

AFRICAN UNION

الإتحاد الأفريقي



UNION AFRICAINE

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EXECUTIVE COUNCIL
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Sirte, Libya

EX.CL/186 (VII)

REPORT OF THE MINISTERIAL MEETING OF THE AU
LABOUR AND SOCIAL AFFAIRS COMMISSION

**REPORT OF THE MINISTERIAL MEETING OF THE AU LABOUR AND
SOCIAL AFFAIRS COMMISSION**

I. Introduction

1. It will be recalled that the Specialised Technical Committee (STC) on Health, Labour and Social Affairs has not yet been set up and that its rules of procedure are not yet approved. Consequently, reference is made to the Provisions of Article 2 of the former Rules and Procedure of the ex-OAU Labour and Social Affairs Commission in presenting this report by the Chairperson of the African Union Commission to the Executive Council for consideration, observations and subsequent transmission to the Assembly of Heads of State and Government for approval on behalf of the Commission. The report concerns the conclusions of the 3rd Session of the African Union Labour and Social Affairs Commission held in April 2006 in Johannesburg (South Africa) at the invitation of the Government of the Republic of South Africa.

2. The Meeting of the AU Labour and Social Affairs Commission was organised in two sessions – the Experts Session and the Ministerial Session. It examined the following items, among others: The Millennium Development Goals (MDGs) vis-à-vis labour and employment issues, information on the outcome of the Extraordinary Session on Employment and Poverty Alleviation in Africa, the Draft Social Policy Framework, the Follow-up on the Plan of Action on Ageing (establishment of a Consultative Council on Ageing), activities in the Fisheries sector (Standards proposed by ILO for the Fisheries Sector), the promotional framework for occupational security and health, as well as the report on activities of the African Members of the ILO Governing Body.

3. It should also be pointed out that on the margins of the International Labour Conference that took place from 31 May to 16 June 2004 in Geneva, the Bureau of the African Union Labour and Social Affairs Commission met to examine actions to be taken to ensure effective implementation of the recommendations of the African Union Labour and Social Affairs Commission as well as the outcome of the Extraordinary Summit on Employment and Poverty Alleviation in Africa (Ouagadougou, September 2004).

4. The conclusions, recommendations and proposals of the joint meeting will therefore be submitted for consideration by the Executive Council before being transmitted to the Assembly of Heads of State and Government.

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**THIRD ORDINARY SESSION OF THE
LABOUR AND SOCIAL AFFAIRS
COMMISSION OF THE AFRICAN UNION
18 – 22 APRIL 2005
JOHANNESBURG, SOUTH AFRICA**

LSC/MIN/Rpt (III)

REPORT OF THE MINISTERS' MEETING

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I. INTRODUCTION

1. The Ministers Meeting of the 3rd Session of the Labour and Social Affairs Commission of the AU was held at the Caesars Convention Centre, Kempton Park, Johannesburg, South Africa on 22 April 2005. The Rules of Procedure of the OAU Labour and Social Affairs Commission were utilised for this Session.

II. ATTENDANCE

2. The Ministers Meeting was attended by delegates from the following AU Member States: Algeria, Angola, Benin, Botswana, Burkina Faso, Burundi, Cameroon, Chad, Congo, Cote d'Ivoire, Egypt, Ethiopia, Gabon, Ghana, Guinea, Kenya, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malawi, Mali, Mauritania, Mauritius, Mozambique, Namibia, Niger, Nigeria, Rwanda, Sahrawi Arab Democratic Republic, Senegal, Seychelles, Sierra Leone, South Africa, The Sudan, Swaziland, Tanzania, Tunisia, Uganda, Zambia and Zimbabwe.

3. The following United Nations Agencies, Inter-Governmental and Non-Government Organizations and cooperating partners, and friends of Africa were also represented: Cuba, State of Palestine, Arab Labour Organization (ALO), World Family Organisation (WFO), United Nations, WFP, IOM, ICFTU, ACARTSOD, OATUU, PEC, ARI, ARLAC, HELPAGE International, ILO, SATUCC, UNDP, ICRC, UNAIDS, WHO.

III. OPENING CEREMONY

Statement by the Minister of the Civil Service, Labour and Administrative Reform of the Republic of Benin

4. In his statement, the Minister expressed his thanks to the host country and organizers for their welcome and hospitality. He then pointed out that the deliberations of the 2nd Session of the LSAC took place in Benin and seized the opportunity to reiterate his thanks to all those who travelled to Cotonou and for their different contributions which made it possible to reflect together on labour and social affairs issues.

5. The Minister highlighted the major themes for discussion, particularly:

- the Draft Social Policy for Africa;
- the evaluation of the Millennium Development Goals;
- the Strategic Framework for a Policy on Migration in Africa.

6. He expressed the hope that the consideration of those themes would be based on the outcome of past policies and actions, taking into account the progress made since

the last session, in order to highlight any obstacles encountered and adopt appropriate strategies to continue the struggle for social progress.

