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**DIRECTORATE FOR EDUCATION, EMPLOYMENT, LABOUR AND SOCIAL AFFAIRS  
EMPLOYMENT, LABOUR AND SOCIAL AFFAIRS COMMITTEE**

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## **SUMMARY RECORD OF THE 96TH SESSION**

**12-14 April 2000**

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**ITEM 1: ELECTION OF OFFICERS**

1. On the proposal of Denmark, seconded by New Zealand, Mr. Jean-Pierre Voyer was re-elected as President of the Committee. The Bureau for 2000 is composed of: Mr. Jean Pierre Voyer, Canada (President); Mr. Villey (France), Mr. Tsunekawa (Japan), Mr. Reymert (Norway), and Mr. Wells (United Kingdom).

2. On the proposal of the President, the Committee:

- **NOTED** that, as of 2001, membership of the Bureau should be for a three-year term, with two members thus standing down each year and two new ones being elected; and
- **AGREED** that composition of the Bureau should continue to be balanced geographically.

**ITEM 2 : ADOPTION OF THE DRAFT ANNOTATED AGENDA [DEELSA/ELSA/A(2000)1REV1]**

3. On the proposal of the President, the Committee:

- **ADOPTED** the draft Annotated Agenda; and
- **AGREED** to the proposal to take the Quebec Seminar on “Human and Social Capital and Sustained Growth and Development” as a separate item on the morning of the third day.

**ITEM 3: APPROVAL OF THE SUMMARY RECORD OF THE 95<sup>th</sup> SESSION [DEELSA/ELSA/M(99)2]**

4. On the proposal of the President, the Committee:

- **APPROVED** the Summary Record.

**ITEM 4 : ORAL STATEMENT BY THE DIRECTOR, INCLUDING PROGRESS REPORT ON CO-OPERATION WITH NON-MEMBER COUNTRIES**

5. The Director reviewed recent developments, as follows:

- *Helsinki Jobs Conference*, 27-28 January, organised by the Finnish government with support from the OECD and the European Union: The Conference reviewed the OECD and EU strategies on i) assessing job strategies; ii) making work pay; iii) searching for active and preventive approaches; and iv) policy implications. The proceedings of the Conference will be published shortly;
- *Ministerial Conference on Youth Employment*, London, 8-9 February. The London conference followed on from the conference on “Preparing Youth for the 21<sup>st</sup> Century”, held in Washington in February 1999. Ministers discussed policies to tackle youth unemployment, with a specific focus on the transition from school to work. It was organised around four sessions: 1) Effective transition systems; 2) Improving levels of achievement for young people aged 15+; 3) Active labour market policies; and 4) Policy coherence for the social inclusion of youth.

- *OECD horizontal projects on i) Sustainable Development and ii) Growth.* The first reports on growth will be presented to the June 2000 Council Ministerial meeting and a reports to the 2001 meeting.
- *The Education Committee's work of interest to this Committee:* i) Alternative approaches to financing lifelong learning; and ii) An international conference on Finding resources for lifelong learning, to take place in Ottawa on 7-8 December 2000. Delegates will be informed, in writing, about the programme of the conference and organisational arrangements; and iii) The final conference on the Thematic Review on Transition from initial education to work, to take place in Budapest on 21-23 May.
- *International Migration:* The mandate of the Working Party has been extended to 31 December 2000 and seven Member countries have promised voluntary contributions to support the work
- *Activities with non-Member countries:* i) Review of labour market and social policies in Romania, held in Bucharest on 18 February. The review report will be published and a follow-up review will take place in two year's time; and ii) Review of labour market and social policies in the Russian Federation. The draft review report is under preparation and will be discussed at the Autumn meeting of the Committee.

6. The President reported on the informal consultations between the Bureau and the BIAC/ELSA Committee the previous evening: i) *Labour market policies and the public employment service* - more emphasis should be put on job brokering, competition with public services and the private sector, and increased consultation with business was encouraged ; ii) *Trade and labour standards* - the Bureau was reminded of the gap between the ratification of ILO conventions and their application and enforcement in practise. BIAC highlighted the importance and the promotional nature of the 1998 ILO Declaration on Fundamental Principles and Rights at Work and its follow-up; iii) *Review of the guidelines for multinational enterprises* - a Statement outlining several proposed changes to the draft text of the Guidelines was tabled at the meeting; and iv) *Korean labour law reform* - A document summarising BIAC's views, which included a recommendation to end the special monitoring procedure, was circulated to delegates.

