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CM/1674 (LIV)

Council of Ministers
Fifty-fourth Ordinary Session
27 May - 1 June, 1991
Abuja, NIGERIA

REPORT OF THE SECRETARY-GENERAL ON THE DELIBERATIONS
OF THE FOURTEENTH ORDINARY SESSION OF THE OAU
LABOUR COMMISSION



Cm/1674

MICROFICHE

**REPORT OF THE SECRETARY-GENERAL ON THE DELIBERATIONS OF
THE 14TH ORDINARY SESSION OF THE OAU LABOUR COMMISSION**

INTRODUCTION

Article 11 of the Rules of Procedure of the OAU Labour Commission enjoins the Secretary General of the OAU to submit a report on the deliberations of the Commission's Sessions to the Session of the OAU Council of Ministers, which, in turn, submits same to the Assembly of Heads of State and Government for consideration and adoption.

2. The aim of the present report, therefore, is to give account on the deliberations of the 14th Ordinary Session of the OAU Labour Commission held in Blantyre, Malawi, from 8 to 14 April 1991 at the kind invitation of the Government of the Republic of Malawi.

3. As is customary, the Labour Commission met at two levels. It held an Experts Meeting and then a Ministerial meeting.

II. EXPERTS MEETING

4. The Experts Meeting of the Labour Commission was held from 8 to 11 April 1991. It considered a number of issues reflecting the major concerns of the OAU Labour Commission and falling within the competence of the Commission.

III. AGENDA

5. The following agenda was adopted:

1. a) Opening Session
- b) Election of Officers
- c) Adoption of the Agenda
- d) Organisation of Work

2. Report of the Secretary-General on Activities within the Competence of the OAU Labour Commission LC/2(XIV)
3. Report of the Secretary-General on the Meeting of Directors of African Social Security Institutions LC/3(XIV)
4. Report of the Secretary-General on the Draft Declaration of the Twenty-seventh Ordinary Session of the Assembly of Heads of State and Government on the Employment Crisis in Africa LC/4(XIV)
5. Report of the Secretary-General on the Situation of African Migrant Workers in Europe LC/5(XIV)
6. Report of the Secretary-General on the Need for and Implications of the transformation of the OAU Labour Commission into a Tripartite Body LC/6(XIV)
7. Working Conditions and Environment for the African Region LC/7(XIV)
8. Progress Report on the International and Inter-African Organizations on Cooperation with the OAU in the field of Labour and Related Social Matters LC/8(XIV)
 - (a) Report of the Secretary-General of the Organization of African Trade Union Unity (OATUU) LC/8a(XIV)

- (b) Report of the Secretary-General
on the Pan-African Employers'
Confederation (PEC) LC/8b(XIV)
- (c) Report of the Current Chairman
of the Southern African Labour
Commission (SALC) LC/8c(XIV)
9. Report of the African Members of the ILO
Governing Body for the period 1990/1991 LC/9(XIV)
10. Progress Report on the Structure of the ILO
and Constitutions Amendments LC/10(XIV)
11. Report on the Chairmanship of the 78th
Session of the International Labour Conference
and the Chairmanship of the various
Committees and the Governing Body for
the period 1991/1992 LC/11(XIV)
12. Items proposed by Member States:-
- Memorandum on the Fourth Conference
of Labour Ministers of the Non-Aligned and
other Developing Countries (Item proposed
by the Republic of Tunisia) LC/1(XIV)Add.1
13. Date and venue of the Fifteenth Ordinary
Session of the Labour Commission
14. Any other business
15. Adoption of the report and closing of the
Session.

IV. MINISTERIAL MEETING

6. The Ministerial Meeting was held on 13 and 14 April, 1991 to consider the report of the Meeting of Experts according to the following programme:-

1. (a) Opening Ceremony
- (b) Election of Officers
- (c) Adoption of Agenda
- (d) Organization of Work

2. Consideration of the Report of the Experts Meetings

3. Date and venue of the Fifteenth Ordinary Session of the Labour Communication

4. Any other business

5. Adoption of the report

6. Closure of the meeting.

V. ATTENDANCE

7. The following Member State, International Organizations and Liberation Movements attended the 14th Ordinary Session of the OAU Labour Commission:-

1. Member States:

Algeria, Angola, Botswana, Burkina-Faso, Burundi, Cameroon, Central African Republic, Chad, Cote d'Ivoire, Egypt, Ethiopia, Gabon, Ghana, Guinea, Kenya, Lesotho, Libya, Madagascar, Malawi, Mauritius, Mauritania, Mozambique, Namibia, Niger, Nigeria, Rwanda the Sudan, Swaziland, Senegal, Tanzania, Togo, Tunisia, Uganda, Zambia, Zimbabwe.

2. International Organizations

ILO, ISSA, ECA, WHO, ARI, OATUU, FETAF, MULPOC,
UNDP

3. Liberation Movements

ANC, PAC.

8. Following fruitful deliberations, the Labour Commission adopted its report, 11 resolutions and a Draft Declaration on Employment Crisis in Africa for the attention of Heads of State and Government. The documents in question are attached to the present report as annexes as follows:-

1. Annex I: Report of the meeting of Experts
2. Annex II: Report of the Ministerial Meeting
3. Annex III: Resolutions
4. Annex IV: Drafft Declaration of the XXVIIth Ordinary Session of the Assembly of Heads of State and Government on Employment Crisis in Africa.

9 The Council of Ministers is requested to consider the report and conclusions of the Fourteenth Ordinary Session of the OAU Labour Commission and to submit same to the Twenty-seventh ordinary Session of the Heads of State and Government of the OAU for consideration and adoption.



CM/1674 (LIV)

ANNEX I

REPORT OF MEETINGS OF EXPERTS

LC/Expt./Rpt. (XIV)Rev.1

OAU LABOUR COMMISSION
Fourteenth Ordinary Session
8 - 14 April, 1991
Blantyre, MALAWI

REPORT OF MEETING OF EXPERTS



REPORT OF THE MEETING OF
EXPERTS

I Opening Ceremony

The meeting of Experts of the Fourteenth Ordinary Session of the OAU Labour Commission was opened at the KWACHA International Conference Centre on 8 April, 1991 at 10 a.m. under the Chairmanship of Mr.B.B. Mawindo, Principal Secretary of the Ministry of Labour of the Republic of Malawi, in his capacity as the Out-going Chairman of the Bureau of the Thirteenth Ordinary Session of the OAU Labour Commission.

2. After a few introductory remarks and a brief welcoming statement, the out-going Chairman ceded the floor to the representative of ANC who spoke on behalf of Liberation Movements. He began by thanking the host country for the warm reception and hospitality extended to participants and then presented his condolences to the victims of the floods which ravaged the Southern part of Malawi.

3. The speaker then briefed the meeting on the activities undertaken by his Organization in the field of labour, including the drawing up of a Migrant Workers' Charter to govern the Movement and the rights of these workers as well as the extension of labour laws to domestic workers. He added that that sector was

the largest employer of the black women workers which constituted 88% of the total labour force.

4. He then turned to the political situation prevailing under the apartheid system, characterised by acts of violence, exactions, refusal of the Government to put a stop to such a situation as well as its cynicism which was the proof of its connivance with the groups which were sowing the seed of terror among the black population. He mentioned a series of actions demanded by ANC to fight those waves of violence which were diverting attention from the root causes of the poverty and hunger and paralysing every effort aimed at improving the plight of the Black South Africans.

5. Finally, the speaker announced the intention of ANC to suspend its consultations with the Government on the All Party Congress and the future constitution of South Africa if the De Klerk's Government did not meet some of its demands, namely the resignation of the Ministers of Defence and Justice.

6. In a statement, Mr. E.J.B. Mpyisi, Director of the ILO Office in Addis Ababa, conveyed warm greetings and wishes for a successful meeting of Mr. F.Abdel Rahman, Assistant Director-General responsible for ILO activities in Africa. He paid

tribute to the Government and People of Malawi and to the Honourable Deleza, Minister of Labour and his collaborators for hospitality and the warm welcome extended to delegates. Mr. Mpyisi expressed his condolences to the families of the victims of the recent floods in the Southern part of Malawi. He also extended his gratitude to the OAU for associating the ILO with the sessions and the deliberations of the OAU Labour Commission which reflected the continued co-operation existing between the two Organisations. He cited, as examples of such co-operation, the following:

- Establishment of a Joint Consultative Committee;
- Co-operation in the field of labour and the preparation of the Draft Treaty establishing the African Economic Community and the preparation of the Draft Protocol on Human Resources, Labour and Social Affairs;
- Preparation of a Draft Declaration entitled "The Employment Crisis in Africa". Emphasizing the problem of employment, Mr. Mpyisi urged African Experts to consider that Draft Declaration and make recommendations that would facilitate the attainment



of the objective of dealing with the problem.

7. ILO, for its part, had undertaken studies, organized symposia and established a Permanent Task Force on effects of structural adjustment programmes, Mr. Mpyisi added.

8. Turning to the items on the agenda, the ILO representative drew attention to the following:-

- deterioration of working conditions and environment in Africa and the need to provide adequate resources to facilitate inspection and improvement control measures in this area;
- training of staff of social security institutions;
- transformation of the Labour Commission into a tripartite organ; and
- situation of the African immigrant workers in Europe.

9. In conclusion, he drew the attention of participants to the provisions of the Draft Treaty establishing the African African

Economic Community which sought to facilitate free movement of persons in an organized regional and sub-regional labour markets. That issue deserved the attention of the Commission's next session, he added.

10. In an opening statement, the Honourable Wadson B. Deleza, Member of Parliament and Minister of Labour of Malawi, also welcomed officials from the Malawi Congress Party, Blantyre District and from the Regional Administrator's Office (South). He went on to express sincere apology to all members of delegation for the unfortunate circumstances created by power failures. Continuing his statement, the Honourable Minister of Labour said that it was a great pleasure and an honour for him to welcome, on behalf of His Excellency the Life President, Ngwazi Dr. H. Kamuzu Banda, and on his own behalf, all delegations to Malawi, the warm heart of Africa, on the occasion of the 14th Ordinary Session of the OAU Labour Commission.

11. The 14th Ordinary Session of the OAU Labour Commission, he said, was one of the first meetings of the continental organization being held in Malawi and it was for that reason that Malawi was doing everything possible to ensure the deliberations every success.

12. The Meeting of Experts, he observed, should endeavour to prepare and thereby facilitate the deliberations of the Meeting of Ministers due to start in a few days time.

13. He continued by pointing out that African countries were conscious of the important role played by labour in the overall development of the continent's respective countries sustained by the ideas contained in the Lagos Plan of Action and the Khartoum Declaration which should transform the socio-economic development of the African countries into reality.

14. At that juncture, the Honourable Minister of Labour paid a glowing tribute to the People of Ethiopia for hosting the last session of the OAU Labour Commission in Addis Ababa, which he had the honour to chair. He also paid special tribute to the General Secretariat of the OAU for the quality of the work produced.

15. He pointed out that reports submitted for consideration by the Commission dealt with matters of development, social security, employment crisis in Africa working conditions and the situation of African immigrant workers in Europe.

16. The Honourable Minister, therefore, urged the Experts to examine and study, in detail, all the relevant important issues

and submit a report to the Ministers.

17. He laid special emphasis on the issue of social security which, according to him, was of increasing concern to the African workers. African countries, continued the Minister, attached primacy to working conditions, which, given their importance, should be kept and protected within the ILO.

18. The Honourable Minister continued by pointing out that the working population of Malawi had undergone a period of industrial peace under the wise and dynamic leadership of His Excellency the Life President, Ngwazi Dr. H. Kamuzu Banda.