7. The Minister also reported on activities carried out during his term of office, namely the Extraordinary Summit of Ouagadougou, the Special Session of the LSAC in Geneva, meetings of the Bureau of the LSAC and the principal outcomes of those meetings, particularly the measures taken by Member States for the implementation of their decisions and recommendations.

8. In conclusion, he urged Member States to translate the decisions adopted by the LSAC into concrete deeds, by formulating concrete proposals on among others, the following:

- the finalization of the Rules of Procedure;
- the convening by the Bureau of one or two meetings between sessions;
- alternating sessions between Headquarters and a host country;
- the involvement of the LSAC in debates on poverty alleviation, particularly with regard to the preparation of the Common African Position on the review of the Millennium Development Goals (MDGs), during the meeting of Finance Ministers.

Remarks by HelpAge International – Africa Region

9. In his statement, Mr. Tavengwa M. Nhongo, the Regional Representative of HelpAge International - Africa Regional Centre, stated that as the population of older people increases, they are faced with a number of challenges. They are the poorest amongst the poor and are most vulnerable to the socio-economic crisis affecting the continent, in particular the scourge of HIV/AIDS. He highlighted that unless other ways of combating poverty were adopted, the population would become poorer. In this regard, he stressed that social protection, universal pensions and cash transfers could be used as mechanisms to alleviate poverty and deal with the needs of older people.

10. He noted that the primary purpose of social protection would be: to prevent, mitigate and enhance the ability to cope with the hazards faced by all poor people, assist them to emerge from poverty; and enable the less active poor to live a dignified life with an adequate standard of living. He added that social protection activities should target the vulnerable people, households and individuals and people infected and affected by HIV/AIDS including HIV/AIDS orphans. With regard to cash transfers, he stated that this can be used to address the needs of poor people and raise their living standard. Finally, he underscored that Governments should create enabling environments and policies to facilitate the implementation of social protection and generate resources through the implementation of taxation programmes. He pointed out that social protection programmes were affordable even by the poorest countries.

Address by the Representative of the Executive Council of the Pan-African Employers' Confederation (PEC)

11. The Representative of the PEC first expressed his gratitude to the host country, South Africa, and to the African Union for the opportunity given to his organization to take part in the deliberations of the Third session of the LSAC. He pointed out that the session assumed exceptional importance due to the Extraordinary Summit of Ouagadougou on the promotion of Employment and Poverty Alleviation, as well as the prospect of reviewing the Millennium Development Goals.

12. The speaker welcomed the recommendation to include decent employment in the Millennium Development Goals, in accordance with the Declaration and Plan of Action of the Ouagadougou Summit. After recalling Africa's economic performance, according to African Development Bank statistics, he called for the strengthening of tripartism by maintaining the annual sessions of the LSAC in order to facilitate social dialogue within the framework of a common platform for African governments, employers and workers.

13. In conclusion, the PEC Representative commended the AU and NEPAD for their commitment to meeting the challenges of globalization and good public and corporate governance and pledged the support of his Organization for their efforts to take up the challenges.

Remarks by the Representative of Workers

14. The Representative of the Workers thanked the Government and people of South Africa for their hospitality. He commended the Experts for a fruitful meeting and thanked the Ministers of Labour for their commitment in promoting social dialogue in Africa. He also stated that the Workers Group was comforted by the fact that the Ministers have made employment their priority.

Remarks by the Representative of the ILO

15. In her statement, Ms Regina Amadi-Njoku, the Regional Director of the International Labour Organization (ILO), conveyed the greetings of the ILO Director General and stated that he was unable to be present at the meeting due to unavoidable circumstances. She thanked the Government of South Africa for the warm hospitality; commended the AU Commissioner for Social Affairs for conducting the affairs of the AU Commission; the Minister of Benin for successfully carrying his mandate; and the Minister of Burkina Faso for hosting the Extraordinary Summit.

16. She recalled that a number of comprehensive items were discussed during the Experts meeting and that the ILO was ready to support the work of the Labour and Social Affairs Commission. She commended the African Group of the ILO for working in synergy with the ILO and their inputs in the ILO's Governing Body, particularly, the African Group's support during the discussions on the budget. She informed the meeting that the ILO would launch a tripartism initiative on decent work and expressed

satisfaction on the fact that the Experts' meeting recommended to include decent work in the MDGs with emphasis on youth employment.

17. With regard to the Extraordinary Summit, the Regional Director pointed out that the ILO was ready to work with the AU and the RECs to follow-up on the implementation of the outcome. On the MDGs, she stated that the ILO would support the AU in its preparatory process of the African Common Position on the MDGs. In conclusion, she reiterated ILO's support to the African Union, Member States and Social Partners, by providing expertise and demand-driven assistance needed in the follow-up of the Ouagadougou Summit; mainstreaming of decent work; reducing poverty; and generation of MDGs. She also reaffirmed ILO's appreciation for continued strong collaboration with the ILO regional tripartite partners.