7. On the proposal of the President, the Committee:

- **NOTED** the presentation by the Director;
- **NOTED** that DEELSA contributions on Sustainable Development and Economic Growth will be on the Agenda of the Autumn meeting for discussion;
- **NOTED** dates of future meetings: i) Conference on "Finding Resources for Lifelong Learning", organised by the OECD in partnership with CMEC, HRDC and the Forum of Labour Market Ministers of Canada, to take place in Ottawa on 7-8 December, 2000; ii) Final conference on the "Thematic Review on Transition from Initial Education to Work", to take place in Budapest on 21-23 May 2000; and iii) The "Review of labour market and social policies in the Russian Federation" within the Autumn 2000 meeting of the Committee.
- **NOTED** the oral report on the informal consultations between the ELSAC Bureau and BIAC on i) Labour market policies and the public employment service; ii) Trade and labour standards; iii) Review of the guidelines for multinational enterprises; and iv) Korean labour law reform.

**ITEM 5: EVALUATION OF THE ELSA COMMITTEE BY THE EXECUTIVE COMMITTEE**

8. In presenting this item Ambassador Ristimäki thanked the Committee for the opportunity to take the floor. He drew delegates' attention to a letter he had sent to Committee members on 15 March informing them of the Review exercise being undertaken in 2000. The questions to which the Task Force is seeking answers are based on a standard outline of the report which each Task Force is expected to use: i) mandate of the Committee and its subsidiary bodies; ii) policy relevance and topicality of the Committee's activities, including relevance for national policy; iii) its structure, operation and participation, including resources available to the Committee, the setting of priorities in its work, activities funded by Part II budget and voluntary contributions; iv) horizontal work with other sectors of the OECD; vi) outreach activities, including relations with observer countries, civil society, international organisations and BIAC and TUAC; and vii) visibility of the work. The Task Force will submit its report to the Executive Committee at the beginning of July. The report will then be revised and submitted to Council and subsequently to the ELSA Committee for comment at its Autumn meeting. Ambassador Ristimäki emphasised that the responses to the questionnaire will be a key element in the overall data on which the evaluation will be based.

9. The Japanese delegate asked how the results of this exercise will be dealt with. Ambassador Ristimäki replied that the question of committee structure and the relevance of its work is an underlying question in each of the evaluations: Whether the committee structure serves well its purpose and future work of the OECD, or whether there is a need to join with other activities, or separate some out. The Task Force will look at how the Committee provides input to horizontal activities, including sustainable development and growth, as well as various other activities which may involved 2, 3 or 4 committees.

10. On the proposal of the President, the Committee:

- **NOTED** the presentation by Ambassador Ilkka Ristimäki (Finland), President of the Task Force;
- **AGREED** to complete and return the Evaluation Questionnaire to the Secretariat **by Friday 21<sup>st</sup> April 2000** at the latest; and
- **NOTED** that delegates would have an opportunity to comment on the Report by the Executive Committee at the Autumn meeting of ELSAC.

**ITEM 6: DRAFT PROGRAMME OF WORK AND BUDGET 2001-2002 [DEELSA/ELSA(2000)1 and [DEELSA/ELSA(2000)1/ADD1]**

The Draft Programme of Work of the Education Committee and the CERI Governing Board, [DEELSA/ED/CERI/CD(2000)4] was tabled for reference.

*Strategy for ELSAC work on health policy over the period 2000-2004* [DEELSA/ELSA/RD(2000)2 PARTS I and II] was tabled, *for information*, as part of the discussion on the Programme of Work as a whole.

11. The Director first drew delegates' attention to the OECD priorities for 2001-2002 and the contribution of ELSAC's work to the OECD-wide objectives, as well as the proposal to use an increase of 3 per cent or a reduction of 3 per cent in its resources [paragraphs 3-18 and 20-24 respectively of DEELSA/ELSA(2000)1]. An objective the Secretariat has tried to achieve in preparing the Programme of Work document is to introduce more information and transparency about the proposed activities. More headings have been added and more detail on the work to assist delegates in making decisions about priorities. Joint activities with the Education Committee and CERI Governing Board have been clearly

identified, as well as the main joint activities with other committees in the Organisation. For the first time, the Committee had before it the resource allocation by activity [DEELSA/ELSA(2000)1/ADD1] for consideration during the discussion.