19. After that brief statement, the Minister hailed the presence of Namibia within the Labour Commission for the first time. He expressed the hope of one day seeing the majority Government of South Africa also represented on the Commission. He concluded by, once again, welcoming all delegates to the Session and declared open the Experts Meeting charged with preparing the Fourteenth Ordinary Session of the OAU Labour Commission.

20. The leader of the Kenyan delegation, Mr. J.M. Matugi, replied to the statement of the Honourable Minister of Labour of the Republic of Malawi. He warmly thanked the host country for



having accepted to host the Fourteenth Ordinary Session of the Labour Commission and for the hospitality extended to all the delegations since their arrival in Malawi. He stated that the Experts would take up the challenge thrown to them by the Honourable Minister of Labour of Malawi and that they would not fail to prepare, for their Ministers, the appropriate recommendations.

21. After emphasizing that Malawi had efficiently ensured the Chairmanship of the Thirteenth ordinary Session of the Labour Commission, the Speaker declared that he was convinced that the new Chairmanship would contribute to the success of the Fourteenth Session.

22. The next to speak was Dr. M.T. Mapuranga, Assistant Secretary-General of the OAU in-charge of Finance, Administration and Conferences and ESCAS Departments, representing H.E. the Secretary General of OAU. He expressed his deep gratitude to His Excellency the Life President, Ngwazi Dr. H. Kamuzu Banda, the People and Government of the Republic of Malawi, for the excellent facilities provided to ensure the success of the Fourteenth Ordinary Session of the OAU labour Commission.

23. He then conveyed to the meeting the apologies of H.E. the Secretary-General of the OAU, Dr. Salim Ahmed Salim , for

his inability to attend the Session owing to prior commitments and expressed his best wishes for successful deliberations.

24. Dr. Mapuranga thanked, most sincerely, the Honourable Wadson B. Deleza, M.P. and Minister of Labour of Malawi, for having agreed to grace the opening ceremony of the Commission with his presence and for the serious attention and keen interest that himself, the People and the Government of Malawi attached to the noble objectives of the OAU especially the consolidation of African Unity and the promotion of the socio-economic development of the continent. He added that the hosting of the Fourteenth Ordinary Session of OAU Labour Commission in Malawi stood out as unquestionable evidence of the commitment of Malawi to those objectives.

25. The OAU Assistant Secretary-General indicated that the Session, like the previous ones, would have to take stock of the activities undertaken since the last Session, both by Member States and the OAU General Secretariat in order to draw up new guidelines in such areas of activity as labour, social security, working conditions and other matters relating to the future and welfare of the continent's workers and populations. He highlighted the main items on the draft Commission's agenda prepared by the General Secretariat in co-operation with its

partners, both international and inter-African. He invited delegates to accord special attention to those questions so as to evaluate the activities already undertaken and to find out to what extent they conformed to the resolutions and recommendations adopted by the last session of the OAU Labour Commission.

26. Dr. Mapuranga described, with the appropriate statistical data and concrete examples, the socio-economic crisis, the employment situation and the demographic explosion in Africa and concluded that those phenomena had undermined the efforts being deployed by Africa towards economic growth and development. He drew attention to the alarming and disturbing situation of the African and Arab immigrant workers and their dependents who were facing an uncertain future due to the introduction of the Single European Market in 1992. He pointed out that since they had, over the years, made positive contributions to the growth of the European economy, they were entitled to certain amount of guarantee for their future.

27. Dr. Mapuranga once again denounced the covert acts of aggression perpetrated by the dying apartheid regime of South Africa against the Frontline States. He urged OAU Member States to remain faithful to the policy of the OAU calling on the international community to condemn and combat the apartheid regime

until the irreversible process of dismantling it was completed. In conclusion, he reminded Member States of one of the fundamental purposes of the OAU Charter, namely that Member States should "co-ordinate and intensify their co-operation and efforts in order to provide the African peoples with the best possible living conditions" and invited participants to explore the ways and means of accelerating the attainment of that objective.

II. Election of Officers

28. Following the usual consultations, the following officers were elected:

Chairman	-	Malawi
1st Vice-Chairman	-	Ghana
2nd Vice-Chairman	-	Mauritius
3rd Vice-Chairman	-	Egypt
Rapporteur	-	Chad

III. Adoption of the Agenda

29. The following agenda was unanimously adopted:



1. a) Opening Session
b) Election of Officers
c) Adoption of the Agenda
d) Organization of Work

2. Report of the Secretary-General on activities within the competence of the OAU Labour Commission LC/2 (XIV)

3. Report of the Secretary-General on the Meeting of Directors of African Social Security Institutions LC/3 (XIV)

4. Report of the Secretary-General on the Draft Declaration of the Twenty-Seventh Ordinary Session of the Assembly of Heads of State and Government on the Employment Crisis in Africa LC/4 (XIV)

5. Report of the Secretary-General on the Situation of African Immigrant Workers in Europe LC/5 (XIV)

6. Report of the Secretary-General on the Need for and Implications of the Transformation of the OAU Labour Commission into a Tripartite Body LC/6 (XIV)

7. Working Conditions and Environment for the African Region LC/7 (XIV)
8. Progress Report on the International and Inter-African Organizations on Co-operation with the OAU in the Field of Labour and Related Social Matters LC/8 (XIV)
 - (a) Report of the Secretary-General of the Organization of African Trade Union Unity (OATUU) LC/8a (XIV)
 - (b) Report of the Secretary-General on the Pan-African Employers Confederation (PEC) LC/8b(XIV)
 - (c) Report of the Current Chairman of the Southern African Labour Commission (SALC) LC/8c (XIV)
9. Report of the African Members of the ILO Governing Body for the period 1990/1991 LC/9 (XIV)
10. Progress Report on the Structure of the ILO and Constitutional Amendments LC/10 (XIV)

11. Report on the Chairmanship of the 78th Session of the International Labour Conference and the Chairmanship of the various Committees and the Governing Body for the period 1991/1992 LC/II (XIV)

12. Items proposed by Member States:-

Memorandum on the Fourth Conference of Labour Ministers of the Non-Aligned and other Developing Countries (Item proposed by Tunisia) LC/1.Add. I (XIV)

13. Date and venue of the Fifteenth Ordinary Session of the Labour Commission

14. Any other business

15. Adoption of the report and closing of the Session.

IV. Organization of Work

30. The meeting adopted the following working hours:

Morning : 9.30 a.m. to 12.30 p.m.

Afternoon : 2.30 p.m. to 5.30 p.m.

Item 2 Report of the Secretary-General on the Activities
within the competence of the OAU Labour Commission
(LC/2(XIV))

31. The report was presented by a representative of the General Secretariat who reviewed, item by item, all the activities undertaken by the Secretariat especially those undertaken in the implementation of resolutions and recommendations adopted by the last Session of the Labour Commission. He also pointed out the activities relating to participation in meetings organized by international and inter-African organizations which co-operated with the OAU in the field of labour and related social affairs. He concluded by appealing to Member States to ensure that in future they communicated to the Secretariat the activities undertaken by them as part of the implementation of resolutions of the Commission in order to make it possible for these activities to be compiled for presentation to the next session.

32. In the ensuing debate, delegates raised a number of questions particularly on resolution LC/Res.151 (XIII) relating to the projects to improve the role of women in the informal sector. In particular, questions were raised on plans for the implementation of the recommendations of the last session dealing with extension of the project beyond the period fixed and to other African countries as well. In reply to the question, the Secretariat pointed out that a request had been submitted to UNDP, the Funding Agency of the project, and that there was every hope

that the response would be positive. Another question which involve making concrete and less theoretical recommendations in future Seminars on the above-mentioned project was raised and the Secretariat promised to take that into account in future.

33. Referring to paragraph 33 of the report on the consultative meeting with the ALO, a delegate expressed concern over the delay in convening the meeting of Afro-Arab Ministers and the rather broad and general nature of the information received from the Secretariat. It called for more detailed information on the obstacles preventing the holding of the above-mentioned meeting. The Secretariat pointed out that the main obstacle was essentially political, in other words, one state was a member of the OAU without being a member of the ALO.

34. The meeting then decided to take note of the report.

Item 3 Report of the Secretary-General
on the Project of Training in the
Field of Social Security (Doc.LC/3(XIV))

35. Since the proposed meeting of Directors of African Institutions of Social Security could not be held, the Committee of Experts decided, as proposed by the Secretariat, to arrange a special working session which would enable the Directors attending the conference to consider the above-mentioned report and to exchange views on the recommendations contained therein. The Directors representing 18 African Institutions actually met on 9 April, 1991 from 15 to 16.30 hours. Ideas were exchanged on the question submitted for consideration and the following conclusions were arrived at :

1. Recognition of the importance and need to continue the training in the field of social security in Africa;
2. Proposal to hold a preliminary meeting of all directors by the end of 1991 in view of the lack of quorum at this meeting - (from this meeting the group would present the OAU Secretariat with a report on its decision). That meeting should also decide on the timeliness of establishing the administrative unit and the remuneration of the Social Security expert of the said unit by the Social Security institutions.

3. Recognition of the need, to draw up national training programmes to concentrate and coordinate efforts under the auspices of the ISSA, ILO and OAU to facilitate the achievement of the desired objectives readily rather than dissipate efforts in different directions;
4. Need to reassess all available training institutions both old and new, including their respective syllabi and invite them to the Tunis and Accra Meeting; and
5. Need to review the cost implications of the proposals in view of the changing world economic situations.

36. Those conclusions, presented by the representative of the Social Security Bank of Ghana in his capacity as Chairman of the Directors of African Institutions, were adopted by the meeting of Experts.

37. At the end of the debate, the representative of the Secretariat pointed out that at that time the OAU had no provisions in its budget to enable it make financial contribution to the convening of the meeting scheduled for Accra, Ghana. He, however, intimated declared that the OAU would undertake to finance the participation of its representative to the Accra meeting.

38. For his part, the representative of ISSA, in a statement, pointed out that he had specifically highlighted the importance of ISSA's activities on the project of training and in the field of Social Security. He underscored the efforts made by his Organization in meeting the needs of Social Security Institutions in the field of training. He welcomed the conclusions adopted by the meeting on the basis of recommendations of the Directors of African Institutions of Social Security.

39. He then assured the OAU of ISSA's total commitment to pursue its co-operation with the former in their joint efforts to implement a coherent policy on matters of Social Security training.

40. In conclusion, the representative of ILO recalled that the training strategy adopted was backed, entirely, by the collective and lasting commitment of all Social Security Institutions to finance the implementation mechanism. He further intimated that his Organization's contribution in this mechanism could not take any form other than those already mentioned at previous Sessions of the Labour Commission namely: the provision of teaching materials, some lecturers and a number of scholarships, in addition to the advice that might be given to the Administrative and Co-ordination Units to be established to manage this institution. He pointed out in conclusion that the ILO could not in any way finance the organization of the meeting.



ITEM 4: REPORT OF THE SECRETARY-GENERAL ON THE DRAFT
DECLARATION OF THE XXVIITH ORDINARY SESSION OF THE
ASSEMBLY OF HEADS OF STATE AND GOVERNMENT ON
EMPLOYMENT CRISIS IN AFRICA
(DOCUMENT LC/4 (XIV))

41. The above item was introduced by a staff member of the OAU General Secretariat. He emphasised the fact that Member States should be fully aware of the sub-standard performance of employment in Africa leading to the affirmation in certain cases that Africa was a lost continent, incapable of developing itself.

42. He intimated that the Heads of State and Government were aware of the problem and had, therefore, endorsed the idea of adopting a declaration on the issue. Hence, OAU, ECA and ILO had pooled their heads together and produced a Declaration. He pointed out that the Declaration had taken into account all the factors which undermined the employment sector as well as those which could contribute to its improvement.