Statement by the Advocate Bience Gawanas, Commissioner for Social Affairs of the Commission of the African Union

18. The Commissioner of Social Affairs welcomed all delegates and extended fraternal greetings from H.E Omar Konare the Chairperson of the AU Commission to the delegates. She commended the Government of South Africa for hosting the 3rd Session of the LSAC and also thanked the ILO for its assistance to the Commission and Member States. She recalled the Extraordinary Summit which was held in Ouagadougou, Burkina Faso in 2004, aimed at elaborating strategies to create employment and alleviate poverty. She referred the Meeting to Agenda item "Rethinking the Labour and Social Affairs Commission" which is aimed at charting the way for social development and promoting inter-sectoral collaboration. In this regard, social development should be approached in a holistic and integrated manner, involving all stakeholders. She concluded by thanking the delegates for their active participation.

Opening Remarks by the Acting President and Minister of Finance of the Republic of South Africa

19. In his opening speech, Hon. Trevor Manuel, the Guest of Honour, welcomed all delegates to his country. After commending the development of collective institutions, especially AU and NEPAD for being robust, he expressed concern with the fact that African countries have made only halting advances. Mention was made on the African macroeconomic environment which seems more stable as a result of fewer civil and political system conflicts, thus, making Africa more stable than before. He stressed that MDGs remain a dream in Africa and that Africans themselves must address this challenge. The Acting President referred to AU Declaration on Employment and Poverty Alleviation in Africa as a means to address the migration and underdevelopment challenges facing Africans.

20. He concluded by indicating that the system of Labour rights and regulations, should help define what society needs for economic growth and poverty reduction; through education system and skills development, employment creation and labour regulations and rights.

Agenda Item 2: Report of the outgoing Chairman of the 2nd Session of the Labour and Social Affairs Commission of the African Union (LSAC)

21. In presenting this report, the Minister of Civil Service, Labour and Administrative Reform of the Republic of Bénin informed the meeting that everything had already been said in his statement made on the occasion of the opening ceremony of the Ministerial Session. He recalled that based on his experience as Chairman, he had made the following suggestions:

- (i) the LSAC should henceforth hold its sessions alternately at Headquarters in Addis Ababa and in a host country. Thus, the term of the Bureau of the LSAC would be two years, its renewal being carried out only in the country hosting the session;
- (ii) meetings of the Bureau should be held regularly between sessions to carry out a mid-term review;
- (iii) the Chairman of the previous Bureau should be involved in meetings of the current Bureau;
- (iv) the LSAC should be associated with the deliberations of the Ministers of Finance with a view to harmonizing macro-economic policies, particularly the Millennium Development Goals.

22. After a brief discussion during which comments and suggestions were put forward, the Meeting decided to defer possible proposals and reflections for discussion within the context of the consideration of the Item LSC/MIN/2f (III) entitled "Rethinking the LSAC".

IV. PROCEDURAL MATTERS

a) ELECTION OF THE BUREAU

23. H.E. Mr. Emmanuel Mendoume Nze, Permanent Representative to the AU and Dean of the African Diplomatic Corps in Addis Ababa informed the Meeting of the results of the Consultations as follows:

| | | |
|-------------------------------|---|--|
| Chairman | : | Republic of South Africa - Southern (Government) |
| 1 st Vice Chairman | : | Republic of Mauritania - Northern (Workers) |
| 2 nd Vice Chairman | : | Cameroon - Central Africa (Government) |
| 3 rd Vice Chairman | : | Kenya - Eastern (Employers) |
| Rapporteur | : | Benin - Western (Government) |

b) ADOPTION OF THE AGENDA

24. The Ministers Meeting adopted the Agenda as follows:

1. Opening Ceremony
2. Report of the Outgoing Chairman of the Second Session of the AU Labour and Social Affairs Commission
3. Procedural Matters:
 - a) Election of Bureau
 - b) Adoption of Agenda
 - c) Organisation of Work
4. Consideration of the Report of Recommendations of the Experts' Meeting , particularly:
 - 4.1 The Millennium Development Goals (MDGs) in relation to Labour and Employment issues **LSC/MIN/2a (III)**
 - 4.2 Outcome of the Extraordinary Summit on Employment and Poverty Alleviation in Africa **LSC/MIN/2b (III)**
 - 4.3 Draft social Policy Framework for Africa **LSC/MIN/2c (III)**
 - 4.4 Draft Strategy Framework for a Policy on Migration in Africa **LSC/MIN/2d (III)**
 - 4.5 Establishment of an Advisory Council on Ageing **LSC/MIN/2e (III)**
 - 4.6 Rethinking the Labour and Social Affairs Commission **LSC/MIN/2f (III)**
5. Report of the 16th ARI Governing Board Meeting of the African Rehabilitation Institute **LSC/MIN/3 (III)**
6. Date and Venue of the Fourth Session of the Labour and Social Affairs Commission of the African Union
7. Any Other Business
8. Closing Ceremony

c) **ORGANISATION OF WORK**

25. The Meeting adopted the following working hours:

Morning: 10:00 a.m. - 13:00 p.m.
Afternoon: 15:00 a.m. - 18:30 p.m.