12. The Committee strongly endorsed the overall programme as well balanced and welcomed the new presentation of activities which they found more transparent than in the past. The Japanese and Netherlands delegates proposed including new technologies in the work programme. The Canadian, Japanese, Italian, Spanish and Swedish delegates referred to the importance of gender mainstreaming issues and hoped the Secretariat will make specific reference to this in each of the activities. While it is mentioned in paragraph 2 that gender mainstreaming is embedded throughout the draft programme, the Canadian delegate suggested adding some concrete examples. The Director agreed that examples could be given in this section of the document but stressed the fact that it was not possible to have a separate activity on gender mainstreaming. Despite the provision of more detailed budget information at the activity level than in the past, the Committee judged that it could not have the in-depth knowledge to make marginal resource allocation decisions of the type required to add or remove 3 per cent of total expenditure. Following a suggestion by the Chair it resolved, therefore, to leave the choice to the Secretariat, but requested the Secretariat to inform it of the proposals for the plus and minus 3 per cent options made in the budget submission to the Council and, in the event of any adjustment by the Council of the Committee's budget, of the implications for the work programme. Specific comments on the activities are listed below:

13. **1.1 Employment Outlook:** The EU delegate welcomed the chapter devoted to ALMPs. As all the topics proposed for the 2001 publication could slot into the separate activities the Canadian delegate did not see why it should be kept as a separate activity. On the other hand, Belgian and UK delegates favoured the current approach. The Director added that this is one of the flagship publications of the Organisation and it would be diluting its impact and diluting the significance of the work if each chapter were to be distributed across a range of activities. From the point of view of transparency of resources it is more sensible to preserve it as a separate activity.

14. **1.2 Evaluating labour market performance:** There was strong support for thematic reviews rather than single-country reviews (Austria, Czech Republic, Denmark, Finland, Greece, Netherlands, New Zealand, Portugal, Sweden, UK, US). The majority of speakers confirmed their interest in continuing work on youth employment and supported the proposal for a thematic review to focus on special youth measures, notably the extent to which major new initiatives in recent years are producing concrete results. Additional topics were proposed: i) activation measures for the long-term unemployed and social welfare assistance and the degree to which that has proved to be successful (UK, US); ii) the development of PES services to private employers (Norway); iii) regulation on temporary and fixed term work contracts (Norway); iv) guidelines for governments on how to evaluate labour market policies (Czech Republic); v) integration of migrant workers in the host country (Turkey). The Czech Delegate was not keen to undertake work on collective bargaining which should be left to the ILO. The Czech Republic and UK delegates said that, before making a decision on new topics, the Committee should wait until after the Prague conference in July, as new interesting topics will transpire from that meeting. The Director agreed on the last point and would reflect on the new topics proposed following the Prague Conference.

15. **1.3 Trade, FDI and labour standards:** Delegates for Belgium, Denmark and France recognised the importance of maintaining this activity. Other countries were concerned about continuing the work when it was covered elsewhere in the Organisation and by the WTO and ILO (Japan, Korea, Mexico, Switzerland). The ILO delegate said that his organisation was keen for the OECD to continue its own work in this area.

16. **1.4 Policies for meeting learning needs of adults:** A high priority for New Zealand and Portugal. The Greek delegate said it was important to pay attention to the different age groups and their

different needs, and not simply cover adults over the age of 25. The Korean delegate would like to see more emphasis on employment and the labour market and suggested including information and communication technology and the digital divide. The Canadian delegate suggested a focus on the development and maintenance of skills in the adult population. The Danish delegate welcomed the strong focus on lifelong learning and stressed the importance of targeting adult vocational and further training. It should take into account that part of the population faced with the worst conditions for maintaining employment in a knowledge/information technology society. He hoped that the ELSA Committee will continue to be an active player with the Education Committee in this regard.