43. Taking the floor in turn, the ILO representative made a brief statement on the employment situation in Africa with supporting statistical data. He added that the

situation would continue to worsen between now and the year 2000. Beside socio-economic repercussions, it would have serious adverse implications for the political stability of the African States. The representative of the ILO emphasized the need to introduce a new generation of Structural Adjustment Programmes that would take into account the human dimension. He pointed out that women and Youth were particularly by the employment crisis.

44. It was against that background and pursuant to the resolutions adopted by the supreme bodies of the continent, that the Draft Declaration on the Employment crisis in Africa was prepared. The speaker then summed up the content of the Declaration in three points as follows:

- a) Part one gave brief account on the worsening employment crisis situation in Africa;
- b) Part two proposed specific actions aimed at overcoming the crisis; and
- c) Part three, institutional reforms and appropriate mechanisms for resolving the crisis.

45. During the ensuing debate, all the speakers congratulated the Secretariat and JASPA/ILO on the quality and consistency of the document under consideration.



46. A consensus however emerged from the ensuing debate in favour of the setting up of working group to study the draft declaration and make appropriate amendments.

Following ^ashort debate, experts stressed the importance of the document presented and made a number of suggestions and actions considered vital for solving the employment crisis particularly in the rural areas. The main proposals related to health care service, rural infrastructures, education, population growth, housing, drinking water supply, storage of agricultural produce and leisure which would help stem the tide of rural exodus and thus keep the youth in their environment.

47. Some delegates felt that the Draft Declaration should not pass over in silence, the developmental efforts being made by the the African States and the actual causes of their failure. They also called for the employment issue to be resolved within the context of the general problem of development in Africa and for all the variables relevant to the issue to be studied.

48. Other delegates recalled that attempts made to implement the Structural Adjustment Programmes imposed on the African countries had not provided miraculous solutions. The ILO high level meetings on the Structural Adjustment Programmes (SAPS) and employment held in and Nairobi, had highlighted the failures of the first

generation of SAPS. Another delegation inputed the failure of the Structural Adjustment Programmes to the International Monetary Fund and the World Bank conditionalities.

49. Participants further recalled the prospects offered by the informal sector which had long been neglected and recommended that the basic needs of the populations be taken into account. That would contribute to human resources development, self-reliance as well as self-sustaining development.

50. Reacting to the debate, the General Secretariat stated that it had taken due note of all the comments put forward, which would be used for amending the Declaration. The representative of ILO/JASPA acknowledge the usefulness of the points that had been made during the general debate, but stated that most of the points made had already been included in the draft declaration in order to shorten it.

51. The Working Group comprising the following countries and Organizations was then set up by the Commission to consider the draft Declaration: Algeria, Central African Republic, Ghana, Malawi, Mauritius, Nigeria, ILO/JASPA and OAU, and to report back to the Plenary Session.

ITEM :5 REPORT OF THE SECRETARY-GENERAL ON THE
SITUATION OF IMMIGRANT AFRICAN WORKERS
IN EUROPE - DOCUMENT LC/5(XIV)

52. Introducing the above document, a representative of the General Secretariat recalled that the OAU Assistant Secretary General had, during the opening ceremony, drawn attention to the alarming situation prevailing in the employment world both in the developed and the developing world emphasising that the immigrant African workers in Europe, numbering four million were the main victims of that phenomenon worsened by the changes taking place in Eastern and Central Europe and the imminence of the Single Europe in 1992. He pointed out that that situation was source of serious concern for the OAU which, consequently, deemed it expedient to alert Member States to that delicate issue through the Labour Commission.

53. The representative of the Secretariat observed that the report before the Commission was prepared on the basis of studies and technical documents submitted at a symposium organised in Paris in November 1990 by the Federation of African

Workers in France in cooperation with the Organization of African Trade Union Unity (OATTU) and the International Confederation of Arab Trade Unions. He noted that if, within the framework of the symposium, it was necessary to refer to the African and Arab Workers, those workers, irrespective of the region of Africa they come from, should be globally called immigrant African Workers in Europe. He, therefore, asked that that information be reflected throughout the document.

54. The representative of the Secretariat then recalled that the OAU Labour Commission had addressed the issue of the immigrant African Workers and at its Sixth Ordinary Session in Harare, in 1982 and requested that "a study be conducted into the situation of immigrant African Workers, especially those living in Western Europe". He said that it was in the light of that recommendation that the General Secretariat had initiated contacts with FETAF which possessed a perfect control over the issue in its manifold dimensions and that the report under discussion was the product of excellent relations established between the OAU and that institution. He commented briefly on the content of the report under consideration, namely, the general situation of the immigrant African Workers in Europe, provided statistical data of each of the countries concerned, their socio-professional distribution, their status, their living conditions and the question of their integration and re-integration in the host countries and in their countries of origin. He finally drew delegates' attention to the recommendations pro

posed in the report requesting the Chairman to kindly give the floor to the FETAF President to Supplement the presentation of the Secretariat.

55. In a statement, the FETAF President gave the background to the establishment of his Organization, the activities it had undertaken since its inception in 1979 to date, including the symposium on immigrant African and Arab Workers in Europe at which OAU was represented in November 1990. He also spoke on the objectives of FETAF, its structures and the future prospects of those workers. He concluded by making some recommendations, the most important of which related to the rejection of the Schengen and TREVI group agreements and the respect of the international norms adopted by ILO concerning immigrant workers.

56. During the debate that ensued, delegates commended the Secretariat for the timeliness and the quality of the report presented. They all agreed that it was an important issue which should not, in any way, be ignored. It was the view of all the speakers that it would be judicious to develop employment opportunities in all the economic sectors in Africa, and to improve the social conditions in accordance with the Lagos Plan of Action in order to discourage the emigration of African workers to other more prosperous regions and to entice the return of qualified personnel. They also felt that African immigrant workers who, for whatever reason, had been forced to immigrate, should be made to enjoy specific protection. Those measures were particularly necessary with regard to African

workers living in the European Community and who had been deliberately forgotten and even excluded especially from the displacement of persons within the framework of the Single European Act.

57. As proposed by a delegation, the meeting suggested that the appropriate mechanisms be envisaged to coordinate the actions relating to immigrant African workers through a cooperative movement and that a report on the issue be submitted periodically to the Labour Commission and in any case soon after the entry into force of the Single Act in 1992.

58. The meeting took note of the report with satisfaction.



Item 6. Report of the Secretary General on the need to transform the OAU Labour Commission into a Tripartite Body and its implications (LC/6(XIV))

59. This item was introduced by a representative of the OAU General Secretariat. He recalled the circumstances that had led to the study of the issue before the present meeting of experts as well as the three scenarios proposed for the restructuring of the OAU Labour Commission:

- a) First Scenario: Maintenance of the present structure of the Commission; a scenario which does not have any special implications;
- b) Second Scenario: Transformation of the OAU Labour Commission into a tripartite body within which governments, employers and workers would all enjoy equal rights; this system would however have financial, political, legal, institutional and technical implications;
- c) Third Scenario: A tripartite Commission copied from the pattern adopted by (SALC) Southern

Africa Labour Commission in which workers and employers would meet their own expenses when governments could not do so.

60. The representative of the Secretariat finally emphasised the fact that as part of the establishment of the African Economic Community, it was essential to integrate all national active forces into development efforts.

61. In the ensuing debate, some delegations declared their preference for the first scenario, that is to say, maintenance of the status quo. They declared themselves in favour of tripartism but were of the opinion that the time had not come to transform the present structure of the Labour Commission and proposed to submit the decision to the authorities which had established the institution. Majority of the speakers, however, spoke in favour of the third scenario whose implications did not necessarily entail the transformation of the Commission into another Institution constitutionally.

62. That scenario had the advantage of being flexible as far as financial burdens on Governments were concerned. They recalled that the Commission was a technical body and, in that respect,

could involve other social partners into its deliberations in the field of its competence.

62.bis. One delegation proposed an alternative scenario consisting, as a first step, in adopting a resolution calling on Member States to promote the fundamental principle of tripartism and also to include in their delegations, representatives from Trade Union Organisations which are representative of the workers and employers.

63. Emphasis was also laid on the need for Governments to promote the principle of tripartism nationally.

64. Experts also wanted to know the implications of such a transformation, with regard particularly to the provisions of the OAU Charter. The Secretariat explained that the decision to be taken would be referred to the Charter Review Committee.

65. The majority of speakers supported the third scenario, and for various reasons some delegations recommended that the status quo should remain. The countries were: Cameroon, Central African Republic, Chad, Cote d'Ivoire, Gabon and Burkina Faso.

Item 7. REPORT ON WORKING CONDITIONS AND ENVIRONMENT
FOR THE AFRICAN REGION (LC/7(XIV))

66. This document was introduced by a representative of the ILO who stated that the study contained in the report was called for by some Member States as well as some Employers' Associations and Workers' Unions. He added that it was a general study which did not refer to any particular country and that it examined working conditions and environment in Africa.

67. The ILO representative quickly surveyed the problems facing the workers and their working conditions which needed improvement. He explained that the working conditions included both hours of work, methods of work, workers' welfare and health systems etc which had a direct bearing on productivity.

68. The speaker referred a number of ILO Conventions in the field of workers' safety as well as their physical and mental health; Conventions which very few African countries had ratified.



69. He pointed out that the ILO had a specialized Department responsible for Working Conditions and Environment and that its experts were working in close cooperation with OAU in an effort to improve the situation of workers.

70. He later put forward a number of recommendations ranging from policies on the improvement of working conditions and environment, to an inter-disciplinary approach to those problems, including legislation, technical advice and job inspection.

71. Finally, he urged the experts to come up with every suggestions that would make it possible to translate the recommendations into reality.

72. During the discussions, the experts provided a general information on their countries' experiences in this area. They agreed on the need to make concerted efforts to improve working conditions and adopt safety standards.

73. The delegations made the following concrete proposals:-

- (a) to call upon Member States to improve upon the methods of preventing occupational hazards, to promote the working conditions, guaranteeing the highest possible degree of occupational quality of life, protecting the health of workers and improving their physical and mental well-being as well as their social welfare;

- (b) to encourage Social Security Banks to increase their activities relating to professional safety and health, particularly in the field of training and awareness-building;

- (c) to ratify the ILO Conventions on Job Security;

- (d) to prepare legislative norms and ensure their applications promote acquisition of specialized knowledge in medicine, occupational hygiene and in other related areas with assistance from Trade Union Organizations and representative of workers and employers.

- (e) to strengthening the means of labour

inspection and training of labour inspectors
in the area of occupational hygiene and
safety ;

- (f) to increase penalties as a deterrent measure
and enable Workers' Unions to refer cases of
infringements of legislations relating to
occupational hygienes, safety and medicine to
civil and legal authorities;
- (g) to strengthen the training of specialists in
occupational hazards prevention;
- (h) to request the OAU to prepare a programme of
action similar to the one for social
security;
- (i) to promote or **increase** the protection of
workers' health at work places;
- (j) to adopt national strategies for improving
working conditions;
- (k) to organize appropriate seminars and
conferences;
- (l) to strengthen national institutions for the

prevention of occupational hazards;

- (m) to establish training centres on occupational health and safety in coordination of the International Security Centre (ISC);
- (n) to establish in the African region, a data bank on employment security;
- (o) to sensitise workers to this problem.
- (p) to evaluate periodically within the OAU Labour Commission, the working conditions and environment in Member States

74. Finally, Experts were of the opinion that countries should evolve policies and a programme for developing health services for workers on the basis of information received from ILO and WHO/Afro-Regional Strategy of Health for All by the Year 2000, known as a three phase scenario, in order to better cope with of the health problems emanating from the rapid technological changes taking place in the life of the workers and to take his environment into account.



