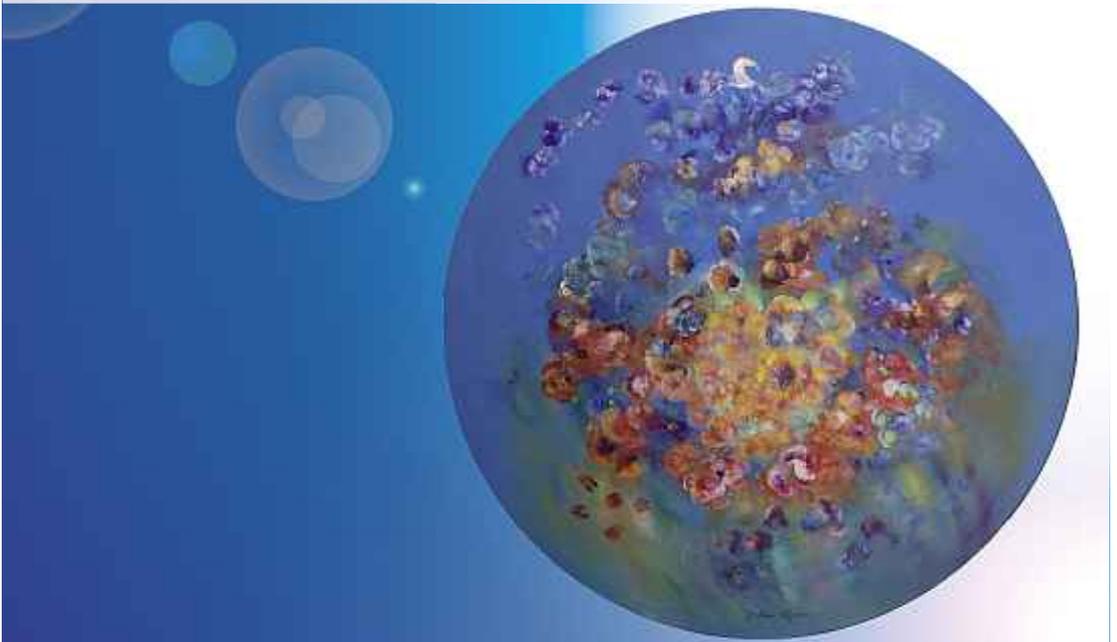




PRO-IALI

International Association of Labour Inspection



LABOUR INSPECTION AND SUSTAINABLE GLOBALIZATION



INSPECTION
DU TRAVAIL
ET DES MINES



International Labour Office

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**INTERNATIONAL ASSOCIATION
OF LABOUR INSPECTION**

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PRO-IALI**

SYLVIE SIFFERMANN & PAUL WEBER



THE MEMBERS OF THE EXECUTIVE COMMITTEE OF THE INTERNATIONAL ASSOCIATION OF LABOUR INSPECTION:

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THANK:

Mr Juan SOMAVIA, General Director of the International Labour Organization, for the introduction

Ms Sylvie SIFFERMANN, Labour Executive for the Department of Indre-et-Loire in Tours, France, and Mr Paul WEBER, Director of the Labour and Mines Inspectorate, Luxembourg, authors and designers of the book 'labour inspection and sustainable globalization –PRO IALI'

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Mr Hans-Horst KONKOLEWSKY, Secretary-General of the International Association of Social Security, for Chapter XVIII

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Ms Sameera AL-TUWAIJRI, Director of the International Program of Health and Security at the Workplace and the Environment / ILO Safework,

Mr Jukka TAKALA, former Director of ILO Safework

Mr Gerd ALBRACHT, International Consultant, former Coordinator of Labour Inspection Systems / ILO Safework

Mr Nils-Petter WEDEGE, Technical Adviser IALI

Mr Malcolm GIFFORD, Senior Specialist / ILO Safework

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THE AUTHORS

Sylvie Siffermann: A lawyer by training with a master's degree in corporate law, a degree in social law from the Robert Schuman University in Strasbourg and a European master's in public law ('Master européen de gouvernance et d'administration', MEGA) from the international ENA cycle, Panthéon Sorbonne University, Paris 1 and the University of Potsdam, Germany, Sylvie Siffermann has worked as a labour inspector in the French *départements* of Loiret and Bas-Rhin for a decade (1985–1995).

She was then assigned to work in territorial public service as an educational executive in charge of the development of training products of European social policy at the Centre for European Studies in Strasbourg-ENA from 1995 to 1998.

Benefiting from an exchange programme for officials in the European Union, she worked as an official representative to the Franco-German cooperation with the Ministry of European Affairs of the *Land* of Hessen in Germany from 1998 to 2002.

In 2002, she joined again the French Ministry of Labour and held a post of deputy director in charge of labour policy and the leading and management of the labour inspectorate of the *département* of Haute-Savoie. She is a member of the national network 'deontology of labour inspection' which works out the Code of conduct of the French labour inspectorate and a member of the national group 'support, resources, methods of the labour inspectorate'. Many aid tools for



labour inspectors have been developed by Sylvie Siffermann's team and can be seen on the SITERE intranet of the Ministry of Labour.

She was also a 'public authority' in European Committees for Standardization of CEN and a trainer at the Centre of the ILO in Turin and the National Labour Institute (INTEFP) in Lyon. She participated in the training of trainers in psychosocial risk at work.

In 2004, Sylvie Siffermann coordinated and organized the first European Labour University on behalf of the Association for the Development of the European Labour University on the theme: 'Europe facing changes in labour'. This project was co-financed by the European Union.

From January to March 2007, in order to be awarded the European master's in public law (MEGA), a Franco-German diploma, Sylvie Siffermann underwent a period of training with the Delegation of France to the World Trade Organization in Geneva.

She is currently Labour Executive for the Department of Indre-et-Loire in Tours, France.

Paul Weber: A chemical engineer and postgraduate in environmental engineering from the EPF Lausanne, Switzerland in 1973, Paul Weber made his début at the Ministry of Health of the Grand Duchy of Luxembourg in 1974 in the field of water protection and purification and waste management. He was the key player involved in the creation and development of the Administration of Environment until 1980. During the next seven years that followed, he was the founding adviser of the first cabinet of the Ministry of Environment. In 1988, he joined the Ministry of Labour and Employment within the Labour and Mines Inspectorate, which he has been heading since 1990.

Since 1978, he presided five times working groups of the Council of the European Union in the areas of Environment, the Single Market and Social Affairs during the six-month presidencies of Luxembourg. From 1997 to 1999, he was the first president of the Board of the European Agency for Safety and Health at Work in Bilbao, Spain.

Since 1988, he was a permanent member of the Senior Labour Inspectors Committee (SLIC) of the European Union and the Advisory Committee on Safety and Health at Work of the European Commission.

Since 1989, member of the delegation of the Government of Luxembourg at the annual meetings of the International Labour Office (ILC – ILO).



Since 2005, part-time lecturer at the University of Luxembourg in the field of safety and health at work.

Since 2005, Secretary General of the International Association of Labour Inspection (IALI), with seat in Geneva, Switzerland.

Finally, as part of the development plan between Luxembourg and Vietnam, he manages a training program for Vietnamese inspectors, in cooperation with ILO Safework, for the period 2006 to 2009.

Over the years, he was the author or joint author of several publications relating to water management, environment protection – ‘White Paper on Environment’ (1984) and ‘Well-Being at Work’ (1992), he supervised the publication and implementation of an integrated plan to develop a culture of workers’ welfare, which was published in 1994 for the 125th anniversary of the Labour and Mines Inspectorate. He initiated the publications ‘Promoting excellence in the field of safety and health’ (EU Directors-General in 2005) and ‘Unity beyond diversity: the need for an integrated labour inspection system’ (ILIS in 2005). In 2007,

through the enactment of three national laws on the ratification of 18 ILO Conventions, the establishment of a Consultative Tripartite Committee on Labour and Employment and the framework reform of the Labour and Mines Inspectorate, a key step in the implementation of the integrated labour inspection system in the Grand Duchy of Luxembourg was completed.

FOREWORD

All men agree that every individual has the fundamental right of self-preservation of life, safety and health, despite all previous convictions or other elsewhere.

Self-maintenance is a law of nature and, therefore, a true universal notion.

Labour inspectors, with the advice, controls and sanctions, monitor the (non-) compliance with these basic rights in work relations and conditions, and hence are 'ambassadors' of labour itself at the level of a State. Their sound judgements play an important role in maintaining social equilibrium.

IALI is an organization representing the National Labour Inspectorates and as such overview the compliance of these sovereign rights written down in the international tripartite conventions of ILO in the UN system.

IALI even slightly restores the balance of rules for a global economy of the WTO of which Adam Smith said that it is 'regulated by the invisible hand of the market'.

The labour inspectorate embodies the essential player in the social dimension of a 'sustainable' globalization. She is exposed to the challenge of changing its role, the challenge of adapting their talents and skills in an increasingly complex economic environment.

This booklet aims to throw light on the debate, provide keys to understanding that

the labour inspectorate succeeds to place itself and to fully participate in the promotion of decent work to achieve 'sustainable' economic and social development throughout the world.

The texts include links between financial policies and decent work, the presentation of networks such as the International Association of Labour Inspection and the consistency of the international UN system, the fundamental role of the International Labour Organization with its tripartite feature, the emergence of regional levels, the integrated system of labour inspectorate, the three consensuses.

Teaching aids will allow inspectors to become familiar with the challenges of globalization, divided up by a series of issues such as core labour standards, the social dimension of globalization, employment, migration, trade, health, development, corporate social responsibility... etc.

The booklet is intended to be the vital lead that enables each labour inspector, regardless of the place of his/her professional practice in the world, not to get lost in the maze of globalization.

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INTRODUCTION : MR JUAN SOMAVIA, DIRECTOR GENERAL OF ILO

BONDS BETWEEN THE FINANCIAL POLICIES AND DECENT WORK

The vast majority of the 181 ILO Member States, 90 per cent in fact, have ratified the core labour standards pertaining to freedom of association, the elimination of forced labour and child labour, non-discrimination and gender equality.

The ILO cooperates with numerous countries that are engaged in reforming their labour market, social protection and professional training in order to build their capacity to apply these standards.

For the ILO, though, reform also involves creating employment. And this means promoting sustainable enterprises and the capital that will sow the seeds for productive and innovative enterprises, enterprises that believe in social dialogue.

The ILO is unique within the United Nations system in that it has a tripartite structure in which States, employers and workers all stand on an equal footing.

However, decent work cannot be brought about by the ILO's tripartism alone.

Fair globalization calls for policies that are more consistent across the multilateral system, particularly those of the World Trade Organization (WTO), the International Monetary Fund (IMF), the World Bank, the United Nations Development Programme and the United Nations specialized agencies, including the ILO.

The same member countries meeting in these same institutions have at times advocated employment, education, health and social protection policies that are quite dissimilar, if not actually contradictory.

This presents a problem, of course, but we are nevertheless moving forwards.

For example, we have agreed with the WTO that liberalizing international trade has both positive and negative implications for employment. During trade negotiations and their subsequent translation into action, national policies and international cooperation must pay more attention to such harmful consequences, which vary from country to country.

Another encouraging development initiated by the ILO, is that some months ago the Chief Executives Board – comprising heads of agencies of the United Nations system – chaired by Secretary-General Ban Ki-moon, agreed on a 'toolkit' that would enable each institution to analyse the impact of its own policies on employment creation and decent work.

We are already working on its implementation.

Nevertheless, there is still much to be done.

The structural reforms and macroeconomic policies advocated by the IMF often have negative implications for the labour market

or for the financing of social protection, without their impact being offset by other measures.

On this point, the new Managing Director of the IMF, Mr Dominique Strauss-Kahn, recently made the point that financial stability cannot be pursued at the expense of social equilibrium. I agree. We must strive to ensure consistency among ourselves.

We come now to the very heart of the matter. Globalized financial markets entail social consequences that can no longer be overlooked.

- Liberalization has brought about a spectacular development of financial markets.
- Capitalization of major stock markets has greatly increased.
- Financial products are becoming more and more diverse and sophisticated.
- Private capital, including the money transfers of migrant workers, accounts for most of the financial flows to developing countries.
- Investment funds, including specialized such as private equity funds, investment banks and pension funds all play a major role in financing enterprises.

Efficient financial markets are essential for a modern, open and global economy to function properly. Theoretically, these markets are supposed to channel savings towards the most productive and innovative investments, whose profitability will be apparent in the long term.

You will agree with me, though, that these conditions are far from always being met.

The reasons for this are well known, and include the short-term horizon of financial markets, their tendency to fluctuate, the unequal sharing of the risk involved and, lastly, a lack of transparency and overall vision.

First, one of the characteristics of today's financial markets is the demand for high, and very short-term, returns on investment.

The pressure on enterprises, and consequently on employees and on their working conditions, is intense.

When productive enterprises are bound by quarterly profitability goals that are determined by the short-term horizon of financial markets, the pace of the real economy – which is not that of the financial economy – is inevitably affected.

Productive investment, vocational training and research and development each have a medium-term and a long-term perspective which again differs from that of the financial markets. All this gives rise to serious tensions between them.

It is striking to note how the high returns sought by the financial markets contrast with the stagnation of average wages all over the world. In much the same way, the lion's share of value added tends to take

the form of a return on capital rather than an increase in workers' incomes.

The German Finance Minister, Mr Peter Steinbrück, has spoken of a crisis of legitimacy, drawing a parallel between the fall in real wages and the runaway rise in profits in financial markets.

Second, it is a constant of financial markets that they tend towards instability.

They regularly go through phases of bullishness and over-optimism.

Since 1997 we have experienced the Asian crisis, followed by crises in the Russian Federation, Turkey, Brazil and Argentina, the bursting of the dot-com bubble in 2000, and now the subprime mortgage crisis in the United States and its reverberations throughout the world. That is a lot in just ten years.

Third, the risk involved is all too often spread unequally.

A series of crises have demonstrated how, in the space of a few hours or days, significant economic and social progress can just be swept away.

Many people, particularly women and older people, pay a disproportionate social price. And it then takes several years to strike a new balance. Asia, for example, has not yet fully recovered from the crisis that it experienced ten years ago.

The problem is particularly acute in the labour markets of developing countries, where informal employment is on the rise.

Our concern, therefore, is clear. Financial markets must assume their responsibilities in the face of the social consequences of their decisions.

That is an enormous challenge.

There is no doubt that it is far from easy.

There has to be dialogue.

We need a broad debate on the social implications of the different kinds of investment, involving the stakeholders in the financial markets, investment funds, banks, private investors, ministers of finance and the public authorities, the European Union, the Organisation for Economic Co-operation and Development (OECD), the Bretton Woods institutions and the ILO.

The fundamental question is: What sort of enterprises do we want? What sort of financial investments will bring the most positive social and productive benefits?

The ILO's tripartism is particularly appropriate for dialogue on sustainable enterprises, to which it can contribute the experience gained by employers and workers.

As the ILO Constitution states: 'Labour is not a commodity'.

The workers of course do not see themselves as commodities, but all too often that is how we treat them.

In practice, the labour market does not function like the telephone or car market. Labour is human and depends on individuals, with their skills, their motivations and their dignity. Behind each working man or woman there stands a family and a community.

Enterprises are not mere commodities either. They have their history, traditions, culture – though these must of course adapt to the dramatic changes we face today. An enterprise is a living reality, not just a product.

If society is to find some form of stability, it must be possible for everyone to look to the future, to build.

This implies a concept of entrepreneurship and social justice that is acceptable to all members of society.

And that is why the ILO believes that decent work, the dignity of work, is the bedrock of the social bond. Without this bond societies cannot function as societies.

Globalization compels many countries to make changes and to exercise discipline in their economic and social policies. At the same time, globalization has to adapt to the requirements of the social cohesion that each society needs.

We must give **priority to productive investment that generates decent jobs**. The needs are enormous. The economic and social relevance is clear. We must take heed.

I think that, if we are to convince society at large, we must use the tax system to encourage productive investment and discourage purely speculative activities.

Credit rating agencies must take into account the social dimension, and in particular must recognize that the quality of occupational relations and social dialogue are important components of an enterprise's economic performance.

Experience tells us that poor social management of an enterprise inevitably ends up causing internal instability, greater occupational mobility and less commitment to the enterprise's goals.

Recent discussions conducted by the Eurogroup, chaired by Mr Jean-Claude Juncker, are moving in this direction.

That brings me to my concluding comments.

Current forms of globalization with the adverse effects I have mentioned are to a large extent encouraged by the internationalization of financial markets.

Globalization without a strong social dimension is not sustainable.

Are these two realities destined to collide, or can dialogue show us another way?

Personally, I am convinced that dialogue is always possible, provided that we have the courage and the imagination to strike the essential balance between the State, the markets and society that today's open and participative democracy demands.

I would like to conclude by quoting H.R.H. the Grand Duke of Luxembourg in a speech he gave at the European Parliament in May 2005:

Let us remember also that the best growth can only be achieved if we have better access to basic commodities, like education, culture, health, social justice and, above all, work!

I. OVERVIEW ABOUT GLOBALIZATION

1. Ambiguity in the cultural changes of decent work standards

Up to 47.6 % of job losses affect young workers aged between 20 and 30. Fear of losing their job, flexible working time, lack of working safely, lack of experience and lack of competence, combined with moonlighting and other illegal (informal) working conditions, result in more frequent occupational incidents and accidents, higher levels of distress, as well as increasing risks of musculoskeletal disorders.

What we find in observing 'decent work standards' over the last two decades is that workers have to adapt to the workplace and not the workplace to the workers as moral and human rights behaviour would require. The vocabulary has changed from manager of personnel, human resource manager, and

human capital manager to manager of wage receivers. In many parts of the world, the cultural mutation goes from human society to 'modern' society, and 'traditional' culture is transformed into a commercial economy.

From the perspective of the 'social advancement of all peoples' defined by the UN Human Rights Charter in San Francisco on 24 October 1945, this cultural mutation has to be qualified as cultural regression with 'zero visibility landing'. Cooperating teams and families are experiencing social isolation; individualistic behaviour and the spirit of mutual competition accompanies the retreat of national states from economic affairs, with lower corporate tax rates and the acceptance of the predominance of the private sector, developed in the frame of a globalised economy and a liberalised financial system.

A human society 'Traditional' culture	A 'modern' society Commercial economy
Calm lives	Stressful lives
Less 'poverty'	Few rich, many poor
Low crime rate	Police and prisons
Diverse and healthy diet	Industrial fast food
Better psychological health	Anxieties, depression
Culture of cooperation	Culture of competition
Mutual respect	Domination
Long-term care for renewable resources	Exploitation for a 'quick buck'
Equality between people, sexes, humans and nature	Power, concentrated wealth, dominators, prisons

Cultural Mutation 'zero visibility landing'

'Traditional' culture	'Modern' culture
Investments	Cash flow
Annual balance sheet	Monthly reports
Long-term investments	Monthly salary cheque
Savings	Spending of money
For all events	In the last minute

We have moved from a social economy approach to a globalised economy, which culminates in a liberal financial system.

The concentration of 60% of wealth in less than 5% of the world population, and a 'G8' group of the most powerful economies or a 'G20' group of globalised finance, contrasts with the consequences of the decisions taken by these non-legitimised organisations on 95% of the 6.5 billion human beings.

The harmony of the 1970s between public and private sector collapses between democracy and market. 'Small states or poor economies have lost much of their capacity to govern' because the geographical reach of the law ('national state = subsidiarity') does not match with the geographical reach of the markets ('Global economy and liberalised finances'), [Ernst Von Weizsäcker, 2006].

Calling on corporate social responsibility (CSR) is essential because the

largest global enterprises arise in the G8 countries. The UNCTAD 2006 report indicates that the top 100 non-finance transnational companies represent 9 trillion dollars (2004) compared to the 50 first-finance transnational companies representing 34 trillion! If we compare this to the world GNP (2004) of 40 trillion dollars, the responsible behaviour of these 150 companies is simply basic. But the standards for CSR have no high degree of transparency, they are not mandatory, and there is no authority to monitor compliance and no legitimised authority to impose sanctions if these standards are not followed.

In a nutshell: how can we achieve 'social good' and 'decent working conditions' rather than commercial benefit? And, how can we operate a change of cultural behavioural stakeholders and in particular shareholders to enable human beings to behave as responsible and interdependent 'duty holders'?

'A new enlightenment is needed: we should recognise and admit that markets no longer support freedom and democracy' (Ernst von Weizsäcker, 2006).

Let's have a closer look how the rules for trade and capital markets are developed by the World Trade Organisation (WTO), and how the ILO in the midst of WHO, UNEP and UNCTAD are responding to this.

The goal of the World Trade Organisation (WTO) is to improve the welfare of the people of the member countries (149 governments). At the heart of the system – known as the multilateral trading system – are the WTO's agreements, negotiated and signed by a large majority of the world's trading nations, and ratified in their parliaments. These agreements are the legal ground-rules for international commerce. Essentially, they are contracts, guaranteeing member countries important trade rights. They also bind governments to keep their trade policies within agreed limits to everybody's benefit. By lowering trade barriers, the WTO's system also breaks down other barriers between peoples and nations.

Trade and labour standards are a highly controversial issue. At the 1996 Singapore Ministerial Conference, WTO members defined the organisation's role more clearly, identifying the International Labour Organisation (ILO) as the competent body to deal with labour standards. There is currently no work on the subject in the WTO.

The debate outside the WTO has raised three broad questions.

- **The legal question:** should trade action be permitted as a means of putting pressure on countries considered to be severely violating core labour rights?
- **The analytical question:** if a country has lower standards for labour rights, do its exports gain an unfair advantage?
- **The institutional question:** is the WTO the proper place to discuss labour?

All three questions have a political angle: 'whether trade actions should be used to impose labour standards or whether this is simply an excuse for protectionism.'¹

Many socio-economic challenges in a globalising world can be tackled by a properly functioning labour inspection system. 135 ILO Members States have ratified ILO Convention no. 81 on Labour Inspection in Industry and Commerce. As one of the most widely ratified ILO instruments, it has become a 'door-opener' for prevention policy and technical cooperation, and a catalyst for social dialogue, and a health and safety culture.

The role of a modern inspectorate is to ensure social peace by preventing work-related accidents and occupational illnesses. This can be achieved by supervision, advice and enforcement and by providing adequate solutions and developing national action plans for making decent work a global goal.

¹ Source: World Trade Organization, <http://www.wto.org>

At the workplace, inspectors have a pivotal role to play in the implementation of national policies and legislation, as well as ILO Core Labour Standards. However, their capacities need to be strengthened in order to provide qualified services to workers and employers in a sustainable integrated manner.

The rights and duties of labour inspectors deserve broad political support from governments, employers and workers, NGOs and shareholders in the sense of committed 'duty holders'.

The WTO agreements do not relate to any fundamental norm of work. Some industrialized countries, however, believe that the study of this issue in the WTO constitute a first step towards its consideration by the United Nations. For them, the rules and disciplines of the WTO strongly encourage Member States to improve working conditions.

Many developing countries and some developed countries feel that it is not the WTO that should discuss the issue. They argue that efforts to have labour standards discussed in the context of multilateral trade negotiations are little more than a smokescreen hiding protectionist intentions. Many representatives of developing countries believe the campaign to enter the WTO this question is actually an attempt of the industrialized countries to question the comparative advantage enjoyed by trading partners with lower wage costs.

That question led to a fierce battle in the weeks before the Singapore Ministerial Conference of 1996 and during the Conference itself. Ultimately, the WTO members expressed their commitment to recognizing core labour standards and that these standards should not be used for protectionist purposes. They also asserted that the economic benefit of countries with low labour costs should not be put into question and that the secretariats of the WTO and the ILO should continue their collaboration. In his closing remarks, the Chairman of the Conference, Mr Yeo Cheow Tong, Minister of Trade and Industry of Singapore, said that the Declaration did not include the issue of labour standards in the WTO agenda. The countries concerned can continue to advocate on that topic at the WTO, but at present no committee or working group considers the issue.'

2. A fair globalisation: creating opportunities for all

The globalised economy and finance world on one side and the state-based decent work standards on the other side are not equally balanced. The ILO Conventions 81, 129 and 187 acquire constitutional character on a universal scale, while their ratification as national Member States standards develop local decent work conditions. In 2008, out of 192 United Nation Member States (MS), 135 have ratified Convention 81. The International Association of Labour Inspection (IALI) counts 112 member organisations out of 98 countries (2008).

To bridge the gap between the international and the national legal situations at the operational level, labour inspectorates have to work more closely together inside the IALI, and on a regional level, while dealing fully with the WTO global merchant economy concept.

The answer is a holistic approach by the multilateral UN community regarding workforce migration, the informal labour market, demographic and gender changes, precarious working relations as well as new emerging risks.

Labour inspectors, with the advice, controls and sanctions, monitor the (non-) compliance with these basic rights in work relations and conditions, and hence are 'ambassadors' of the work itself at the level of a State. Their sound judgements play an important role in maintaining social equilibrium.

A multi-skilled inspector thinks globally and acts 'locally'.

3. How to improve the coherence of the international system?

International organizations in general are based on an institutional triangle composed of a plenary body (the General Assembly), a directory (the Executive Committee) and a Secretariat. The latter institution is responsible for implementing the decisions of the other two bodies which retain the monopoly of universality under

the control of the States. States tend not to grant the budgets necessary for the operation of the organization, and this tendency for weakening leads to systematic delay in the payment of contributions by some States, all members by necessity but often miser by pusillanimity.

It is difficult to reconcile the specialty of sector organizations and the interdependences of the covered subjects. Financial institutions had originally a limited mission: the IMF had to ensure the stability of exchange rates, the World Bank had to provide long-term loans to support reconstruction and development. Today the variety of interventions is such that their decisions may be inconsistent with the implementation of standards from other organizations of the United Nations system such as the ILO.

There has been a shift of responsibilities: each institution is trying to respond to the new deal, extending the sphere of its competence, within the margin and the framework of its mandate. Consultations are only occasional, limited in the subject and in time. There is no higher court to settle conflicts of jurisdiction or standards. The different cultures and legal responsibilities could be structured from a political will to assert first and foremost global public goods as they would be defined.

The reform process under way at the United Nations seeks to strengthen the coordination between the various interna-

tional sector organizations and increase their coherence.²

In addition, we multiply the places where we can 'account for the international obligations of the States': through the WTO's dispute settlement body, the national reports on the effective implementation of international treaties, the justiciability of the Pact on Economic, Social and Cultural Rights,³ the introduction of the concept of respect for the basic international conventions (hard law) into the tools of soft law.

The WTO is the only organization that is not a part of the United Nations system, which has a judicial function on the obligations resulting from commercial standards accusing the imbalance between the various international institutions, at the moment of the interpretation of the standards. The ILO does not have, although it is legally provided by Article 33 of its Constitution, the same power to impose sanctions, because it favours dialogue, work of persuasion and

support through the technical long-term cooperation.

Trade is useful to the well-being of individuals, but it is never enough: other national policies are needed to open markets in an efficient way. The Doha Development Round must correct the imbalances that persist in trade rules to give real opportunities for market access to developing countries.

The UN has been involved in promoting corporate social responsibility by its WORLD PACT initiative⁴ to promote standards and conventions that exist already and are harmonized. Far from criticism that is sometimes addressed to them, the multinational companies play a leading role with multiplier effect, for these rules of social responsibility, by their presence everywhere in the world. It is interesting to note that European multinationals have been the first companies to sign the first international framework agreements that promote global social dialogue.⁵

² The New York World Summit of September 2005 recommends to reinforce the coherence of the UN system, mainly the link between its normative and its operational activities.