17. **1.5 Determinants of economic growth:** This is a high priority for Greece and Portugal, especially work on links between income inequality and growth. The Finnish delegate liked the emphasis on social protection systems and growth, with a special focus on the financing side. The UK delegate referred to the strong focus on human and social capital and asked if the Committee has a role to play, as was the case in the Jobs Study. On the last point the Director replied that this is a joint activity with 3 directorates and the work will be brought together into a short report to ministers. There will also be a series of reports on selected themes and delegates will have an opportunity to comment on all the material produced.

18. **1.6 Employment-oriented social policy:** The EU delegate would like to see an examination of the whole set of problems related to social exclusion. Australia, Japan, Korea, New Zealand and the US strongly supported this activity, especially the family-friendly policies component. The Japanese would like to see care of elderly relatives included here. The Council of Europe delegate informed the Committee of a conference being organised on Family Friendly Policies to take place in Slovenia in 2001 and he hoped there would be some input from the OECD.

19. **1.7 Social policy responses to ageing:** The Danish and German delegates would like to see an emphasis on how to adapt the work place to the needs of older workers.

20. **1.8 Monitoring social policy** The Portuguese delegate did not find the description of this activity very clear and also suggested greater emphasis on social exclusion.

21. **1.9 Performance of health-care systems:** Many delegates placed high priority on work on health and agreed with the need for a more co-ordinated approach across the OECD (Australia, Denmark, New Zealand). The Swedish delegate informed the Committee of a proposal for a joint conference on Disability trends among the elderly, to take place in Stockholm on 29 May. Delegates were invited to attend.

22. **1.10 Monitoring and analysis of international migration and migration policies** and **1.11 Globalisation, international migration and the labour market:** Delegates from Greece, Japan, Mexico, Portugal, Switzerland and the US supported these activities which are becoming of increasing importance. The Greek delegate would like to see more synthesis in the publication *Trends in International Migration*. If the report could be upgraded and made richer this would, in turn, give more importance to the migration activities. The emphasis on highly-skilled labour was welcomed by Canada. Given the fact that the Mandate of the Working Party on Migration expires at the end of 2000 the Swiss delegate suggested putting international migration on the agenda for discussion at the Autumn meeting. The Deputy Director informed delegates that the fact the Working Party had been extended only until the end of the year did not reflect on the importance of the work, but was the result of the Review exercise being undertaken by the Executive Committee Task Force in 2000. On the contrary, this is an area of work which is receiving increasing attention in the Organisation

23. **1.12 Development of indicators on employment, education, health and other social outcomes:** The UK delegate found too much emphasis on development as opposed to a broader approach. The US delegate referred to the importance of the health data aspect of this activity. On indicator work, the Danish delegate suggested more attention be paid to co-operation with Eurostat. There was strong interest in work on social indicators (Austria, Denmark, Germany, New Zealand, the EU), although concern was expressed as to how this work would be developed. The Director replied that it is not the intention of the Secretariat to downgrade work on statistics and the text will be revised to ensure this is made clear. There is a series of work on social indicators and a first publication will be produced later in the year. Countries will have an opportunity to comment on that document before publication. New work will be launched to try to improve the second round publication of the list of social indicators and the framework for this work will be reviewed with experts in Member countries.

24. On the proposal of the President, the Committee:

- **WELCOMED** the initiative to provide budget estimates for the individual activities contained in the Addendum to the Draft Programme of Work;
- **NOTED** the comments on the operational objectives and individual activities proposed for the programme of work for 2001-2002, especially with regard to i) a strong preference for thematic reviews in Activity 1.2; ii) suggestions to include ICT in Activity 1.4; iii) the need to spell out more clearly in the revised text work to be undertaken in Activity 1.12; and iv) the wish for somewhat more disaggregated budget estimates for major items under the individual activities;
- **AGREED** that a proposal regarding how to accommodate an increase or a reduction of three per cent to the baseline resources for the programme be made by the Secretariat, when it prepares the submission to the Council on the programme of work and budget, and that the Secretariat will inform delegates accordingly; and
- **AGREED** to assign priorities to the different activities and return the priority ranking form to the Secretariat **by 28<sup>th</sup> April 2000.**

**ITEM 7: PROGRESS IN IMPLEMENTING REFORMS IN AN AGEING SOCIETY : FOLLOW UP TO MAINTAINING PROSPERITY IN AN AGEING SOCIETY [DEELSA/ELSA(2000)6 and ANNEXES]**

25. Mr. Peter Hicks introduced the progress report which will be revised for the Council Ministerial meeting in June and for possible use at the G8 Summit. Delegates were invited to comment on the draft report for publication, its main messages, approach to describing reforms and conclusion that future monitoring be limited to retirement policies.