Item 8: Report on the Activities of International and Inter-African Organizations cooperating with the OAU in the field of Labour and related Social Affairs Docs. LC/8a (XIV); LC/8b (XIV); LC/8c (XIV)

75. Under this item, the Experts heard and took note of the reports of the Secretary General of the Organization of African Trade Union Unity (OATUU), and the Secretary General of the Pan African Employers' Confederation (PEC). As regards the report of the Southern African labour Commission (SALC), the Tanzania delegate informed the meeting that it would be presented to the Ministerial Session by the current Chairman himself.

Item 9. Report of the African members on the ILO Governing Body for the period 1990-91 (LC/9(IX) Parts I & II

76. Mrs NYANGUANG nee NGOCODO Claire (Cameroon), Co-ordinator of the African Group, introduced the above report which covering three sessions of ILO Governing Body.

77. After expressing the gratitude of Cameroon to the African members on ILO Governing Body, Mrs. NYANGUANG briefed the meeting on the main results of the three sessions of the Governing Body. (247th, 248th and 249th sessions).

78. At its 247th session, the ILO Governing Body elected members of its Bureau. Mr. NUHR (Germany) spokesman of the workers' group was elected chairman of the Governing Body for the period 1990-91, Mr.OECHSLIN (France), spokesman of the Employers'Group and Mr. Alfredo Padilla (Venezuala) spokesman of the Government Group, Vice-Chairmen.

79. The Co-ordinator also briefed the meeting on Africa's representation on the Governing Body's Commissions and Committees. In that regard, she intimated that Africa was elected to preside over the Commission on practical activities and the Employment Commission, especially as the two areas were of primary importance to Africa.

80. She indicated that the Governing Body had adopted the programme of meetings, five of which had already taken place and

four would be held in the not too distant future.

81. As regards the 248th Session of the Governing Body, the Co-ordinator informed the meeting that the Session in question was suspended because of the two day strike by the ILO staff, resulting from differences of opinion between the Governing Body and the ILO staff over amendments to Article 3.1.1 of the ILO Staff Rules and Regulations. Consequently, of the twenty two agenda items prepared for the Session, only seven were considered by the Governing Body. Before the suspension of that session however, the Commissions and Committees of the Governing Body met and carried out their deliberations normally.

82. Since Africa was less represented on the ILO staff than other regions and owing to the fact that many African staff members particularly those on higher grades had recently proceeded on retirement, African members on the Governing Body called for the recruitment of more Africans.

83. With regard to the report on Employment Commission, the Co-ordinator informed the meeting that in view of the importance of the issue the Governing Body decided to grant the Commission more days in the future to consider, in greater details, matters before it. She briefed the meeting on the items that would be on the Commission's next session's agenda.

84. She added that the various reports of the ILO Director-General to be presented during the Governing Body's Session would include reform proposals and improvement in order to ensure a better operation during the International Labour Conference.

85. Thus, after lengthy debate, the Council decided that:

- electronic system would be introduced at the Conference
- the time allotted to each speaker would be reduced from 15 to 10 minutes with effect from the 78th Session of the International Labour Conference. The Director General was requested to bring this information to the attention of Member States.

86. She also informed participants that the membership of the ILO Industries Commissions had been renewed and that all the African countries which had requested for seats on these Commissions had partially or totally obtained them.

87. The proposal to convene a special session along side the 78th Session of the International Labour Conference (1991), whose outcome would be incorporated in the Director General's report on the Situations of Workers in the Occupied Arab Territories, was approved by the Governing Body, she added.



88. The Co-ordinator informed the meeting that the 15 items left in abeyance, during the 248th session of the Governing Body, were considered alongside the 249th session. She further stated that the most important task of the 249th session of the Governing Body was the consideration of the draft programme, budget and the administration of the ILO during the 1992-93 period.

89. She pointed out that the next session of the International Labour Conference being a budgetary session, African members should support the programmes which were of interest to Africa.

90. She explained that the Governing Body had recommended that a Budget, amounting to US\$376,168,000.00, calculated at the Swiss exchange rate, should be tabled before the next session of the International Labour Conference. The budget showed an increase of US\$457,280,000.00 over the previous biannual budget.

91. In the case of the 1992-93 biennium, the major programme 250 covering ILO activities in Africa, the total budget earmarked for ILO co-operation activities on our continent would be increased from US\$24,499,280.00 to US\$30,893,332.00. That gesture testified to ILO's constant generosity to Africa. The Co-ordinator suggested that Africa members support the budget during its consideration at the International Labour Conference and called on ILO to pursue its efforts in favour of Africa.

92. The Co-ordinator revealed that the Governing Body had decided that the Turin Centre for Advance and Technical Training would henceforth be known as "ILO International Training Centre".

93. As regards the problem facing the ILO staff, the Governing Body had adopted the principle of setting up a Voluntary Savings Fund, on condition that it was approved by the International Labour Conference. The proposed Fund would be fed by contributions from the staff and a one-time contribution of US\$4,875,000.00 by the ILO.

94. Commenting on the complaint against the Sudan which was considered by the Committee of Freedom of Association of the Governing Body, the distinguished delegate of the Sudan made the following remarks:

1. The death, under torture, of a trade unionist was not true. It was included in a medical report issued following a post mortem that the death was natural and not due to torture;
2. Continous detention of trade unionists because of their trade union activities was not true. The detention was due to political activities against the state and even those detained because of such activities had been released as the Committee on Freedom of Association had already been informed;

3. There was no trade union leader called Mohamed Faig in Sudan;
4. The continued confiscation, by the Government, of the property of trade unions was not true. The property of these unions was returned to them three months after the formation of the National Salvation Council, i.e. after more than a year and six months from the date of the complaint;
5. All the information required was sent to the ILO Committee on Freedom of Association. It was therefore hoped that the information supplied would be considered enough evidence to prove that the claims made were false and this chapter would be considered closed;
6. Trade unions in The Sudan enjoy all their rights both in and outside The Sudan. The participation of the Secretary of the External Relations of The Sudan Trade Unions Organization was an example;
7. Certain convictions had emerged from the tripartite consultations held last August on the status of trade unionism in The Sudan which led to the formation of a

Tripartite Committee to review and amend labour laws in line with the new economic and social developments in the country and the international and Arab labour standards.

Item 10. Progress report of the Secretary General on ILO:
Structure and Constitutional Amendments LC/10 (XIV)

95. In his presentation, a member of the Secretariat reminded the Meeting of the adoption of the constitutional amendments in 1988 by the International Labour Conference (ILC). According to the new amendments, the ten permanent seats in the Governing Body were abolished and the number of Governing Body's seats was raised from 56 to 112 seats (56 governments, 28 workers and 28 employers). Out of those 56 government seats, 54 will be distributed on geographical bases, Americas 12, Africa 13, Asia and Europe 15 and 14 seats alternatively. The remaining two seats will be left to cover countries that were not covered by a Protocol and shall rotate among the four regions, he added.

96. The member of the Secretariat also informed the Commission that the two outstanding questions, namely the Protocol of the Americas region and the composition of the employers group were not yet resolved. He added that the increasing number of countries that ratified, the Constitutional Amendments including some from the Americas region might encourage the Americas region to reach agreement in finalizing their Protocol.

97. Concerning the composition of the Employers Group, the Meeting was told that the situation remained the same. It was hoped that the new changes taking place in the socialist countries of Eastern Europe including the move towards multi-political party system and the formation of a new employers confederation, would lead to a number of positive developments.

98. With regard to the ratification of the African Regional Protocol concerning the distribution of the 13 seats, the member of the Secretariat said that since the last Session of the Labour Commission, only Ghana and Liberia ratified the Protocol, in addition to the 35 countries that had already sent their instrument of ratifications. He further appealed to those who had not yet done so, to urgently send their instrument of ratifications to the OAU General Secretariat.

99. As for the Constitutional Amendments, the member of the Secretariat informed the Commission that in order to enter into force, those amendments should be ratified by two-thirds of the ILO Member States including five of the ten members of chief industrial importance, a total of 100 countries. He added that only 75 countries, including 3 of the 10 members of chief industrial importance, ratified the amendments. He therefore appealed to those African countries who had not yet done so to deposit their instruments of ratification with the International



Labour Office. He further proposed that the Chairman of the Commission and members of the Bureau could contact delegations of developing and developed countries during the forthcoming International Labour Conference requesting them to ratify the Constitutional Amendments. The meeting consequently approved the Secretariat's proposal.

100. The distinguished representatives of the United Republic of Tanzania and Uganda told the meeting that they had sent their ratifications of the Constitutional Amendments to the ILO.

Item (11) Presidency of the 78th Session of the International Labour Conference, and Chairmanships of its various Committees and of the Governing Body for the Period 1991-92 Document LC/11 (XIV)

101. A member of the Secretariat who introduced this item, informed the meeting that in accordance with the established rotation, this year would be the turn of Asia to present a President for the forthcoming session of the International Labour Conference.

Chairmanships of the Conference Committees

102. The member of the Secretariat informed the Commission of the following Chairmanships of Conference Committees;

a) Chairmanships having particular importance:

1. The Presidency of the Conference.
2. Government Vice-Presidency of the Conference.
3. Chairman of the Committee on Application on Conventions and Recommendations.
4. Chairman of the Resolutions Committee.
5. Chairman of the Selections Committee.

b) Chairmanship of Technical Committees

6. Committee on Protection of Workers' Claim in the event of the Insolvency of their Employers.
7. Committee on application of Modern Agricultural Technology.
8. Committee on Working Conditions In Hotels, Restaurants, and similar establishments.

c) Other Chairmanships

9. Chairman of the Finance Committee.
10. Vice-Chairman of the Finance Committee.
11. Chairman of the Credentials Committee.
12. Chairman of the Committee on Apartheid.
13. Chairman of the Government Group.
14. Chairman of the Standing Orders Committee.

103. The member of the Secretariat added that each of the four regions could get at least one chairmanship from each of the above mentioned categories, with a possibility of having a total of four chairmanships. He then proposed that the Commission might want to consider having the chairmanships of the following committees:

1. Resolutions Committee
2. Committee on application of Modern Agriculture Technology
3. Finance Committee
4. Government Group

104. The meeting was also informed that in order to reach a final agreement on a fair distribution of chairmanships, informal consultations among all Regional Coordinators would take place at the International Labour Organization in Geneva.

Chairmanship of the Governing Body for the Period 1991 - 92

105. The member of the Secretariat informed the meeting that it would be the turn of the European region to nominate a candidate for the chairmanship of the Governing Body. He further said that France showed interest in this chairmanship.

106. Concerning the International Labour Organization Director-General's report in the conference the Meeting was informed that the first part of that report will deal with the informal sector and the second part with International Labour Organization activities in 1990.

107. The Labour Commission was also informed that Mr. Gorbachev, President of the USSR, will address the forthcoming conference in a special sitting.

108. The distinguished delegate of Tunisia expressed the wish of his country to continue having the Chairmanship of the Committee on Working Conditions in Hotels, Restaurants and similar establishments.



109. The Meeting agreed that this matter be left to the Honourable Ministers to decide upon.

ITEM 12: ITEM PROPOSED BY TUNISIA : MEMORANDUM ON
THE FOURTH CONFERENCE OF LABOUR MINISTERS
OF THE NON-ALIGNED AND OTHER DEVELOPING
COUNTRIES (LC/1(XIV)) ADD.1

110. The above item, proposed by Tunisia, was introduced by H.E. Mr. Backrouch, Ambassador of Tunisia in Addis Ababa. He recalled that pursuant to the appeal made by the Ninth Summit of Heads of State and Government of the Non-aligned countries (Belgrade, Yugoslavia, September, 1989) and the decision of the XIIIth Ordinary Session of the OAU Labour Commission (LC/Res 153(XIII)), the 4th Conference of the Labour Ministers of the Non-Aligned Countries was held in Tunis, Tunisia, from 20 to 23 November, 1990.