³ Interview of Mr Riberolles, Mission of France, on 18 January 2007 and the Honourable Ambassador Doucin on 8 February 2007

⁴ <http://www.un.org/english/globalcompact/> of 17 August 2007

⁵ Analysis by A. Sobczack, Centre pour la responsabilité globale Audencia, Nantes (France)

Of 32 IFAs signed since 2000

- 78% mention the 8 international conventions of ILO; the remaining refer globally to ILO
- 34% refer to the Universal Declaration of Human Rights
- 33% refer to the Global Compact
- 15% refer to the guidelines of OECD

Other recognized rights:

- 90% health and security
- 87% wages
- 63% training and development of competencies
- 59% working hours

Since 2004: emerging themes: 36%: Aids, 29%: restructuring

Environnement : 56% de l'ensemble des ACI

The regional level (EU, NAFTA, MERCOSUR, ASEAN...) has still to be structured in most continents, and this structure is even more delicate as long as the structure of States which are members is not completed (such as the economic partnership agreements in Africa). Regional dialogue is essential because it facilitates international dialogue.

There is an awareness of when the problems are caused by several actors and affect several others; the attempts to find a solution must involve all actors, similarly to nesting Russian dolls (State, regional bodies, United Nations).

The model of European integration remains a successful regional laboratory of globalization, although Europe is currently experiencing a political crisis. Using the 'economy' to promote the 'social' as in the 'New Approach' of the EU⁶ performed at the start of the single market in 1992, would readjust the globalization through the gradual reformulation of the interests involved in terms of values.

This constitutional patriotism involves the emergence of a public deliberation area at the regional level, such as Europe, and the international level, such as the United Nations, to ensure universal peace advocated by Kant⁷ through the transnational legal established order that reconciles the power of the State to organize the society and the private sphere, place of exercise of individual freedoms.

4. An integrated labour inspection system

The international Convention No. 187 of the ILO on the promotional framework for occupational safety and health, 2006, calls for an integrated system of labour inspection (ILIS) in order to meet the challenges of economic globalization and liberalization of Finance.

The integrated system of labour inspection (ILIS) is based on the ILO Conventions relevant to health and safety at the workplace and other standards reflecting the right to a 'decent work'.

1. The national system for occupational safety and health shall include among others:
 - a) laws and regulations, collective agreements where appropriate, and any other relevant instruments on occupational safety and health;
 - b) an authority or body, or authorities or bodies, responsible for occupational safety and health, designated in accordance with national law and practice;
 - c) mechanisms for ensuring compliance with national laws and regulations, including systems of inspection; and
 - d) arrangements to promote, at the level of the undertaking, cooperation between management, workers and their representatives as an essential element of workplace-related prevention measures.

⁶ <http://europa.eu/scadplus/leg/en/lvb/l21001d.htm> dated 17.08.07

⁷ Kant I.: 'Zum Ewigen Frieden' Kant Werke, Band 9, Wiesbaden 1964

2. The national system for occupational safety and health shall include, where appropriate:

- a) a national tripartite advisory body, or bodies, addressing occupational safety and health issues;
- b) information and advisory services on occupational safety and health;
- c) the provision of occupational safety and health training;
- d) occupational health services in accordance with national law and practice;
- e) research on occupational safety and health;
- f) a mechanism for the collection and analysis of data on occupational injuries and diseases, taking into account relevant ILO instruments;
- g) provisions for collaboration with relevant insurance or social security schemes covering occupational injuries and diseases; and
- h) support mechanisms for a progressive improvement of occupational safety and health conditions in micro-enterprises, in small and medium-sized enterprises and in the informal economy.

3. Each Member shall formulate, implement, monitor, evaluate and periodically review a national programme on occupational safety and health in consultation with the most representative organizations of employers and workers.

bourg (ITM - Inspection du Travail et des Mines) has taken the lead in this initiative, setting up multidisciplinary teams of field inspectors who cover occupational safety and health (OSH) and general working conditions. The principle of 1 inspector to 1 enterprise is now being applied.

If additional specialist advice is needed, they can call on either internal specialists or external ones such as occupational health physicians, engineers and ergonomists.

At the national level, a tripartite, consultative committee for labour has also been set up, bringing together all the main stakeholders so as to help define national priorities.

Often the missions of the inspectors go beyond the mere control of the OSH and the working conditions, as they are also responsible for identifying a number of specific national priorities, such as the promotion of compliance with collective agreements between social partners relating to industrial relations, apart from the issues of unemployment and possibly the rules of mutual insurance against accidents (see the chart below).

As the national competent authority, the Labour and Mines Inspectorate in Luxem-

ACTORS:

ILO + EU + MS global policy

- Social peace
- Culture of well-being of workers
- Right for decent work
- Prevention
- United Nations and ILO

Member States Strategic level:

- Ministries
- Employers
- Unions
- Shareholders
- Social alliances (NGO)

Sectorial Strategic level:

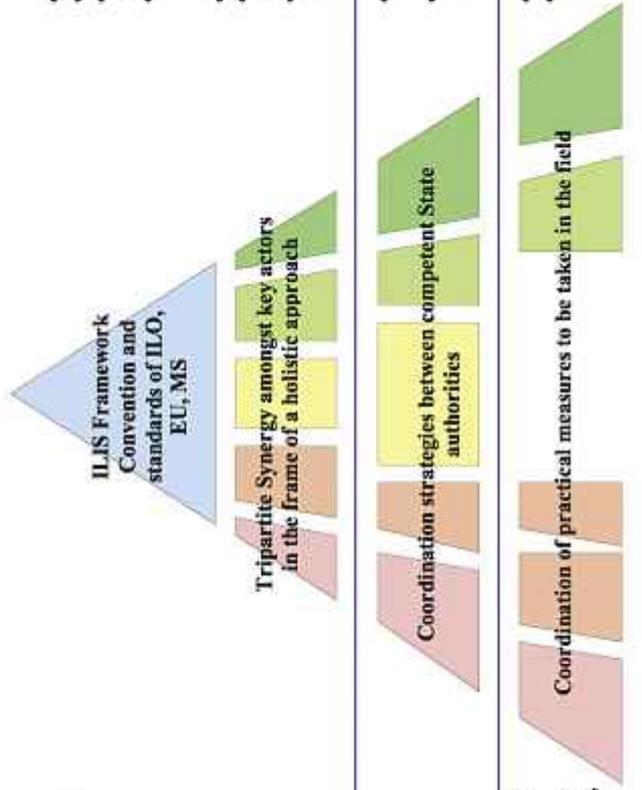
- Competent Authorities
- Jurisdictions

Operational level:

- LI inspectors, Razziyas
- Accredited Control Organizations
- Firms and administrations:
enterprise OSH Services; workers
representation; mixed committees,
OSH officer, coordinator for
mobile workplaces

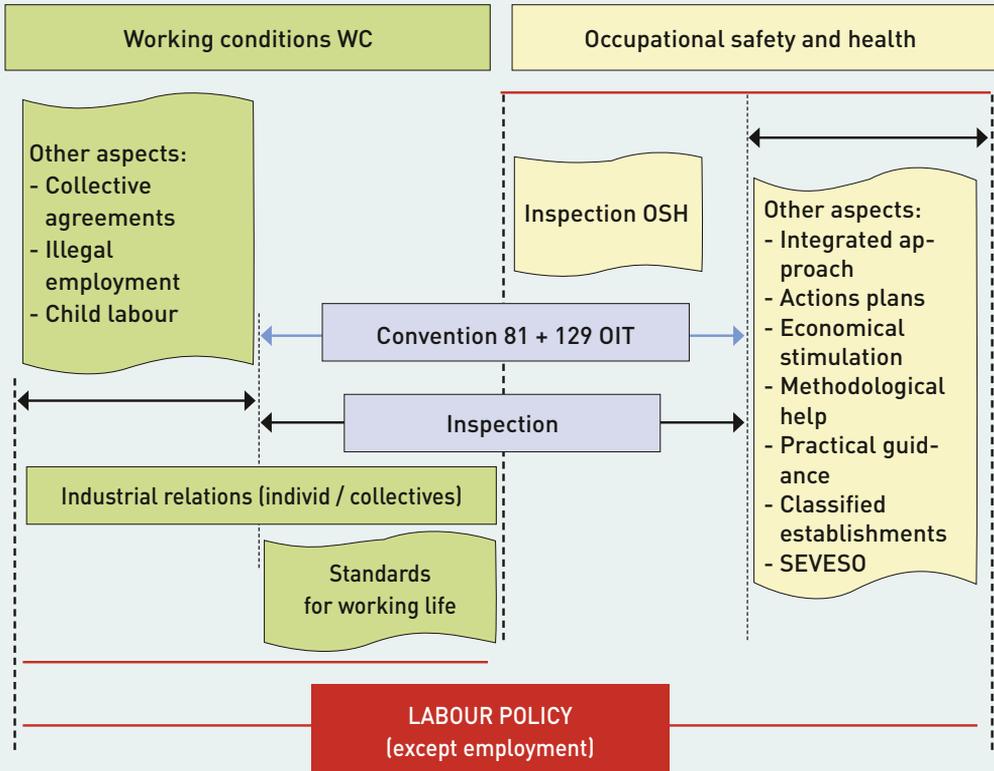
TOOLS:

- Human rights and treaties
- Constitution, conventions
- Protocols and recommendations
- EU social directives
- National tripartism
- Standing committee for OSH and working conditions
- Regional networks: Bilbao-OSH; Dublin; ASIA-OSH



- OIT 81; 129; 155; 161; 170; 176; 178; 184; 187
- EU 89/391; 89/654; 83/477; 92/85; 2004/371

- Executive levels
- Monitoring



Cooperation among labour inspectors around the world is necessary to promote the most effective forms of labour inspection. IALI, as an internationally active and well established forum for labour inspection, is one of the main pillars of the information exchange platform. As the main information exchange forum for labour inspectors around the world, IALI provides experience and expertise from long-standing knowledge bases as well as the most up to date sources. IALI, in close

cooperation with the ILO, has been able to address many of the problems relevant to workplace in a holistic way. They have achieved this in a variety of ways, creating new partnerships, sharing information through conferences, forums, and handbooks, and reaching out to new areas of the workforce, such as the informal economy. IALI will remain an essential part of the international labour system, helping address the challenges that arise in today's dynamic world.

II. THE INTERNATIONAL ASSOCIATION OF LABOUR INSPECTION⁸

1. Introduction

‘Officials must think in terms of safe and healthy working life rather than simply thinking in terms of safety and health at the workplace – a more comprehensive approach that includes working conditions, industry relations and the problems in the market the employment. Labour inspectors must continue to be creative in their approaches and to explore new ideas in the national and international networks such as the International association of labour inspection.’ Michele Patterson, President of the International association of labour inspection

The world evolved at a rapid pace in recent decades. Globalization, changes in world politics and other key events have shaped the economic and political environment into a dynamic entity. The workplace, as a result, has grown and changed simultaneously. Safety and health at the workplace should be addressed as soon as possible. 270 million accidents in the workplace occur every year and the frequency of psychosocial illnesses is increasing. To implement the core labour standards developed by the ILO, it is necessary to strengthen and promote labour inspection. One of the most important organizations in the field of labour inspection is IALI.

The IALI was founded in 1972 by representatives from France, Germany, Italy, Luxembourg, Senegal and Switzerland with

the general objective of promoting professionalism among labour inspectorates. IALI’s philosophy is that the dignity and humane working practices are essential components of a just society, and that the labour inspectorate has a vital role to play in achieving this. Membership is open to all labour inspection bodies under the Convention No. 81 of 1947 of the ILO on labour inspection, associations of labour inspection and labour ministries. Since 1972, the Association, which was a rather small organization based in Europe, has grown to become a truly global association consisting of 112 member organizations from almost 98 countries worldwide (IALI 2008)⁹. The IALI transcends social differences, religious and political conflicts by promoting professional approaches; its neutral position is vital to the success of its goals.

2. Objectives

The International association of labour inspection has several major objectives. The organization seeks to encourage a constant flow of information among the Member States through conferences and a regular newsletter. This allows them to share quickly and effectively perform techniques and practices of excellence. This dynamic collaboration is helping to accelerate improvements in Member States, helping them in their efforts to become more effective and more efficient. The organization covers a wide range of topics concerning labour inspections, safety and

⁸ Contributions of Mr. Joshua A. SEIDMAN-ZAGER/ ILO Safework and Mr. Jan WEISMÜLLER, International Consultant at chapters II par. 1 - 5

⁹ <http://www.iali-aiit.org/iali/iali?showMemberList&memberListLanguage=en>

health at work, employment and illegal migrant workers, HIV / AIDS, forced labour and child work.

The latest studies and information on issues that affect the workplace, safety and health, labour laws and labour inspection will be circulated to the members of the IALI through various means of information such as the Internet, reports and publications. This distribution, coupled with a spirit of collaboration, is an extremely effective strategy to promote effective labour inspection. The IALI takes care to promote professional attitudes and work performances.

3. Structure

The IALI consists of three principal organs: the General Assembly, the Executive Committee and the Secretariat, which oversees the organization of annual conferences. The General Assembly discusses and adopts the budget and development plan for the next three years and elects a new Executive Committee. The Executive Committee is composed of nine members elected by the General Assembly. The Committee shall elect its own officers: President, the General Secretary and the Treasurer. It is responsible for organizing and managing the activities of the IALI for the following three years, with the assistance of the Secretariat.

The ILO is the most important partner of IALI. The two organizations are work-

ing together on topics related to labour inspection through the group developing integrated inspection systems within the Program on Safety and Health at Work and the environment of the ILO: SafeWork. The ILO has officially recognized the IALI as an advisory non-governmental organization, which allows the IALI to attend the International Labour Conference, to be consulted and to advise the ILO on relevant subjects.

4. International trends

What are the international trends in health and safety inspection?

The answer is that the globalized world of work presents employers, workers and labour inspectors with new challenges. And quite suddenly, effective safety and health inspection is in great demand everywhere. All parties in the world's workforce are seeking assistance to meet safe and decent standards of work. Economic imperatives are driving the pursuit of a better standard of work practice and the profession of labour inspection – particularly safety and health inspection – is well positioned to influence the development of safe, fair and decent work world-wide.

The Labour inspectorate's international challenge is to improve occupational health and safety and fair working conditions to deliver reductions in deaths, injuries, diseases, disputes and costs to business – as well as to promote human

dignity, more productive workers and the right environment for business to thrive.

There are great expectations of its role. Just like the world of work – represented by employer associations and unions – inspectors must develop new approaches to the way the Labour inspectorate delivers its services and respond to the pressures that determine whether its role will be significant in a global economy.

The International association of labour inspection (IALI) is the global professional association for labour inspection. IALI is committed to strengthening and modernising labour inspection across the world.

To deliver on this commitment, IALI members need to build a foundation of integrity and professionalism. Development of a global code of ethics is a key strategy towards achieving this aim. Developing alliances to build partnerships with employers and employees (and their representatives) and forging regional cooperative arrangements are essential to be effective. And since effectiveness depends on its capacity to influence good practice, demonstrating and measuring its value is critical to success.

What is labour inspection?

In each country, labour inspection services are defined differently but in

general, address a combination of occupational safety and health, conditions of work, forced labour, child labour, employment relations, social security, gender equality and discrimination, illegal employment and specific sectoral functions (e.g. agriculture, construction, mining etc.).

What can effective labour inspection do?

The value of effective labour inspection has been thoroughly evaluated over many years. The labour inspector is a field officer who seeks compliance with labour law requirements. The work typically involves advising, assisting and educating everyone in workplaces as well as enforcing the law where necessary. These services positively impact on the individual worker and workplace, the employer and business enterprise and, ultimately, if delivered effectively, the social and economic well-being of a country.

This work is essential for the realization of the ILO's key objective of decent work in every country. Further, it is essential to create the conditions for sustained social and economic growth. The table below highlights just some of the potential benefits that effective labour inspection can deliver in its country. It demonstrates how the positive impact on workers will flow through to better conditions for business and ultimately, a healthy social and economic environment.

LABOUR INSPECTION POSITIVELY IMPACTS ON:

(read this table from left to right)

Workers and people in workplaces	Employers and business enterprises	Countries and the state of the world
Improved conditions of work	Reduced costs to business	Better quality products and services
Promotion of worker rights	Reduced disputes	Decline in number of days lost to production
Proactive health and safety of workers	Reduced injuries, diseases, fatalities	Improved health of the economy
Consultation and participation in OSH	Collective responsibility for OSH compliance	Good governance
Human dignity	Cooperative workforce	Social cohesion
Increased motivation of workers	Increased productivity	The right environment for business to thrive
Fair labour standards	Harmony in the workplace	Sustainable economic growth and development
Ensuring decent work	Consistency in corporate social responsibility	Increased standard of living

Leadership and Vision - The ILO and IALI as partners

Global efforts to reinvigorate and strengthen labour inspection take leadership and vision.

Current efforts in meeting the challenges are being led by the ILO and IALI as partner organizations with a common interest in the pursuit of this agenda.

But in addition to the leadership of the ILO and IALI together, successfully achieving this aim will depend on engag-

ing all parties who affect the workplace – not just governments, but employers, workers and their representatives, designers, manufacturers and suppliers of plant, materials and substances, owners and occupiers and those delivering professional services.

IALI has always worked in close partnership with the ILO and host country organizations, and is increasingly working at regional levels – partnerships between countries are a new and vital focus. IALI has expanded its activities to be truly global, with conferences recently run in

Europe, Africa, Asia, North America and most recently, held its first conference in the Pacific region – in South Australia – in March 2008.

The ILO Governing Body Strategy Paper – November 2006

In November 2006, the ILO Governing Body proposed a new series of measures designed to *'reinvigorate, modernise and strengthen labour inspectorates world-wide'*. They stressed that *'good governance of workplaces is central to the promotion of sustainable economic development'*.

The Governing Body Committee on Employment and Social Policy found that *'an efficient and adequately resourced labour inspection system makes a significant contribution to economic development, social cohesion and good governance.'*

It further comments that with 135 ratifications, ILO Convention, 1947 (no. 81) on labour inspection in industry and commerce, is one of the *'10 most ratified ILO conventions to date and serves as a good international guide to secure the enforcement of the legal provisions relating to conditions of work and the protection of workers.'*

Measures the ILO has suggested in its Strategy Paper to reinvigorate labour inspection, include the development of ethical and professional codes of conduct,

tripartite labour inspection audits to assist governments identify and address weaknesses, global inspection principles, hands on tools and targeted training.

But it is one thing to propose such an ambitious agenda – and another thing to make it happen. To do this, the ILO must follow through on the Governing Body commitment.

Although the agenda is ambitious, it is essential to achieve the broader ILO aim of global decent work – and IALI is committed to working in partnership with the ILO to achieve these aims.

IALI and the ILO working together

IALI has 3 main priorities for the years 2005 to 2008; these are:

- to work towards regional alliances for cooperative initiatives between labour inspectorates;
- to develop a global Code of ethics; and
- to influence everyone who can assist in meeting the decent work aim, through measuring and demonstrating its effectiveness.

These priorities fit closely with the objectives stated in the ILO's Governing Body Strategy Paper on labour inspection and provide a sound basis for the two organizations to work together to strengthen and reinvigorate labour inspection throughout the world.

STRATEGY 1 - ALLIANCES

Developing strong and effective partnerships across regions results in:

- shared good practice;
- collaborative action;
- combined resources; and
- better results.

The emergence of the global world of work provides opportunities for IALI regional alliances to contribute significantly to the ILO's decent work country programs. The share of training approaches and good practice assists in strengthening and modernising labour inspection services.

Further, by formalising international networks, developing international MOUs between labour inspectorates, and cooperatively developing and applying similar auditing tools, IALI can address such issues as working conditions and OSH in supply chains between trading partners.

In the globalized world of work, labour inspection alliances need to deliver strong outcomes. Partnership arrangements formalised in MOU agreements provide the framework for formal cooperative arrangements.

Cooperation between labour inspectors across regions can facilitate trade agreements, social dialogue, deregulation, harmonisation, robust auditing, mutual

recognition and remove trade barriers and opportunities for exploitation.

In summary, regional cooperation can deliver:

- strength, consistency & fairness in application of the law; resulting in
- reduced non-compliance with labour standards; therefore,
- less injuries, disease and death and
- cheaper compliance for business.

STRATEGY 2 - ETHICS AND PROFESSIONALISM

To ensure transparency of operation as well as protection of the labour inspector's role, several countries have recognised the importance of underpinning labour inspection work with a Code of Ethics. Various referred to as code of 'ethics', 'professionalism' or 'integrity' (or a combination), this type of document serves as a foundation for establishing a credible and professional labour inspection system.

At their General Assembly in Geneva in 2005, IALI members agreed that development of a global code of ethics for labour inspection is a vital priority for the organisation. The code would aim to establish standards of conduct, professionalism and expected behaviours for labour inspectors.

Development of a global code of ethics or integrity will address labour inspection issues at two levels:

For countries, a global code of ethics would:

- underpin signatory nations commitment to Convention 81;
- give developing countries guidance on expectations and professional standards;
- provide a service guarantee in developed countries; and
- ensure all countries work towards modern ethical standards of practice.

For labour inspectors, a code of ethics would:

- help to protect labour inspectors e.g. in developing countries;
- identify the maturity of the profession; and
- provide the basis for increased influence and therefore safe, healthy and decent work.

How does a code of 'ethics' or 'integrity' work?

A 'code of integrity' creates a governance framework for general employee behaviour for the whole organization.

While similar to a 'code of conduct' used in many public service organisations, the aim is to go beyond employee compliance with a pre-determined set of rules. Instead, a code of integrity is about achieving a personal commitment by each individual in the service, to standards of

behaviour that reflect the highest level of integrity and professionalism. It further aims to commit the organization to providing the resources, strategies, tools and access to continuous professional development, necessary for employees to achieve these standards.

If desired, this type of code can be enforceable as part of a contract of employment – but the means of delivering the code objectives are up to each service to devise the best match with their own circumstances.

IALI's draft code is intended to provide the basis from which governance frameworks can be created to suit local conditions.

IALI's process for developing a global code of ethics

The IALI project to develop a code is being led by South Australia, through the Government's labour inspection authority, SafeWork SA, with assistance from IALI's Senior Technical Advisor, Wolfgang von Richthofen and the Ministry of Labour, Ontario.

The intention is to engage members in development of a draft code for approval at IALI's next General Assembly to be held in June 2008. IALI's major international conferences between 2005 and 2008 are being used as milestones and IALI's web site will facilitate global consultation.

IALI conferences in Beijing, PR China, 2006 and Ontario, Canada, 2007

The well-attended major IALI conference of 2006 held in Beijing, featured an international panel discussion on the concept of a global code of ethics and tested the willingness and commitment of IALI members to work towards this aim.

Panel members from countries where a code had been implemented reflected on their experiences and explained why a commitment to ethical practice, integrity and professionalism is vital for a successful labour inspection system.

At the IALI conference in Ontario in 2007, significant progress was made towards the development of a draft code. A working session, chaired by South Australia, reviewed the latest best practices in code development. A special focus on the experience of the Ontario Ministry of Labour in developing and implementing their Code of Professionalism, informed delegates about the key strategies involved.

A major aim was to test the feasibility of a global code by examining the needs of countries where labour inspection systems were classed as either developed, developing or undeveloped. Representatives from countries in these three categories separately identified specific characteristics that exemplified professionalism and the resulting list was ranked by all participants in order of importance. From this, the top

six characteristics were identified as the common core components of a first draft of a global code.

IALI's first draft global code of ethics

The key elements of IALI's first draft of a code of ethics, integrity or professionalism are:

1. *Knowledge and competence*
→ Gained through continuous learning and a focus on building capabilities
2. *Honesty and integrity*
→ Where conduct inspires respect, confidence and trust
3. *Courtesy and respect*
→ Where empathy, compassion and understanding are demonstrated, acknowledging the diversity of the community
4. *Objectivity, neutrality and fairness*
→ Where conduct is impartial, objective and without bias
5. *Commitment and responsiveness*
→ Where planning and timeliness of activities are effective
6. *Consistency between personal and professional behaviour*
→ Where the characteristics of these principles are reflected both at work and in private life (considered to be especially important by developing countries).

At the ILO conference in Dusseldorf, Germany in September, 2007, which featured a focus on strengthening and modernising labour inspection, IALI's progress towards developing a code was further endorsed by the representatives of employer, worker and government organisations from the 65 countries attending.

IALI conference in Australia, March 2008

Following consultation through the IALI website, the draft code was refined for discussion at the major IALI conference in Adelaide, Australia in March 2008.

In a forum prior to the conference, a milestone was reached when all Australian OHS jurisdictions committed to the principles of the code. The Australian endorsement of the Global Code of Integrity set the scene for discussion in the full IALI conference which focussed on the significance of this development for its workplace partners.

IALI considers that adoption of this code will be vital in enhancing the transparency and credibility of labour inspection. It will also raise awareness of the high standards of personal and professional behaviour required of labour inspectors worldwide, and in so doing will provide assurance to employers and employees of fair, impartial and professional dealings.

The African Symposium – Tunisia 2008

The Tunisian Association of Labour Inspectors, in partnership with IALI and ILO, held an international conference on April 18th and 19th, 2008 in Hammamet with 350 participants. Within the context of the festivities held in Tunisia on the occasion of the centenary of the Labour Inspectorate, the delegations were given the opportunity to be informed of the high level reached by the structure of the Labour Inspectorate in Tunisia, demonstrated by the quality of its interventions and its mechanisms in the areas of control, conciliation and promotion of social dialogue.

The personal commitment of the President of the Republic, of the Minister of Social Affairs and Solidarity and of the Tunisians living abroad to promote social dialogue and professional relations have enabled the development and modernization of labour legislation, which allowed to strengthen social peace and promote the country's economic development. Thus Tunisia became a model of inspiration for emerging countries.

The first medal of honour of IALI awarded to the President of the Republic of Tunisia

During the ceremony held on May 1st, 2008 in Carthage on the occasion of the celebration of Labour Day, President Zine El Abidine Ben Ali was awarded by Paul Weber, Secretary General of IALI, the first medal of honour of IALI, as a mark of considera-

tion for his commitment to guarantee best working conditions and promote social dialogue, which enabled Tunisia to occupy a prominent place in international organisations and bodies.

In his speech, Paul Weber pointed out that Tunisia has put itself in the group of countries that have ratified the fundamental conventions of the International Labour Organisation (ILO), while integrating the international standards into its national legislation, which has strengthened preventive policy and strategies in the areas of professional relations, safety and health at the workplace.

Finally, he welcomed the initiative of the Tunisian Association of Labour Inspectors to have initiated a declaration of principle giving rise to a regional structure which groups together the labour inspections of the Maghreb countries. This structure shows promise to become the flagship structure for all the countries in Africa.

The President of the Republic of Tunisia, declared in his speech on 1 May 2007:

'.... I also would like to thank the International association of labour inspection for awarding me its first Medal..... I would like to express my deep consideration for the commendable action undertaken, on the international scene, by this association to promote labour inspection.'

Where to from here? - IALI Congress and General Assembly, June 2008

The IALI Congress and General Assembly is held every three years in Geneva. In 2008, the IALI Congress will have a major focus on the culture of labour inspection with emphasis on the role of a code of ethics. At the General Assembly following the Congress, members present will be asked to approve a motion to adopt the code. It is intended that adoption will form a commitment by all IALI members to implement the principles of the code. New applicants for membership will be asked to commit to the code as part of the membership requirements of the Association.

A further goal will be to agree on key strategies for global implementation of the code – such as the development of training tools, guidelines and manuals, strategies for gaining commitment, engaging inspectors, promotion and integrating the code into professional systems and behaviours. Countries implementing the code would be expected to use the core document to underpin a more detailed approach to professionalism, specifically suited to local conditions.

Throughout the development and implementation process, the ILO is working in partnership with IALI. The network of ILO decent work country programmes, many of which feature the strengthening of labour inspection as a key objective, will provide a critical promotional vehicle for success-

ful implementation of the code worldwide. Further, it is hoped that adoption of the code by IALI in 2008 may allow the ILO to pursue tripartite implementation strategies that would align compliance with the code to ratification of the labour inspection Convention No 81, in the longer term.

'Virtue lies in our power, and similarly so does vice, because where it is in our power to act, it is also in our power not to act...

So, if it is in our power to do a thing when it is right, it will also be in our power not to do it when it is wrong' (Aristotle: 384-322 BC).

STRATEGY 3 - INFLUENCE

IALI is committed to delivering results that positively influence the achievement of decent work world-wide.