26. The draft Ministerial report was very well received by the Committee and proposals were made to place more emphasis on: i) the balance of life-time years spent in work and retirement as the central policy message (Norway, UK); ii) the uncertainty about any reversal of trends away from early retirement - recent positive signs may be a temporary phenomena caused by the economic turnaround and the underlying trend may still be negative and it is prudent to assume that government policy action will be needed (Germany, Norway, Sweden, US); iii) that a narrowing of the focus of future monitoring on retirement take account not only of issues about retirement income and pensions, but also the full set of labour and social determinants of retirement, especially the respective duration of time spend in retirement and time spent in work, as well as the social and economic contributions of retired people (Canada, Germany, US); iv) the importance of effective regional policies as employment rates of older people vary

across regions and seem positively related to the performance of that region (Finland). The Canadian delegate pointed out that too much focus was put on what happened recently and that the draft was lacking information on countries (or areas) where there were no problems, due to reforms that were implemented several years ago.

27. In terms of future work, the emphasis was put on: i) the employability of older workers and the role of training, lifelong learning and related work adjustment (Belgium, Canada, Netherlands, Norway); ii) the contribution of flexible and gradual retirement policies and practices to extending working life, including the incentives and disincentives to working in old age (UK, EU); and iii) the relationship between current retirement incomes and current systems and expected incomes and proposed systems, including the effects of changing methods of paying for health care (Canada, Japan, UK).

28. Mexico, Norway, Sweden and the US presented detailed information on proposed changes to the document. The Belgian and Italian delegates had reservations about meeting the 25 April deadline for proposed corrections.

29. The Director welcomed the comments and the attention that Member countries have put into this exercise. He agreed i) that care needed to be taken in the way in which some of these messages are put over; and ii) with the observation made that the report is looking at some very recent movements and it is not at all clear, particularly with regard to the issue of early retirement, that a major structural break in trend is taking place. Mr. Hicks assured delegates that the comments made would be taken into account in revising the report.

30. On the proposal of the President, the Committee:

- **NOTED** that written comments on the Draft Report should reach the Secretariat no later than 25<sup>th</sup> April, 2000;
- **REQUESTED** that the revised text be circulated for comment under the written procedure before publication; and.
- **NOTED** the invitation by Sweden to participate in a meeting on “Health issues for older people”, to take place in Stockholm on 29<sup>th</sup> May, 2000.

## **ITEM 8: INFORMAL CONSULTATIONS WITH TUAC**

### *A. Monitoring of Industrial Relations and Labour Law Reform in Korea*

#### i) The special monitoring procedure:

31. TUAC feels that up to now the special monitoring process has had a positive impact on the immediate situation in Korea. The progress is welcomed but the central issue remains - the need to build-up an effective industrial relations system in Korea and a respect for core labour standards. The Freedom of Association and collective bargaining issues are absolutely central in the process of building a strong democratic society in Korea. TUAC still has clear concerns about i) the lack of progress in certain areas as well as the risk at a particular point in time of a further round of arrests and imprisonment of trade unionists (attention was drawn to recent arrests arising out of current disputes in the car industry); ii) the use of legislation in the penal code concerning “obstruction of business” that seems to have taken over from earlier forms of legislation, such as third party intervention, as a regular way of taking action against individual trade unionists involved in industrial disputes. Public sector trade union rights remain a major

concern. The establishment of Workplace Associations was initially presented as a step towards introducing Freedom of Association rights for public servants. However, there still seems to be a great deal of interference in the process of setting up these associations; in addition, no timetable was given by the authorities as to when the associations could be transformed into full-fledged trade unions for public servants. In conclusion, much work remains to be done by the special monitoring process. The Issues paper raises the question of whether the process should be ended and TUAC has a clear view that it should not.

ii) Draft labour market review

32. TUAC found the report, as a whole, a solid piece of work. The policy recommendations in the report were queried with regard to rebalancing severance pay, unemployment insurance and job security. Working hours remain excessively high in Korea and there is a need to focus heavily on reducing working time, getting a more balanced growth model, more time for consumption and more time for service development. Concerning the proposed integration between public employment services and private employment agencies, developing a potential trade union role in that area needs to be looked at and discussed in the future. Mr. Jin-Kwi Noh, Federation of Korean Trade Unions (FKTU), focused his comments on trade union rights for public servants and on company payments for full time union officials.