111. He observed that the participation of many African countries had contributed significantly to the success of the Conference.

112. He gave a short summary of the deliberations of the Conference which culminated in the adoption of a Declaration, a Programme of Action for the period 1991-1993 and a Special Resolution on Palestine.

113. He added that the Programme of Action reviewed issues relating to the Structural Adjustment Programme and Labour, vocational training, employment and immigrant workers and concluded with recommendations.

114. He suggested that Labour Commission should implement decisions of the Conference.

115. Finally, he informed the meeting that he would, in cooperation with the Secretariat, submit a resolution on the issue.

Item 13: Date and Venue of the Fifteenth Session of the Labour Commission

116. As usual, this item was left for consideration by the Ministerial Session.

Item 14: Any Other Business

117. No issue were raised under the above item.

Item 15: Adoption of the report and closing session

118. After a few amendments, the Experts Meeting adopted its report. The Session was then declared closed by the Chairman, Mr. B.B. Mawindo, Principal Secretary of the Ministry of Labour of Malawi, on 11 April, 1991 at 18 hours.

CM/1674(LIV)

ANNEX II

REPORT OF THE MINISTERIAL MEETING OF THE
FOURTEENTH ORDINARY SESSION OF THE OAU
LABOUR COMMISSION

LC/Rapt/Rpt (XIV)

OAU LABOUR COMMISSION
Fourteenth Ordinary Session
13-14 April, 1991
Blantyre, Malawi

REPORT OF THE MINISTERIAL MEETING OF THE
FOURTEENTH ORDINARY SESSION OF THE OAU
LABOUR COMMISSION



OPENING CEREMONY OF THE MINISTERIAL SESSION

RAPORTEUR'S REPORT

The 14th Ordinary Session of the OAU Labour Commission opened at the Kwacha International Conference Centre on 13th April, 1991 at 10.00 a.m. under the Chairmanship of the Honourable Wadson Deleza, Member of Parliament and Minister of Labour of the Republic of Malawi.

2. In a brief statement, the Honourable Minister of Labour thanked His Excellency the Life President of the Republic of Malawi, Ngwazi Dr. H. Kamuzu Banda, for the very keen attention he had accorded the deliberations of the Labour Commission.

3 He expressed satisfaction at the presence of the Honourable S. G. Demba, Member of Parliament and Minister of Forestry and Natural Resources and Regional Chairman (South), to whom he extended a cordial and warm welcome to the Opening Session of the Ministerial Meeting of the 14th Ordinary Session of the OAU Labour Commission.

4. He also extended warm welcome to all delegations and expressed his gratitude to participants for lecting his country as Chairman of the present Session of the Commission.

5. The Honourable Minister of Labour then gave the floor to the representative of the ANC, who conveyed to participants the greetings of the ANC National Executive Committee. He said he was happy to be in Malawi, a country of the Founding Fathers of the South African Trade Union Movement. He indicated that he had followed, with rapt attention, the deliberations of the Expert Meeting, the quality of which reflected the special importance attached to labour matters.

6. He also said he was satisfied to note that the OAU Labour Commission had now harmonized its activities with those of sub-regional organizations like SALC. He later stressed the importance of the items discussed by the meeting of experts, in particular those dealing with the situation of immigrant workers, the safety of workers, the transformation of the Commission into a tripartite body and the training of Social Security Staff, corner stone of development and stability.

7. He finally expressed the hope that the dismantling of apartheid, in the not too distant future, would make possible for a South African delegation to take part in those kind of deliberations and paid tribute to workers in the occupied Arab territories. In conclusion, he wished the Commission every success in its deliberations.



8. Having conveyed the greetings of Mr. Hansenne, the Director-General of the ILO, Mr. Maier expressed appreciation to the Government and People of the Republic of Malawi for their hospitality.

9. This Session of the Labour Commission was being held at a crucial moment in the history of the African Continent, in view to the rapid and far-reaching political and economic changes taking place in the whole world and recently in South Africa, Mr. Maier said. He added that those changes were in many respects positive particularly with regard to fundamental human rights.

10. However, the Deputy Secretary-General told the meeting that the central problem which should continue to be of major concern to the international community was the problem of poverty, economic stagnation, unemployment and under employment. He added that Africa was particularly afflicted by many problems which included natural and man-made disasters. That notwithstanding, he said, there were obvious signs of economic recovery in several parts of Africa.

11. Emphasizing the importance of popular participation, he referred to the "African Charter on Popular Participation in Development and Transformation" which identified the lack of such participation as one of the main reasons for the backwardness of Africa.

12. The protection and promotion of basic human rights such as freedom of association which had been one of main achievements of the ILO, should remain a major focus of attention of the international community, the Deputy Director General said.

13. With regard to South Africa, he said, after a protracted struggle, the pillars of apartheid started to crumble. He called upon governments, anti-apartheid organisations and the international community to continue with their efforts to ensure the attainment of a new peaceful order for South Africa.

14. Mr. Maier said that promotion of employment would be one of the critical development issues of the 1990s. He expressed his satisfaction at the fact that the agenda of the present Session of the Labour Commission included an item entitled "The African Employment Challenge of the 1990s and a draft Declaration on the African Employment Crisis". He also emphasized the importance of the informal sector in the creation of employment opportunities.

15. Mr. Maier paid tribute to ILO African Member States, Workers' and Employers' Organization and to the OAU for their close cooperation with the ILO in fulfilling their commitments to achieve speedy economic recovery in Africa. He added that the ILO devoted over 50% of its technical cooperation activities to the African region.

16. The Deputy Director supported the proposal in the Draft Declaration and the Draft Treaty establishing the African Economic Community which would facilitate free movement of workers. He expressed the readiness of ILO to cooperate with the OAU in this matter.

17. With regard to the transformation of the Labour Commission into a tripartite body, the Deputy Director General said he was happy about the move adding that the creation of tripartite bodies at national and regional levels would strengthen the democratic process.

18. Concluding his statement, the Deputy Director General reminded the meeting of the 1990s' challenges namely, the challenge of economic recovery and sustainable development, the challenge of dealing with the employment crisis, and, above all, the challenge of respect for human rights and the achievement of genuine tripartite participation and democratisation.

19. Taking the floor in his turn, the Honourable S.G. DEMBA, M.P. Minister of Forestry and Natural Resources, the official representative, at the ceremony, of His Excellency Ngwazi Dr. Kamuzu BANDA, welcomed to Malawi, on behalf of His Excellency the Life President, all the participants in the Fourteenth Ordinary Session of the OAU Labour Commission. He expressed his profound thanks and gratitude to His Excellency the Life President, Dr. Kamuzu BANDA, for the honour and privilege bestowed on him to open this Session of the Labour Commission on his behalf. He conveyed, to the Commission, the fraternal greetings and best wishes of success for the deliberations of the Commission from His Excellency the Life President, the Government and the People of Malawi.

20. Malawi, a country that attached great importance to the aspirations of the African people for peace, prosperity and social justice, was very much honoured to be hosting, for the first time, an OAU Ministers of Labour meeting, through the kind assistance of the Life President, Dr. H. Kamuzu BANDA, who had been working relentlessly to ensure national development and the security of the Malawi people.

21. The Honourable Minister S.G. DEMBA reaffirmed the determination of the Government and the people of Malawi, along with the other African countries present at the meeting, to make the Fourteenth Session of the Labour Commission a success. He stated that the ideals of our continental Organization should be pursued and attained in a constructive manner. He observed that

this Session of the Commission was being held at a time when Africa was faced with problems in various sectors of the economy and that Africa should make every effort to reverse the trend.

22. The presence in the hall, of the Namibian delegation and those of Liberation Movements was a source of pride for the Government and the people of Malawi, the representative of the Life President stressed.

23. The Honourable Minister, representing the Life President of the Republic of Malawi informed the meeting that the fact that labour issues formed the main theme of the Fourteenth Ordinary Session was a demonstration of the determination of the OAU Member States to raise the living standards and promote the welfare of our peoples. He also emphasized that Africa's development necessarily depended on co-operation among the OAU Member States.

24. The representative of the Life President of Malawi added that the deterioration in the terms of trade, the external debt burden, civil wars, shortage of skilled manpower, the problems of unemployment and under-employment among the youth, women participation in development, expansion of coverage of social security etc. were some of the problems facing the OAU and Africa to which the Commission must try to find an answer. He also expressed concern at the economic performance of the African region by pointing out, in this connection, that Malawi, after a policy of strict financial discipline was introduced, registered an economic growth of 4.8% in 1990.



25. The Honourable Minister stressed very quickly that his country was 90% agricultural and that all its development strategies were based on agriculture. He also laid stress on the role the informal sector could play in creating employment opportunities and expressed the hope that efforts would be made in that direction.

26. Before concluding, the Honourable Minister drew attention to the important and decisive role of women in development and proposed that women should participate fully and effectively in our various development programmes. The Malawi women, he continued, were, under the wise and dynamic leadership of His Excellency the Life President Dr. KAMUZU BANDA, in the forefront of development. He then pointed out that Malawi women occupied senior positions in the country, before declaring opened the Fourteenth Ordinary Session of the OAU Labour Commission.

27. After stating that it was an honour for her to address the meeting on behalf of the delegations, Mrs. Julie Ngiriye, Minister of Labour and Social Security of Burundi, expressed her gratitude to the Government of Malawi, particularly its Life President, His Excellency Ngwazi Dr. H. KAMUZU BANDA for having accepted to host the Fourteenth Ordinary Session of the OAU Labour Commission. She thanked the host country for the arrangements made to organise the session and for the very warm and brotherly welcome accorded all the delegations since their arrival in Lilongwe and for the opportunity offered them to visit the other parts of the beautiful country, which was a clear testimony of Malawi's unflinching support to the ideals of the OAU and the high sense of hospitality which had always characterised our African Continent. She also extended her condolences to the Government of Malawi and the families of the victims of the recent floods which occurred in the Southern part of the country.

28. Mrs. Ngiriye further paid glowing tribute to the Honourable DEMBA, .P. and Minister of Forestry and Natural Resources of the Government of Malawi for his very inspiring and thought provoking speech which would serve as guidelines for the deliberations of the Commission and also for the information provided on his country's numerous achievements. She also expressed satisfaction with the wise and enlightened leadership of the Life President, His Excellency Ngwazi Dr. KAMUZU BANDA which had enabled the people of Malawi to fully enjoy the fruits of their independence.

29. Referring to the Meeting of Experts, she pointed out that the Experts had, during the last five days, reflected on important issues which were of major concern to the Commission and thus spared each and every one the effort of having to reconsider the same issues. That notwithstanding, she said, a gathering like the present one could serve as an opportunity to decide together, on practical and realistic guidelines which would enable actions to be initiated to take up the challenges facing Africa.

30 In a statement delivered at the official opening, Dr. M.T. Mapuranga, Assistant Secretary-General of the OAU pointed out that it was a source of profound pleasure for him to address the Ministerial Conference. Referring to what he had already said during the Experts Meeting, Dr. Mapuranga reiterated the apologies of the OAU Secretary General, Dr. Salim Ahmed Salim, for his inability to attend the present Session as he would have wished, owing to other exigencies of duty. He also renewed the Secretary General's expression of profound gratitude to the Life President of Malawi, His Excellency Ngwazi Dr. H. KAMUZU BANDA for hosting the Fourteenth Ordinary Session of the OAU Labour Commission in his country and for the warm and fraternal receptions accorded all delegations by the Government and people of Malawi despite the natural calamities which had recently devastated the Southern region of the country.