Labour inspectors alone cannot achieve the decent work objective. To be effective they need to be able to influence all those who can affect work and workplaces including the community, politicians, business, media, economists, opinion-makers, governments, employers, workers, designers, manufacturers, suppliers and so on.

Through influence, labour inspectors are in a unique position to facilitate safe, healthy and decent work in the globalised world **but only if** they can deliver measurable results for workers, business and economic development.

To be a successful influencer, however, IALI needs to be able to demonstrate its value and effectiveness. To do this labour inspection needs to:

- establish a basis to influence good practice;
- measure the quality of outputs; and
- justify increased resources.

For some years, IALI conferences have featured the exchange of information on best practice initiatives to improve the delivery of services. A major issue raised in this discussion is always the question of how to measure success. To move this agenda forward, a very ambitious objective of IALI's most recent conference in Adelaide, Australia, was to consider ways to appropriately and accurately benchmark the influence and performance of labour inspection across the world.

The Conference was told that a need for benchmarking exists as a means of ensuring effectiveness and continuous improvement. Benchmarking therefore could be seen as helping to create an environment in which inspectors' work is understood and valued.

Significantly, the conference discussion concluded that,

- to benchmark performance of labour inspection is complex due to the many interrelated activities;

- a perfect set of parameters satisfying all needs does not exist; however,
- indicators that are sensitive to changes can be used for benchmarking OSH;
- OSH profiles can be used to compare OSH status;
- concepts such as the 'Nordic Scoreboard Model' could form the basis of a global approach to benchmark OSH performance; and,
- benchmarking has the potential to promote sound working environments at country level.

Opportunities and challenges for labour inspection, IALI, the ILO and the future

In summary, the ILO and IALI are working together to,

- Formalise international networks to address issues arising from the globalised workforce;
- Establish an ethical 'guarantee' of professional practice; and
- Influence safe and fair work outcomes through demonstrated effectiveness of labour inspection.

Our international challenge is to improve occupational health and safety and fair working conditions to deliver reductions in deaths, injuries, diseases, disputes and costs to business – as well as human dignity, more productive workers and the right environment for business to thrive.

For the ILO, the challenge is to commit the resources and build the capacity to deliver on the stated agenda of its tripartite Governing Body to strengthen and reinvigorate labour inspection in order to make decent work a global reality. In partnership with IALI the ILO has the opportunity to convince every country that:

'An efficient and adequately resourced labour inspection system makes a significant contribution to economic development, social cohesion and good governance' (ILO Governing Body Committee on Employment and Social Policy, November 2006).

Together, we aim to achieve this goal.

III. THE INTERNATIONAL LABOUR OFFICE (ILO)

1. The International Labour Office (ILO) and the Luxembourg case

In a globalized world, many challenges can be met through an effective labour inspection system. 135 Member States have ratified ILO Convention No. 81 on the labour inspection in industry and commerce. The Convention, one of ILO's most widely adopted, has opened the door to the policy of prevention and technical cooperation; it has become a catalyst for social dialogue and the promotion of health and safety.

The mission of a modern labour inspectorate is to contribute to social peace by preventing accidents and occupational diseases. This involves monitoring, guidance and control, but also seeking appropriate solutions and developing national action plans aimed at making decent work a global goal.

The inspectors have a central role to play in the implementation of national policies and legislation, as well as of the ILO labour standards. Their pleas, however, must be strengthened so that they are able to make in a sustainable and integrated manner, appropriate responses to the expectations of employers and workers.

The rights and duties of labour inspectors require broad political support from governments, employers and workers.

Based on the 'Audit of the labour inspection system in the Grand Duchy of Luxembourg', a tripartite mission conducted by the ILO in 2002, a new strategy to tackle problems related to work was developed.

It is important to note that labour inspection is not a mere technical 'tool', but a vehicle for reform and a powerful instrument capable of initiating political change and bringing innovation at the heart of the company.

During its presidency of the Council of the European Union, the Grand Duchy of Luxembourg was in 2005, in collaboration with the ILO, a platform for exchange of experiences between governments and social partners on the role of inspection departments. The goal of the Conference of Mondorf-les-Bains was to develop an effective policy, relevant and informed, and to define an action plan for the realization of an integrated system of labour inspection. The challenge was to raise awareness in Europe and around the world on the need to place the social dimension on an equal footing with the financial, economic and environmental aspects, through a holistic approach. The time has come to global thinking and local action.

In their preface to the pamphlet released on the occasion of this conference, the ILO Executive Director, Mr Assane Diop, and the Minister of Labour

and Employment of Luxembourg, Mr François Biltgen, said this:

'Globalization and partnership

The global economy is changing the way we work and the dangers which individuals face. These changes in the working life require an integrated approach that combines the fields of technology and traditional medicine with the social, psychological, economic and legal aspects. Globalization today requires a holistic and creative approach that takes into account the changing world of labour and the emergence of new risks.

The traditional relations between the governments and the social partners in industry and services must be adapted to this new environment, as well as the role and activities of labour inspectorates. This Conference is aimed at all the players involved in improving the general working conditions, such as the protection of health, safety and welfare at the workplace. It focuses on creating synergy among the stakeholders and facilitating the exchange of information and experiences on good practices in these areas.

Integrated System of Labour Inspection

The ILO, with its tripartite constitution, develops Conventions and Recommendations for the implementation of a comprehensive policy. In its 'Decent

Work, Safe Work', the ILO entrust new roles and responsibilities to the labour inspection. The idea is to preserve the health and safety of workers by improving working conditions and ensuring decent working relationship through an integrated system of labour inspection. Such a system includes different areas of intervention, implementation activities and counselling, as well as an operation based on the principle of 'One company – One inspector', which provides stable relations between the inspector, the company and the workers.

Accordingly, labour inspections are forced to deal with issues such as technical security, health at the workplace, the organization of work and the monitoring of compliance with other laws in the context of a more integrated approach involving new skills and competencies. Innovative inspection strategies must also be developed and implemented. Integrated systems of inspection should be able to promote a policy of prevention through a culture of sharing expertise and expert advice, targeting efforts where the needs are greatest.'

2. ILO — Global Perspective

Work kills more people than wars

Work kills more people than wars. Approximately 5,000 persons per day, or one every 15 seconds, die due to an



illness or an accident at work. Almost 270 million accidents are recorded each year, of which 350,000 are fatal. The right to decent working conditions can be seen as a fundamental human right.

Labour inspections are essential tools for the practical implementation of this principle. They play a central role in the implementation of the labour standards and the Conventions of the ILO, as well as the EU Directives. They are the public authorities in many areas, such as safety and health, social dialogue, working hours and social insurance law, control mechanisms of the market, fight against illegal work, questions related to AIDS, child labour, etc.

It is crucial to strengthen labour inspections, in order to ensure a high level of protection at the workplace. In many countries, these inspections are catalysts for the process of reform within the governmental structures, and for the social partners when a sustainable tripartite culture has been established.

The major changes and challenges ahead must mobilize us. With a view to creating an effective policy and appropriate action plan to rebuild and radically improve the networks of necessary relationships, the conferences, such as the EU and ILO Conference held in Mondorf-les-Bains (Luxembourg) from 9 to 11 March 2005, were critical milestones toward meeting the fixed goal – namely,

the definition of an integrated of labour inspection system – in the context of an overall reflection that anticipates the national action.

According to the principle of subsidiarity within the meaning of Article 137 of the Treaty establishing the European Union (Article III-209 of the Treaty establishing a Constitution for Europe), the promotion of employment and improvement in living and working conditions has enabled a dual approach combining the minimum requirements adopted at the European level with national legislation (existing or new) respecting the particular traditions. The social and territorial legislation guarantees cohesion and social peace.

The effects of globalization involve a change in the role of labour inspection. Developing an integrated approach, based on the principle 'One company – One inspector', on the implementation of management systems for safety and health at the workplace and the promotion of social dialogue requires more effective and efficient services, an optimum utilization of available resources and the ability to meet future needs. The plan in 10 steps from the ILO to strengthen labour inspection in the world is a tool for ensuring social protection for all.

The ILO tripartite audit conducted in Luxembourg is an example of action at a

national level which had a very broad international impact. The audit suggested the restructuring of labour inspection of the Grand Duchy in order to make it more competitive, efficient and effective, and prepare for the new challenges of the 21st century.

3. The ILO and labour inspection

The labour inspection has appeared in Europe and perhaps in other regions during the early 19th century, initially for the protection of 'apprentices' within the meaning of a legislation that was enforced in a sometimes inappropriate manner by volunteers' committees, which have subsequently been replaced by the first inspectors in 1833.

Since then, the means and scope of activities of labour inspectors were of course greatly expanded, although significant differences still exist between Member States, depending on local custom and practice.

When the ILO was created after the First World War, the obligation for Member States to draw up a labour inspection system was included in its Constitution. Instruments were then proposed to build on a voluntary basis the foundation of labour inspection as we know it today.

About 25 years later, the Convention No. 81 of the ILO (1947) was enacted, and then ratified by more than 130 Member

States. This Convention is still valid and the principles it contains are the basis for this document. Other major Conventions have followed, such as the 1969 Convention (No. 129) on Labour Inspection (Agriculture), and the Conventions relating to child labour in 1973 (No. 138) and 1999 (No. 182). These texts have not changed, but reinforced the central role of the Convention No. 81¹⁰.

4. The labour inspection, a development vehicle

The fight for a fair globalization provides governments and the social partners an extraordinary opportunity to use their knowledge base; it shows how dialogue can lead to better outcomes for all and increase the weight and influence of tripartism among national and international policy makers. From the manner in which governments, employers' organizations, trade unions and ILO will build the social dimension of globalization will depend on the relevance of tripartism of the early 21st century.

Making decent work a global objective

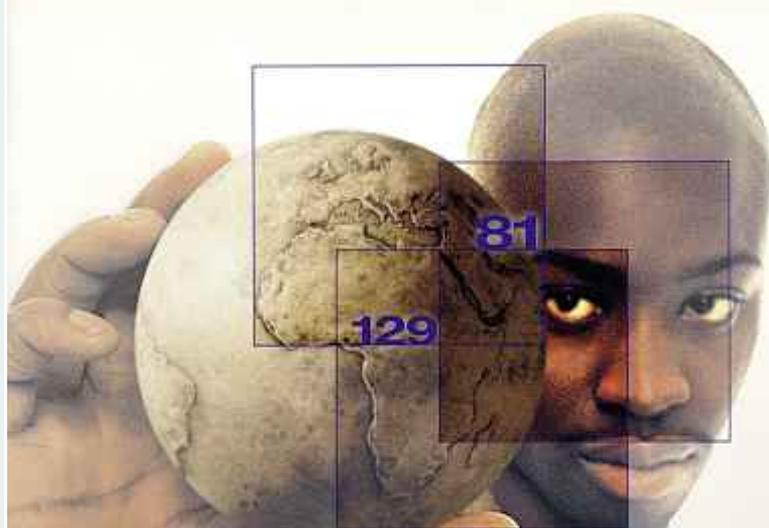
The role of labour inspectors in a 'globalized' world should not be overlooked. They have a direct impact on the workplace and can make decent work a reality. The quest for a fair globalization and decent work will dominate international affairs over the next decade; it will test the leaders of all walks of life. It

¹⁰ Source: Albracht, Treichel, Ellis: 'Labour Inspection Principles Worldwide', March 2005.

LABOUR
INSPECTION



International
Labour
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requires strong impetus at the national and the global level. A more effective and better policy is needed at the local, the national and the regional level to improve the social and economic capacity and strengthen institutions for freedom of opinion, gender equality, participation and dialogue.

Fair globalization

Fair rules should be adopted in international trade, investment, finance and movement of people that take into account the differences in needs and resources. This implies to intensify the dialogue at all levels between the key players to find ways of addressing the main problems and practicing solutions. A fair globalization also requires a stronger commitment at the national level for better management, an integrated economic and social agenda and policy coherence between global institutions. The national policy-makers should, in this sense, use the available resources within the labour inspection and strengthen the capacity of the latter.

Poverty reduction

Labour inspection also plays an important role in poverty reduction, particularly in the area of health and safety at the workplace. The goal is to have a

decent job with a long-term perspective for everyone.

This implies good working conditions which can decrease the number of accidents, preserve health, reduce absenteeism and thus improve morale and thus the performance of the company. The supervision, advice and implementing power of labour inspectors are essential in terms of job stability.

Extending the influence of the social partners/CSR¹¹

In a holistic approach, the prevention of occupational diseases and accidents, the promotion of a long and healthy life at work and the investment in a culture of prevention to allow companies to compete in a 'globalized' world. Many multinational companies already share their experience with the workers and the civil society. The involvement of the various key players is likely to boost the already existing initiatives and to motivate the world community to improve the working conditions at all levels. The international conference on the theme 'Culture of health and safety: Sustainable Development through a responsible corporate citizenship' (Düsseldorf, Germany) showed that the health and safety at the workplace has become a cornerstone for the CSR.

¹¹ CSR: Corporate Social Responsibility

Sources: Agence européenne pour la sécurité et la santé au travail: Responsabilité sociale collective et sécurité et santé au travail, Luxembourg 2004, ISBN 92-9191072-4

Report of the Conference: Culture de santé et de sécurité; Développement durable au travers d'une citoyenneté collective responsable/CSR, 27-29 October 2003, Düsseldorf, Germany, published by the ILO.

It is also necessary to strongly involve the labour inspectors in the area of corporate social responsibility as a 'missing link' in order to reach the smallest companies. In this sense, policy makers and national labour inspectors can extend the legal requirements and apply the same collective standards throughout the country.

The response of the labour inspectorate to global issues

Labour inspectorates are able to deal with global issues at the local level. They must, in order to succeed consistently apprehend a number of areas and political issues including industrial relations, performance of the inspection, technological developments, the vulnerable or marginalized people, HIV/AIDS in the workplace, as well as extending the scope of their involvement in all sectors: formal and informal, urban and rural, commercial and non-commercial, agriculture, forestry, fishery, transportation, etc.

5. Influence of international labour standards on development

The implementation of core labour standards and its impact at the national level can be improved through the development and reinforcement of the means of labour inspection. They have a crucial role to play, since the inspectors are often the only public access and

having a direct impact on the workplace. They should be used to promote awareness of core labour standards. In comparison with private control systems, which are often created for the limited time of a project, labour inspection systems represent a lasting solution, ensuring a long-term commitment. They can incorporate the principles of quality and decent work in all its programs, activities and functions.

They already have useful information on problematic workplaces, they can provide technical information and advice to employers and workers and, given their deep knowledge of the workplace, they are able to contribute to the design of a national policy on the prevention of occupational risks. With labour inspectorates, the governments have a competent authority for the control of core labour standards, in matters of health and safety and many other aspects of the labour and employment market. It is essential to provide them with adequate means.

6. SafeWork and Labour Inspection

a) Vision of Labour Inspection

The objective of SafeWork is to promote the eight core labour standards, the standards on safety and health at the workplace and the program of the ILO promoting decent work, in raising awareness of the issues of prevention of

occupational hazards, helping Governments in the development of legislation and to initiate programs to better defend the human right of workers to a safe working environment and respectful of their health.

But the Labour Inspectorate also covers other areas. SafeWork's contribution to the development of inspection systems

therefore favours a broad collaboration with other departments of the ILO (including those involved in the field of child labour, working conditions, sector activities, standards, etc.) and with other international players such as the International association of labour inspection (IALI), the Senior labour inspectors committee (SLIC), the African Regional Centres for Labour Administration for

Productivity and safety and health at work

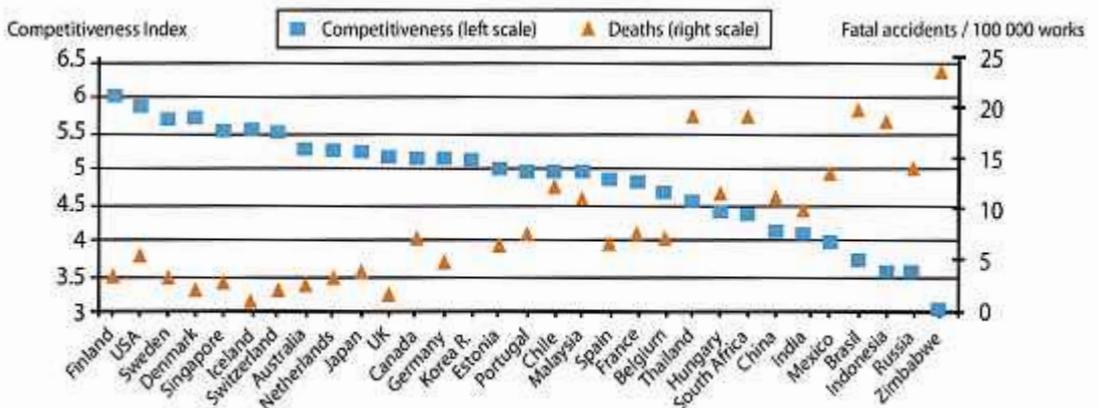


Figure: Competitiveness and safety (World Economic Forum, ILO/SafeWork).

French-speaking Africa and English-speaking Africa (CRADAT and ARLAC, respectively).

SafeWork¹² is the focal point for all matters relating to the Labour Inspectorate and the body responsible for formulating policy in this area.

An appropriate inspection should be considered for strong funding, a sufficient number of labour inspectors and a well organized intervention strategy. The introduction of an integrated labour inspection system can make the best use of available resources. Under such a system, the inspectors have individual information and skills to respond adequately and independently in the workplace, thus avoiding many visits in the same company by several inspectors.

To assist labour inspectorates, SafeWork has developed a guide with the title 'Ten Steps to strengthen the Labour Inspectorate'. This document provides policy makers and labour inspectors a clear overview of the practice of profession, it provides advice on how to organize an inspection of work in terms of policy, training and intervention.

b) Ten steps to strengthen the Labour Inspection

1. Creating a structure and an appropriate organization: adapt national labour policy, the policy of labour inspection and the human resources policy, domestic policy, as well as policy implementation, so that they are in accordance with the ILO labour standards and the particular situation of each Member State.
2. Better use of resources: making sure that, in case of lack of resources, the proportion of inspectors corresponds exactly to the allocated budget.
3. Introduction of effective training to develop a clear concept of training specifically tailored to the country, which will lead to a 'prevention' oriented integration of specialized and general inspectors.
4. An active role for labour inspectors. Create a triple role for the Inspector's work: monitoring, counselling, and performance, with a general mission for information.
5. Integrated inspections: adjust the respective roles of general and specialized inspections to reflect the principle of 'One inspector for one company'.
6. Promotion of best inspection practices: defining a program in terms of frequency of interventions and prevention strategies.
7. Tools for management and labour inspectors: centralize tools such as

¹² www.ilo.org/safework

chemical data sheets, active research, as well as training on the job for important political issues and for normal business matters.

8. Aspects related to the tasks: to stimulate – among other approaches – social dialogue, whose role is crucial.
9. Working in a network: Provide support for inspections in terms of knowledge, training, funding and expertise, with a constant flow of information exchanges with other organizations, such as the IALI or the CIS.
10. Various: make sure to curb corruption and to resolve other current difficulties which impede on the ground.

c) Rights and duties of labour inspectors¹³

Convention No. 81 stipulates the rights and duties of inspectors, and stipulates that the status of the latter must ensure stability in their jobs and make them independent of changes of government and of improper external influences (Art. 6). This agreement does not benefit exclusively workers and employers; it aims also at protecting labour inspectors in the exercise of their duties.

The growing number of attacks in the world as against labour inspectors requires a specific action. Both sides of industry and governments deplore this trend. The right to decent working conditions can be regarded as a basic human right. However, in France and Brazil, labour inspectors were murdered in carrying out their duties.

On 2 September 2004, Daniel Buffière and Sylvie Trémouille, inspector and labour inspector respectively, were shot by gun by a French farmer in the Dordogne, while they were preparing to monitor the contracts of seasonal workers employed in the farm.

In Brazil, the use of physical violence against labour inspectors is not unusual. Officials from the Ministry of Labour are moving in the country often accompanied by armed agents of the federal police. It is believed that the assassination in the form of execution of labour inspectors Nelson José da Silva, Eratozenes de Almeida Gonsalves and João Batista Soares Lage on 28 January 2004 occurred when they raided a soybeans plantation where illegally occupied workers were exploited, to say the least.

Only a strong political support from governments will prevent such abuses from occurring in the world.

¹³ Source: Odile Lautard, Labour inspection as a player in development – Ethics / Action of Labour Inspection, Presentation at the 'WorkingOnSafety. Net Conference', 31 August – 3 September 2004, Dresden, Germany
Jukka Takala, 'L'inspection est mal vue par les gouvernements', 16 September 2004, Libération



The ILO supports the initiative of the French Ministry of employment and solidarity to develop a practical guide on the rights and duties of inspectors. The minister has formed a multi-disciplinary working group in which the ILO is represented.

The guide will become an important document and should be considered as a fundamental tool for a determined implementation of Convention No. 81.

IV. PORTFOLIO GLOBALIZATION

1. Globalization and Social Dimension

'In an open world such as ours, work must be a source of safety and fulfilment for the workers and their families, of prosperity and of progress for all; but this goal involves integrating a strong social dimension to the economy. The ILO was created to promote it. Its mission has never been more necessary. Never, it has been so fair.' — Gerard Larcher, French Minister of State for Employment, Labour and the Employability of Young People — intervention at the 95th session of the International Labour Conference in Geneva of 5 June 2006.

The International Labour Organization

(ILO) is a unique forum where governments and social partners of its 181 members can freely and openly exchange their experience and compare their national policies. The ILO is the only global organization whose policies and programs are decided by the representatives of employers and workers, on an equal footing with those of governments. Hence the major players in the economy are also the major payers of the ILO.

To make progress in achieving its objectives, the ILO establishes international labour standards to guide national action. These standards are ratified by the States on a voluntary basis and their implementation is monitored by a supervision system that is truly unique. The Organization develops strategies and policies affecting

the world of labour, and the training, education, research and publication programs. On this basis, it implements a broad program of international technical cooperation: in all the regions of the world teams of specialists provide technical support to the governments and social partners in order to achieve **the goal of decent work**.

Example: the International Programme on the Elimination of Child Labour (IPEC):

In addition to the prohibition of this work, the ILO provides appropriate education opportunities to the children and access to decent work and adequate income to their parents.

On Decent Work

Decent work sums up the aspirations of people in work. It covers various elements opportunities for productive work that is adequately remunerated, safety at work and social protection for families, better prospects for personal development and social integration, freedom of individuals to express their worries, possibility to organize and participate in decisions that affect their lives (social dialogue), equality of opportunity and treatment for women and men without discrimination.

Decent work is at the heart of global, national and local strategies that relate to social and economic progress. It plays a crucial role in efforts to combat poverty and participate in sustainable development based on equity and inclusion.

To advance towards **decent work**, the ILO operates at the global level, mobilizing the major payers of the multilateral system and the global economy around this goal.

At the national level, integrated programs have been developed by the ILO at the country level, which define priorities and targets within national development frameworks.

The ILO, working in partnership with other stakeholders within and outside the United Nations system, contributes through its wide expertise and its main instruments of action to the development and the implementation of these programs, to the strengthening of the institutions responsible for their implementation and to the evaluation of the advance made in this field.

For this purpose, the ILO has created the **Department of Policy Integration**. A forum on decent work promotes the exchange of views on the best practices to implement **the agenda for decent work** for staff members and groups of experts from the ILO¹⁴.

The implementation of the program for decent work revolves around 4 main lines:

- promoting and implementing the basic norms and principles at work,
- increasing opportunities for women and men to secure decent employment and adequate income,

- enhancing the coverage and social protection for all,
- strengthening tripartism and social dialogue.

The activity of the Organization for development extends to the informal economy through the promotion of the organization of its players and the improvement of working conditions and productivity; it provides an important contribution to strategies that reduce poverty.

On the International Labour Conference

The Organization also seeks the inclusion of social objectives in the development of the world economy, particularly expressed in the **ILO Declaration on Fundamental Principles and Rights of Workers, adopted in 1998**.

As part of monitoring procedures imposed by the Statements, **the International Conference of Labour**, often compared with an **international parliament of work** (annual meeting in June of the Member States represented by a tripartite delegation — two government delegates, one employer delegate and one worker delegate, with the assistance of their advisers) examines the overall report covering fundamental principles and rights.

The Declaration requires Member States, whether or not they have ratified the eight

¹⁴ Soon after each forum (last Tuesday in the month 4:00 p.m. to 5:30 p.m.), the integration website displays an abstract of the debate which can be viewed by realplayer.

conventions, to uphold and promote the principles and rights, which are divided into four categories¹⁵:

- **the freedom of association and the effective recognition of the right to collective bargaining,**
International Conventions ILO 87 and 98
- **the elimination of all forms of forced or compulsory labour,**
International Conventions ILO 29 and 105
- **the effective abolition of child labour,**
International Conventions ILO 138 and 182
- **the elimination of discrimination in respect of employment and occupation.**
International Conventions ILO 100 and 111

The International Labour Conference crafts and adopts international labour standards in the form of conventions and recommendations covering topics related to the work, employment, social security, social policy and human rights. The application of international labour standards is regularly reviewed by the supervisory bodies of the ILO, the Committee of Experts on the Application of Conventions and Recommendations, and the Conference Committee on the Application of Standards. Procedures relating to claims and complaints may be

initiated against Member States which do not respect the conventions they have ratified. Under a special procedure, the Committee on Freedom of Labour Association examines complaints relating to violations of freedom of labour association, whether or not the Member State has ratified the ILO Conventions.

The submission of complaints relies heavily on local trade union culture and submission facilities¹⁶ and referral does not necessarily reflect the seriousness of the actual situation in the field.

The Conference is also a forum where labour and social problems, which are of concern to the whole world, are discussed freely, sometimes passionately. Delegates explore social change in the world, but the central theme is the report presented each year by the ILO Director General:

- values to defend, promoting change: social justice without an economy that globalizes (1994),
- promote employment (1995),
- prescriptive action by the ILO in times of standardization (1997),
- decent work (1999),
- reduce decent work deficit: a global challenge (2001),
- fair globalization: creating opportunities for all (2004).

¹⁵ Among 178 members, 123 have ratified the 8 conventions, i.e. 69% of the States and 45 have ratified at least 4 fundamental conventions, and remarkably the developing countries. The United States has only ratified 2, Canada 5 and Japan 6. Except Estonia and the Czech Republic for 1 convention (No. 138), all the EU Member States have ratified the 8 fundamental conventions.

¹⁶ Many submissions by South American trade unions, few submissions by Chinese trade unions.

The World Commission on the Social Dimension of Globalization¹⁷

The World Commission on the Social Dimension of Globalization published in February 2004 its report entitled 'A Fair Globalization: Creating Opportunities for All'. It is a critical but positive message for changing the current path of globalization. The members of the Commission were given a mandate to examine the globalization process as perceived by everyone, by holding extensive consultations with stakeholders and experts worldwide. The detailed analysis and recommendations in the report provide a common platform for action and basis of a dialogue between all the stakeholders. A website¹⁸ has been set up to facilitate the follow-up of this Commission's report.

The vision put forward by the Commission is to create a system of global governance that is truly favourable to national development strategies. The needs and aspirations of ordinary people must be at the centre of the rules and policies to improve the coherence between economic and social goals. This report was given huge promotional activities throughout the world. The practical implementation of

some concrete steps has been the subject of reports based on a theme (about 80) and initiatives of policy coherence within the multilateral system.

The strategic framework for the period 2006-2009 focuses on the theme of 'making decent work a global goal' and makes cross-disciplinary objectives that will guide the ILO's activities in promoting a fair globalization in 6 areas:

- National policies to deal with globalization.
- Decent Work in global production systems.
- Dialogue and consistency of world policies in terms of growth, investment and employment.
- Introduction of a socioeconomic base in the global economy.
- Migration of people.
- Strengthening of the system of international labour standards.

The operational objectives of each ILO program will be linked to the worldwide goal of decent work and its agenda, which will also be taken into account in developing programs of each country (aid and cooperation from the ILO).