26. A moment of silence was observed in memory of 40 workers of Zambia who were reported to have died in an accident today and in honour of the South African Ambassador to Uganda who died instantly while on duty.

V. **SUMMARY OF PROCEEDINGS**

Agenda Item 4: Consideration of the Report and Recommendations of the Experts' Meeting:

27. The Report and Recommendations of the Experts Meeting were presented by the Director General in the Department of Labour of the Republic of South of Africa. He announced that the Experts Meeting was attended by thirty-nine AU Member States, a number of UN Agencies Inter-Governmental and Non-Governmental Organisations and Cooperating Partners, and friends of Africa. He commended the Experts for the able way they had handled issues and come up with the Report. Concerning each Agenda item, the Director General noted the summary on the presentation and the debate and then highlighted the recommendations.

28. The Ministers' Meeting then considered the Report and Recommendations item by item as in Agenda of the Experts' Meeting; and made recommendations and resolutions accordingly. The following items on the Ministers' Agenda received particular attention:

- 4.1 The Millennium Development Goals (MDGs) in relation to Labour and Employment issues – Doc. LSC/MIN/2a (III)
- 4.2 Outcome of the Extraordinary Summit on Employment and Poverty Alleviation in Africa – Doc. LSC/MIN/2b (III)
- 4.3 Draft Social Policy Framework for Africa – Doc. LSC/MIN/2c (III)
- 4.4 Draft Strategy Framework for a Policy on Migration in Africa – Doc. LSC/MIN/2d (III)
- 4.5 Establishment of an Advisory Council on Ageing – Doc. LSC/MIN/2e (III)
- 4.6 Rethinking the Labour and Social Affairs Commission – Doc. LSC/MIN/2f (III)

Agenda Item 1 of the Experts' Meeting: Opening Ceremony

29. The Ministers' Meeting adopted the following recommendations which were made by the AU Commissioner for Social Affairs and the Honourable Minister of Labour of South Africa at the Opening Ceremony of the Experts' Meeting:

- i) all stakeholders were urged to collaborate effectively with other partners to promote Africa's development;
- ii) the Labour and Social Affairs Commission was strongly urged to fully implement and evaluate the pledges made every year;
- iii) the need to develop strategies and measures to address inequities and alleviate poverty on a long-term basis, and concerted efforts to successfully address the challenges posed by unemployment and poverty were reiterated.

Message from Arab Labour Organisation (ALO)

30. The following recommendations were adopted from the Message of ALO:

- i) To promote Afro-Arab cooperation for better participation in the global economy;
- ii) To organise the Second Afro-Arab Labour Congress which would bring together Arab and African Social partners and strengthen Afro-Arab cooperation through a wider exchange of information between the ALO and the Labour and Social Affairs Commission;
- iii) The ALO Representative undertakes to carry out consultations and convene the Second Afro-Arab Conference.

Agenda Item 3 of the Experts' Meeting: Report of the Chairperson of the AU Commission on:

- a) **The Activities Falling within the Competence of the Labour and Social Affairs Commission;**
- b) **Status of Implementation of Recommendations of the 2nd AU Session of the Labour and Social Affairs Commission**

31. The following recommendations were adopted on these two Reports. Member States should:

- i) translate Decisions and Recommendations adopted by the LSAC into concrete action;

- ii) respond promptly to requests from the African Union Commission regarding their activities and to establish a precise time frame;
- iii) ratify the relevant international legal instruments, particularly the African Charter on the Rights and the Welfare of the Child;
- iv) inform all the Ministers concerned of decisions and recommendations falling within their area of competence;
- v) facilitate intergovernmental consultations on the subject;
- vi) consider the issue of the efficiency of the activities of the LSAC within the framework of the envisaged examination of its draft Rules of Procedure.

Agenda Item 4.1: The Millennium Development Goals (MDGs) in relation to Labour and Employment issues

32. This issue was discussed at length and the following recommendations were adopted, to:

- i) Ensure that an African Programme of Action that takes into account the centrality of employment creation, infrastructure and all other social matters not covered by the MDGs is developed by the AU Commission and implemented. The programme should have clear timeframes for implementation based on the January 2005 Abuja Summit mandate;
- ii) Establish a Committee to synthesize inputs of the Labour and Social Affairs Commission to the MDG's comprehensive report in the long-term;
- iii) Call for the mobilization of resources for development programmes and implementation of MDGs through amongst others cancellation of debt and agreed upon ODA targets and increased FDI to bridge the resource gap;
- iv) Encourage Member States to submit national reports on the status of implementation of the MDGs to the AU Commission;
- v) Mainstream decent work into the Millennium Declaration and the MDGs with particular emphasis on youth and women employment;
- vi) Call on the Commission of the African Union to formulate concrete proposals to operationalize the mainstreaming of decent work as a global goal in collaboration with the RECs, ILO and other relevant partners and stakeholders;
- vii) Include decent work and youth employment to be considered in the formulation of the African Common Position on the Mid-Term Review of the MDGs;

- viii) Call on all international development partners to support regional development initiatives including NEPAD and the African Plan of action with a view of ensuring that Africa attains the MDGs on time;
- ix) Encourage all stakeholders to implement the Ouagadougou Declaration and Plan of Action on Employment and Poverty Alleviation;
- x) Annual progress reports to the LASC should include review of the MDGs.