31. Dr. Mapuranga pointed out that since the recent sessions of the OAU Labour Commission held in April last year, several momentous political and economic events had taken place in the world and that those events had had serious and negative repercussions on the socio-economic situation particularly, on the already precarious position in the labour sector of African countries. He said the gravity of the situation had led the OAU Heads of State and Government, meeting in their annual Summit in Addis Ababa in July 1990, to ponder over the consequences for Africa of those events taking place in the world. He continued by observing that while taking note of the on-going changes in the world political climate from confrontation to cooperation, the thaw in East-West relations, the relentless march towards political and monetary union in Western Europe, the increased tendency towards regional integration and formation of trading and economic blocs and the progress in science and technology, the Heads of State and Government admitted that the present economies of the continent were precarious despite great efforts being made individually and collectively and the result was a constant degradation of the means of production and infrastructure because of lack of the necessary financial resources or their maintenance and renewal. He emphasised that unemployment and under-employment increased at an alarming rate after the implementation of the first generation of structural

adjustment programmes which did not always take into account the social cost as well as the human dimension of the problem. Those phenomena, he said, resulted logically in a huge loss of income for the African populations which was translated into a state of almost absolute penury which, in addition, afflicted children as well as the youth generally, including young graduates from secondary schools and universities.

32. Dr, Mapuranga also recalled that the Heads of State and Government noted that the per capita income of the African populations had fallen considerably, the volume of exports and imports had plummeted deeply and that the quality of life had drastically deteriorated owing to serious reduction in the resources devoted to the social sector, notably public health, housing, education and other services. The heavy external debt burden on African countries and the attendant debt servicing had also thwarted the efforts being made by African countries to emerge from that stifling situation. He emphasised the fact that even the debt abatements and rescheduling grudgingly accorded by some creditors did not produce the expected relief for the African States.

33. Dr. Mapuranga intimated that those ills had come to add to the civil wars, and other internal conflicts which were devastating both human lives, the main factors of production, and undermined every economic activity. He noted that the Gulf War had also led to massive destructions and to a sky rocketing of oil prices which increased from 17 American Dollars a barrel in August 1990 to 30 and even to 40 Dollars by the end of last year. That soaring of oil prices, he said, led to a substantial unforeseen increase in oil bills of African countries with catastrophic consequences, particularly for the land locked countries and those which relied heavily on Kuwaiti and Iraqi oil.

34. Dr. Mapuranga said, he was convinced that faced with those events, which were changing the traditional political and economic landscape and which clearly constituted precursory signs of a new world order in gestation, Africa had no

alternative but to coordinate its strategies and redouble efforts with the view to transcending the stark realities she was confronted with and securing her rightful place in the new international geopolitics. He added that the realisation of that task, which required the participation of all the sons and daughters of the African continent, devolved first and foremost on African Ministers responsible for labour matters and the delicate sector of employment.

35. Dr, Mapuranga concluded his statement by briefly recalling the agenda items and stressed the special importance of some of the items relating particularly to social security, immigrant African workers in Europe, the adoption of the principle of tripartism and employment crisis in Africa.

36. Finally, he denounced the barbaric practices of the apartheid system in South Africa and recommended that sanctions and all other forms of pressure be maintained against the regime, because the pillars of apartheid were still standing, despite the glib declarations and promises of President de Klerk of South Africa.

II. ELECTION OF OFFICERS

37. After having referred to the consultations he had had with his colleagues as well as the experience of the Meeting of Experts, the Minister of Zimbabwe proposed the following Bureau which was supported by the delegation of Algeria.

Chairman:	Malawi
First Vice- Chairman:	Ghana
Second Vice- Chairman:	Mauritius
Third Vice-Chairman:	Egypt
Rapporteur:	Chad

38. Following these elections, the Honourable Wadson Deleza, Member of Parliament and Minister of Labour of the Republic of Malawi thanked the Ministerial Meeting on behalf of the Bureau and on his personal behalf for the confidence that had been manifested in them.

39. He expressed his sincere appreciation for the confidence shown in him by electing him to preside over the deliberations of the Fourteenth Ordinary Session of the Labour Commission after having chaired the Thirteenth Session held in Addis Ababa, Ethiopia in April 1990. He stated that that constituted an honour not only for him but also for the Government and People of Malawi especially its Head of State, His Excellency, the Life President, Ngwazi Dr. H. Kamuzu Banda. He assured the delegations to the Commission that he would inform the Government, people and more especially His Excellency, the Life President of the spirit and aim of his reelection. He added that he had accepted to assume the heavy responsibilities related to the position of chairman and appealed to all delegations to give him and other members of the Bureau their full support and co-operation in the exercise of their duties. Lastly he expressed the hope that the Ministerial Meeting would be conducted under the same calm atmosphere and the same spirit of cooperation and understanding which ensured the success of the Meeting of Experts. This he said would ensure the rapid discussion of all the agenda items tabled before the meeting.

40. Taking into account the fact that the delegate of Chad had to leave for his country immediately after the opening of the meeting, Cameroon was designated to be the Rapporteur of the Fourteenth Ordinary Session of the Commission.

III. Adoption of the Agenda

41. The following agenda was adopted:

1.
 - (a) Opening Ceremony
 - (b) Election of Officers
 - (c) Adoption of Agenda
 - (d) Organization of Work
2. Consideration of the Report of the Experts Meeting



3. Date and Venue of the Fifteenth Ordinary Session of the Labour Commission
4. Any Other Business
5. Adoption of the Report
6. Closure of the Meeting

IV. Working hours

42. The Ministerial Meeting adopted the following working hours:

Morning: 10 a.m. - 1 p.m.

Afternoon: 3 p.m. - 5.30 p.m.

43. However, since the Ministers decided to meet only for one day, it was decided that the Session would resume at 9.30 p.m. if the deliberations had not been completed by 5.30 p.m.

V. Consideration of the Agenda Items

- Item 2: Consideration of the Report of the Experts Meeting
- Document LC/Expt/Rapt/Rpt (XIV)

44. The report of the Experts' Meeting was introduced by Mr. B.B. Mawindo, Ag. Secretary for Labour, Malawi and Chairman of the Meeting of Experts. The Chairman pointed out that the Report was made up of three main documents, namely the Report of the Meeting of Experts Meeting itself; the Draft Resolutions; and the Draft Declaration of the 27th Assembly of Heads of State and Government on the Employment Crisis in Africa.



45. Mr. Mawindo further indicated that the Report of the Experts itself was composed of four parts as follows: the Opening Ceremony; the Election of the Bureau; Adoption of the Agenda and Organization of Work and Examination of all the Agenda Items of the Session.

46. The Chairman also stated that after exhausting all the items on the agenda, the Experts' Meeting adopted altogether 12 Resolutions and approved the Draft Declaration on the Employment Crisis in Africa. Chairman of the Experts' Meeting then formally presented the Report and commended it for the consideration and adoption of the Ministers.

47. After that introduction of the Report of the Experts Meeting, the Ministerial Meeting considered the report item by item.

(a) Report of the Secretary-General on activities within the competence of the OAU labour Commission LC/2 (XIV)

48. The Report on this item was adopted without amendment.

(b) Report of the Secretary-General on the Meeting of Directors of African Social Security Institutions - LC/3 (XIV)

49. The Report on this item was adopted without amendment.

(c) Report of the Secretary-General on the Draft Declaration of the Twenty-seventh Ordinary Session of the Assembly of Heads of State and Government on the Employment Crisis in Africa - LC/5 (XIV)

50. The Report on this item was adopted without amendment.

(d) Report of the Secretary-General on the Situation of Immigrant African Workers in Europe (LC/5 (XIV))

51. The Report on this item was adopted with the following amendments:

Paragraphs 52 and 57, date for the introduction of the United Europe is January 1993 and not 1992.

- (e) Report of the Secretary-General on the need and implication of the transformation of the OAU Labour Commission into a Tripartite Organ (LC/6(XIV))

52. As proposed by one delegation, the Ministerial meeting decided to amend paragraph 65 of the Report on this item by deleting the reservations expressed at the Experts' Meeting by the following 6 countries. Burkina Faso, Cameroon, Central African Republic, Cote d'Ivoire, Gabon and Chad. With that amendment, the principle of Tripartism was adopted by consensus according to scenario 3.

- (f) Report on Working Conditions and Environment for the African Region LC/7 (XIV)

53. The Report on this item was adopted without amendment.

- (g) Progress Report on the International and Inter-African Organizations on Co-operation with the OAU in the Field of Labour and Related Social Matters LC/8 (XIV)

54. The Report on this item was adopted without amendment.

- (h) Report of the Secretary-General of the Organization of African Trade Union Unity (OATUU) LC/8a (XIV)

55. The Report on this item was adopted without amendment.

- (i) Report of the Secretary-General on the Pan-African Employers Confederation (PEC) LC/8b (XIV)

56. The report on this item was adopted without amendment.



(j) Report of the Current Chairman of the Southern African Labour Commission (SALC) LC/8c (XIV)

57. At this stage, the Minister of Labour of the United Republic of Tanzania, Current Chairman of SALC, presented the Report of the Twelfth Tripartite Ministerial Meeting of the Southern Africa Labour Commission held in Arusha, Tanzania between 21 and 22 January, 1991.

58. He pointed out that the meeting was preceded by a tripartite meeting from 11 to 20 January. He intimated that his Report was divided into two parts each relating to the two meetings attended by all the countries of the region including Namibia which was represented for the first time as an independent and sovereign state, as an observer.

59. After informing the Commission about the composition of the Bureau of the Southern Africa Labour Commission, the speaker summed up the deliberations of the said Commission which related specifically to socio-economic aspects of migratory labour in the region, ILO/SATEP activities, employment/unemployment in the 1980's and the effects of migrant, mining labour on rural development.

60. He pointed out that the Commission also urged SALC Member States to orientate their economies in such a manner that they could make productive investments to generate employment and thus discouraging migration of Labour.

61. The Tanzanian Minister of Labour gave a brief account on the programme of activity adopted for the 1991-95 period and announced the region's intention to establish an independent secretariat to coordinate the activities of SALC. Thus after examining the OAU Scale of Assessment, a level of subscription to SALC by each Member State was proposed.

62. Additionally, continued the speaker, the Commission drew the attention of SALC Council of Ministers (Namibia, January, February, 1991) to the need to define the nature and modalities for co-operation and consultation between the two institutions.

63. After enumerating the resolutions adopted by the Southern African labour Commission, the Minister reported that the said Commission had decided to meet again in Lusaka, Zambia, in January 1992 in order to assess the achievements of SALC during 1991-1992 and to plan for 1992-1993.

64. The Ministerial Meeting took note of the SALC Report.

- (i) Report of the African Members of the ILO Governing Body for the period 1990/1991, LC/9 (XIV)

65. The Report on this item was adopted without amendment.

- (j) Progress Report on the Structure of the ILO and Constitutional Amendments (LC/10 (XIV))

66. The Report on this item was adopted without amendment.

- (k) Report on the Chairmanship of the 78th Session of the International labour Conference and the Chairmanship of the Various Committees and the Governing Body for the Period 1991/1992 LC/11 (XIV)

67. During consideration of the item on the Chairmanship of the various Committees of the 78th Session of the International Labour Conference, the ILO representative reminded the Commission of the importance of the Chairmanship of the Committee on Apartheid for the African Region in particular.

68. The meeting accepted the proposal made by Tunisia that it should take the Chairmanship of the Committee on Hotels, Restaurants and Similar Establishments. As for the other Chairmanships, it was agreed that the matter be left for consultations amongst the Heads of Delegation and that conclusions of those consultations should be reported to the Plenary.