We cannot talk about the social issues without mentioning the institutional issues. Within the multilateral system, the ILO is strengthening its partnership with

other international organizations. This is of course to avoid overlapping, but also to take advantage of synergies in related fields like with the UNESCO on the issues

¹⁷ Interview of 1 and 9 February 2007 with Assan Diop, managing director social protection ILO, Duncan Campbell, director integration in ILO.

¹⁸ <http://www.ilo.org/public/english/fairglobalization/index.htm> of 21.02.07.

of vocational training, the WHO on health conditions at work, the FAO on rural employment and cooperatives, the UNIDO on the development of small businesses. The ILO participates in institutional programs such as the fight against AIDS (UNAIDS), the achievement of the OMDs, the promotion of the rights of persons, the Network for Youth Employment.

Working with the WTO is limited currently on joint research as 'trade and employment'¹⁹. Although the debate on the 'social clause'²⁰ in trade agreements appears to be jeopardized in the WTO because the situation is blocked from a geopolitical perspective, we should not underestimate the underground links that make social issues advance. Some interlocutors predict that

the social issues will be resolved through the integration of basic social standards in trade agreements before the resolution of the issues of environment protection.²¹

The report of the World Commission on the Social Dimension even suggests organizing dialogues, to formulate policies that go beyond the institutions of the multilateral system by including other players and stakeholders on such topics as corporate social responsibility²², globalization and social welfare, migration, the development framework for foreign direct investment, capacity building in the field of information technology, regional integration and gender equality. The ILO is involved with NGOs and donors for the implementation of technical cooperation programs.

2. Globalization and Fundamental Labour Standards

'The goal of the ILO today is to promote opportunities for women and men to obtain decent and productive work in conditions of freedom, equity, safety and dignity' — Juan Somavia, ILO Director-General.

In the 1980's during the Uruguay Round (1986-1993), the debate on the desirabil-

ity of a social clause in trade relations is emerging in the context of globalization of trade and information, with the competition between countries with very unequal labour markets.

Initially focused on the link between labour standards and international trade²³ and then on the impact of these standards on foreign direct investment²⁴, the debate has shifted to the interest of the developing

¹⁹ See corresponding sheet: Globalization and Employment.

²⁰ See corresponding sheet: Globalization and Fundamental Labour Standards.

²¹ Interview of 29 January 2007 with Professor Javillier, Research Institute of the ILO – interview of 1 February 2007 with Mr Assan DIOP, managing director 'Social Protection' of the ILO.

²² See corresponding sheet: Globalization and CSR and results of the Managing Board meeting of March 2007.

²³ Baghwati J. 'Trade Liberalization and Fair Trade Demand: Addressing the Environmental and Labour Standards Issues' *The World Economy* 18-1995.

²⁴ Kucera D. 2002 'Normes fondamentales du travail et investissements étrangers directs' *Revue internationale du travail*, Genève, vol. 141 N 1-2, p. 33-75.

countries to adopt the international labour standards²⁵. Civil society is in the context of globalization increasingly sensitive to the production conditions in the various regions of the world and to social dumping.

Right in 1996, the OECD published a study on 'Trade, employment and labour standards: An examination of basic workers' rights and international trade', which launches, in line with the Social Summit in Copenhagen (1995) the discussion at the international level of the definition of core labour standards. This dynamic has its consecration in the **ILO Declaration of 1998** on the fundamental principles and rights at work on four dimensions covering 8 international labour conventions, justified by their supposedly universal characteristics that are part of the 'human rights':

- the freedom of association and the effective recognition of the right to collective bargaining,
- the elimination of all forms of forced or compulsory labour,
- the effective abolition of child labour,
- the elimination of discrimination in respect of employment and occupation.

The ILO believes that these standards, which represent the basic rights of workers, can be applied everywhere irrespective of the level of development of the country.

The conference in Singapore seemed to have put an end to the debate on the link between trade and compliance with minimum labour standards²⁶. In Seattle, in 1999, the developing countries were opposed to American proposals to create a working group of trade and labour fearing that labour standards be used as protectionist measures designed to increase the cost of unskilled labour and reduce the comparative advantage of the emerging economies. In 2000, the OECD reported on progress at the national, regional and international levels.

The summit in Doha (2001) reaffirms the strict separation between trade issues under the WTO and the work under the ILO, but the question is still relevant at the international level to institutions such as the ILO and the OECD which persevere, and on the regional level because social clauses are included in many agreements.

For example, under the Generalized System of Preferences (GSP) of the European Union, the preferential treatment may be withdrawn in whole or in part in the case of slavery or forced labour. The GSP provides for the granting of further preferences to countries demonstrating respect for core labour standards. At the national level, several trade laws like the American Trade Act require the compliance with

²⁵ On the pernicious effects of the economic standards: N. Singh 2003 'The impact of international labour standards: a survey of economic theory' in the book edited by Kaushik Basu, Henrik Horn, Lisa Roman and Judith Shapiro: International labour standards. London Blackwell. On this issue, the Department ILO standards has undertaken a major research project on economic dynamics of international labour standards which will be released during 2007.

²⁶ The Compromise of Singapore from 1996 returns social issues at the ILO and does a mere cooperation between the Secretariats of the WTO and ILO. Any other closer collaboration would require the agreement of the members of both organizations since the failure of the introduction of a social clause in trade negotiations.

certain labour standards in order to open their market.

From now on, the World Bank and other financial institutions take into account the enforcement of core labour standards as part of their mission to combat poverty and promote social and economic development. The contribution of cooperation programs for development and for the eradication of child labour exploitation is now more focused and more results-oriented. Thus, a revision of the OECD Guidelines to the attention of multinational companies was conducted in 2000.²⁷

Researchers dealing with the issue indicate that the countries that strengthen their core labour standards can promote growth and economic efficiency by raising the skill level

of their workforce and by creating an environment conducive to innovation and a higher productivity. It turns out that the countries that develop democratic institutions including the recognition of core labour rights before liberalizing their trade make the transition more easily than countries without such institutions. The governments of countries where children work prefer to amend their legislation rather than run the risk of trade sanctions. However, with some doubts about the effectiveness of the informal sector remain, which is one that uses most children.

The experiences of Brazil and Mexico lead to the conclusion that the fight against child labour, the provision of financial assistance to families so that children can attend school is more likely to be effective than any measures of trade intervention.

The facts reveal that a significant gap remains between the ratification of ILO Conventions and their practical application. Despite the fact that the United States have ratified only two conventions out of the eight core conventions, we can assume that social norms are enforced better there than in Niger or Egypt, which have ratified eight conventions.

The integration of social norms in international treaties is paradoxical. There are none in the multilateral treaties managed now by the WTO, but there are many in most regional or bilateral treaties. The

arguments denied in multilateral forums are accepted in regional organizations.

This weakens the multilateral system and encourages regional and bilateral agreements that break with the clause of the most favoured nation.

The positive relationship between trade and labour standards can justify that the 'compromise of Singapore' is called into question. The recent paper on trade and employment²⁸ of the two international organizations WTO and ILO is a first step in the recognition of the link. The modalities for such considera-

²⁷ See sheet Globalization and CSR.

²⁸ See sheet Globalization and Employment.

tion could take the form of incentives that give greater openness to trade partners who respect the basic standards.

The developing countries have not seized the advantages that they could get from a social clause. Nor have they opted for the strategy of exchanging a social clause against other provisions favourable to them, such as the opening of the countries in the North to exports of farm products from the South.

None of the eight core Conventions mentions wage standards and thus there is no worldwide minimum wage level. They pose principles without imposing universal models. These agreements are prudent in so far as they do not include the safety and working conditions even though some WTO agreements allow exceptions to protect the 'well-being' of animal and plant species. For example, the agreement on sanitary and phytosanitary measures admits international standards such as the *Codex Alimentarius*, if it is necessary to protect the life and health of humans and animals. In contrast, no text offers an equivalent reference to ILO Conventions in the field of work that protects workers.

In the present status of the texts, the dispute settlement procedure of the WTO cannot rely on the advice and expertise of the ILO to take its decisions. But the jurisprudence of the Dispute Settlement Body (DSB) tends to look upon trade in a holistic manner consistent with the treaties signed by the States to constitute other international organizations²⁹ and recognizes a form of subsidiarity when a national standard is presumed to be WTO compatible³⁰.

The surcharges could also be reassigned to funds dedicated to reducing the structural causes of not respecting the core labour standards such as the funding of school infrastructure and scholarships³¹.

Why have the more countries that respect human rights a higher level of productivity and competitiveness than those that violate these rights?

The minimum standards, beyond the simple moral obligation, promote investment because social stability, in turn, contributes to the development of a democratic system, political and legal stability needed to investors.

²⁹ Interview with Ms Marceau, office of Pascal Lamy dated 12 February 2007.

³⁰ Case-EU sardines (complaint Peru) report of the WTO Appellate Body: Articles 2.4 and 2.5 of the Agreement on Technical Barriers provide that where a Member 'bases' its national regulation on an existing international standard, the national regulation is presumed not to create technical barriers and thus be compatible with the Agreement on Technical Barriers.

³¹ International trade and labour standards of Jean Marc Siroën in the Millennium Round p. 97-110.

3. Globalization and Employment

***'The multilateral trading system can contribute to greater economic prosperity throughout the world and promote better results for the employment'* — foreword by P. Lamy and J. Somavia, 19 February 2007.**

For the first time, on 19 February 2007, a joint study on the links between trade and employment is published by the World Trade Organization (WTO) and the International Labour Organization (ILO), entitled 'Trade and Employment, challenges in pursuit of a policy'³². The study notes that the employment rate was steady in the world, despite an average increase of 6% of international trade between 1995 and 2005. Over the past two decades, there has been no significant deterioration or improvement in the labour market at the global level.

The strong growth of world GDP in 2006 resulted in the stabilization of labour markets in the world, people at work were more numerous than in 2005. At the same time, the number of unemployed persons (195.2 million in total) was slightly higher but little changed from the previous year and amounted in 2006 to 6.3%³³. The labour market indicators of the developed economies and of the European Union confirm the positive trend of recent years. The number of unemployed and the unemploy-

ment rate fell, respectively, to 30.1 million and 6.2% in 2006 against 32.9 million and 6.8% in 2005. At the same time, employment has increased by more than 5 million and the employment ratio fell from 56.7% to 56.4%.

The experts noted that the service sector accounts for 70% of employment in industrialized countries, most of whose work is not the subject of trade at the international level. Unemployment rates are not higher in the most open economies. Only a fraction of the less skilled suffers unemployment as a result of relocation.

The traditional model of the division of labour is anachronistic and new factors must be taken into account, such as the impact of direct investment, the nature of the trade, the consequences of technological change, the elasticity of demand for work and the pace of opening borders. According to the report, education is a key factor. It determines 'adaptability of an economy to new technologies' and at the individual level, it alters 'the ability to manage change, an important aspect in a globalized world that requires people to adjust to new situations'.

The trade liberalization, favouring capital-intensive industries and the need for qualification at the expense of labour-intensive industries 'could involve increasing inequality' between the categories of

³² The report 'Trade and Employment: A Challenge for research in politics materials' can be downloaded on http://www.wto.org/english/news_e/news07_e/ilo_feb07_e.htm

³³ Source ILO: Global Employment Trends, summary January 2007: 'at work' refers generally to all employed persons, the ILO says that the self-employed, employees, employers and non-paid family members are at work. The informal sector is not taken into account.

jobs in rich countries; the opposite may occur in poor countries. Therefore, national policies of wealth redistribution are advocated to counter the short-term disadvantages of globalization. But the success of these policies depends on the country's infrastructure, access to information, telecommunications and finance.

The social cost of globalization is thus recognized with a tint of differences in the report and the national authorities are expected to provide social safety nets for the losers. It has been established that trade creates employment, but also destroys it. The net effects differ from one country to

another and are expected to be positive in the long term. The study provides policy-makers a picture of the reality of what is known and what is unknown of the consequences of market liberalization.

The international trade union confederation (ITUC) welcomes the release of this report, which it considers a step towards a comprehensive policy consistent between the two international organizations; it is even more important that the discussion of the social clause in international trade was totally blocked at the WTO since the declaration of Singapore in 1996³⁴.

To improve the situation of the 'losers' of globalization irrespective of the countries concerned, we must provide safety nets that are social safety nets and improvement of labour market institutions (unemployment insurance, micro finance, support to start a business), the importance of education throughout life to improve the quality of human capital and the adequacy of the workforce in the labour markets and to use the potential of women and youth.

It is also important to promote economic diversification to make the economy less dependent on oil and fossil energy. Poor pay is often associated with poor working conditions, lack of social protection and the lack of compensation detrimental to the development of developing

countries. Encouraging the integration of core labour standards, including the social dialogue with the social partners, is the key to a more decent and durable work.

Governments should develop opportunities for decent work for all by providing effective 're-employment', advice, training and financial incentives. Recipients of these benefits must be invested in job search and increase their employability.

Young workers in Europe are still 2.4 times more likely to be unemployed than the adults. It is a waste of potential that companies can no longer afford in the long term such as low participation rates of women in the labour market.

³⁴ The Compromise of Singapore from 1996 returns social issues at the ILO and does a mere cooperation between the Secretariats of the WTO and ILO. Any other closer collaboration would require the agreement of the members of both organizations since the failure of the introduction of a social clause in trade negotiations.

4. Globalization and Corporate Social Responsibility (CSR)

***‘Proper management must be accompanied by good conduct’* — A. Chauveau and JJ. Rosé ‘L’entreprise responsable’ éd. D’Organisation, Paris 2003.**

The increasing internationalization of companies with branches throughout the world (and in countries who cared little about human rights), the use of outsourcing that is transforming the organization of work, the logic of business networks and a policy of social dismantling enables the production of codes of good conduct, the most famous tool for formalizing ethics in business. The multinational company decides to bring its own standards for regulating the organization of work as it sees fit. It is the advent of soft law which is challenging the linkage with the State regulations of the countries of Latin legal tradition.

CSR invites companies to consider three viewpoints in developing their decision:

- The goals of the company (earning money),
- the social implications of their work (desires and interests of consumers, welfare of employees),
- the respect for the environment.

As such, globalization has a positive effect on the multinationals who are aware of the negative externalities of their business and try to anticipate and correct them. As such, they develop competitive advantages in the market. CSR can be seen as a part of sustainable development in the commercial sector.

The earliest codes of conduct date from the years 1930³⁵. In the decade 1970, two international organizations adopt principles for the benefit of multinational corporations: OECD publishes the ‘Guidelines for Multinational Enterprises’ in 1976, followed by the ‘Tripartite Declaration Concerning Multinational Enterprises and Social Policy’ of the ILO in 1977. These two ‘public’ codes of conduct, of a voluntary nature, incorporate issues of labour relations and human rights.

The third wave is the 1990’s with the influence of NGOs and multinational corporations themselves who decide to have codes of conduct or ‘initiatives in the workplace’ in the terminology of the workgroup on the social dimension of globalization of the ILO. These tools vary depending on companies and fall within the ethical approach of companies concentrated in the Anglo-Saxon countries, in Northern Europe and in Japan.

The confrontation with NGOs and their mode of collective action³⁶, new societal

³⁵ As the code of ethics adopted by the association of management consulting engineers cited by A. Sobzack in ‘Networks and corporate codes of conduct: a new model for regulation of labour relations for European companies’, Social Law Library, Volume 38, LGDJ Paris 2002. These codes governing the rules among members but also to the outside world, allowing them to regulate their own activities rather than seeing imposed a more stringent public regulation.

³⁶ Such as Clean Clothes Campaign (<http://www.cleanclothes.org>).

demands from the 'client-citizen' create new risks of tampering capital image of multinational companies concerned about their respectability.

The social and environmental rating by the ethical rating agencies (such as 'Vigéo'), social and environmental reports prepared by the firm itself, the agreements with NGOs, labels, compliance with the standards and regulatory documents on the model of the quality standard ISO 9000, as the SA 8000 standard which is based on the core ILO standards, are all tools of ethical formalization ethics, but they are not in the hierarchy of traditional sources of law.

Besides the unilateral decision to produce a code of good conduct without real con-

sultation with the social partners, emerge international framework agreements (IFA) negotiated between a multinational company and a global sector union federation³⁷, which encourages the development of transnational collective bargaining. 'It's a form of possible new industrial relations in the era of globalization.'³⁸

Apart from the establishment of the European Work Committee and the place of workers in the European Company, we have no international legal framework or legal legitimacy recognizing the negotiating partners. There is also the issue of the binding effect on the outcome of the negotiations, in any case in labour law.

The international legal tools about CSR exist, but their application is based primarily on the ability of the States to decline, monitor and punish when they are not respected at the international level. CSR must not feed the illusion that we could do away with rules of public order.

Some of these have a status of international treaties (Declaration of Human Rights, ILO Conventions), so with contractual value and binding both for States and 'organs of society'³⁹, including companies that are required to promote, respect and ensure respect for human rights. It is in

³⁷ About 50 IFAs, especially since 2000 and mainly in European companies, Analysis by A. Sobczack : Centre pour la responsabilité globale Audencia à Nantes.

Of 32 IFAs signed since 2000

- 78% mention the 8 international ILO conventions; the others refer globally to the ILO
- 34% refer to the Universal Declaration of Human Rights
- 33% refer to the Global Compact
- 15% refer to the Guidelines of OECD

Other known rights:

- 90% health and security
- 87% wages
- 63% training and development of the competences
- 59% work time

Since 2004, emerging themes: 36% AIDS, 29% restructuring, environment: 56% of all the IFAs

³⁸ Interview of Dominique Michel ILO of 16 February 2007.

³⁹ Cf Preamble to the Declaration of Human Rights 1948.

this sense that the United Nations work on the issue of 'justiciability' which means the development of legal tools that can bring a company before the courts, to judge it for its acts, to prevent it from interfering or to seek compensation⁴⁰.

At the same time, the ILO is now developing a policy of active cooperation in the direction of multinational companies on the basis of their needs to help them better implement the tripartite declaration and core labour standards.

5. Globalization and Trade

'The WTO is a laboratory to manage globalization' — P. Lamy, 1 November 2006.

The main mission of the WTO is to open markets on goods, services and intellectual property by reducing tariff and non-tariff barriers and to regulate world trade in the interests of all. To accomplish this task, the members exchange consolidated trade concessions and negotiate international agreements, which are monitored and supervised – also by peer reviews of the trade policies of the country and a Dispute Settlement Body (DSB). The WTO has also a mandate to ensure consistency with other international organizations. Its functions are extended on five mainstays: administration of trade agreements, framework for trade negotiations, monitoring national trade policies, settlement of commercial disputes, technical assistance and training for developing countries. The international rule of law in trade is made to avoid, as far as possible, the use of unilateral trade measures of retaliatory clashes leading to lengthy and costly confrontations.

The WTO is a forum for negotiation between States and autonomous customs territories making it a cooperation organization that is like the classical international conferences. But it also has a system of dispute resolution (DSB), which creates a de facto law in the field of public international law. It was not until nearly 50 years and the Marrakech agreements that an international organization was established by a treaty and given a legal personality, as the GATT, its predecessor, created in 1947 was a tentative agreement in simplified form devoid of international extension. The WTO carries an integrated legal system. The treaty contains 500 pages of text and more than 2000 pages of schedules of commitments from 50 years of practice and GATT Decisions⁴¹. The WTO rules are regularly renegotiated.

The agreements under negotiation in the WTO, since 2001 a part of the Doha agenda, are integrated into a 'single commitment', which form a package that is consistent and binding on all members according to the adage 'Nothing is agreed until everything is agreed', this is also the consensus rule; a single country can theoretically stop any agreement that it does

⁴⁰ OHCHR and its Special Rapporteur John RUGGIE www.business-humanrights.org/updates/archive/SpecialRepPapers

⁴¹ Called the GATT *acquis*.

not agree with. The legal system of the WTO respects the equality of States and separate customs territories (one member = one vote). Good faith, international cooperation and the obligation of peaceful settlement of disputes are the cardinal rules.

In commercial matters, some less developed countries have flexibilities, so that the principle of trade liberalization does not hinder their development and their industrial or economic policy is not undermined by placing too much openness on their economies. They benefit from non-reciprocal arrangements as the special and differential treatment.

The WTO may enter into appropriate arrangements for consultation and cooperation with NGOs and adopted guidelines to that effect in 1996 allowing for greater transparency. The NGOs observe and are not WTO members. The NGOs are taking on an increasing importance because of the procedure by means of an *amicus curiae*.

In November 2001, the Fourth WTO Ministerial Conference adopted the Doha Development Program⁴². Its adoption is so far the most ambitious attempt to place development issues at the heart of the multilateral trading system. The plan gives priority to the needs of developing countries. Firm commitments have been made in terms of aid and assistance, confirmed at the Conference in 2002 on Financing

the Development held in Monterrey and in the framework of the implementation plan agreed at the World Summit on Sustainable Development in Johannesburg. Thus the Integrated Framework for Technical Assistance for the Least Developed Countries as a viable model for LDCs' Trade Development is a joint initiative between the IMF, ITC, UNDP, UNCTAD, the World Bank and the WTO. This initiative and the foundations of the Doha development were confirmed and clarified by the agreement of July 2004 and at the sixth WTO ministerial conference in Hong Kong in December 2005.

At the birth of the WTO in 1995, the organization was not sufficiently involved in the communication, because there was no management of the transition from GATT, totally unknown to the general public and therefore protected from criticism, and the WTO more visible at a time when globalization came into commercial phase of acceleration. This period also corresponded to the rise of NGOs and the globalization movement. It was only after the failure in Seattle in 1999 that the WTO has developed methods and strategies for information dissemination, and it has embarked on a policy of transparency toward NGOs. Once a year, a public forum is organized and all non-governmental organizations can participate. Small NGOs in LDCs are even financed by the WTO through the contributions of some members such as Norway and the European Union to come to the forum where they can meet with Member

⁴² The Doha Development Program: <http://www.wto.org>.

States and UN agencies⁴³. At conferences, the NGOs are accredited as observers.

The WTO publishes many brochures to explain how the organization works. Three of them are emblematic:

- Ten misunderstandings about the WTO.
- Ten benefits of the trading system of the WTO.
- Understanding the WTO.

The WTO seeks consistency particularly with financial institutions (IMF, World Bank) and UNCTAD, with its current mandate, in fact it recognizes the paramount importance of the Millennium Goals for Development as defined the heads of State and government in the framework of the United Nations.

The WTO denies that it is a non-democratic organization, because its decisions are made by consensus among its 151 members. Theoretically, each state can veto a decision and break the consensus.

Since Doha, a question is raised openly in the WTO: 'What is it to open up markets to poor countries when they can not afford to export and reap the benefits arising from trade talks?' The WTO is therefore beyond the strict trade negotiations to better manage the challenges of the impact of globalization in develop-

The Director General, Mr Lamy says that trade must be put at the service of development: 'the time has come for a new Geneva consensus'⁴⁴. Trade is useful to the well-being of individuals, but it is never enough: other national policies are needed for the opening of markets to be effective. The Doha Development Round should correct the imbalances that persist in trade rules to give real opportunities for market access to developing countries.

ing countries. It was at the WTO that the concept of aid for trade was born, a new paradigm of official development assistance.

The Statement of Singapore had settled the separation of social issues (ILO) and trade issues (WTO), but the two agency chiefs, Pascal Lamy (WTO), and Juan Somavia (ILO) have exchanged views, aware of the interdependence of the subjects. Various interlocutors thought that the social question in trade relations would be answered faster than the environmental issue, yet equally pressing and mediated. However, if the WTO takes marginally care of the adjustment between rich and poor countries, it does in no way internal social adjustment which each Member State faces. The WTO is not intended to condemn those countries that are waging a commercial expansion at the expense of their own social cohesion.

⁴³ Interview with Mr Willi Alfaro, director of external relations of the WTO 2.2.2007. The ILO has not shown any interest in participating. On relations WHO-ILO see files on core labour standards and trade and employment.

⁴⁴ Conference of Mr Lamy at the University of New York on 30.10.2006 <http://www.wto.org>.

The WTO is the only organization with a system of binding dispute settlement. The jurisprudence of the DSB tries to interpret the texts of the WTO particularly in light of the rules of sustainable development and the terms of other

treaties signed by the Member States; in this, according to the vision of Mr Lamy's staff, the DSB contributes to the overall coherence of commitment to the inclusion of trade in its global perspective⁴⁵.

The World Trade Organization WTO

The objective of the World Trade Organization (WTO) is to improve the welfare of the people of member countries (151 governments).

At the heart of the system – known as the multilateral trading system – are the WTO Agreements, negotiated and signed by most of the trading powers in the world and ratified by their parliaments. These Agreements provide the basic legal rules of international trade. They are essentially contracts guaranteeing the Member States important trade rights. They force also the governments to keep their trade policies within agreed limits, in the interest of all. Although negotiated and signed by governments, the Agreements are intended to help producers of goods and services, exporters and importers to conduct their business.

The result is a guarantee for consumers and producers. They know that they can benefit from a safe supply and a larger choice of finished products, components, raw materials and services. Producers

and exporters know that their foreign markets remain open. The result is also a more prosperous, more peaceful and more responsible world economy. In the WTO, decisions are made mostly by consensus among all Member States before being ratified by national parliaments. As for commercial disputes, they are subject to the dispute settlement mechanism of the Organisation, which focuses on the interpretation of agreements and commitments and on the compliance of the trade policies of various countries with the latter. The risk that disputes escalating into political or military conflicts is diminished. By reducing barriers to trade, the WTO also tackles other obstacles between peoples and countries.

At the WTO Ministerial Conference in 1996 in Singapore, a statement relating to core labour standards has been signed which states:

'We renew our commitment to observe the internationally recognized core labour standards. The International Labour Organization (ILO) is the competent body to set and deal with these standards, and we

⁴⁵ Interview with Gabrielle Marceau, office of Mr Lamy WTO dated 12 February 2007. Case 'gasoline new formula', case 'hormones' case 'shrimps- turtles', case 'asbestos' cited at the conference by Mr Lamy in Brussels on 15 September 2004, 'Collective preferences and global governance: what future for the global trading system?' http://trade-info.cec.eu.int/doctlib/docs/2004/september/tradoc_118926.pdf.

affirm our support for its work in promoting them. We believe that economic growth and development fostered by increased trade and further liberalization of trade contribute to the promotion of these standards. We reject the use of labour standards for protectionist purposes, and agree that the comparative advantage of countries, particularly developing countries with low wages, must in no way be put into question. In this regard, we note that the Secretariats of the WTO and ILO will continue to work as they do now.'

So that labour standards are regarded as a controversial plan to the WTO.

Indeed, this issue should not be mentioned in the chapter of the WTO because the WTO has not begun work on the subject and it would be wrong to think that it will do so soon. However, we have talked so much that some details are needed. The key word in this area is 'core labour standards', which refers to the key standards governing how workers are treated. It covers a wide range of issues, ranging from child labour and forced labour, the right to form trade unions and to strike.

6. Globalization and Migration

'Migration contributes to global economic growth. Provided to be properly managed, they can contribute to development, stability of economies and societies around

the world' — Extract of the 90th session of the council of 29 November – 2 December 2005 — President of the IOM, Mr Masood Khan (Pakistan).

'We can take all administrative decisions possible, we will solve the problem of immigration, East and South, only through the development of countries of origin.' — Charles Pasqua, Minister of the Interior in – France, *Le Monde* of 2 June 1993.

The IOM (International Organization for Migration), an intergovernmental organization founded in 1951, strongly believes that organized migration, being in decent conditions, will benefit both migrants and society as a whole.

- 120 Member States and 89 observers, including 19 States and 70 international organizations and global or regional NGOs
- 280 representations
- More than 5,300 staff working in more than 1,400 projects
- 952 million US dollars of expenditure in 2005⁴⁶

Historians reflect three phases of globalization migration⁴⁷:

- The first dates back to the great discoveries of the 'New World' (16th and 17th centuries) with the colonial conquest.

⁴⁶ <http://www.iom.int>

⁴⁷ On the historical relationship between globalization and migration, see Berthomière W. And Simon G. (2006): 'La mondialisation migratoire au cœur des territoires et des sociétés' in Carroué L., ed. *La mondialisation*, Paris, CNED-SEDES pp. 63-98.