Agenda Item 4.2: Brief on the Outcome of the Extraordinary Summit on Employment and Poverty Alleviation in Africa

33. After the extensive deliberation the following recommendations were adopted. The Ministerial Meeting:

- i) Called on Member States and the AU Commission to speed up implementation of the outcome of the Extraordinary Summit, in collaboration with RECs and Development Partners;
- ii) Urged Member States to share best practices in the area of employment creation, and to harmonize related programmes on the continent;
- iii) Requested the Bureau and the AU Commission to work out a format for reporting on the implementation of the Ouagadougou Outcomes, and to submit an analytical report to the April 2006 Session;
- iv) Called on the AU Commission to work out modalities for resource mobilization;
- v) Called on the AU Commission to engage donor countries in addressing the legal and administrative impediments to repatriation of illegally acquired funds;
- vi) Called for unconditional debt cancellation in order to mobilize resources for job creation and poverty alleviation;

Agenda Item 4.3: Draft Social Policy Framework for Africa

34. The following recommendations were adopted as presented:

- i) Member States should organize internal consultations with the different social sectors based on the Draft Social Policy Framework document with a view to eliciting comments from all the partners by 30 June 2005, at the latest;

- ii) the Report should be further developed and improved to fully address social development programmes; the Social Affairs Department should submit the said Report to a seminar of inter-sectoral and multidisciplinary Experts and a Forum of Ministers from the social sector;
- iii) institutions and professionals from social sectors, universities, research centres and social partners should be fully involved.

Agenda Item 4.4: The Draft Strategy Framework for a Policy on Migration in Africa

35. This important and serious matter which involves many other sectors was discussed thoroughly. There were still two divergent views that:

- i) The framework has the mandate of Heads of State. It has been under consideration since 2001 and has received extensive inputs. Moreover, the LSAC considered this document twice in 2004, and Member States were requested to have inter-sectoral consultations and submit recommendations to the AU Commission. It was therefore imperative to adopt the document in principle as a guideline to Member States as it is non-binding. Member States can provide further inputs and comments for its improvement and subsequent submission to the next Assembly of the African Union;
- ii) Serious gaps, some of which were identified in paragraph 32 of the Experts' Report have far reaching consequences for implementation. The document therefore requires further consultations with relevant government authorities and partners; hence the document should be considered as work in progress for further improvements and subsequent adoption.

36. After extensive debate on the two divergent views as indicated above, the Ministers adopted the following:

The general consensus was to endorse the draft document. Member States who will have further inputs to make should submit them to the AU Commission by 30 May 2005. The Commission would then incorporate the inputs into the document for consideration by the Executive Council and the Assembly in Sirte in July 2005.

Agenda Item 4.5: Follow-up on the AU Policy Framework and Plan of Action on Ageing: Establishment of an Advisory Council on Ageing

37. The recommendations were adopted as presented:

- i) Each Sub-Region establishes its own Advisory Council and nominates a representative to be on the continental Advisory Council. The Council

should be tripartite and representatives from the Trade Unions and Employers should be members of the Advisory Council;

- ii) The AU Commission should work out the structure, modalities and financial implications and come up with a proposal;
- iii) Regarding the funding of the Advisory Council, the AU Commission should include this proposal in the forth-coming meeting in Dakar on financing the AU Commission and its organs;
- iv) The capacity of officers in Member States should be enhanced to enable them deal with ageing issues.

Agenda Item 9 of the Experts' Meeting:

Report on Activities of the African Member of the ILO Governing Body

38. In his presentation of the Report, the Chairman of the Experts Meeting informed the Ministerial Meeting that the West African region had mistakenly been omitted, that the results of the consultations showed a consensus in favour of Nigeria as Titular member, and that consultations were still underway for the designation of countries to occupy the two Deputy seats. During discussions, the results of the consultations were presented as follows:

- i) Southern Africa: South Africa and Malawi: Titular
Mozambique: Deputy Member
- ii) North Africa: Morocco: Titular
Tunisia: Deputy Member

39. However, this choice was based on the rotation pattern determined within the framework of the ILO since 1975 and new consultations were necessary due to the recent entry of Mauritania into the North African group, and that the final decision would be communicated during the International Labour Conference.

