18. The Governing Body decided to recommend that a tripartite delegation, composed of its Officers, should be appointed to the above Summit. (First sitting; GB.290/8, paragraph 17.)

**Appointment of a Governing Body delegation to the Preparatory Technical Maritime Conference**  
(Geneva, 13-24 September 2004)

19. The Governing Body noted the appointment of a Government representative<sup>1</sup> who would be part of the delegation called on to represent it at the Preparatory Technical Maritime Conference: Mr. F. Ngantcha (Government; Cameroon).

**Matters on which the Officers of the Governing Body took decisions on its behalf**

**Programme of meetings for the remainder of 2004 and for 2005**

20. The Governing Body took note of the programme of meetings for the remainder of 2004 and for 2005 as approved by its Officers. (First sitting; GB.290/Inf.1 (Rev.).)

**Symposia, seminars, workshops and similar meetings**

21. The Governing Body received a number of approved proposals for symposia, seminars, workshops and similar meetings. (First sitting; GB.290/Inf.2.)

<sup>1</sup> The Governing Body had already taken note of the appointments by the Employers' and Workers' groups at its 289th Session (March 2004) (see document GB.289/205, para. 74.)