- The second migration globalization occurred in the 19th century in connection with the development of the capitalist system and technological advances particularly in the field of transport. It is a mass migration of 60 million Europeans who migrated to the Americas between 1820 and 1914.
- We live in the third phase underway for 20 years, the consequences of the interdependence and the acceleration of economic exchange through new information and communication technologies.

We count 190 million migrants in the world, or 3% of the world's population⁴⁸, divided into 115 million in developed countries and 75 million in developing countries.

Migrations take several forms: labour migration, family migration, student migration, refugees and asylum seekers within the scope of the Geneva Convention, illegal migrants⁴⁹.

The economic migration of poor countries to rich countries distorts the overall reality of migration: the emigration of misery concerns only a small part of total migration as more qualified than unskilled people migrate. Some sectors such as the health sector are particularly affected by the brain

drain. But there is a return to the countries of origin:

- skills and knowledge,
- private transfers of expatriates to their country of origin.

Some countries are totally dependent on these transfers that reduce poverty without compensating for the loss of such departures and without creating new local activities (e.g. the Philippines)⁵⁰.

The net flow of private capital to emerging countries has reached in 2006, 501.8 billion dollars according to the data released by the International Institute of Finance, dated 18 January 2007. It slowed down compared with the record level of 509.3 billion dollars achieved in 2005. The IIF predicted that it would fall in 2007 to 470 billion⁵¹.

In its report 'World Economic Outlook 2006', the World Bank noted that the funds of migrants from developing countries amount each year to more than double the amount of development aid. Immigrants occupy at the same time jobs for low- and high-skill labour markets in the OECD⁵². The overall impact of immigration on the labour market is limited and temporary as a result of migration facilities to come and go.

⁴⁸ Report of the United Nations Secretary-General on 'international migration and development' in May 2006 p. 32 to the General Assembly.

⁴⁹ Illegal migrants are estimated at 12 million in the USA and 20 million in the World.

⁵⁰ Hearing of Laurent CIOBANICA of the IOM on 17.01.07.

⁵¹ Tableau de bord – Pays émergents in le Monde of 20 January 2007

⁵² Jean Sébastien : 'L'immigration et le marché du travail dans les pays de l'OCDE: impact et intégration », presentation during the workshop of the analysis group of globalization of 12 December 2006 CEPII.

'More borders are open and fewer migrants settle, because they can come and go. The more these borders are closed, the more they settle for fear of not being able to come back when they leave'⁵³.

ACTIVITIES of the IOM

→ Technical cooperation and labour migration

- Training of national experts, cooperation on structures,
- Information and training program,
- Protection of migrants' rights.

→ Aid to governments and reply to their requests: the IOM offers assistance to governments on migration management policy to move people

- Aid assisted voluntary return,
- Stabilize populations,
- Forum for Governments.

→ Relationship with diasporas as a major factor in development

→ **International Dialogue on Migration:** the IOM is an active participant in dialogues on migration within the United Nations system, although the IOM has observer status because it is not member of the UN system. Example: High-level Dialogue on International Migration and Development (September 2006).

The international political discourse has evolved. The 2006 UN report⁵⁴ emphasizes

the beneficial effects of migration for countries of origin (transfer of knowledge and technology, lower unemployment) and countries of destination (demographic, increased consumption, cultural production, creation of activities and companies).

By integrating migrants properly by the anti-discrimination and equal treatment rules, the host country will win. We note that in 2003 the Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families entered into force and that 34 countries have ratified it so far.

⁵³ C. Wihtol de Wenden 'Un monde en migration' Les Echos du 16.01.07.

⁵⁴ Report of the UN Secretary General on 'international migration and development' May 2006 at the UN General Assembly.

There is an urgent need to think migration as a result of globalization and an aspect of the problem of multilateral regulation. It would be desirable to devote to development assistance to develop a multilateral or bilateral system of orderly management of migration allowing migrants to be interested in the development of their countries and to optimize their possible return.

It would also be useful to establish a map of diasporas and explore barriers to recent contributions to the development of countries of origin that goes beyond family and community logic. It is also the question of institutionalization of personal initiatives that would allow them to earn a legitimate recognition within a forum that should be created: the forum of the diasporas for development.

The recognition of diplomas and qualifications of foreigners, better linkages between the foreign student status to that

of professional, the development of mobility programs 'here' and 'there', the fight against 'voluntary or suffered' deskilling arising from the need to work at all costs are subjects to be included in the policy of human resource management according to a 'win-win' logic for countries of origin and countries of destination.

The 'North', rich and aging, requires manpower, poor countries are experiencing high population growth and their economies do not provide enough jobs to its people. Africa teaches us a lot with regard to respect for the elderly and care in its tradition.

Without these migratory flows, Europe's population would have fallen by more than 4 million people between 1995 and 2000⁵⁵. In addition, the construction of a truly global economy that brings about growth and jobs can not abandon the cultural contribution that represents executives or employees from other countries.

⁵⁵ Global Commission on International Migration UN. [<http://www.gcim.org/en/>]. Maurice Schiff and Caglar Özden 'Study on Migration and Development World Bank' they publish the first significative databank significant on brain drains. There are more doctors from Malawi in Manchester [UK] than in all of Malawi.

7. Globalization and Intellectual Property

Intellectual property means the creations of the mind: inventions, literary and artistic works, but also the symbols, names, images, designs and models used in business.

Intellectual property comes in two aspects: industrial property on the one hand, which includes inventions (patents), trademarks, industrial designs and geographical indications, and copyright on the other hand, which includes literary and artistic works such as novels, poems and plays, movies, musical works, works of art such as drawings, paintings, photographs and sculptures, as well as architectural creations. The rights of copyright are the rights possessed by performing artists in their performances, producers of sound recordings in their recordings, and broadcasters on their radio and television programs.

The history of the modern industrial property began in the late 18th century with the promulgation of the first national laws on patents in the United States and France. Even now, the basic framework of the legislation remains the national framework. Undoubtedly, within the confines of law, economics, and culture, industrial and intellectual property is a privileged field observation for the difficulties and the nobility of international dialogue. The process of globalization of industrial property distinguishes itself in several phases.

- All current international treaty system is built on the Unionist law developed by continental Europe, more than a century ago. The Conventions of the Paris Union (1883) and the Berne Union (1886), first of all, regulate internationally the taking of independent national titles.
- Beginning in the 1970's, the countries in the South began to organize to direct international technical exchanges in their favour. Their initiatives encountered little success, but the period saw the creation of the **WIPO** (World Intellectual Property Organization), the fourteenth specialized agency of the United Nations created to manage the Unionist law, and to host the North-South debate.
- The same period saw the assumption by the countries of Western Europe from the start of construction of a regional system of the protection of industrial property. The effort is largely unfinished, but has inspired other regional initiatives, such as the Eurasian patent (Republics of the former USSR), and the similar project being developed in Southeast Asia.
- The current phase was inaugurated by the Marrakesh Agreements of 1994 (establishing the WTO), and includes an ambitious component on Intellectual Property (the 'TRIPs'). It reflects a resumption in hand with international rules by the industrialized countries with an offensive view to liberalism aimed at the harmonization of protection and the establishment of effective

tive measures to combat counterfeit copies on a global scale⁵⁶. It is currently estimated that piracy and counterfeiting represent 5 to 7% of world trade⁵⁷.

The World Intellectual Property Organization (WIPO) has the task of preparing an international balanced and accessible system of IP that rewards creativity, stimulates innovation and contributes to economic development while preserving the general interest. The strategic objectives outlined in the program and budget for 2006-2007 are:

- Promote a culture of intellectual property,
- Integrate intellectual property in the development policies and programs (see Agenda for Development),
- Develop legislation and international standards relating to IP,
- Provide quality services with regard to the global systems of IP protection.

WIPO organized the Third World Congress on the fight against counterfeiting and piracy on 30 and 31 January 2007 in Geneva.

It provides several symposia on certain matters related to patents between October 2006 and September 2007 in Geneva, open to the public free of charge:

- 'The exception for research', Wednesday, 11 October 2006;

- 'Technical standards and patents', Wednesday, 29 November 2006;
- 'Flexibilities in the patent system', Friday, 16 February 2007;
- 'Information in the field of technology and policies available in the patent system', Wednesday, 14 March 2007;
- 'National strategies and policies to support innovation', Monday, 18 June 2007;
- 'Patents and technology transfer', Friday, 14 September 2007.

Since 2001, WIPO and its Member States have celebrated every 26 April, the World Day of intellectual property. Their goal was to raise awareness about the importance of intellectual property in our daily lives and a tribute to the innovators and artists for their contribution to the development of societies across the globe.

⁵⁶ Subject to the agenda of the next G8 meeting chaired by Germany.

⁵⁷ Cahiers de l'AFCI March 2006 + Green Paper of the European Commission: the fight against counterfeiting in the Internal Market 15/10/98 COM [98] 569 final + doc. OECD ref. TC: WP [86] 34.

The intellectual property law is an instrument for the regulation of globalization, where two legal systems, common law and Roman-Germanic law confront and raise major issues:

- the pragmatic approach of Anglo-Saxon law makes it more adaptable to the economic and technological needs than the Roman-Germanic civil law tradition gives primacy to the rule standards,
- there is competition between the two systems, which is sometimes determined by the market and sometimes by the sovereign authorities.

The result is an escalation in which the United States and Europe are seeking to be the first individual to legislate on a new subject (the protection of databases via a *sui generis* right e.g.) to try to fix the international standard for protection:

- The European commitment to regulate social life in a more protective way is at the root of the legal and economic battle around the cyber market.
- Currently it is the big companies that take the best advantage of the internationalization of IP over SMEs.
- Northern countries are seeking to develop their increasingly immaterial economy including information and entertainment. The marginal costs of copies are increasingly small compared to design investments. In

response, the countries in the South try to be heard by calling a tool for protection of ethnic knowledge, from time immemorial (traditional plants, genetic resources, the arts and folk music).

- Emerging countries are trying to question the whole system of IP protection in the name of development including the blocking of the harmonization of patent law.
- The link is to be done with the deliberations by the Council of Trips where emerging countries are opposed to the opening of the debate on the implementation of IP laws.
- Questioning of the linguistic diversity in the name of lower translation costs for patents for the use of English (English only) raises the philosophical question of the abolition of a wealth namely linguistic diversity of the European or Asian continent whose consequence would be an economic loss.
- The right of the IP tends to increase its scope of protection as a result of technological change and the expansion of economic activities. But ethics opposed to the patenting of life and control of private companies on the ancestral knowledge (including pharmacological knowledge) and on open communication networks such as the Internet (free software).
- The international game is characterized by a strong lobby of large companies offset by multiple actors who are

the southern States, the ethical idealism, cultural nationalism, confrontation and legal paradigms and the idea of submitting the mercantilism to other values.

→ Although the IP sector is 'specialized and technical', for diplomats it must be addressed at the highest level of the State. Only one State in the world has the political means to dedicate

the 21st century to the Intellectual Property: it is Japan⁵⁸. But France has great interest in IP:

- the luxury industry,
- the pharmaceutical industry,
- the creative arts (film, music, publishing).

To exploit those rights, we need a real policy of intellectual property.

8. Globalization and Development

***'The development for all is at the heart of the UN mission'* — Ban Ki-Moon, Secretary-General of the UN, speech of 17 January 2007.**

***'It is no exaggeration to say that Cambodia were now not a member of the WTO if it had benefited from timely assistance and expertise of UNCTAD'* — Cham Prasidh, Minister of Trade of Cambodia — letter of 10.10.2005.**

Created in 1964 as a permanent inter-governmental body, the UNCTAD⁵⁹ is the principal organ of the United Nations General Assembly in the field of trade and development. Its aim is to assist developing countries to make the best possible use of the opportunities of trade, investment and development available to them and integrate fairly in the global economy. It helps countries dependent on

commodities to reduce their dependence through product diversification and risk management.

A new geography of trade is emerging, 40% of developing country exports are to other developing countries, including China. This trade is growing at a rate of 11% per annum, twice as fast as total world exports. The same goes for investment. The share of Least Developed Countries (LDCs) remains less than 1%. Currently the number of workers living in extreme poverty (less than \$1 per day) is estimated at 507 million in 2006⁶⁰.

On 8 September 2000, the States have pledged in the Millennium Declaration to form a global partnership to reduce poverty, improve health and education and promote peace, human rights, gender equality and a sustainable environment. The rich countries, just as the poor ones, have pledged to achieve the Millennium

⁵⁸ Interview of 15 February 2007 with Francis GURRY, WIPO Deputy Director General, website: <http://www.wipo.int/>

⁵⁹ <http://www.unctad.org>

⁶⁰ Indicators of poverty at the workplace: Global trends in Employment, extract January 2007 source ILO.

Development Goals (MDGs) by 2015⁶¹ ranging from halving extreme poverty to primary education for all through halting the spread of HIV/AIDS.

The UNCTAD plays a leading role in the interdependence of the development process by highlighting the necessary interaction between trade, investment and technology to achieve the MDGs, analyzing economic trends and the development of recommendations, mainly in the direction of developing countries.

Through its program on Globalization and Development Strategies, the UNCTAD contributes to the international debate on globalization and the management of its consequences for developing countries. The program encourages the adoption of national, regional and international levels conducive to stable economic growth and sustainable development. The UNCTAD periodically reviews the trends and outlook for the world economy, undertakes studies on the requirements for implementing good development strategies and the debt problems of developing countries.

It provides technical assistance to developing countries as part of their efforts to integrate the international financial system and the management of their external debt. Technical cooperation projects ranging from the promotion of trade in products derived from biodiversi-

ty to provide advice on competition policy, the development of human resources and trade facilitation.

It is exploring ways to take advantage of the growth in South-South trade and world trade to promote national development, investment in infrastructure, education and capacity building. Particular attention is paid to the development of African countries and the New Partnership for Africa's Development (NEPAD).

The UNCTAD, in 2006, warned that if steps to reduce trade imbalances at the international level are not taken, financial crises may occur. It believes that developing countries should be given greater autonomy in the form of political leeway in defining priorities for their economic development. It seeks to facilitate trade through better use of support services through information technology: it analyzes for developing countries the means to take advantage of e-commerce and e-business practices and provides training courses in these areas.

All activities of the UNCTAD take into account the issues of sustainable development, empowerment of women and economic cooperation among developing countries. It provides a comprehensive set of statistics useful for the analysis of trade and development in the world and provides basic indicators of development. The leading analytical tool, the Human

⁶¹ http://www.un.org/english/millenniumgoals/doc_A/RES/55/2 Resolution adopted by the General Assembly of the United Nations on 8 September 2000 (i.e. 191 States) 55th session.

Development Index, gives a better understanding of the link between the progress of trade and human development.

The UNCTAD, voice of the countries of the South, tries to get a better media visibility and enhance the access to its information. 197 NGOs and civil society

organizations have observer status to the UNCTAD. Some 500 NGOs, trade unions, parliamentarians, academics and private sector entities are regularly informed of the publications and activities of the UNCTAD in the newsletter published for the benefit of civil society organizations.

The Millennium Development Goals are the expression of a global minimum platform. With globalization and integrated markets, they imply that every citizen is given at least: access to water, health, and primary education. The minimum threshold was approved in a declaration of Heads of State without taking into account the economic capacity of the country to attain it.

Official development assistance was considered as 'provisional' since it was bound to disappear once the pace of sustainable growth achieved in the countries was reached. If we are in a world governed solely by the market system, it is necessary to provide social safety nets overall. Development assistance would then become the social policy of globalization. This issue is to be decided by the international community.

9. Globalization and Health

'The enjoyment of the highest attainable standard of health is one of the fundamental rights of every human being, without distinction of race, religion, political belief, economic or social condition' Constitution of the WHO

Whatever the difficulty to grasp health as a global public good, there is an international practice of public health. Epidemics, which know no borders, are at the root of an international mobilization to stop the scourges. Between 1815 and 1912 were held twelve international sanitary conferences that led to Conven-

tions that became international law. The updating and monitoring the implementation of this legislation has been assigned to the International Office of Public Health Paris, and then from 1946, the World Health Organization (WHO), grouping today 192 Member States.

The control of epidemics has thus resulted in the development of a coercive system (movement control including pilgrims and quarantine), which was imposed by the European powers to nations emerging from the South. This inequality and health policy between the North and South has not disappeared today. 25 of the 34 million people infected with HIV/

AIDS in the world live in Africa⁶². Despite an overall improvement in health indicators, disparities continue to widen between industrialized countries, but also within them, and developing countries.

The WHO has a normative; it is involved in operations research, training and information for operational cooperation with governments. It has a technical approach essentially oriented towards the diseases themselves, and is dominated by health professionals. The UNICEF, whose actions for the health of children is important, are the 2nd United Nations specialized agency in the field of health. The vertical programs (combating specific diseases) have long been the preferred mode of action of WHO, successfully (eradication of smallpox) or with failure (malaria). In the 70's, there has been a change in strategy by the defence to an expanded vision of health, which is closely linked to development; this strategy goes by the approach in terms of primary health care. Thus the organization becomes more political.

Meanwhile, there is increasing awareness of health issues on the one hand by ad hoc institutions provided for security and altruistic reasons (example: 'Bill and Melinda Gates Foundation Award for Global Health') and on the other hand financial institutions including the World Bank⁶³. The World Bank recognizes that health is not to be left solely to market

forces and needs to maintain public regulations.

The World Bank offers its expertise and business models for cost containment aimed at ensuring a minimum care for people excluded from the booming liberal sector, which means reducing inequality in health. (Reduce the disease at its source to prevent its spread). The World Bank tries reforms of health systems. It should be noted that the World Bank is composed of economists (non-medical experts), closely linked to Western interests, especially American interests.

The WHO has a functioning democracy even if the Western countries hold the main financial weight. The World Assembly of Health is a forum where all the Health Ministers of the Member States speak and where a number of shared standards is created.

⁶² Daniel Cohen, 'La mondialisation et ses ennemis', Hachette littératures coll. Pluriel 2005.

⁶³ Report 1993 of the World Bank: Investing in Health.

The evolution of some major determinants of health such as demographic changes are relatively predictable, but for many others, it is unpredictable, such as natural disasters linked to climate phenomena (e.g. tsunami), earthquakes, epidemics of infectious diseases testifying to the precarious health system.

Health is a fundamental aspect of human safety and participates in the debate on development priorities. Life expectancy has increased greatly in recent 20 years thanks to the spectacular advances of science, however, health inequalities are growing.

There has been a deterioration in parts of the world due to outbreaks of infectious diseases such as HIV/AIDS, the collapse of health services and deteriorating economic and social conditions.

To influence the determinants of health, we need a global framework within which a strategy to promote health through 7 priority areas:

- invest in health to reduce poverty,
- enhance the individual and global sanitary safety,
- promote universal coverage, gender equality, human rights relating to health,
- influence the determinants of health,
- strengthen health systems and make access more equitable,
- use knowledge, science and technology,

→ strengthen governance, leadership and accountability.

The only economic approach is not adequate to address the health field of which complexity within a context of inequality is known; implementing reform raises objections that are decidedly political.

TEN-YEAR PLAN OF ACTION		2006 Immediate	2010 Mid-point	2015 Decade
Country leadership	Management	Cut waste, improve incentives	Use effective managerial practices	Sustain high performing workforce
	Education	Revitalize education strategies	Strengthen accreditation and licensing	Prepare workforce for the future
	Planning	Design national workforce strategies	Overcome barriers to implementation	Evaluate and redesign strategies, based on robust national capacity
Global solidarity	Knowledge and learning	Develop common technical frameworks	Assess performances with comparable metrics	Share evidence-based good practices
		Pool expertise	Fund priority research	
	Enabling policies	Advocate ethical recruitment and migrant workers' rights	Adhere to responsible recruitment guidelines	Manage increased migratory flows of equity and fairness
		Pursue fiscal space exceptionality	Expand fiscal space for health	Support fiscal sustainability
	Crisis response	Finance national plans for 25% of crisis countries	Expand financing to half of crisis countries	Sustain financing of national plans for all countries in crisis
		Agree on best donor practices for human resources for health	Adopt 50:50 investment guideline for priority programmes	

10. Globalization and Medicines

'The sick are in the South and medicine in the North' — Bernard Kouchner.

'Finally, the right of a country to safeguard its citizens' health depends in part on access to essential medicines and we need to focus on improving access' — Bernard Pecoul, Médecins Sans Frontières.

Globally, the World Health Organization (WHO) said one third of the population lacks access to essential medicines defined on the Model List of the Organization⁶⁴. The North-South disparities are glaring. The treatment of pneumonia costs 2 to 3 hours' wages in the North, one month's salary in the South. A year's treatment of HIV/AIDS costs 4 to 6 months of salary paid in large part by the social security system in the North, 30 years of income in the South without coverage if it were possible to acquire medicines for AIDS treatment.

The issue of drug prices largely determines the ability to heal. Access to health care is dependent upon the existence or not of a health system with facilities and personnel⁶⁵, which is the responsibility of every country, its priorities and its resources.

The United Nations, the governments and the pharmaceutical industry are working together on the ground to improve access to medicines for all, while maintaining the incomes of patents that finance research and innovation⁶⁶. The WHO seeks universal access to essential medicines in the context of Goal 8 (MDGs) Millennium Development.

The HIV/AIDS (5 million infections per year), tuberculosis (9 million cases per year) and malaria (in Africa, a child dies of malaria every 30 seconds) are infectious diseases that are the biggest killer in the world: 6 million deaths a year.

Thanks to the mobilization of NGOs, the issue of affordable treatment, especially AIDS through generics, has been put into the public domain and in the WTO, which manages the TRIPS⁶⁷. The price difference between treatment with brand drug in the range of \$12,000 per year per person to \$130 per year per person with a generic raised such an outcry in civil society that the 39 pharmaceutical companies involved in a law case against the South African Government about 'the law on drugs' (which included provisions for the substitution of generic drugs prescribed, a rationalization of prices and a reform of the Medicines Control) withdrew their

⁶⁴ As those who responded to the health care needs of the majority of the population, whose price should be affordable and who represent the best balance between quality, safety, efficiency and cost for a health risk: list of some 300 essential drugs the majority of which are not protected by patents.

⁶⁵ See sheet Globalization and Migration of Health Personnel.

⁶⁶ Cost of R&D in the pharmaceutical sector is particularly high so that the patent protection (20 years) is important for ensuring commercial benefits. Without protection, the cost of imitation is weak.

⁶⁷ Agreement on Trade-Related Aspects of Intellectual Property (TRIPS).

complaints in April 2001 before the High Court in Pretoria.

At the April session of 2001, the Commission on Human Rights of the United Nations adopted the Resolution (2001/33) calling on States to refrain from taking action that would prevent or restrict access under conditions of equality, from pharmaceuticals used to combat pandemics such as HIV/AIDS. In May 2001, the World Health Assembly adopted a Resolution WHA 54.11 entitled 'drug strategy of the WHO'.

In June 2001, the special session of the United Nations General Assembly on HIV/AIDS has also considered the role of the global trade policy in terms of availability of low-cost generic and capabilities of domestic manufacture.

The WTO has acknowledged that the drug is not a good like any other and took a statement on public health to the Ministerial Council in November 2001. It is now accepted that poor countries can import generics in a health emergency (compulsory licensing, parallel imports, and rapid introduction of generic). It is globalization that has enabled this debate. Since then, the WTO and WHO have strengthened their collaboration.

The Heads of State of the G8 and those gathered at the UN World Summit in 2005 pledged to expand prevention, treatment and care in developing countries in order

to achieve universal access to treatment of HIV/AIDS by 2010.

In negotiations currently on the agenda of the WHO is the issue of a convention public health, innovation and research that tries to define alternatives to 20-year patents that protect medicines. Access to medicine and health is enshrined in constitutions of some countries (South America). Law cases have been disputed and countries convicted, hence the impact of case law for the benefit of the sick.

Developing countries have also engaged in a battle for recognition of the list of traditional knowledge, including medicinal practices so as not to be a victim of 'bio piracy' by the multinational drug companies who laid down unscrupulous patent reducing people's access to local products and making them inaccessible, because of their high price.

The actions of NGOs and international donors increasingly tend to be better coordinated for more efficiency.

The safety of drugs is also a hot news because if we do not 'die to wear fake handbags or T-shirts, fake drugs can kill'⁶⁸. It is easy to obtain medicine through the Internet or by criminal networks that take advantage of the limited monitoring compliance with the regulations in some countries; this generates a lucrative new market. The WHO estimates the trade in counterfeit medicines in the range of 6

⁶⁸ Interview German Velasquez WHO of 18 January 2007.

to 10% of pharmaceutical products sold worldwide. The WHO, to cope with the lack of coordination and international legislation, took steps: setting up simple and inexpensive authenticity markers, creation of a global detection system of activities related to the infringement on the Internet.

Another global challenge to face is the emergence and spread of resistant microbes to cheap and 'first-line' medicines, namely as antimicrobials and antibiotics. No country, it may be as effective in its fight against the resistance in its territory, is safe from the import of resistant pathogens through travel and trade. The 'global strategy' of the WHO recommends against

this phenomenon intervention of national authorities to ensure that future generations can still benefit from the antimicrobial properties.

In 2004, the reflection on innovative financing for development launched by Presidents Chirac and Lula Da Silva led to the proposal of a solidarity contribution on airline tickets to finance the purchase of medicines to combat AIDS, malaria and tuberculosis in the South. The campaign⁶⁹ for the International Facility for the purchase of medicine (IFMA) worn by UNICEF was launched by the French Foreign Minister Mr Douste-Blazy on 7 June 2006. It is a first step towards a globalization of solidarity and choice.

Solutions have to be sought in lower prices of medicines and the use of generic drugs, by improving supply systems and the reform of health systems and in the implementation of the flexibilities arranged by the WTO Agreement on TRIPS.

The whole must be accompanied by the creation and/or improvement of social protection schemes and an effective drug regulation.

A study presented by the Commission 'Macroeconomics and Health', chaired by

Jeffrey Sachs for WHO establishes that poor countries pay for their medicines on average 85% of the price paid in rich countries. Why not make use pay an innovation at a rate proportionate to the income of each?

Regarding innovative financing for development, installing Unicef at the heart of the city, with the support of artists and athletes, in presenting it to millions of viewers at a global event like the World Football Cup, France wanted to raise awareness of everyone of the need for urgent action on the issues of health gaps.

⁶⁹ This campaign based on a citizen's process at the global level was based on a petition by SMS. Everyone could become a Unicef citizen by sending his name and surname to 3 33 33 and was supported by FIFA through the exchange of balloons in the colours of Unicef at the beginning of each match of the World Cup.

11. Globalization and Health Personnel

'Around the world, health systems are struggling to train, pay and retain their staff' — Lee Jong-wook GD WHO in 2006.

We are facing a global shortage in health professionals and this issue affects both developed countries like the others. Globally, there were 59.8 million health workers (doctors, nurses, pharmacists, laboratory technicians, administrative staff and support). They could not cope with:

- high population growth,
- continuous rise in life expectancy,
- emergence of new diseases and the persistence of major health challenges,
- multiplication of conflicts and natural disasters,
- growing demand for care.

In its World Report 2006⁷⁰, the World Health Organization (WHO) estimates that 4.3 million new hires are needed to meet the health needs by 2015, including 1 million health professionals for Africa alone.

The situation of developing countries

57 countries are experiencing an acute shortage of health professionals. In the African region, where the disease burden reaches 24% of the world total, health personnel represents 3% of total world with a spending for health of less than 1% of the world total. In comparison, the American

region, with a disease burden of 10% holds 37% of the medical personnel and spends 50% of the funds allocated to health in the world.

Experts attribute the situation in the developing countries to underinvestment in systems and health professionals, as a direct consequence of structural adjustment policies, the collapse of economies and political systems over the last 4 decades and growing emigration of health professionals in developing countries to the rich countries.