- (iii) Central Africa: Cameroon: Titular
Burundi: Deputy Member

40. It should be noted that Burundi will occupy the post of Titular and Chad Deputy member for the period 2008-2011.

- (iv) East Africa: Kenya: Titular
Uganda and Ethiopia: Deputy Member
- (v) West Africa: Nigeria: Titular
Consultations are ongoing for the two Deputy seats

41. The Minister of Cameroon stressed the need to take a clear decision on the system of allocation between African countries of the seat allocated on a rotational basis to Africa and Latin America. In addition, he urged the Meeting to designate a new Coordinator of the African Group in Geneva since Cameroon's term would end in June 2005.

42. The following recommendations were adopted:

- i) allocation of duties during the 93rd International Labour Conference and the need for prompt consultations between Algeria and Burkina Faso in order to determine which of the two countries would occupy the chair of the Committee on Youth Employment. The choice of Ethiopia as Chair of the Government Group and Benin as Chair of the Credentials Committee of the next ILC 2005 is accepted;
- ii) the availability of a training programme and ILO study grants for Spanish speaking countries;
- iii) the need for Africa to occupy one or several seats for non-elective members of the Governing Body.
- iv) the importance of maintaining unity so as to speak with one voice on all issues concerning Africa;
- v) the need to secure one or more non-elective seats on the Governing Body, considering that only the African region did not have non- elective seats ;
- vi) an internal and informal African provision allowing for two other African countries to be permanent members of the Governing Body;
- vii) the duration of the term of office for the Director General of the ILO should be unlimited as previously agreed upon;
- viii) the replacement of African officials retiring from the ILO and the preparation of young professionals to be employed;
- ix) the selection of members of the Governing Body based on the criteria of rotation, availability, active and effective participation in meetings and deliberations;
- x) strengthening tripartite consultations within the African Group in Geneva;
- xi) human resource training and study grants for Portuguese and Spanish speaking countries along the same lines as for other linguistic groups;
- xii) consultations of Sub-Regional groups with a view to proposing their candidates as future members of the Governing Body;

- xiii) the importance of drawing up an inventory of the African Groups decisions and recommendations to facilitate possible research and consultation as well as serving as a source of reference for new members.

**Agenda Item 10 of the Experts' Meeting: Item Proposed by Member States:
South Africa**

a) Work in the Fishing Sector: Proposed by ILO Standard for the Fishing Sector

43. Recommendations were adopted as presented, that:

- i) Africa supports the adoption of an international standard;
- ii) a two-tier approach be adopted with respect to identity documentation for fishers on long voyages, which entails the following:
 - a) Ratification of the identity document convention No. 185 should be closely monitored;
 - b) The simplified amendment procedure that is proposed in the convention be utilized to amend the consolidated fishing convention if it is deemed necessary;
 - c) With regard to social security it is proposed that African position supports the inclusion of a provision on social security. However, it should be regulated by national laws and regulations.
- iii) an African position on the issue be worked out by the Experts in Geneva for discussion at the International Labour Conference in June 2005;
- iv) Experts in the fishing sector be included in the delegations to the ILO Conference.

**b) Promotional Framework for Occupational Safety and Health (OSH):
4th Item on the Agenda of the International labour Conference (93rd
Session) 2005**

44. The following recommendations concerning the African Common Position were adopted:

- i) African Group should support the adoption of the proposed Convention and Recommendation;

- ii) African Group should emphasise the need for progressive inspectorate services which seek to cover OSH issues in an integrated manner;
- iii) An instrument establishing the promotional framework on safety and health and which will ensure OSH capacity building in the informal sector and the small and medium enterprises should be adopted;
- iv) The objective of the instrument should include relevant OSH training for workers to achieve a safer and healthier working environment and must be part of national programmes on OSH;
- v) Ratifying Member States in developing countries should be given some assistance to formulate, implement and review national programmes on OSH in consultation with representative organisations of workers and employers and ensure continual improvement;
- vi) Each Member State should establish sustainable OSH infrastructure that will ensure the profiling of OSH high on the national agenda;
- vii) Ratifying countries should identify high risk sectors in their countries and develop strategies to eliminate or minimise these risks;
- viii) HIV/AIDS issues be addressed within the Convention.

c) Youth Employment

45. The recommendations were adopted as presented:

- i) Called on the AU Commission to consolidate the issues raised into the discussion document with a view to continue discussion during the June ILC;
- ii) Requested Member States to establish Tripartite Structures to launch and encourage initiatives aimed at Youth Employment;
- iii) Requested Member States to submit reports on national activities on youth employment to the AU Commission for synthesis into a single Comprehensive Continental Report;
- iv) Requested Member States to collaborate with the ILO “Improve your Business” (IYB) initiative in the promotion of Business Development among the Youth and the existing ILO Instruments on Youth Employment to be assessed and evaluated;
- v) Called for affirmative action for youth employment and services in grants, sub-contracts and Government loan guarantee schemes.