69. The meeting thus agreed that Africa should appoint Chairmen for the following Committees:

1. Committee on Conditions of Work in Hotels/Restaurants and in similar Institutions: Tunisia
 2. Committee on Finance: Cameroon
 3. Chairmanship of the Government Group: Malawi
 4. Committee on Apartheid: Tanzania
1. Item proposed by Member States: memorandum on the IVth Conference of the Labour Ministers of the Non-Aligned Countries and other Developing Countries (item proposed by Tunisia - LC/1 (XIV)) Add.1

70. The Chairman of the Ministerial Meeting warmly thanked the Tunisian Government for having accepted to host the above-mentioned meeting and congratulated His Excellency Mr. Bachrouch, Ambassador of Tunisia in Addis Ababa on his brilliant presentation of the item.

71. After considering the Report of the Experts' Meeting, and having made appropriate amendments thereon, the Commission approved the report. The Commission also considered the 12 draft resolutions, and after making amendments in some of the resolutions, unanimously adopted them. With regard to the Draft Declaration on the Employment Crisis in Africa, the Commission recommended that the Draft Declaration should be further improved by the Secretariat. The Commission then mandated the Bureau of the 14th Session to submit the Declaration to the 27th Session of the Assembly of Heads of State and Government through the Council of Ministers.

Item 3: Date and Venue of the 15th Ordinary Session
of the OAU Labour Commission

72. As proposed by one delegation, the Ministerial Meeting recommended that member countries of the Bureau consult in order to consider the possibility of finding from among themselves a host country for the Fifteenth Ordinary Session of the Commission and inform the General Secretariat at the appropriate time.

Item 4: Any Other Business

73. At this juncture, the Honourable Minister of Namibia took the opportunity to express gratitude to the host country for the warm hospitality extended to his delegation since their arrival in Blantyre. He also thanked the ILO for the invaluable assistance it had given to Namibia since the latter's accession to independence. He further indicated that since his country had just become independent and lacked the necessary expertise in diverse fields, he appealed to African countries to render assistance to his country.

Item 5: Adoption of the Report

74. The meeting adopted its Report with all the amendments proposed.

Item 6: Closing Session

75. After the Vote of Thanks was read by the delegation of Algeria on behalf of all delegations, the Ministerial Meeting was declared closed on 14 April, 1991 at 12:20 p.m. by the Chairman, Honourable Wadson DELEZA, M.P. and Minister of Labour of the Republic of Malawi.



CM/1674(LIV)

Annex III

RESOLUTIONS

LC/Res. 160-171 (XIV)

OAU LABOUR COMMISSION
FOURTEENTH ORDINARY SESSION
8-14 April, 1991
BLANTYRE, MALAWI

RESOLUTIONS

RESOLUTION ON THE ACTIVITIES OF THE

LABOUR COMMISSION

The Labour Commission of the Organization of African Unity, meeting in its Fourteenth Ordinary Session in Blantyre, Malawi, from 8 to 14 April, 1991.

Having considered the report of the Secretary-General on the activities of the Labour Commission (DOC.LC/2(XIV)) on the effective implementation of its recommendations,

Considering the efforts made by Member States and the International Organizations concerned in translating into action its resolutions and recommendations,

Noting with satisfaction and interest the positive role played by the General Secretariat in the implementation of the resolutions and other decisions adopted at its previous sessions:

1. TAKES NOTE WITH SATISFACTION the report of the Secretary-General on the activities of the Labour Commission;



2. CONGRATULATES Member States on the actions undertaken within the framework of the implementation of its resolutions and recommendations and CALLS ON them to submit a report to the Secretariat before each session;
3. EXPRESSES ITS DEEP APPRECIATION to the International Organizations cooperating with the OAU in the field of labour and related social affairs;
4. REQUESTS the Secretary-General to continue with the efforts being made for the implementation of its resolutions and URGES him to continue his action aimed at strengthening African and international co-operation in the vast labour and related social affairs sector;
5. CALLS ALSO on the Secretary-General to direct, henceforth, all activities of co-operation in order to ensure a better co-ordination and a broader harmonization of the activities of African regional and sub-regional institutions for the ultimate

establishment of the African Economic Community and
to submit a report thereon to the next session of
the Labour Commission.

- RESOLUTION ON TRAINING IN THE FIELD OF

SOCIAL SECURITY

The Labour Commission of the Organization of African Unity meeting in its Fourteenth Ordinary Session in Blantyre, Malawi from 8 - 14 April, 1991,

Having considered the report of the Secretary-General on Training in the field of Social Security (DOC.LC/3(XIV)),

Recalling the importance of this issue and the earlier resolutions recommending the implementation of the strategies adopted in Arusha in 1987, as early as possible,

Considering the observations made on this issue by the Directors of African Social Institutions attending this Session:

1. TAKES NOTE OF the conclusion of the meeting of the Social Security Institutions held within the framework of the present Session;



2. REAFFIRMS the need for all African countries who have not yet done so to immediately ratify the African Regional Protocol;
3. URGES all developing countries particularly those of Africa who have not yet done so, to ratify the Constitutional Amendments;
4. CALLS UPON industrialized countries including those of chief industrial importance to ratify the Constitutional Amendments in the spirit of international co-operation and understanding;
5. REQUESTS the Chairman of the Commission and his colleagues in the Bureau to contact delegations of developing and industrialized countries during the forthcoming International Labour Conference to request them to ratify the Constitutional Amendments.

RESOLUTION ON THE AFRICAN EMPLOYMENT

CRISIS AND CHALLENGE THE 1990

The Labour Commission of the Organization of African Unity meeting in its Fourteenth Ordinary Session from 8 to 14 April, 1991 in Blantyre, Malawi,

Having considered the Report of the Secretary-General on the Draft Declaration of the Twenty-Seventh Ordinary Session of the Assembly of Heads of State and Government on the Employment Crisis - Doc. LC/4(XIV),

Recalling previous Reports and Studies on the Structure and Functions of African Ministries of Labour as well as on a Systems Approach to Labour Administration in Africa,

Further recalling Resolution LC/Res. 150(XIII) adopted by the Thirteenth Ordinary Session of the OAU Labour Commission on the Employment Crisis in Africa, which called upon the OAU, in collaboration with ILO/JASPA and the ECA, to prepare a Draft Declaration on the African Employment Crisis to be adopted by the Assembly of Heads of State for prior consideration by the 14th Session of the OAU Labour Commission,

Cognisant of the Declaration of the 26th Assembly of Heads of State and Government on the centrality and importance of human-centred, self-reliant and sustainable developments in Africa:

1. CONGRATULATES the joint Secretariat of the OAU, ECA and ILO for the comprehensive Report and succinct Draft Declaration thereon;
2. COMMENDS the work of the Commission's Committee on the elaboration of the Declaration;
3. TAKES note of the Report and adopts the Draft Declaration on the African Employment Crisis;
4. REQUESTS the Secretary-General to place the Draft Declaration on the agenda of the 27th Session of the Assembly of Heads of State and Government for consideration and adoption.

I.C/ Res. 163 (XIV)

RESOLUTION ON THE NEED FOR TRANSFORMING THE OAU
LABOUR COMMISSION INTO A TRIPARTITE ORGAN

The Labour Commission of the Organization of African
Unity meeting in its Fourteenth Ordinary Session in Blantyre,
Malawi from 8 - 14 April, 1991,

Having considered the report of the Secretary-General on
the need and the implications of transforming the OAU Labour
Commission into a Tripartite Organ (DOC.LC/6(XIV)),

Recalling the resolutions adopted at its Fourth, Twelfth
and Thirteenth Ordinary Sessions held respectively in Mogadishu,
Bujumbura and Addis Ababa on this issue,

Bearing in mind the long and fruitful discussions held on
this question during the present Session from which the
majority were in favour of the adoption of the principle of
Tripartism within the OAU Labour Commission,

Aware further of the socio-economic crisis situation
facing the African States, leading to serious financial
difficulties:



1. TAKES NOTE WITH SATISFACTION the report of the Secretary-General on the issue and APPRECIATES the relevant financial, legal, political and administrative implications that had been worked out;

2. THEREFORE DECIDES to adopt the principle of tripartism within the Labour Commission of the Organization of African Unity in the following formula: a tripartite commission copied from the pattern adopted by the Southern Africa Labour Commission (SALC) in which workers and employers could meet their own expenses when the Government could not do so;

3. REQUESTS the Secretary-General of the CAU to submit to the next Session any amendment to the Rules of Procedure of the Commission as may be required by the adoption of the principle of tripartism and to submit a report on the implementation of this resolution.

RESOLUTION ON THE WORKING CONDITIONS AND
ENVIRONMENT IN THE AFRICAN REGION

The Labour Commission of the Organization of African
Unity, meeting in its Fourteenth Ordinary Session in Blantyre,
Malawi from 8 - 14 April, 1991,

Having considered the report of the Secretary-General on
the working conditions and environment in the African region as
contained in Labour Commission Doc.LC.7(XIV),

Noting that the working conditions and environment in the
African region are far from satisfactory and in many cases are
deteriorating:

1. CALLS UPON the OAU Member States to have national
strategies which would include sound policies,
advisory and promotional services, training,
education and information, enactment of appropriate
legislation and its enforcement;
2. CALLS UPON the OAU Member States to co-operate and
collaborate in the fields of working conditions and
environment;

3. CALLS UPON the OAU Member States to organize necessary infrastructure where there are none and strengthen the infrastructures where they exist and provide the infrastructure with appropriate logistics for effective enforcement of legislation and promotional services;
4. REQUESTS the ILO Director-General and the African Region Department to intensify the assistance to OAU Member States in the field of safety, health and working environment;
5. CALLS UPON the OAU Secretary-General, in cooperation with the ILO, to undertake an in-depth study on working conditions and environment and the African institutions specialized in training in the field of occupational health, safety and medicine;
6. CALLS UPON the OAU Secretary-General to submit a report on this matter to the Fifteenth Session of the Labour Commission.

RESOLUTION ON THE ORGANIZATION OF AFRICAN TRADE
UNION UNITY (OATUU)

The Fourteenth Ordinary Session of the OAU Labour Commission, held in Blantyre, Malawi, from 8 - 14 April 1991,

Considering the comprehensive report of activities of the Organization of African Trade Union Unity (OATUU),

Recalling with appreciation, the effective coordination of the activities of African workers and trade unions through the national trade union centres in all African countries; through the sub-regional trade union organizations for the West, East, Central; Southern and Maghreb regions of Africa, and through its Specialized Agencies,

Conscious of the positive role the OATUU is playing in mobilizing African workers and trade unions towards Africa's economic integration, leading to the establishment of the African Economic Community,

Mindful of the important contribution that OATUU and its members can make towards Africa's economic integration, self-sustaining development, peace and social justice:



1. **COMMENDS WITH SATISFACTION** the activities of the OATUU;
2. **CALLS UPON** African workers to remain vigilant and jealously guard their unity at the national, sub-regional and continental levels in order to be able to defend and protect the interests of African workers and African countries;
3. **APPEALS** to be OATUU and its members to intensify the education workers on the socio-economic problem confronting their countries, raise their awareness and encourage them to boost productivity and to contribute to the creation of more employment opportunities;
4. **URGES** the OAU and African Governments to continue to assist the OATUU and all its members financially, materially and diplomatically, in order to strengthen their capacity for the development of the continent.