Each year, more than 20,000 health professionals leave Africa (a doctor earns \$25 per month). Some countries of the North practice a proactive policy of 'exaggerated' recruiting in the countries of the South. This applies mainly to English-speaking countries (UK 33% of foreign physicians, USA 27%, Canada 23%, New Zealand 34%, France 6%, Germany 6%, Portugal 4%). It is true that some developing countries promote their expatriate health professionals for economic reasons ('remittances'). Some middle-income countries, like the Philippines, seeking to capitalize on the demand for imported health workers are deliberately training graduates for export.

The migrations themselves

We are witnessing the phenomenon of significant migration from South to North endangering fragile health systems of

⁷⁰ Website of the WHO: http://www.who.int/global_report_WHO_2006.

developing countries. The migration of this personnel occurs in stages, from poor areas to more affluent cities within countries and to countries with high incomes, or from the public sector to the private sector.

Health systems in a number of industrialized countries, where the health care needs are increasing because of an aging population and an increase in chronic diseases (diabetes, cardiovascular disease), the lack of human resources and the unfavourable aging pyramid, also valid for the aging health personnel, depend on 'imported' doctors and nurses who are attracted by the incomes and working conditions. On average a doctor in four and one in twenty nurses trained in Africa work in the OECD countries (29% of Ghanaian doctors and 34% of nurses in Zimbabwe work abroad).

The 'negative' effects of globalization on this issue still harbour positive aspects:

- The accentuation of migration has a perverse effect, but we must not forget that the right to migrate is a fundamental human right and freedom of movement is now easier.
- The sharing of experiences, mutual inputs, the harmonization of qualifications, the cultural exchanges on the approach to care and death are all enhancements.

The decentralized cooperation through hospitals and training schools shows the real help from the West, not to mention the humanitarian aspect. In medicine internship, the semester study abroad is encouraged. As the shortage affects all countries, rich or poor, there is a real awareness of policy makers of the need to invest in health, because without it, the economy is not working, and that the solution lies in international mobilizing.

Only concerted action and large-scale international institutions (WHO, IMF, World Bank, IOM, ILO, EU, etc.) can afford to raise the challenge lastingly. This is the meaning of the ten-year action plan 2006-2015 that the WHO has launched⁷¹.

At the WHO, the issue of shortage of health professionals has come to the fore. Its resolution is a prerequisite for the implementation of assistance and cooperation programs⁷². A guide to advocacy 'work together for health' was aired as part of the World Health 2006 day.

A global alliance for health personnel has been created; it puts players in partnership with Governments, civil society, financial institutions, international agencies, academic institutions, professional associations and workers⁷³. Its aim is to identify and implement solutions to address the health workforce crisis.

⁷¹ Ten-year action plan 2006-2015: excerpt from « travailler ensemble pour la santé » p.15.

⁷² Interview with Mr Braichet Jean Marc of 15 February 2007 at the WHO.

⁷³ HWA secretariat suite 4166 WHO Geneva workforcealliance@who.int .

To curb these migration active policies are to be carried out with the exporting countries (protection of health workers who work in difficult and poorly paid jobs in the developing countries, training in the practice of medicine in rural areas, return policies for the emigrants), with the importing countries (reduce dependence on foreign health workers by training more local, political bilateral North-South, put in place the policies

responsible for recruitment of industrialized countries) and internationally by international agreements regulating joint investment in research and information systems, 'ethical' recruitment agreements and an international planning of health personnel for the humanitarian emergency. Donor countries should commit to provide assistance to crisis countries in their efforts to improve and sustain their health personnel.

12. Globalization and Cross-Border Movement of Hazardous Waste

'Respecting the nature is preserving the future of man' — Emil Cioran, writer and philosopher (1911-1995)

400 million tons of hazardous waste are produced annually in the world⁷⁴. Western countries have sent illegally in 2003 more than 23,000 tonnes of electronic waste to China, West Africa, Pakistan and India⁷⁵. The Basle Convention is an international treaty signed on 22 March 1989⁷⁶ on the need to protect human health and the environment from adverse effects on the export and import of hazardous wastes.

Globalization has changed the face of trade waste with a consequent globalization of trafficking in waste and hazard-

ous waste in particular⁷⁷. It amplifies the trade of materials requiring special care because of their characteristics of dangerousness. At the same time, globalization creates opportunities for organized crime eligible for the expansion of economic areas, particularly in terms of illegal traffic in hazardous wastes.

The globalization accelerates regional solutions in the exchange, recycling or recovery of wastes and hazardous wastes; there is growing complexity and intricacy of waste streams for economic purposes.

The Basle Convention is the response of the international community to the practice of unscrupulous operators in the trafficking of hazardous wastes that operated in the 80's, it also represents the interests of States possessing a legal

⁷⁴ This note is prepared after the interview with Pierre PORTAS, the secretariat of the Basle Convention dated 2.2.07.

⁷⁵ According to the British observatory Environment Agency.

⁷⁶ So far 166 States have signed.

⁷⁷ Case 'Khian Sea' from 1986-1988, the ship loaded ash from the incinerator in Philadelphia (USA). After dropping off fraudulently 4000 of 15000 tons of cargo into a Haitian beach, it strayed at sea, turned back at every attempt to stop and rejected its cargo at sea. Case Koala Probo to Abidjan-Côte d'Ivoire where toxic wastes (residues refining) deposited in the night of 19 to 20 August 2006 resulted in 6 deaths and 15,000 requests for care.

instrument imposing international standards for regulating a sensitive environmental area.

The guiding principles of this agreement are:

- cross-border movements of hazardous wastes should be reduced to a minimum,
- they must be managed in an environmentally sound manner,
- hazardous wastes should be treated and stored as close as possible to their source of generation and the generation should be minimized at source.

The Basle Convention is seen by some States as an obstacle to world trade in goods and pressures exist to limit its scope.

Paradoxically, the effects of globalization are forcing Parties to the Basle Convention to expand their efforts to adjust its effects on human health and the environment. The case of electronic waste is exemplary⁷⁸.

In the United States alone, 250 million PCs will be scrapped, 1 billion elsewhere in the world. Nearly 400 million mobile phones with a shorter life span, will give up the ghost in two years. Every inhabitant in France produces more than 16 kg of waste per year, and this quantity will double by 2010⁷⁹.

'In New Delhi, cancers are twice as many as in the rest of the country precisely because of the traffic of electronic waste' says Dr. B.B.Wadhwa⁸⁰. So that the effects of globalization do not worsen the deficiencies with regard to trade in waste at the end of their life, such as electronic waste, it is necessary to accompany the implementation of the Basle Convention through incentives to improve knowledge and practices to export electronic waste to be recycled. That means, operating in an international framework that promotes transparency, traceability and predictability. A waste recovered or recycled gets again an economic value and helps the creation of new regional markets. In addition, some waste can be used to make energy. A sound environmental management with high standards enables to reduce greenhouse gases.

⁷⁸ 'Inde. Les ferrailleurs du high-tech' in l'Express of 25 April 2005.

⁷⁹ According to the International Association of Electronics Recyclers (IAER).

⁸⁰ Study of the National Cancer Institute of Chittaranjan based in Calcutta.

The establishment of the Basle Convention requires integrated policies. That means policies that take into account the design, production, use, life span and disposal of products, objects or substances. This is to articulate management and waste minimization in environmental, economic, social and development policies. New markets (recycling, recovery) appear to be job creators and some northern European countries are already investing there.

The Basle Convention is a legal instrument which has mechanisms to adapt to political, technological and scientific trends. So it is an instrument in tune with the needs of globalization, namely, openness, flexibility, efficiency and effectiveness.

The countries have anticipated clarifying waste categories controlled by the Convention so as not to be an obstacle to legitimate trade in waste while providing

greater clarity about the wastes covered by the said Convention. These same countries have taken the lead in proposing ways to cope with the challenge represented by the removal of equipment at the end of life. The international community has so dynamic tools, with low transaction costs (compared with the United Nations specialized agencies), and universal by their members. The Basle Convention is able to interact within a relatively short period to the adverse effects of globalization. These are assets to be used as part of a reflection on mitigating the effects of globalization.

The weakening of a potential regulatory of world trade may penalize economically vulnerable and fragile countries. This possible weakening should not be combined with the 'programmed' weakening of international treaties on the environment. Because all international architecture would be weakened and lose its relevance and its *raison d'être*.

13. Globalization and Meteorology

'You, meteorologists, will be called upon to play, in human affairs, a role far more important than the one you held until now'
— Mr Strachey, British Minister — speech at the special conference of the directors of National Meteorological Services in London in 1946.

'Everything converges to show the essential part of man in a warming climate'
— IPCC conference citizens of the earth, for a global environmental governance, 2 and 3 February 2007 in Paris.

The WMO, World Meteorological Organization (187 members) succeeded on 23 March 1950 to the International Meteorological Organization created in 1873. It is a United Nations specialized agency for weather, climate and water and related geophysical sciences, it is an authority on the state and behaviour of the Earth's atmosphere, its interaction with the oceans, the affected climate and the subsequent distribution of water resources.

Activities of the WMO

Promoting the advancement of meteorology, hydrology and related geophysical sciences and facilitate cooperation in the world for the benefit of humanity in the following areas:

1. Networks used in weather observations, hydrological and geophysical,
2. Standardization of comments and publications,
3. Development of operational hydrology,
4. Processing system and rapid exchange of data,
5. Pursuant to socio-economic development (transport, issues related to water, agriculture, oceans, pollution control), environmental protection and the formulation of policies,
6. Disaster prevention and mitigation (target = halving by 2019 the mortality from natural disasters related to weather, climate and water for the period 1994-2003),
7. Research and Training.

In the years 70-80, the WMO has been concerned with issues concerning the environment and the possible change in the global climate with the first world conference on climate in 1979, the major initiatives on ozone, climate with the establishment in 1988 of the Group of Governmental Experts on Climate Change (IPCC). From 1990 to today, WMO organized the 2nd world conference on climate, the system has created the Global Climate Observing System (GCOS), has developed programs including the prevention of natural disasters and in the field of outer space.

The organization is clearly a priority on the protection of persons and property on land, sea and air, on the improvement of the quality of life and sustainable economic development, on the assessment and management of water resources and en-

vironmental protection. It has campaigned on the potential effects of climate change such as global warming, rising sea levels and natural disasters, it has been instrumental in the negotiations prior to the Convention of United Nations for Climate Change signed in Rio (Earth Summit) in 1992 and became international law in 1994.

The World Weather Watch, system for the collection and analysis of environmental and weather information which all nations contribute daily to their common advantage is exemplary, laying the operational bases of a global system to monitor the chemical composition of the atmosphere and its changes (Global Observing System of Ozone, Study Program of the Tropical Ocean and Global Atmosphere, known as TOGA).

The data and derived products are made available every day and exchanged free of

charge and without restriction between the centres of the WMO and meteorological services in each country. The use of NTCl guarantees speed and effectiveness of this exchange.

WMO published the following figures: the average temperature on the Earth's surface has increased by 0.42°C in 2006, placing this year to the 6th position of the hottest years ever recorded since 1861, when the first data were collected. It noted the acceleration of the melting of Arctic ice, which now loses an average of 8.59% of their area by decade.

News of the WMO was the preparation of the Madrid conference (19 to 22 March 2007) called 'Security and the future of humanity: the socio-economic benefits of meteorological, climatological and hydrological services'.

Scientists give a strong warning on global warming (between 1.8° C and 4° C by 2100) during the presentation of the IPCC report to the conference on 2 and 3 February 2007 as had done already the British economist Nicholas Stern in October 2006 by proposing to tax CO₂ on a global and clear basis.

The case is essentially international because the carbon dioxide emissions do not stop at borders. There is an urgent need to foster a low profile carbon society.

It discusses the behaviour of individuals and hence their consumption, companies will seize opportunities to meet the expectations on environment of their customers environment and in some areas emission must be reduced compulsorily, like in the European Union⁸¹.

The Appeal of Paris signed by 46 States, mainly in Europe and Africa, recommends that international action could take the form of a 'Universal Declaration of the Environmental Rights and Duties', but es-

⁸¹ Establishment of a market in CO₂: if a company does not meet its reduction target, it can buy emission certificates representing additional efforts made by other manufacturers, or pay a flat fine of €40/tonne.

pecially the transformation of the United Nations Environment Program into a true international organization with a universal vocation (UNEO) which would have responsibility for environmental damage assessment, promotion of friendly activities and ecosystems and have a normative capacity. The UNEO would group together 18 agencies, programs and financial institutions that manage

more than 500 international treaties and agreements relating to the environment⁸² [A first meeting of the 'Group of Friends of the UNEO' was held in Morocco in April 2007.]

France through the commitment of the President supports this project, but the major emitters of CO₂, namely the United States, Russia, China and India, refuse.

A thousand and one ways to reduce CO₂ emissions

→ offset our emissions of greenhouse gases by buying the right to pollute with systems units compensation:

Example: the website http://www.climatmundi.fr/lng_EN_srub_3-Home.html pushes its commercial offer to propose a package 'just married' offsetting an evening with 150 guests and the honeymoon (aircraft + excursions included), i.e. 9 tons of CO₂ rejection, estimated at €180. The money collected is used to finance projects such as the installation of solar panels in Brazil or replanting forests in the Amazon.

Example: The tour operator 'Voyageur du monde' has signed an agreement with CO₂ solidarity and offers systematic its customers to offset their air travel.

→ 'generate the desire for sustainability' (expression of the psycho-

sociologist Danièle Rapoport), which is the way to use the emotion and the fun for people with less ecological conscience:

Example: 'Driversdirect', driving school in California, in which students learn to drive on hybrid vehicles and revise their code over the Internet without moving.

Example: In Great Britain, 35,000 motorists have taken out a new generation insurance where the rates are calculated in proportion to the use of the vehicle and periods of heavy traffic through a satellite box placed in the vehicle.

Example: British distributors think to display CO₂ production related to the manufacture and transport of goods on items offered for sale to consumers.

→ encourage fuel savings:

Example: 'Arval location de voitures' notes that some companies are choosing models of small company vehicles with low emissions.

⁸² Les échos of 02.02.07 'La France relance l'idée d'une Organisation des nations unies pour l'environnement'.

Example: Employers of Île-de-France offer 50% of the orange card to their employees.

Example: In Montélimar, 'Kéolis' negotiated with 'Peugeot' scheduled drives with its bus, which now enter the factory to encourage their use and reduce car trips. Parking spaces in the plant were voluntarily reduced accordingly.

→ **decide in a massive effort to re-search and development** of new energy sources, on the capture of CO₂, storage and primarily on energy with a worldwide research to enable developing countries to access cleaner technologies (conflict with the Intellectual Property).

→ **implement national tax policies:** 'Polluter pays' principle, fiscal lever to encourage bio-fuel, encouraging rail freight, tax cut if investment in ecological construction and facilities.

→ **Kyoto tax or carbon tax:** 'Ecological legacy' published by Jacques Chirac in the *Nouvel Observateur*, 01.02.07: a fee affixed to the frontiers of the Kyoto area on imports from countries that do not respect the Kyoto Protocol is legally

compatible with the rules of the WTO (paper by Ismer and Neuhooff 2004) even though European Commissioner Peter Mendelson finds it problematic and difficult to implement.

14. Globalization and Everyday Life

The Economic Commission for Europe of the United Nations (UN-ECE)

For its work in areas such as transport, environment, energy, industry and trade, the UN-ECE has a practical influence on the lives of citizens through the reduction and pollution prevention (it introduced the catalytic converter) of the air and water, vehicle safety, the development and harmonization of transport networks in the region, the ease of crossing borders, the simplification of administrative procedures related to international trade (UN/EDIFACT⁸³).

The Economic Commission for Europe of the United Nations (UN-ECE) is one of 5 regional commissions of the Economic and Social Council of the United Nations (ECOSOC). It aims to stimulate sustainable economic growth among its 56 Member States⁸⁴. To achieve this objective, the UN-ECE:

⁸³ Excerpts from the website, the Department of Public Information of the United Nations system. UN/EDIFACT: system of formatting data and coding international computer interpretable to transfer information on goods and services between importers and exporters, buyers and sellers.

⁸⁴ Albania, Germany, Andorra, Armenia, Austria, Azerbaijan, Belarus, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Denmark, Estonia, Former Yugoslav Republic of Macedonia, Russian Federation, Finland, France, Georgia, Greece, Hungary, Iceland, Ireland, Israel, Italy, Kazakhstan, Kyrgyzstan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Monaco, Montenegro, Norway, Uzbekistan, the Netherlands, Poland, Portugal, Republic of Moldova, Czech Republic, Romania, United Kingdom, San Marino, Serbia, Slovakia, Sweden, Switzerland, Tajikistan, Turkey, Turkmenistan and Ukraine.

- provides a forum for communication between the States. In the transport sector, the 'Global Forum on Harmonization of Vehicle Regulations' (WP29) is developing a binding normative global framework (adoption of 60 regulations per year) including security and limiting the effects of vehicle pollutants, fully integrated into Community law.
- provides a framework for negotiating international legal instruments related to commerce, transportation (57 international agreements in the rail, road and inland waterways sectors) and the environment (5 international conventions⁸⁵ and 18 protocols).
- communicates statistics and economic analysis and environmental cooperation with Eurostat and the OECD.

The UN-ECE, as a multilateral platform, facilitates economic integration and cooperation among its Member States and promotes sustainable development and economic prosperity through dialogue and the negotiation of international legal

The work of the UN-ECE has enormous impact on people's lives that should be brought to the attention of the general public. The harmonization of the labelling of hazardous materials transported through the harmonization of road signs, vehicle safety, the fight against the emission of air pollutants, the obligation to impact assessments during construction of new factories, the agree-

instruments, the development of regulations and standards; exchange and the application of best practices, as well as economic and technical expertise, technical cooperation for countries in transition economies.

Some UN-ECE standards are globalizing. Thus the TIR Agreement (rules of international road transport) is globalizing because non-European countries adhere individually to it and make it their own rule of law. The Commission is helping to increase the effectiveness of the United Nations through the implementation at the regional level of the results of global conferences and summits of the United Nations.

In conclusion, the regional commissions of ECOSOC have a dual function:

- respond to the specific needs of the regions,
- contribute to global standards, conferences and UN summits.

ment on industrial accidents, the protection and use of border rivers and border lakes, to cite just a few examples. Educational brochures could be distributed in schools and consumer information stands and so be a vehicle for disseminating the achievements.

A global regulation (attached to the Agreement of 1998) on the approval of

⁸⁵ Pollution Convention on Long-range Cross-Border Air (1979) and its protocols, Helsinki Convention on the river border (1992), Espoo Convention on environmental impact assessment in a cross-border context (1991), Helsinki Convention on industrial cross-border accidents (1991) and Aarhus Convention on access to information, public participation and access to justice (1998).

tires including limiting the tire noise was expected in 2006/2007. Michelin, the first manufacturer of tires worldwide (as regards the quantity of tires and the technical level), makes significant research efforts and is active in the WP 29 of this area and will reap the benefits of this new regulation⁸⁶.

Integrating the social issue of globalization in the economy could be 'experienced' at regional level through the regional commissions of ECOSOC, as long as universally binding social norms cannot be imposed via the ILO⁸⁷.

15. Globalization and Social Security

ISSA – The International Social Security Association

The International Social Security Association (ISSA) was founded in 1927 and is today the world's leading international organisation bringing together 365 social security administrations and agencies in more than 150 countries. Its President is Mrs Corazon de la Paz from the Philippines and its Secretary General is Mr Hans-Horst Konkolewsky from Denmark.

The ISSA has its Headquarters in Geneva and its Regional Offices in Europe (Paris), Asia-Pacific (Manila), Africa (Accra) and the Americas (Buenos Aires).

1. Social security and prevention

The first social security scheme which included mandatory occupational accident insurance was established in 1884 in Germany by Chancellor Bismarck. The scheme is remarkable as it not only provided economic protection to the victims of work

accidents, but also offered comprehensive protection for the insured before and after a contingency has taken place. In other words, the scheme included both the provision of compensation, rehabilitation and prevention.

Other industrialized countries learned from the German model, adapting it to their national context and by World War I mandatory occupational accident insurance schemes were regarded as an indispensable component of social security. In the 1920's, the scheme was extended to cover certain occupational diseases. Over time, the populations covered increased. While originally only providing coverage for workers in dangerous industries, it now covers all employees. In addition, some countries protect non-salaried workers, students and school pupils.

As regards the organisation of the prevention of occupational risks the historical development shows that in general terms, two models prevail: either prevention is exclusively or largely in the hands of the state or state administration, or the main responsibility has been delegated to a social security system which administers the

⁸⁶ Note DFRA Geneva Olivier Martin, 21/03/2006.

⁸⁷ Reflections following the meeting with Mr Robineau, Adviser to the Executive Secretary of the UNECE dated 23 January 07.

accident insurance scheme and which is responsible for undertaking the necessary to put prevention measures in place.

The prevention activities carried out by these schemes are supported by a legal framework which defines the competencies, roles, responsibilities and spheres of action. Today, they come in many shapes and sizes, but in most countries one single, national scheme prevails. For example in Canada, Australia and the United States prevention is organized by the provincial/state level. In a number of countries in Europe (e.g. Germany, France and Austria), in Latin America (e.g. Argentina, Mexico, Guatemala, Nicaragua), in Africa (e.g. Senegal, Ivory Coast and Burundi), and in Asia (e.g. Malaysia, China) – just to name a few - prevention is organized by a particular social security scheme.

Social security has hence developed into a main provider of economic security in the modern industrialized society giving individuals and families the confidence that their level of living and quality of life will not, in so far as is possible, be eroded by any social or economic incidence. But providing social security involves more than just meeting needs as and when they arise. The concept of social security involves preventing risks from emerging in the first place and helping individuals and families to make the best possible adjustment when faced with contingencies. This reflects the direct link with and responsibility of social security towards prevention at all levels.

2. ISSA's motto: Prevention pays!

As health is a person's most precious possession, the preservation of the health of mankind is a key objective for social security. As healthy people are also the basis for productive and cost-effective business activities, successful prevention serves to preserve human capital, to control costs for all actors involved and to avoid human suffering.

The economic losses for enterprises and for social security schemes in terms of compensation, health care, rehabilitation and invalidity can be quite significant: the ILO estimates that around 4% of the world's GDP is lost due to work injuries. The European Agency for Safety and Health at Work has, for the Member States of the European Union, estimated losses of between 2,6 and 3,8% of GDP. For developing countries, according to the ILO, as much as 10% of GDP is lost due to work accidents (occupational diseases not included).

A contributing factor is the presence of informal employment, which according to international studies in industrialized countries is not larger than 10% of the total labour force, while it may reach up to 70% in the developing world.

The good news is that statistics show that where investments in prevention measures have taken place over a period of time, a significant decrease in work accidents and

occupational diseases and thus considerable cost-reductions can be noted.

Germany is a good example of successful prevention efforts: According to Hauptverband der gewerblichen Berufsgenossenschaften (now: Deutsche Gesetzliche Unfallversicherung) *'An analysis of the trend in costs and benefits over the last 40 years proves the success of prevention. If the frequency of serious work accidents were today at the same high level as in 1960, contributions under the current cost structure would have to be more than doubled and would place an additional burden on industry of around 10 billion €'.*

In Austria a national campaign to prevent falls was organised. The overall investment of 1.8 million € in the campaign resulted in cost savings of 10.9 million €, with a cost-benefit ratio of 1 to 6 for the accident insurance scheme (AUVA) and reduction of accidents due to falls by almost 10%.

But similarly positive results can be found for developing countries as for example the Ivory Coast, where the Social Security Institution declared last year that due to a targeted prevention policy implemented since the 1980s, the number of (declared) accidents has decreased by nearly 50%. Similarly, Niger has experienced a decrease of almost 25% in work accidents due to the implementation of prevention measures and awareness raising seminars.

3. New prevention approaches in a changing world

Despite the many accomplishments in the prevention of work related injuries since the first social security scheme was introduced, the global situation is not at all satisfactory.

Globally between 70 and 80% of the population is working without a safety net, without any access to a formal system of protection, not to mention safe and healthy working conditions. In some quarters, investments in improved working conditions and social protection are still regarded as a cost factor to business with a negative influence on competitiveness. Combined with a lack of political will to give importance to occupational safety and health, the result is the absence of comprehensive prevention policies leading to high accident and disease levels, immense human suffering and enormous economic losses.

This represents an increasing challenge for social security and for occupational safety and health.

In addition the world of work is changing dramatically due to a more and more globalized economy. These changes give rise to new occupational risks and challenges for prevention: structural changes, changing working and employment conditions, ergonomic risks, an ageing workforce, noise, dangerous chemicals, psychosocial issues, new technologies, rapidly growing



economies with no prevention culture, etc. Accident insurance schemes are furthermore increasingly confronted with increasing costs of compensation, in particular due to healthcare and rehabilitation.

In response to these challenges, the ISSA's World Social Security Forum (Moscow, September 2007) suggested a broader, more dynamic concept of social security. What does this mean for prevention?

First, prevention needs to be *accessible* to all. In particular, workers in the growing informal sector, self-employed and workers in small and micro business should be covered and have equal access to prevention services.

Second, prevention needs to be *sustainable*. This means that prevention must be included as a strategic business objective and implemented via a systematic management approach in partnership with the employees.

Third, prevention needs to be *proactive*. It is not sufficient to prevent the well-known, traditional risks. In a changing world of work, new, emerging risks – such as psychosocial risks and risks related to nanotechnologies – an ageing workforce and migrant labour, need to be addressed proactively.

Fourth, prevention needs to be *innovative*. The new world of work brings about more complex health risks and asks for more

innovative measures. The strong increase in chronic diseases for example means that prevention at the workplace should address more than just the strictly work-related risks and engage in general health promotional activities.

Social security and prevention are needed more than ever. But only through change and innovation can social security proactively respond to the challenges of globalization and contribute to social justice and more equitable economic development. Prevention has always and will even more in the future be linked to the development of social security – the ISSA therefore looks forward to enhance its international partnership in particular with important players like the ILO and IALI.

V. CONCLUSION: THE THREE CONSENSUSES

The world with its organizations (UN, regional blocs, States) is complex, close to McLuhan's vision of a global village ⁸⁸ with all its contradictions and divisions.

The State Governments, especially the most powerful among them, have never benefited of such powerful coercion means (consequence of September 11, 2001), legislative capacity and extensive financial resources. They remain the masters in the concert of nations of a number of policies: they control their policy of education, training, research, employment, labour, hygiene and health. A world economy decoupled from politics is illusory. Their purchases from the military industries, their support of companies, in particular their national flagships (multinationals), their economic and social policies are all expressions of their power. They seek to export their models. The need for the State reappears everywhere and in its oldest Hobbes' variant: the enforcement of security. To dry up the sources from which new conflicts arise constantly, it is necessary to distribute more equitably the freedoms and the benefits of globalization.

Three consensuses, three areas, three value systems, which are the '**Washington consensus**', the '**Geneva consensus**' and the '**Beijing Consensus**', are seen as antagonistic. They are standardized differently but it should be possible to detect

their multipolarities. They bring a new global dynamic.

The financial crises in Asia, in Central and South America, among others, show that the systematic deregulation makes the Bretton Woods system (IMF, World Bank) unable to react. The '**Washington consensus**' is based on the primacy of markets and the determining factor of the United States is challenged between ultra-liberal and neo-Keynesian policies. It focuses on the nature of the regulation and the role of the State. The former, inspired by Milton Friedman ⁸⁹, believe that financial institutions are responsible for the crisis and it would be better to remove them, only trusting the market forces to regulate the economy. The latter, inspired by Joseph Stiglitz ⁹⁰, on the contrary, insist on market failures and promote the role of the State and the social policies.

But the developing countries are increasingly exasperated by the dogmatism of the 'Washington consensus'. Pascal Lamy, Director-General of the WTO, has understood it and offers '**the new Geneva consensus**' to use trade for development purposes, in order to preserve the environment, protect people and make competition fairer.