Agenda Item 11 of the Experts' Meeting: Briefing on the Activities of AU Specialised Agencies and Inter-African Organisations

a) The Organisation of African Trade Union Unity (OATUU)

46. The Ministers' Meeting took note of the Report.

b) The Pan-African Employers' Confederation (PEC)

47. The Ministers' Meeting took note of the Report.

c) The International Confederation of Free Trade Unions-Africa Regional organisation (ICFTU-AFRO)

48. The Ministers' Meeting took note of the Report as well as the reservations expressed by some delegations; and the importance of social dialogue among stakeholders to address the problem mentioned in the Report.

d) Pan-African Productivity Association (PAPA)

49. The Ministers' Meeting took note of the following actions that were proposed for PAPA to undertake:

- i) PAPA should explore working with ECOWAS;
- ii) PAPA should have its own secretariat;
- iii) Membership should be representative of the African continent;
- iv) PAPA must strive to meet the expectations of its members;
- v) Explore funding sources.

e) The African Rehabilitation Institute (ARI)

50. The Ministers' Meeting took note of the following recommendations:

- i) Members of ARI should support the Institute by paying up their contributions;
- ii) Other Member States were urged to join ARI by signing the ARI Agreement;
- iii) ARI, as well as all other AU Specialized Agencies, should know the budget cycle of Member States with a view for countries to include the subscriptions owed to these Agencies in their budget.

f) The Pan-African Youth Union (PYU)

51. The Ministers' Meeting took note of the following recommendations:

- i) the AU was urged to play a more active role in the implementation of the Programmes of the PYU;
- ii) a Platform for African Ministers responsible for youth should be established.
- iii) general support by Member States for the activities of the PYU should be availed;
- iv) the inadequate participation of youth in the socio-economic development on the Continent should be addressed and PYU should be proactive;
- v) ties between young people and Workers Movements should be strengthened as youth are most adversely affected by unemployment and related issues, and they should work with other stakeholders;
- vi) closer links with Youth Movements and Ministries around the Continent should be forged.

g) The Supreme Council for Sport in Africa (SCSA)

52. No Report was presented.

h) The African Centre for Applied Research and Training in Social Development (ACARTSOD)

53. The Ministers' Meeting took note of the following recommendations:

- i) the mandate of ACARTSOD needs to be revisited;
- ii) ACARTSOD Member States should live up to their commitments by paying up their dues to the Centre and Member States which are not yet Members should join ACARTSOD;
- iii) AU Commission should strengthen its cooperation with ACARTSOD and continue to support it, in particular, in its poverty alleviation, peace and security programmes;
- iv) AU Commission should be urged to accord ACARTSOD the status of Specialized Agency.

i) NEPAD Presentation on Africa-Recruit

54. The Ministers' Meeting took note of the following recommendations:

- i) to encourage Africa-Recruit to extend its activities to all regions of the Continent;
- ii) to encourage Member States to study and explore ways of enhancing remittances from abroad.

Agenda Item 4.6: Rethinking the Labour and Social Affairs Commission

55. The Ministerial Meeting considered the issue in the light of the recommendations made by the Meeting of Experts and the following observations were made:

- i) need to restructure the LSAC in order to make it more effective and efficient, and refocus the issues submitted for its consideration on employment and all other social issues;
- ii) need to reflect in depth on the question of "restructuring" the LSAC in order to ensure that concrete proposals would come forth and that the Ministers could take the appropriate decisions. In this regard, the following proposals were made:
 - Submit the issue to a Committee of Experts made up of the following members: the incumbent Chairperson of the LSAC (South Africa), Representatives of the Employers and Workers; and the Member States which have chaired the LSAC, namely Mauritius, Bénin and Burkina Faso. The Committee would have to consider a certain number of elements, among others, the term of office and number of meetings of the Bureau; the link between the Ministers of the LSAC and Finance Ministers; analyse legal problems which could arise from the restructuring of the LSAC within the implementation framework of other organs of the Union, as well as related financial and political problems;
 - Submit the issue to the African Union Commission which has the necessary expertise to conduct an in-depth study and submit the appropriate recommendations to the LSAC;
 - Submit the issue to a Research Firm or to an independent expert for objective recommendations;
- iii) establishment of adequate implementation and follow-up mechanisms for decisions taken by the LSAC;

- iv) establishment of follow-up mechanisms provided for by the Ouagadougou Declaration on Employment and Poverty Alleviation;
- v) need to extend the Bureau's term of office to two years with rotating sessions to be held alternately at the Union's headquarters and in Member States. It was proposed that the Bureau should be elected during the session held in a host country;
- vi) need to establish a dialogue between the Bureau of the LSAC and the African Union Commission in order to ensure enhanced follow-up of the implementation of LSAC decisions;
- vii) possibility of maintaining the LSAC as it is by creating two Sub-Committees, one responsible for employment and the other for social issues. These Sub-Committees would report to the Plenary session, which would take the appropriate decisions. To this end, it was proposed that the Rules of Procedure be revised accordingly. Some delegations also proposed that the LSAC be maintained as it is but that it holds alternate annual sessions devoted to employment and social issues respectively;