RESOLUTION ON THE REPORT OF THE AFRICAN MEMBERS
OF THE ILO GOVERNING BODY FOR THE PERIOD 1990 - 91

The Labour Commission of the Organisation of African
Unity meeting at its Fourteenth Ordinary Session in Blantyre,
Malawi from 8 - 14 April, 1991,

Having carefully listened to the presentation made by the
Coordinator on this subject,

Having considered the report of the African members of
the ILO Governing Body for the period 1990 - 91,

Noting with satisfaction the efforts made and the
excellent role played by the African members of the ILO
Governing Body and the OAU Executive Secretariat in Geneva in
defending African interests:

1. TAKES NOTE of the report of the African members of
the ILO Governing Body for the period 1990-91;
2. CONGRATULATES the African members of the ILO
Governing Body and the OAU Executive Secretariat in
Geneva on the role played by them in defending
African interests;

3. ENCOURAGES the African members of the ILO Governing Body to continue their efforts in representing Africa in the best way and ensuring a fair representation of Africa in the ILO personnel at all levels of the Organization.

RESOLUTION ON THE ILO STRUCTURAL REFORM AND

CONSTITUTIONAL AMENDMENTS

The Labour Commission of the Organization of African
Unity meeting at its Fourteenth Ordinary Session in Blantyre,
Malawi from 8 - 14 April 1991,

Having considered the progress report on the ILO
Structural Reform and Constitutional Amendments,

Recalling its previous resolutions on this subject,

Recognising the importance of urgent ratification of both
the African Regional Protocol and the Constitutional Amendments,
particularly by African and developing countries,

Regretting that only 36 African countries ratified the
African Regional Protocol, and only 75 countries ratified the
Constitutional Amendments of which 34 were Africans and three
from those of chief industrial importance have ratified the
Constitutional Amendments:

1. TAKES NOTE of the Progress Report on the ILO
Structural Reform and Constitutional Amendments;



2. REAFFIRMS the need for all African countries who have not yet done so to immediately ratify the African Regional Protocol;
3. URGES all developing countries particularly those of Africa who have not yet done so, to ratify the Constitutional Amendments;
4. CALLS UPON industrialized countries including those of chief industrial importance to ratify the Constitutional Amendments in the spirit of international co-operation and understanding;
5. REQUESTS the Chairman of the Commission and his colleagues in the Bureau to contact delegations of developing and industrialized countries during the forthcoming International Labour Conference to request them to ratify the Constitutional Amendments.

RESOLUTION ON THE FOLLOW-UP OF DECISIONS
AND RECOMMENDATIONS OF THE FOURTH CONFERENCE OF
THE MINISTERS OF LABOUR OF NON-ALIGNED COUNTRIES

The OAU Labour Commission meeting in its Fourteenth Ordinary Session in Blantyre, Malawi from 8 - 14 April, 1991,

Considering the Monrovia Declaration of Heads of State and Government of the Organization of African Unity on the guiding principles and measures to be taken to achieve national and collective autonomy in the economic and social development and the importance attached to the development of human resources in this commitment,

Recalling the provisions of the Lagos Plan of Action and Final Act calling particularly on African countries to work towards the implementation of Monrovia Strategy for the Economic Development of Africa,

Noting further that the general guidelines of the international strategy for the Fourth United Nations Development Decade attributed to the constant improvement of the welfare of the population as a whole, the latter's full participation in development process and a fair distribution of the attendant benefits among the priority objectives of the international community for the 1990 decade,

Recalling the Declaration of the Sixth Meeting of the Coordinating Countries of the Programme of Action and Coordination of the Non-Aligned Countries, Harare, Zimbabwe, May, 1989,

Recalling resolution LC/157(XIII) Rev. 1 of the Fourth Conference of the Labour Ministers of Non-Aligned Countries in Tunis, in November, 1990,

Taking note of the relevant conclusions of the IVth Conference of the Labour Ministers of Non-Aligned Countries and other Developing Countries, Tunis, 20 - 23, November, 1990:

1. EXPRESSES SATISFACTION with the success of the deliberations of the IVth Conference of the Labour Ministers of the Non-Aligned Countries and Other Developing Countries;
2. EXPRESS SATISFACTION with the active participation of African countries in this important Conference and the role played by the African Group to ensure that the concerns and hopes of the African countries are shared in this area;

3. SUPPORTS the initiative to organise an international conference on debt leading to the creation of a Fund to finance the establishment and working of a Committee for assistance in debt management, creation of infrastructure, training and environmental protection projects;
4. INVITES the OAU Secretary-General to take the necessary steps with the Economic Commission for Africa and the International Labour Office with the view to examining the modalities for executing and carrying out the following activities:

LABOUR

- Compilation of a list of African Experts;
- Establishment of an African institute of studies and research in the field of the promotion of labour in rural areas;



RESOLUTION ON THE SITUATION IN SOUTHERN AFRICA

The Labour Commission of the Organization of African Unity meeting in its Fourteenth Ordinary Session in Blantyre, Malawi, from 8 - 14 April, 1991,

Recalling Resolution LC/Res.127(XI) on the situation of the Black South African Trade Unions,

Bearing in mind the previous resolutions and declaration adopted by the Council of Ministers of the OAU and the Assembly of Heads of State and Government on South Africa, particularly, Harare Declaration of 21 August, 1990 on Apartheid in Southern Africa,

Having heard the statements by the representative of the Liberation Movements on the Situation in South Africa,

Seriously concerned about the escalation of violence despite the peace initiatives taken by the African National Congress (ANC) and the Agreements concluded with the INKATHA FREEDOM PARTY and the other Organizations with a view to removing any obstacles that may frustrate genuine negotiations,



Noting with satisfaction the growing determination of the oppressed and dispossessed people in South Africa to liberate themselves from the yoke of Apartheid and to create a democratic, non-racial and united state:

1. REAFFIRMS ITS SOLIDARITY with the struggling people of South Africa and their National Liberation Movements recognized by the OAU and INVITES Member States to offer them increased assistance, so as to facilitate their resettlement in South Africa and the intensification of the struggle;
2. CALLS UPON the regime of South Africa to promulgate the effective dissolution and disarmament of all special counter insurgency units such as the 32nd battalion, the Askaris, the 2 squads, the Civil Co-operation Bureau, and the Koerel;
3. CALLS for the dismissal of all officers directly responsible for crimes and other exactions committed by the C.C.B. and other squads from their posts within the South African Defence Force and the South African Police;
4. CONDEMNS the continued incarceration of political leaders and activists, including the UPINGTON 14 and SHARPVILLE 6 as well as the growing brutal acts of repression, perpetrated by the South African regime;
5. FURTHER CONDEMNS the migration of some Eastern Europeans to South Africa which only serves to prop up the racist Pretoria regime;
6. APPEALS to the international community, as well as the OAU Member States to maintain existing sanctions and other forms

of international pressure against the racist Pretoria regime "until transitional arrangements and modalities for the drawing up and adoption of a new Constitution and the transition to a new democratic order, including the holding of elections are adopted, in accordance with the United Nations Declaration of Apartheid and its destructive consequences in Southern Africa which was adopted by consensus;

- 7, REQUESTS the Secretary-General to submit reports regularly, on the development of the situation to the OAU labour Commission.

RESOLUTION ON THE PALESTINIAN WORKERS IN
THE OCCUPIED TERRITORIES

The Labour Commission of the Organization of African Unity meeting in its Fourteenth Ordinary Session in Blantyre, Malawi, from 8 to 14 April 1991,

Having Considered the report of the African Members on the Governing Body (LC/9/(XIV)) and the report of the 249th Session of the ILO Governing Body (LC/9(XIV) Part II) on the situation of Palestinian workers in the occupied territories,

Recalling Resolutions LC/Res 106 (IX); LC/Res.119(X); LC/Res.129(XI) and LC/Res.159 (XIII) on the Situation of Palestinian Workers in the Occupied territories,

Recalling further all the resolutions adopted by the United Nations and the Movement of Non-Aligned Countries on the Palestinian question;

Following with interest the up-rising of the Palestinian people "INTIFADA" in the occupied territories aimed at ending Israeli occupation and enabling the Palestinian people to enjoy their national inalienable rights to return to their motherland in complete sovereignty and to create an independent Palestinian State with Jerusalem as its Capital,

Considering the effects of the settlement policy being adopted by Israel in the occupied Palestine, particularly, the immigration of the Soviet Jews and their settlement in the occupied Arab territories thus driving away from their homes, a large number of Palestinian populations including workers and their families, an action which thwarts every effort being made to restore just and global peace:

1. HAILS the struggle and the determination of the Palestinian People to achieve national independence under the leadership of the PLO, their sole and legitimate representative;
2. APPEALS to international organizations and, chiefly, the International Labour Organization, to lend material and moral support to the Palestinian workers and

DENOUNCES the Israeli policy of denying the Palestinian People their social and international rights including their trade union rights;

3. REAFFIRMS ITS SOLIDARITY and SUPPORT for the struggle being waged by the Palestinian workers to defend their rights, trade union and political freedoms and to liberate their country from occupation;
4. STRONGLY CONDEMNS the expansionist and settlement policy adopted by Israel in Palestine particularly the movement of Jews, especially the immigration of Soviet Jews, and their settlement in the occupied Arab territories leading to the displacement and deportation of a very large number of Palestinians and Arabs from their country, an action which thwarts the efforts aimed at restoring just and global peace;
5. CALLS for the immediate convening of the international Conference on Peace in the

Middle East, pursuant to the relevant resolutions adopted by the United Nations General Assembly to be attended on equal footing by the Permanent Members of the Security Council and the parties concerned including PLO, the sole and legitimate representative of the Palestinian People and Support for the efforts being deployed to that end;

6. REQUESTS the Secretary-General of the OAU to monitor the development in the situation of the Palestinian workers in the occupied Arab territories and to report to the next session of the OAU Labour Commission.

VOTE OF THANKS

The Labour Commission of the Organization of African Unity, meeting in its Fourteenth Ordinary Session in Blantyre, Malawi, from 8 - 14 April, 1991,

Appreciative of the warm and traditional African hospitality accorded to all delegations and the excellent material facilities put at the disposal of the Fourteenth Session of the Commission, through the generous directives of His Excellency, the Life President, Ngwazi Dr. H. Kamuzu Banda, the Government and People of Malawi,

Convinced that the success of the Fourteenth Session of the Commission was due to the thorough and elaborate preparations for the Meeting and sacrifices of the host country, despite the difficult situation it experienced as a result of the severe floods:

1. EXPRESSES ITS SINCERE APPRECIATION AND PROFOUND GRATITUDE to His Excellency the Life President, Ngwazi Dr. H.Kamuzu Banda, the Government and People of Malawi for the indefatigable efforts deployed in hosting the Fouteenth Session of the Commission, and for the traditional and warm African hospitality extended to the delegates since their arrival in Blantyre;
2. EXPRESSES its deep condolences to the Government, People and the bereaved families as a result of the floods that seriously affected the southern parts of the host country;
3. PAYS A GLOWING TRIBUTE to His Excellency the Life President of the Republic of Malawi, Ngwazi Dr. H. Kamuzu Banda for the special efforts he continues to make to ensure the attainment of the objectives of the OAU and the improvement of the living conditions and the well-being of his people;



4. CONGRATULATES honourable W.B. Deleza, M.P., Minister of Labour of the Republic of Malawi and Chairman of the Fourteenth Session of the Commission for the able manner in which he conducted the proceedings of the Session;
5. REQUESTS, Honourable Deleza, Current Chairman of the Commission, to convey to His Excellency the Life President, Ngwazi Dr. H. Kamuzu Banda, the Government and People of Malawi, the sincere gratitude and deep appreciation of the Commission for the material facilities and practical measures that contributed to the success of the Fourteenth Session of the Commission;
6. THANKS Mr. B.B. Mawindo, Acting Secretary for Labour of Malawi for having steered the deliberations of the Experts Meeting to a successful conclusion;
7. THANKS the Secretariat, the Officials of the Ministry of labour of Malawi, the local staff and all those near and far who have, in one way or another, contributed to the success of the Session.

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