The discussions involved are debates on values (those of Washington against those of Geneva) that should be changed into

⁸⁸ Marshall McLuhan [1911-1980] 'The Medium is the Message: An inventory of effects' 1967

⁸⁹ Milton Friedman 'Capitalisme et liberté' 1962, 'La liberté du choix' 1980

⁹⁰ Joseph Stiglitz: 'Un autre monde: contre le fanatisme du marché', Fayard 2006

common interests. The Geneva Consensus, of European origin, contains a liberalization of trade that takes into account the cost of adjustment. Such liberalization would mean the provision of assistance to help the least developed countries to increase their resources and build adequate production capacities and to correct the imbalances that free trade can cause between winning and losing countries.

However, the consultant Joshua Cooper Ramo estimated that the developing countries are more impressed by a Chinese model focusing on pragmatism, innovation, social cohesion and self-determination. He called it in 2004 '**the Beijing Consensus**'⁹¹. The power of Chinese influence in Southeast Asia has become so important nowadays that, for the first time since 1945, the United States are faced with a situation where another country is more fascinating than them. Joseph Nye is the theorist of the 'soft power', in the meaning of 'soft fascination power' that corresponds to the ability of persuasion, of seduction performed by a cultural model, of an ideology and, in some cases, of institutions that make the others fall within the framework determined by those who own the resources. They represent an ability to have their particular world view universally accepted, in order that the domination of those who have created this view is accepted,

because it is perceived as legitimate⁹². This is the limit of the Chinese charm offensive. The Chinese model can only function properly 'in countries where the authoritarian model of rapid development exerts an attraction'. It is this system that worries sometimes the ones (westerners) and gives courage to the others (some developing countries).

Faced with this uncontrollable 'global problem', we tend to rebuild more local borders, outside the 'market', an interest in environmental issues, a respect of a social ethics project, all being part of a project of humanity. Committed to our culture, our identity and our geographical situation, we must ensure that the 'national' successes and their recognition abroad are increasingly numerous, instead of yielding to the temptation to retreat.

It is important to have roots, not to doubt of our own abilities and to keep an open mind to other influence centres in the world; because the more our differences are visible, the more they create tensions. The easier my neighbour is accessible, the less he is understandable. Some authors even speak of a culture shock that may lead to a war of civilizations if comprehension does not exist⁹³. This is only plausible if the fear and misunderstanding dominate our vision of the other.

⁹¹ Gideon Rachman, reporter of the Financial Times <http://blogs.ft.com/rachmanblog> : blog on US foreign policy, Europe and Globalization. And Courier International No 851 from 22 to 28.02.2007 p 6

⁹² If the instruments of 'hard' power are the army and the economy, the weapons of soft power are the culture and the ideology. It is often through persuasion rather than force that the States can best achieve their goals in a sustainable way..

⁹³ Dominique Wolton 'L'autre mondialisation' Flammarion 2003 or Samuel Huntington 'le choc des civilisations' Foreign affairs vol 72 No 3 1993 and ed. Odile Jacob 2000

If the phenomenon of globalization raises so much frustration and violence, it is probably because the communication channels don't work. But what does communication mean? It is to recognize the humanity and individuality of the other which, in turn, considers me as his equal (the linguistic and cultural areas, such as the French, but also the Portuguese, Russian, Arab or German speaking areas, embody better than other entities this ideal communication, based on the recognition of the cultural diversity in the world). Globalization standardizes the economy at a worldwide level and exacerbates the differences in cultural terms. It promotes the emergence of an identity refuge and a model that takes account of minorities, while the linguistic areas of the management of cultural diversity avoid identity downturns, by establishing a minimum solidarity based primarily on the language.

To cope with a world that is more open and thus more uncertain, we must be confident of our identity, ready to face up to other values, ready to recognize their merit.

All men are aware of the need for common laws, but everyone is more or less prone to avoid them. In order to explain the requirement of politics, when one succeeds

in both being oneself (singular individual driven by his desires, interests, all his inclinations) and being a citizen (driven by the reasoned awareness of what is right for the community), Jean Paul Jouary⁹⁴ suggests and hopes that the dream of politicians, rather than sticking to a few economic and social indicators, is able to stick better to the values or concepts of the world that have been developed by philosophers, despite the unsociable sociability to which Kant refers. Most of the difficulties are not at the level of *having*, which means physical resources, monetary and technical resources, but at the level of *being*, the way to see one's place in the world, to give meaning to one's life and to feel responsibility and solidarity to the lives of the others.

It is incumbent upon us to think that globalization 'as a new extraordinary adventure' be organized by politics, fully considering ecology, citizenship and a worldwide view, which would place the desire of humanity at the centre of its perspective by seeing the individual faced to the upheavals of the world, and thus achieve 'the humanism of globalization'⁹⁵. As the sociologist Jean Viard said, 'it is not enough to point at the disenchantment of the world, we must reinvent its re-enchantment'⁹⁶.

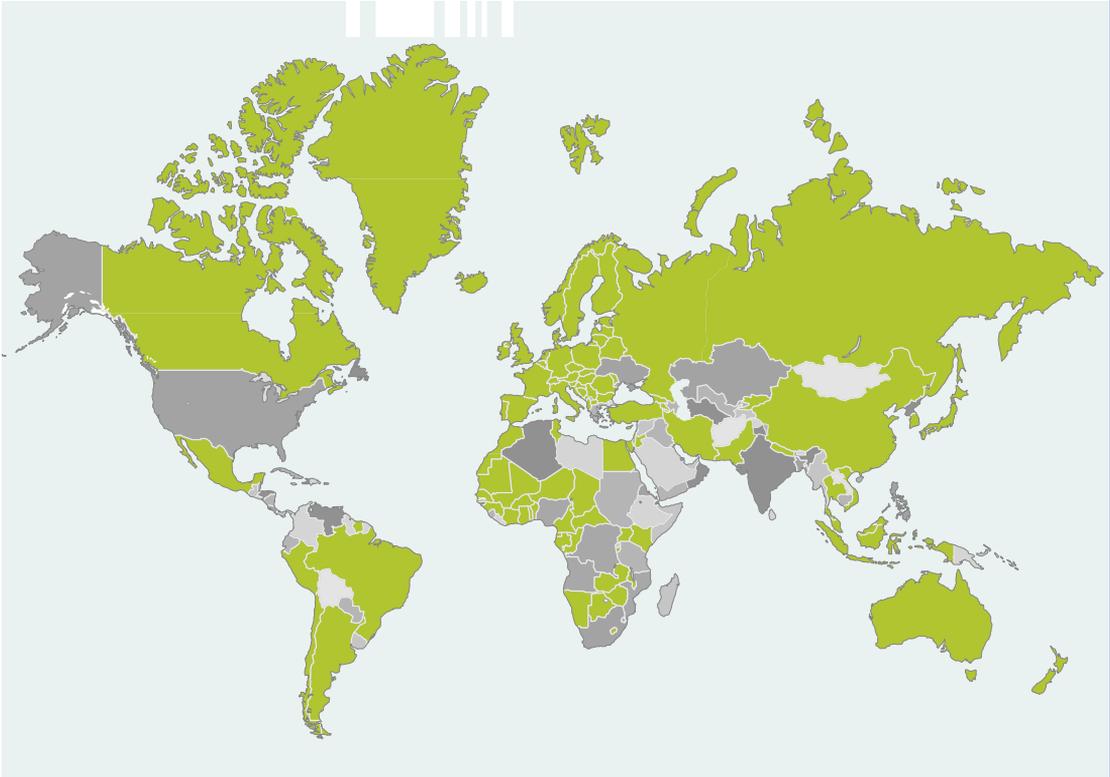
⁹⁴ Jouary JP: je vote donc je pense Milan 2007

⁹⁵ Viard J.: 'Le nouvel âge du politique: le temps de l'individu monde' ed Aube 2004

⁹⁶ idem Viard J.

VI. ATTACHMENTS

1. Map and Member States of the IALI



Country	United Nations	W.T.O.	I.L.O.	I.L.O. (ratification Convention 81)	I.A.L.I.
Afghanistan	19.11.1946	Observer	1934		
South Africa	07.11.1945	01.01.1995	1919-1966, 1994		
Albania	14.12.1955	08.09.2000	1920-1967, 1991	18.08.2004	01/1995
Algeria	08.10.1962	Observer	1962	19.10.1962	
Andorra	28.07.1993	Observer			
Angola	01.12.1976	23.11.1996	1976	04.06.1976	
Antigua-and-Barbuda	11.11.1981	01.01.1995	1982	02.02.1983	
Saudi Arabia	24.10.1945	11.12.2005	1976	15.06.1978	
Argentina	24.10.1945	01.01.1995	1919	17.02.1955	03/1996
Armenia	02.03.1992	05.02.2003	1992	17.12.2004	Associate member
Australia	01.11.1945	01.01.1995	1919	24.06.1975	03/1996

Country	United Nations	W.T.O.	I.L.O.	I.L.O. (ratification Convention 81)	I.A.L.I.
Austria	14.12.1955	01.01.1995	1919-1936, 1947	30.04.1949	< 1994
Azerbaijan	02.03.1992	Observer	1992	09.08.2000	
Bahamas	18.09.1973	Observer	1976	25.05.1976	
Bahrain	21.09.1971	01.01.1995	1977	11.06.1981	
Bangladesh	17.09.1974	01.01.1995	1972	22.06.1972	
Barbados	09.12.1966	01.01.1995	1967	08.05.1967	
Belarus	24.10.1945	Observer	1954	25.09.1995	09/1995
Belgium	27.12.1945	01.01.1995	1919	05.04.1957	10/2000
Belize	25.12.1981	01.01.1995	1981	15.12.1983	
Benin	20.09.1960	22.02.1996	1960	11.06.2001	06/1996
Bhutan	21.09.1971	Observer			
Bolivia	14.11.1945	12.09.1995	1919	11.11.1973	
Bosnia and Herzegovina	22.05.1992	Observer	1993	02.06.1993	Associate member
Botswana	17.10.1966	31.05.1995	1978		Associate member
Brazil	24.10.1945	01.01.1995	1919	11.10.1989	< 1994
Brunei Darussalam	21.09.1984	01.01.1995	2007		
Bulgaria	14.12.1955	01.12.1996	1920	29.12.1949	04/2000
Burkina Faso	20.09.1960	03.06.1995	1960	21.05.1974	< 1994
Burundi	18.09.1962	23.07.1995	1963	30.07.1971	06/2002
Cambodia	14.12.1955	13.10.2004	1969		
Cameroon	20.09.1960	13.12.1995	1960	03.09.1962	06/2002
Canada	09.11.1945	01.01.1995	1919		06/2000
Cape Verde	16.09.1975	Observer	1979	16.10.1979	
Central African Republic	20.09.1960	31.05.1995	1960	09.06.1964	06/2002
Chad	20.09.1960	19.10.1996	1960	30.11.1965	?
Chile	24.10.1945	01.01.1995	1919		< 1993
China	24.10.1945	11.12.2001	1919		09/2004

Country	United Nations	W.T.O.	I.L.O.	I.L.O. (ratification Convention 81)	I.A.L.I.
Colombia	05.11.1945	30.04.1995	1919	13.11.1967	
Comoros	12.11.1975	-	1978	23.10.1978	
Congo	20.09.1960	27.03.1997	1960	26.11.1999	06/2006
Democratic Republic of the Congo	20.09.1960	01.01.1997		19.04.1968	
Costa Rica	02.11.1945	01.01.1995	1920-1927, 1944	02.06.1960	03/2003
Croatia	22.05.1992	30.11.2000	1992	08.10.1991	06/1996
Cuba	24.10.1945	20.04.1995	1919	07.09.1954	
Cyprus	20.09.1960	30.07.1995	1960	23.09.1960	< 1994
Czech Republic	19.01.1993	01.01.1995	1919-1993, 1993		< 1994
Denmark	24.10.1945	01.01.1995	1919	06.08.1958	< 1994
Djibouti	20.09.1977	31.05.1995	1978	03.08.1978	
Dominica	18.12.1978	01.01.1995	1982	28.02.1983	
Dominican Republic	24.10.1945	09.03.1995	1924	22.09.1953	05/2002
Egypt	24.10.1945	30.06.1995	1936	11.10.1956	03/1999
El Salvador	24.10.1945	07.05.1995	1919-1939, 1948	15.06.1995	
Ecuador	21.12.1945	21.01.1996	1934	26.08.1975	
Eritrea	28.05.1993	-	1993		
Estonia	17.09.1991	13.11.1995	1921-1940, 1992	01.02.2005	01/1994
Ethiopia	13.11.1945	Observer	1923		
European communities		01.01.1995			
Fiji	13.10.1970	14.01.1996	1974		
Finland	14.12.1955	01.01.1995	1920	20.01.1950	< 1994
France	24.10.1945	01.01.1995	1919	16.12.1950	< 1994
Gabon	20.09.1960	01.01.1995	1960	17.07.1972	< 1994
Gambia	21.09.1965	23.10.1996	1995		
Georgia	31.07.1992	14.06.2000	1993		06/2002

Country	United Nations	W.T.O.	I.L.O.	I.L.O. (ratification Convention 81)	I.A.L.I.
Germany	18.09.1973	01.01.1995	1919-1935, 1951	14.06.1955	< 1994
Ghana	08.03.1957	01.01.1995	1957	02.07.1959	01/2005
Greece	25.10.1945	01.01.1995	1919	16.06.1955	
Grenada	17.09.1974	22.02.1996	1979	09.07.1979	
Guatemala	21.11.1945	21.07.1995	1919-1938, 1945	13.02.1952	
Guinea	12.12.1958	25.10.1995	1959	26.03.1959	?
Guinea-Bissau	17.09.1974	31.05.1995	1977	21.02.1977	
Equatorial Guinea	12.11.1968	Observer	1981		
Guyana	20.09.1966	01.01.1995	1966	08.06.1966	
Haiti	24.10.1945	30.01.1996	1919	31.03.1952	Associate member
Holy See		Observer			
Honduras	17.12.1945	01.01.1995	1919-1938, 1955	06.05.1983	
Hong Kong, China		01.01.1995			< 1994
Hungary	14.12.1955	01.01.1995	1922	04.01.1994	< 1995
India	30.10.1945	01.01.1995	1919	07.04.1949	
Indonesia	28.09.1950	01.01.1995	1950	29.01.2004	05/2005
Iran (Islamic Republic of)	24.10.1945	Observer	1919		11/2003
Iraq	21.12.1945	Observer	1932	13.01.1951	
Ireland	14.12.1955	01.01.1995	1923	16.06.1951	< 1994
Iceland	19.11.1946	01.01.1995	1945		05/1996
Israel	11.05.1949	21.04.1995	1949	07.06.1955	< 1994
Italy	14.12.1955	01.01.1995	1919-1939, 1945	22.10.1952	< 1994
Ivory Coast	20.09.1960	01.01.1995	1960	05.06.1987	06/2002
Jamaica	18.09.1962	09.03.1995	1962	26.12.1962	07/2003
Japan	18.12.1956	01.01.1995	1919-1940, 1951	20.10.1953	< 1996
Jordan	14.12.1955	11.04.2000	1956	27.03.1969	04/2005
Kazakhstan	02.03.1992	Observer	1993	06.07.2001	
Kenya	16.12.1963	01.01.1995	1964	13.01.1964	06/2002

Country	United Nations	W.T.O.	I.L.O.	I.L.O. (ratification Convention 81)	I.A.L.I.
Kirgystan	02.03.1992	20.12.1998	1992	26.07.2000	03/2004
Kiribati (Republic of)	14.09.1999	-	2000		
Democratic People's Republic of Korea	17.09.1991	-			
Korea (Republic of)	17.09.1991	01.01.1995	1991	09.12.1992	10/2006
Kuwait	14.05.1963	01.01.1995	1961	23.11.1964	
Lao People's Democratic Republic	14.12.1955	Observer	1964		
Latvia	17.09.1991	10.02.1999	1921-1940, 1991	25.08.1994	03/1994
Lebanon	24.10.1945	Observer	1948	26.07.1962	
Lesotho	17.10.1966	31.05.1995	1966-1971, 1980	14.06.2001	06/2002
Liberia	02.11.1945	-	1919	25.03.2003	
Libyan Arab Jamahiriya	14.12.1955	Observer	1952	27.05.1971	
Liechtenstein	18.09.1990	01.09.1995			
Lithuania	17.09.1991	31.05.2001	1921-1940, 1991	26.09.1994	03/1994
Luxembourg	24.10.1945	01.01.1995	1920	03.03.1958	< 1994
Macao, China		01.01.1995			< 1994
Former Yugoslav Republic of Macedonia	08.04.1993	04.04.2003	1993	17.11.1991	09/2001
Madagascar	20.09.1960	17.11.1995	1960	21.12.1971	
Malaysia	17.09.1957	01.01.1995	1957	01.07.1963	09/2001
Malawi	01.12.1964	31.05.1995	1965	22.03.1965	06/1996
Maldives	21.09.1965	31.05.1995			
Mali	28.09.1960	31.05.1995	1960	02.03.1964	06/2002
Malta	01.12.1964	01.01.1995	1965	04.01.1965	Associate member

Country	United Nations	W.T.O.	I.L.O.	I.L.O. (ratification Convention 81)	I.A.L.I.
Marshall Islands	17.09.1991	-	2007		
Mauritania	27.10.1961	31.05.1995	1961	08.11.1963	08/2004
Mauritius	24.04.1968	01.01.1995	1969	02.12.1969	
Mexico	07.11.1945	01.01.1995	1931		< 1994
Micronesia (Federated States of)	17.09.1991	-			
Moldova (Republic of)	02.03.1992	26.07.2001	1992	12.08.1996	Associate member
Monaco	28.05.1993	-			
Mongolia	27.10.1961	29.01.1997	1968		
Montenegro	28.06.2006	Observer	2006	03.06.2006	
Morocco	12.11.1956	01.01.1995	1956	14.03.1958	< 1994
Mozambique	16.09.1975	26.08.1995	1976	06.06.1977	
Myanmar	19.04.1948	01.01.1995	1948		
Namibia	23.04.1990	01.01.1995	1978		01/2005
Nauru	14.09.1999	-			
Nepal	14.12.1955	23.04.2004	1966		06/2002
Netherlands	10.12.1945	01.01.1995	1919	15.09.1951	< 1994
New Zealand	24.10.1945	01.01.1995	1919	30.11.1959	< 1994
Nicaragua	24.10.1945	03.09.1995	1919-1938, 1957		
Niger	20.09.1960	13.12.1996	1961	09.01.1979	06/1996
Nigeria	07.10.1960	01.01.1995	1960	17.10.1960	
Norway	27.11.1945	01.01.1995	1919	05.01.1949	< 1994
Oman	07.10.1971	09.11.2000	1994		
Pakistan	30.09.1947	01.01.1995	1947	10.10.1953	Associate member
Palaos	15.12.1994	-			
Palestina					
Panama	13.11.1945	06.09.1997	1919	03.06.1958	
Papua New Guinea	10.10.1975	09.06.1996	1976		

Country	United Nations	W.T.O.	I.L.O.	I.L.O. (ratification Convention 81)	I.A.L.I.
Paraguay	24.10.1945	01.01.1995	1919-1937, 1956	28.08.1967	
Peru	31.10.1945	01.01.1995	1919	01.02.1960	10/2003
Philippines	24.10.1945	01.01.1995	1948		
Poland	24.10.1945	01.07.1995	1919	02.06.1995	< 1994
Portugal	14.12.1955	01.01.1995	1919	12.02.1962	< 1994
Qatar	21.09.1971	13.01.1996	1972	18.08.1976	
Romania	14.12.1955	01.01.1995	1919-1942, 1956	06.06.1973	< 1995
Russian Federation	24.10.1945	Observer	1934-1940, 1954	02.07.1998	01/2004
Rwanda	18.09.1962	22.05.1996	1962	02.12.1980	
Saint Kitts and Nevis	23.09.1983	21.02.1996	1996		
Saint Lucia	18.09.1979	01.01.1995	1980		
Saint Vincent and the Grenadines	16.09.1980	01.01.1995	1995	21.10.1998	
Samoa	15.12.1976	Observer	2005		
San Marino	02.03.1992	-	1982		
Sao Tomé and Príncipe	16.09.1975	Observer	1982	01.06.1982	
Senegal	28.09.1960	01.01.1995	1960	22.10.1962	< 1993
Serbia	01.11.2000	Observer	2000	24.11.2000	09/2001 (Serbia)
Seychelles	21.09.1976	Observer	1977	28.10.2005	02/2003
Sierra Leone	27.09.1961	23.07.1995	1961	13.06.1961	
Singapore	21.09.1965	01.01.1995	1965	25.10.1965	11/2006
Slovakia	19.01.1993	01.01.1995	1919-1993, 1993		< 1994
Slovenia	22.05.1992	30.07.1995	1992	29.05.1992	< 1994
Solomon Islands	19.09.1978	26.07.1996	1984	06.08.1985	
Somalia	20.09.1960	-	1960		
Spain	14.12.1955	01.01.1995	1919-1941, 1956	30.05.1960	< 1994
Sri Lanka	14.12.1955	01.01.1995	1948	03.04.1956	
Sudan	12.11.1956	Observer	1956	22.10.1970	

Country	United Nations	W.T.O.	I.L.O.	I.L.O. (ratification Convention 81)	I.A.L.I.
Suriname	04.12.1975	01.01.1995	1976	15.06.1976	Associate member
Sweden	19.11.1946	01.01.1995	1919	25.11.1949	03/1994
Switzerland	10.09.2002	01.01.1995	1919	13.07.1949	< 1994
Swaziland	24.09.1968	01.01.1995	1975	05.06.1981	
Syrian Arab Republic	24.10.1945	-	1947-1958, 1961	26.07.1960	
Tajikistan	02.03.1992	Observer	1993		
United Republic of Tanzania	14.12.1961	01.01.1995	1962	30.01.1962	
Taiwan		01.01.2002			
Thailand	16.12.1946	01.01.1995	1919		03/2004
East Timor	27.09.2002	-	2003		
Togo	20.09.1960	31.05.1995	1960		< 1994
Tonga	14.09.1999	27.07.2007			
Trinidad and Tobago	18.09.1962	01.03.1995	1963	17.08.2007	06/2003
Tunisia	12.11.1956	29.03.1995	1956	15.05.1957	< 1994
Turkey	24.10.1945	26.03.1995	1932	05.03.1951	05/2002
Turkmenistan	02.03.1992	-	1993		
Tuvalu	05.09.2000	-			
Uganda	25.10.1962	01.01.1995	1963	04.06.1963	06/2001
Ukraine	24.10.1945	Observer	1954	10.11.2004	
United Arab Emirates	09.12.1971	10.04.1996	1972	27.05.1982	
United Kingdom of Great Britain and Northern Ireland	24.10.1945	01.01.1995	1919	28.06.1949	< 1994 03/2001 (N.I.)
United States of America	24.10.1945	01.01.1995	1934-1977, 1980		
Uruguay	18.12.1945	01.01.1995	1919	28.06.1973	
Uzbekistan	02.03.1992	Observer	1992		

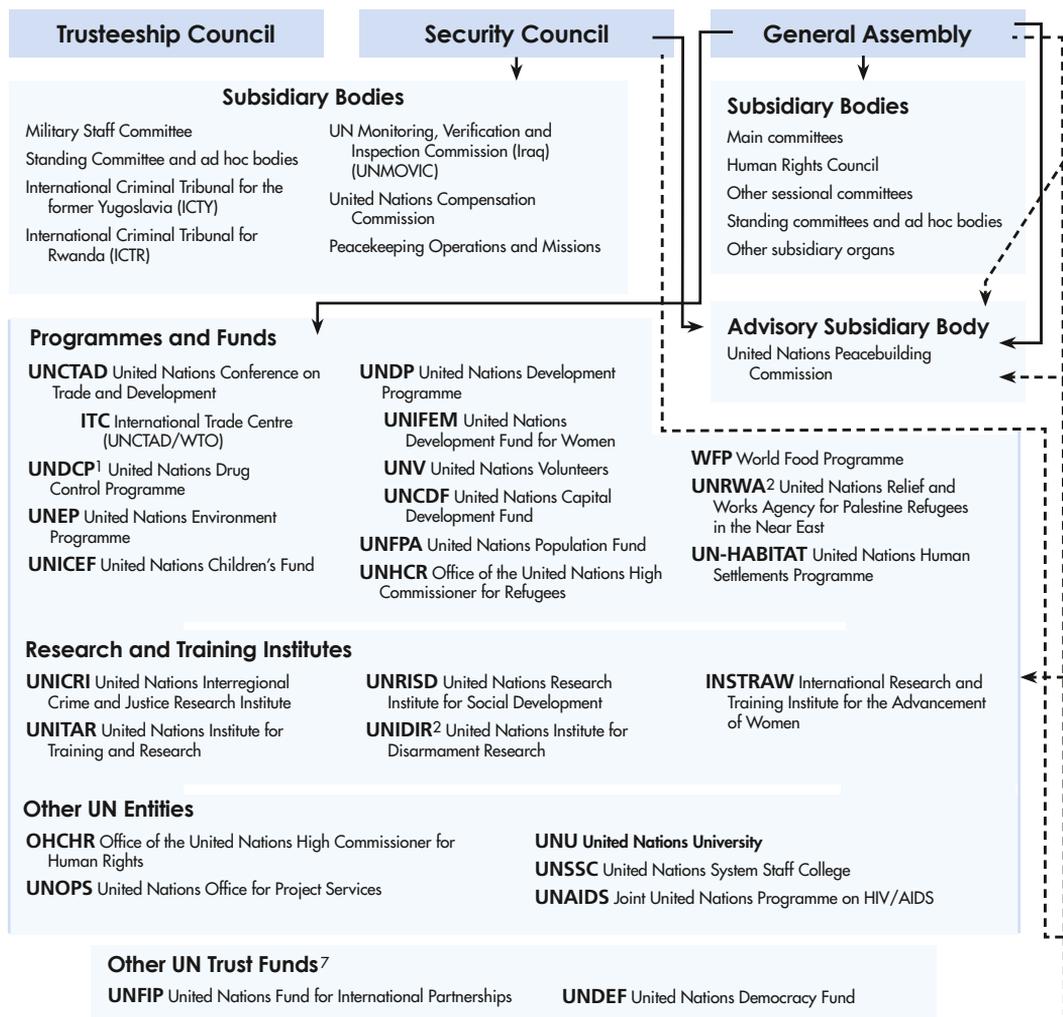
Country	United Nations	W.T.O.	I.L.O.	I.L.O. (ratification Convention 81)	I.A.L.I.
Vanuatu	15.09.1981	Observer	2003		
Venezuela (Bolivarian Republic of)	15.11.1945	01.01.1995	1919-1957, 1958	21.07.1967	
Vietnam	20.09.1977	11.01.2007	1950-1976, 1980-1985, 1992	03.10.1994	Associate member
Yemen	30.09.1947	Observer	1990	29.07.1976	
Zambia	01.12.1964	01.01.1995	1964		01/2005
Zimbabwe	25.08.1980	05.03.1995	1980	16.09.1993	01/2005
TOTAL	192	151 + 31 Observers	181	137	87 + 9 associate members

2. The system of the United Nations



The United Nations System

Principal Organs



NOTES: Solid lines from a Principal Organ indicate a direct reporting relationship; dashes indicate a non-subsidiary relationship.