56. Following an exhaustive debate on the issue, the following recommendations were made:

- i) the African Union Commission was tasked with undertaking a detailed study of the issue and making appropriate recommendations to the next session of the LSAC.
- ii) the importance of maintaining the tripartite nature of the LSAC because it constituted an ideal and essential framework for ongoing dialogue between governments, employers and workers. However, Member States should respect the tripartite aspect when composing their delegations to the LSAC;
- iii) The need to split the LSAC into two separate commissions, one for Labour and Employment where the principle of tripartism would apply, and the other for Health and Social Development issues whose operational procedures should be established. In the same vein, it was proposed that the STC for Health, Labour and Social Affairs provided for in the Constitutive Act be restructured;
- iv) the importance of reviewing the mandate and the working methods of the LSAC by establishing more concrete programmes and taking into account the operationalization of the STCs. To this end, it was proposed that methods be worked out to enable the consideration of diverse issues, particularly social issues which are currently not adequately addressed;
- v) Appropriate intervals between different sessions of the LSAC. Three opinions were expressed in this regard:

- Most delegates were of the opinion that the LSAC should meet every year, in order to determine Africa's common position in preparation for the Annual Conference of the International Labour Organization (ILO).;
 - Others pointed out that annual meetings did not allow for adequate preparation and appropriate follow-up on decisions and that it was, therefore, fitting that the LSAC meet every two years;
 - It was also the view of some delegations that even if LSAC meets annually the Agenda should be focused on sectoral and thematic issues so that if in one year it deals with Labour and Tripartite issues, the following year it will meet to discuss social issues with specific themes.
- vi) Establishment of appropriate implementation and follow-up mechanisms for the decisions adopted, particularly those taken during the deliberations of the Ouagadougou Summit on Employment and Poverty Alleviation. It was also proposed that mechanisms should be set up to enable the parties concerned to submit their Reports to the LSAC;
- vii) To promote maximum use of the various experiences and mechanisms for poverty alleviation, particularly through greater cooperation with the United Nations in the operationalisation of the World Solidarity Fund, which would benefit the world in general and Africa in particular in their efforts for poverty alleviation;
- viii) In view of the importance of the World Summit on Information Society scheduled to take place in Tunis in November 2005 to narrow the digital divide between nations and given the benefits that various nations could derive from it in the development process, including the development of the communication technology, the Labour and Social Affairs Commission should underscore the importance of this Conference and urge all social actors and the civil society components to actively participate in it;
- ix) To promote South-South Cooperation and to draw on the experiences and expertise of the African countries in the Socio-Economic field instead of any recourse to external sources.
- x) Mandates the Chairperson of the LSAC, working with the Bureau and the AU Commission to undertake the review of the mandate of the LSAC and its working methods, with a view to enhancing its effectiveness and efficiency. This review would take into consideration the current study on the STCs, the outcome of which should be submitted to the LSAC for consideration.

Agenda Item 13 of the Experts' Meeting: Date and Venue of the Fourth Ordinary Session of the Labour and social Affairs Commission of the African Union

57. This item was referred to the Ministers Meeting.

Agenda Item 14 of the Experts' Meeting: Any Other Business

58. The issues raised under this item as well as the recommendations were adopted by the Ministerial Meeting as follows:

- i) Within the framework of solidarity with development partners, South Africa proposed that in future the Director of the Department of Economic and Social Affairs at the United Nations Headquarters in New York should be invited to sessions of the LSAC and the Chair of the AU, and the sector responsible for Social Affairs be requested by this meeting to attend and present a report to the 44th Session of the UN Commission on Social Development to be held in New York in February 2006. The report should focus on all the matters related to the Copenhagen commitments and Continental efforts directed at poverty eradication.
- ii) Benin requested that the African Union Commission associate the LSAC in the meeting of Ministers of Finance to be held in Dakar on the review of the Millennium Development Goals. Burkina Faso being the country that hosted the Extraordinary Session of the Assembly of the African Union on Employment and Poverty Alleviation, and Benin, out-going Chairman of the Bureau of the LSAC should also be associated for the purpose of follow-up of the issue;
- iii) Senegal's motion for support of the Palestinian Workers was adopted unanimously.

Agenda Item 5: Report of the 16th ARI Governing Board Meeting of the African Rehabilitation Institute

59. The Ministers' Meeting took note of the Report of the 16th ARI Governing Board Meeting of the African Rehabilitation Institute.

Agenda Item 6: Date and Venue of the Fourth Ordinary Session of the Labour and social Affairs Commission of the African Union

60. The offer of the Republic of Senegal to host the Fourth Ordinary Session of the Labour and Social Affairs Commission was unanimously accepted.

Agenda Item 7: Any Other Business

61. The Ministers unanimously adopted the Resolution in support of Palestinian workers.

Agenda Item 8: Closing

62. In his closing remarks the Chairperson thanked all delegates for meaningful deliberations which contributed to the success of the meeting. He also thanked the Interpreters, the Secretariat as well as all the technical team. He apologized to the delegates for any inconvenience that may have occurred and declared the Meeting closed.

2005

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