¹ The UN Drug Control Programme is part of the UN Office on Drugs and Crime

² UNRWA and UNIDIR report only to the GA

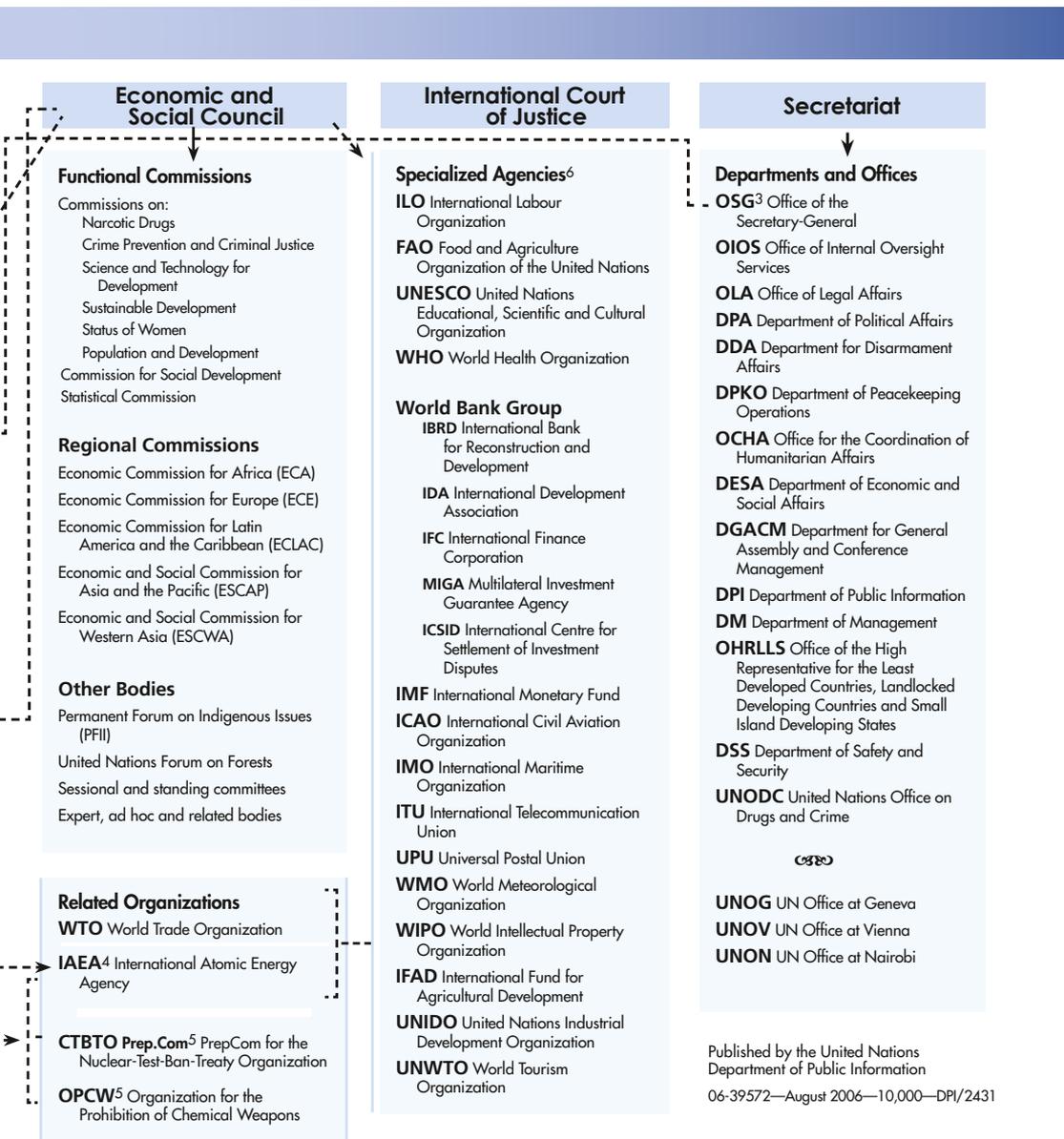
³ The United Nations Ethics Office and the United Nations Ombudsman's Office report directly to the Secretary-General

⁴ IAEA reports to the Security Council and the General Assembly (GA)

⁵ The CTBTO Prep.Com and OPCW report to the GA

⁶ Specialized agencies are autonomous organizations working with the UN and each other through the coordinating machinery of the ECOSOC at the intergovernmental level, and through the Chief Executives Board for coordination (CEB) at the inter-secretariat level

⁷ UNFIP is an autonomous trust fund operating under the leadership of the United Nations Deputy Secretary-General. UNDEF's advisory board recommends funding proposals for approval by the Secretary-General.

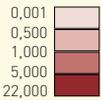


3. The main financial contributors of the UNO



Source: Le système des Nations Unies en 2002
<http://www.diplomatie.gouv.fr/monde/nuoi/pdf/sysonu01.pdf>

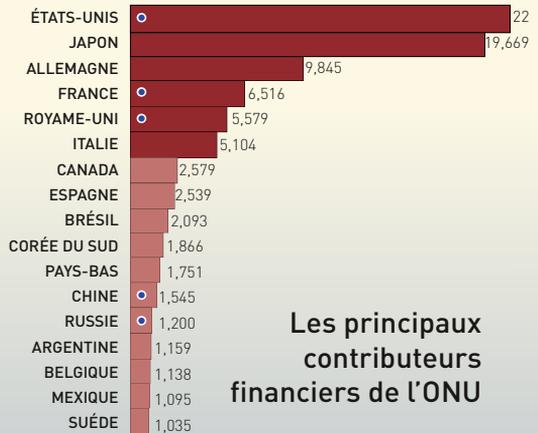
Barème des quote-parts pour 2002 en %



absence de données

Membre permanent du Conseil de sécurité des Nations Unies

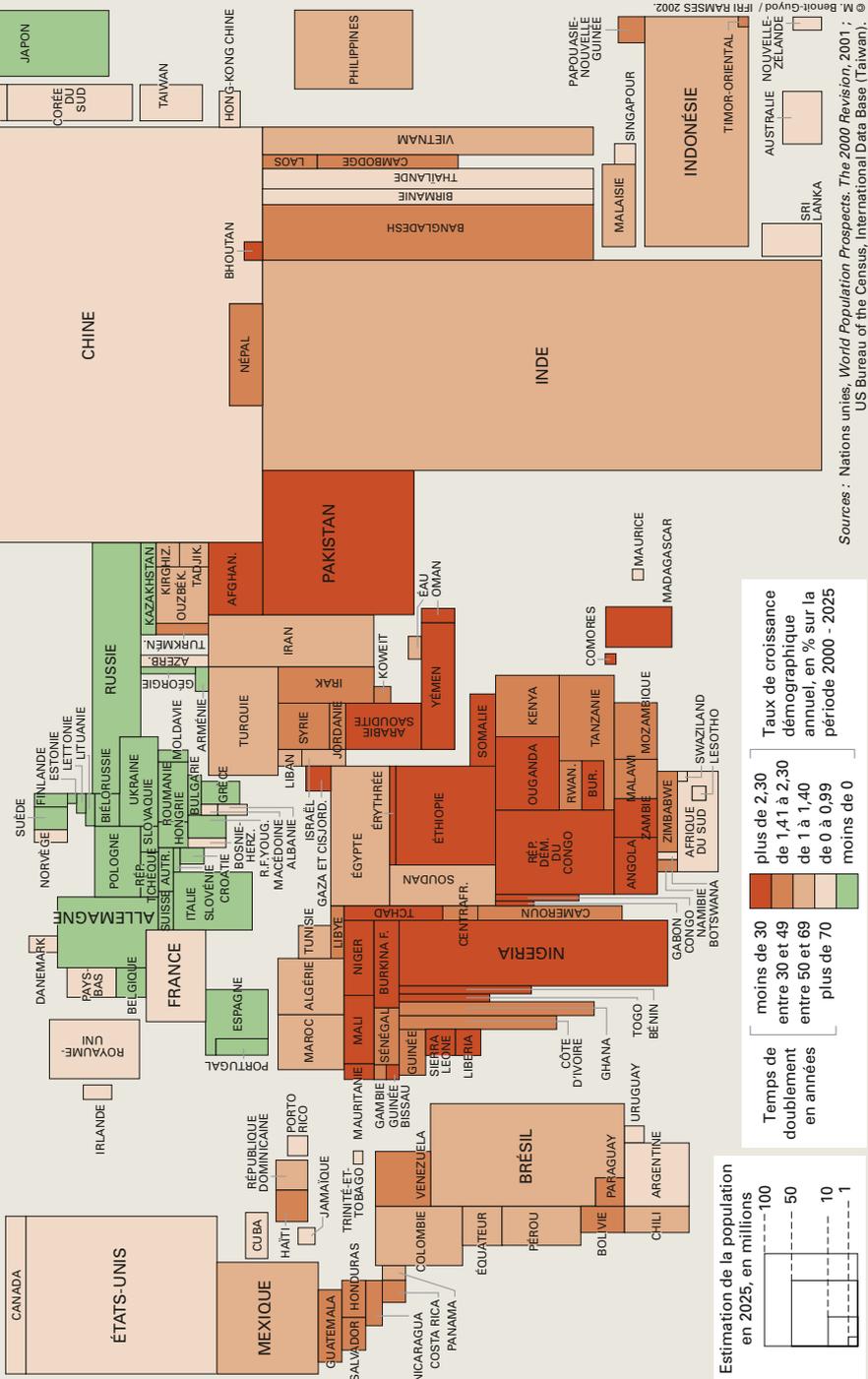
Le quote-parts des principaux pays en %



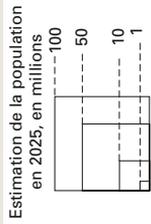
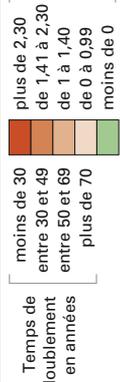
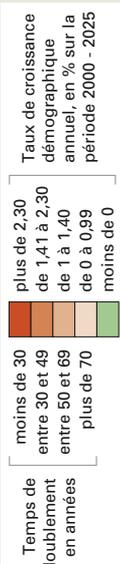
Les principaux contributeurs financiers de l'ONU

4. The dynamic of world population

La dynamique de la population mondiale

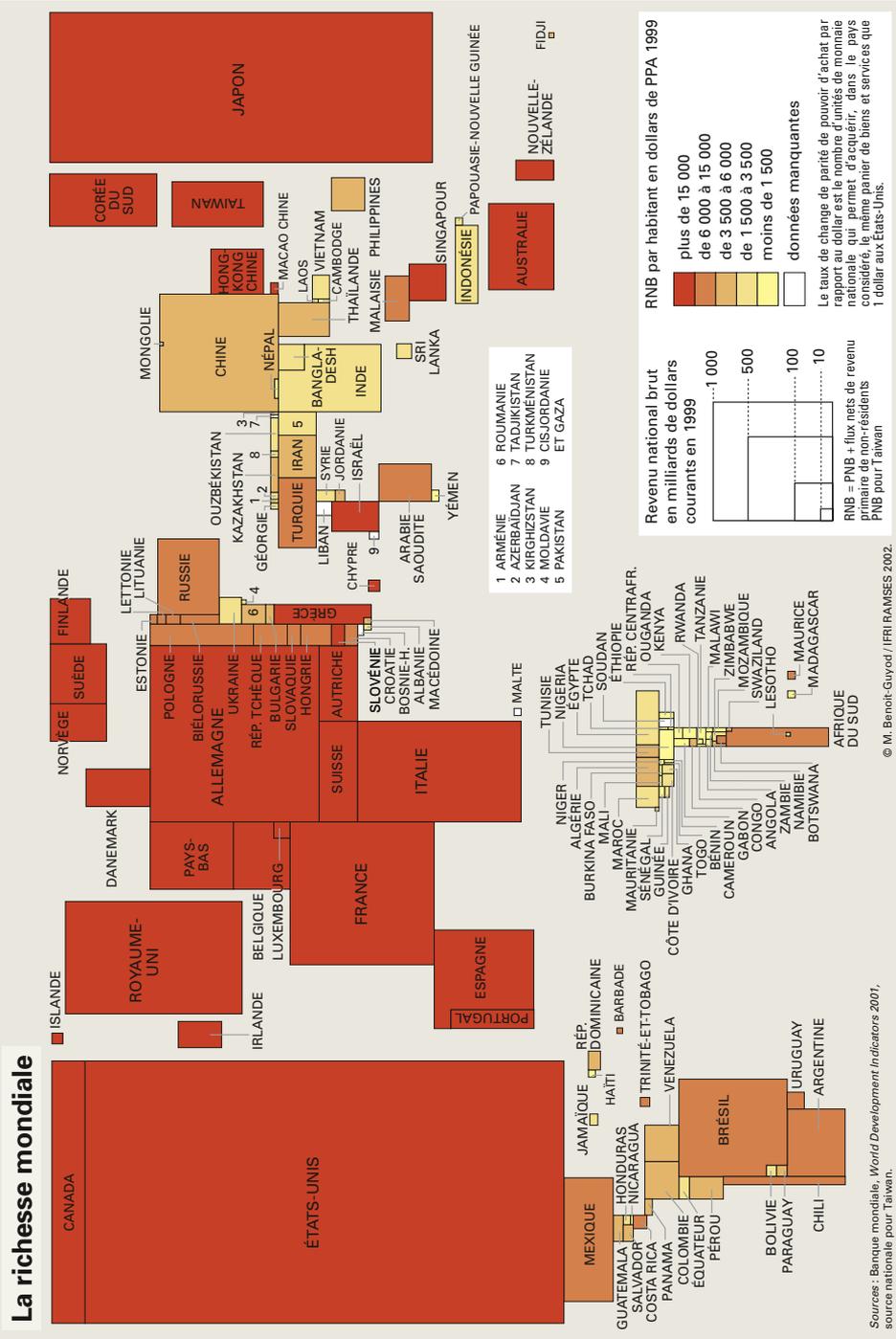


Sources : Nations unies, World Population Prospects, The 2009 Revision, 2001 : US Bureau of the Census, International Data Base (Taiwan).



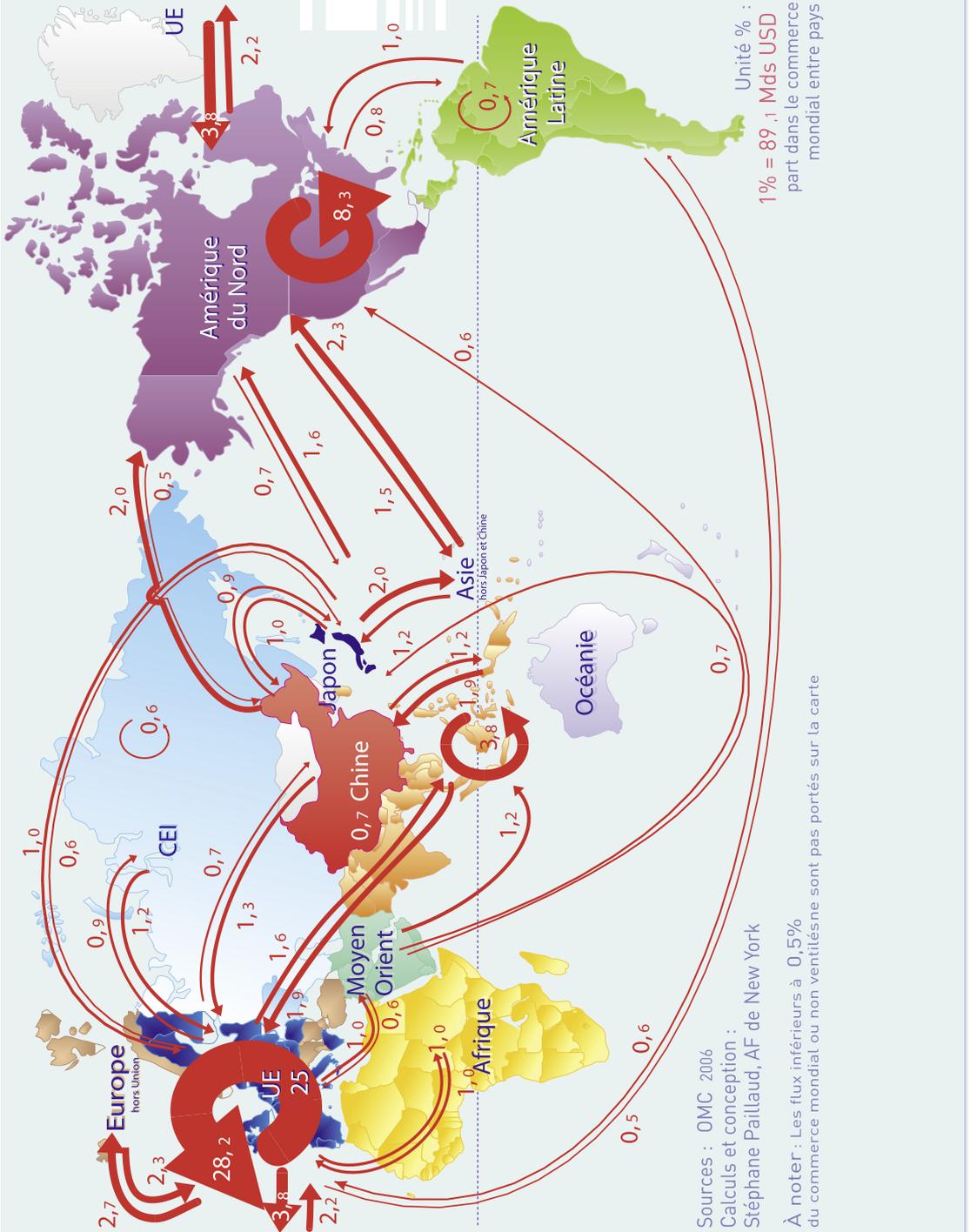
Source : IFRI RAMSES 2002 (http://www.ifri.org/files/Ramses2002/R02_Carte3.pdf)

5. The wealth throughout the world



Source : IFRI
RAMSES 2002
http://www.ifri.org/files/Ramses2002/R02_Carte2.pdf

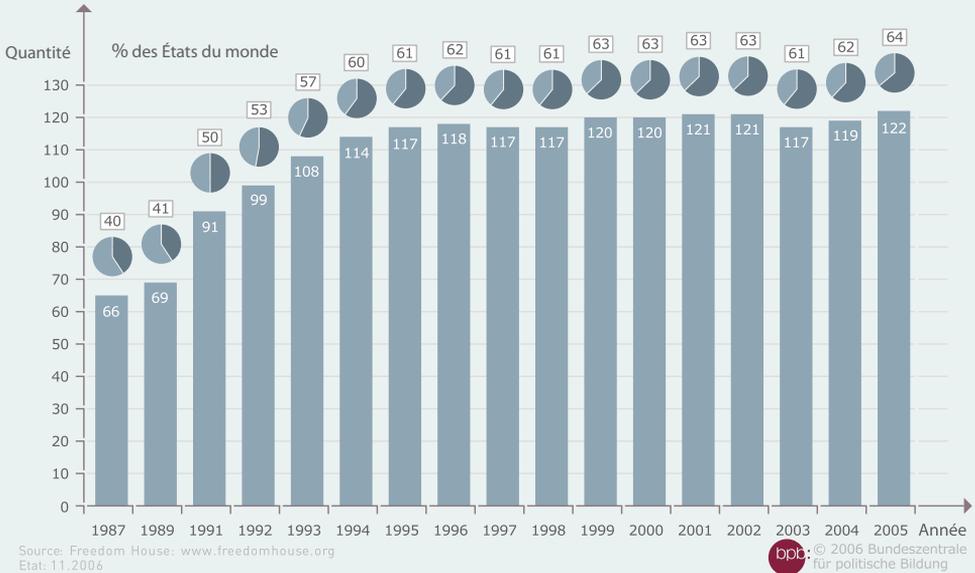
6. The world trade



7. The spreading of democratic States

Diffusion des États démocratiques

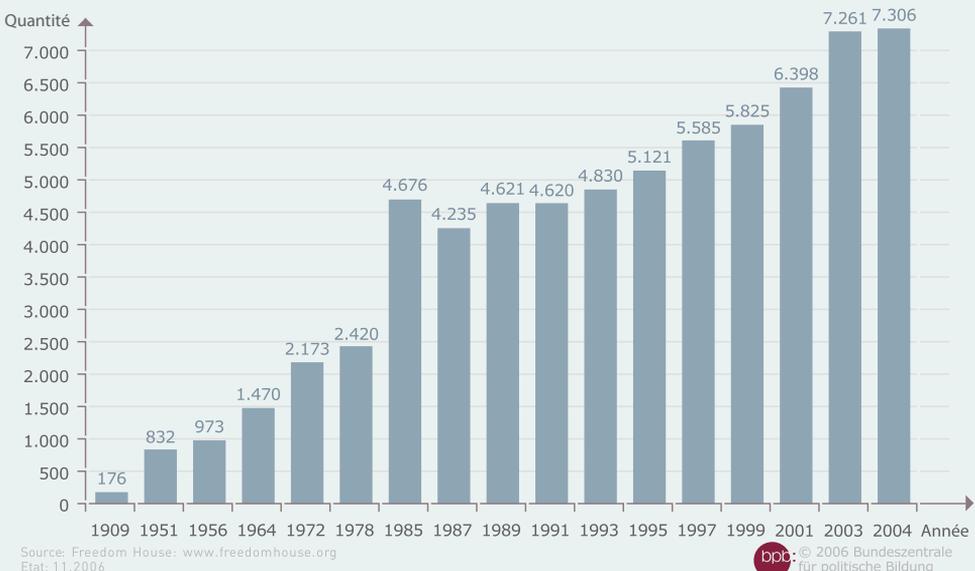
En chiffres absolus et en pour cent, monde entier, 1987 à 2005



8. Non-governmental organizations

Organisations non gouvernementales (ONG)

Nombres en chiffres absolus, monde entier, 1909 à 2004



9. Abbreviations

IFA/ACI	International Framework Agreement
Trip's/Adpics	Trade-related aspects of intellectual property rights
IALI/AIIT	International Association of Labour Inspection
ISSA/AISS	International Social Security Association
NAFTA / ALENA	North American Free Trade Agreement
ARLAC	African Regional Labour Administration Center (anglophone countries)
ASEAN / ANASE	Association of Southeast Asian Nations
AUVA	Austrian social insurance for occupational risks
ILO/BIT	International Labour Office
UN-ECE / CEE-NU	The Economic Commission for Europe of the United Nations
SLIC/CHRIT	Senior Labour Inspectors Committee
ITUC/CSI (CIS ????)	International trade union confederation
CNUCED / UNCTAD	United Nations Conference on trade and development
CO₂	Gaz Carbonique
CRADAT	African Regional Labour Administration Center (French-speaking countries)
ECOSOC	United Nations Economic and Social Council
FAO	Food and Agriculture Organization
UNITAID / FIAM	Facilité Internationale d'Achat de Médicaments ???
FIFA	International Federation of Association Football
IMF / FMI	International Monetary Fund
GATT	General agreement on tariffs and trade
GDP/PIB	Gross domestic product
IPCC / GIEC	Intergovernmental panel on climate change
ILIS / SIIT	Integrated labour inspection system
IPEC	International programme on the elimination of child labour
LMI / ITM	Labour and Mines Inspectorate (Luxembourg)
MERCOSUR	Southern Common Market (South America)
MS / EM	Member States
NEPAD	New partnership for Africa's development
NTCI	New technologies of communication and information
OECD / OCDE	Organization for economic co-operation and development
IOM / OIM	International organization for migration
ILO / OIT	International labour organization
WTO / OMC	International labour organization

MDGs / OMD	Millennium Development Goals
WMO / OMM	World Meteorological Organization
WIPO / OMPI	World intellectual property organization
WHO / OMS	World Health Organization
NGO / ONG	Non-governmental organization
UNO / ONU	United Nations Organizations
UN-EDIFACT /	United Nations/Electronic Data Interchange For Administration, Commerce, and Transport
ONUEN	United Nations organization for the environment
DSB / ORD	Dispute Settlement Body of the WTO
PED / PVD ???	Pays en Voie de Développement ???
IP / PI	Intellectual property
LDC / PMA	Least developed countries
SME / PME	Small and medium enterprises
UNDP / PNUD	United Nations development programme
HR / RH	Human Resources
CSR / RSE	Corporate Social Responsibility
GSP / SGP	Generalized system of preferences
GCOS / SMOC	Global climate observing system
OSH / SST	Occupational safety and health
TIR	International transport of goods
AU / UA	African Union
EU / UE	European Union
UK / RU	United Kingdom
UNEP / PNUEN	United Nations Environment Programme
UNICEF	United Nations Children's Fund
USA / E-U	United States of America
HIV	Human Immunodeficiency Virus
WP 29	World Forum for harmonization of vehicle regulations

10. Useful contacts

International Association of Labour**Inspection: IALI**

IALI Secretariat
 Inspection du Travail et des Mines
 BP 27
 L-2010 Luxembourg
 LUXEMBOURG
 Mail: nadine.schneider@itm.etat.lu
 Internet: <http://www.iali-aiit.org>

**Labour and Mines Inspectorate,
Luxembourg: LMI**

3, rue des Primeurs
 L-2361 Strassen
 LUXEMBOURG
 Mail: paul.weber@itm.etat.lu
 Internet: <http://www.itm.lu>

**Direction of Labour, Employment and
Vocational Training of the Department of
Indre-et-Loire**

8, rue Alexandre Fleming
 B.P. 2729
 F-37027 Tours
 FRANCE
 Mail : dd-37.direction@travail.gouv.fr
 Internet : <http://www.centre.travail.gouv.fr/indreetloire>

**International Labour Organization : ILO
International Labour Office**

4, route des Morillons
 CH-1211 Genève 22
 SUISSE
 Mail : safework@ilo.org
 Internet : <http://www.ilo.org/safework>
<http://www.ilo.org/labourinspection>

**International Social Security Association:
ISSA**

4, route des Morillons
 Case postale 1
 CH-1211 Genève 22
 SUISSE
 Mail: issa@ilo.org
 Internet: <http://www.issa.int>

World Health Organization : WHO

Avenue Appia, 20
 CH-1211 Genève 27
 SUISSE
 Mail : info@who.int
 Internet : <http://www.who.int>

World Meteorological Organization: WMO

P.O. Box n°2300
 7bis, avenue de la paix
 CH-1211 Genève 2
 SUISSE
 Mail: wmo@wmo.int
 Internet: <http://www.wmo.ch>

**International organization for migration:
IOM**

17, route des Morillons
 PO Box 71
 CH-1211 Genève 19
 SUISSE
 Mail: info@iom.int
 Internet: <http://www.iom.int>

World trade organization: WTO

Centre William Rappard
 154, rue de Lausanne
 CH-1211 Genève 21
 SUISSE
 Mail : enquiries@wto.org
 Internet : <http://www.wto.org>

**World intellectual property organization:
WIPO**

34, chemin des colombettes
 CH-1211 Genève 20
 SUISSE
 Internet : <http://www.wipo.int>

**United Nations Conference on trade and
development: UNCTAD**

Palais des Nations
 8-14, avenue de la Paix
 CH-1211 Genève 10
 SUISSE
 Internet : <http://www.unctad.org>

**The Economic Commission for Europe of
the United Nations: UNECE**

Palais des Nations
CH-1211 Genève 10
SUISSE

Mail : info.ece@unece.org

Internet : <http://www.unece.org>

**United Nations Environment Programme:
UNEP**

Maison internationale de l'environnement
15, Chemin des Anémones
1219-Châtelaine Genève
SUISSE

Internet : <http://www.unep.org>

**Secretariat of the Basel Convention
International Environment House**

11-13, Chemin des Anémones
Bâtiment D
1219- Châtelaine Genève
SUISSE

Internet : <http://www.basel.int>

**United Nations Children's Fund :UNICEF
Regional office for Europe**

Palais des Nations
CH-1211 Genève 10
SUISSE

Internet: <http://www.unicef.org>

International Monetary Fund : IMF

700 19 th street NW
Washington DC 20431
ETATS-UNIS

Internet: <http://www.imf.org>

World Bank

1818 H street NW
Washington DC 20433
ETATS-UNIS

Internet: <http://www.banquemondiale.org>

Sylvie SIFFERMANN & Paul WEBER

Labour inspectors, with the advice, controls and sanctions, monitor the (non-) compliance of the basic rights in work relations and conditions, and hence are 'ambassadors' of labour itself at the level of a State. Their sound judgements play an important role in maintaining social equilibrium.

At the international level, IALI is the operational side of the verification of compliance of these sovereign rights written down in the international tripartite conventions of ILO in the UN system.

The labour inspectorate embodies the essential player in the social dimension of a 'sustainable' globalization exposed to the challenge of changing its role, the challenge of adapting their talents and skills in an increasingly complex environment.

This booklet aims to throw light on the debate, provide keys to understanding that the labour inspectorate succeeds to place itself and to fully participate in the promotion of decent work to achieve 'sustainable' economic and social development throughout the world.

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Sources Mixtes

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