*B. Trade and Labour Standards: Update of the 1996 report*

33. The Update contains a lot of good work but TUAC found it too positive in tone in certain areas (e.g., in its treatment of the EU and US GSP schemes). In its conclusions, the report fails to pick up on certain areas requiring further analysis and work by the OECD:

i) **Export-processing zones (EPZs):** The report contains just a box on EPZs, an issue that requires greater emphasis. E.g., there is little union activity in such zones and 80 per cent of the workers in them are women. The report does not address the question of why so many governments around the world continue to promote and set up EPZs. Clearly, they do so out of the belief that they will thereby benefit from higher trade and investment levels. This needs to be addressed more fully if the report is to provide a satisfactory analysis of trade and investment.

ii) **China:** In the report, China is referred to as a special case that cannot be included because it would distort the findings and the results of the survey as a whole. The weight of China in world trade is too great for it to be excluded. Evidence shows that investment is moving from other relatively low productivity countries to China. Failure to respect core labour standards can be a competitive factor between countries with similar productivity levels and may account for some of the investment that is flowing into China.

iii) **Child Labour:** The report gives insufficient treatment to the issue of child labour and trade and the actions needed to address the problem of child labour.

34. Overall, while the report contains a lot of useful information, it cannot be the last word in the OECD discussion of trade and labour standards. There is a need for further OECD work in this area.

35. Mr. Evans referred to a meeting of trade union experts on Trade and Labour Standards, organised under the OECD Labour-Management Programme, to take place at OECD on 24 May.

36. The Committee:

- **NOTED** the informal discussion on (a) Monitoring of Industrial Relations and Labour Law Reform in Korea, and (b) Trade, Employment and Labour Standards.

## **ITEM 9: REVIEW OF LABOUR MARKET AND SOCIAL SAFETY NET POLICIES IN KOREA**

- A. *Main Issues for Discussion* [DEELSA/ELSA(2000)4]
- B. *Review Report* [DEELSA/ELSA(2000)5]
- C. *Supporting Tables and Charts* [DEELSA/ELSA(2000)5/ANN]

37. The Committee commented on the Secretariat Review (documents DEELSA/ELSA(2000)5 and ANN), under the active Chairmanship of Mr. Dieter Gossen (Switzerland) and in the presence of a Korean delegation led by Mr. Moon, Associate Minister of Labour. Overall, both the Korean delegation and other Member countries felt that the Secretariat Review provided a useful analysis of the current socio-economic situation and agreed with the main thrust of the recommendations put forward. The broad approach taken in the Review, which looks at the labour market and social safety-nets, as well as labour law and industrial relations issues, was particularly appreciated.

38. The Committee praised the Korean government for the speed at which the 1997 crisis has been overcome. Government policies adopted in consultation with social partners in the Tripartite Commission, together with an unusually large degree of wage flexibility, have played a crucial role in overcoming the crisis. However, though recovery is well underway, the Committee took the view that the momentum of reforms should not be lost.

### *a) The marked duality that characterises the Korean labour market, and measures to address it*

39. Most Committee members agreed with the Korean government giving priority to improving the social protection and training of non-regular workers. However, some delegates argued that these measures will not be sufficient to increase the incidence of stable, regular employment in a significant way. These delegates thought that, as the public pension and employment insurance systems get firmly established, there is a case for reducing gradually separation allowances, thereby encouraging the creation of regular employment. The Korean government agreed that this was a desirable option over the long-term, though the issue is controversial among social partners and needs to be considered with caution.

### *b) The need for reinforcing labour market and social safety-net programmes, while enhancing their efficiency*

40. The Committee called for further actions to strengthen the institutional pillar of the social protection system, while at the same time reducing temporary measures adopted in the wake of the 1997 crisis. Despite government efforts, a small percentage of unemployed workers receive unemployment benefits and the Korean delegation informed the Committee of government's plans to remedy this problem, notably by improving the employment insurance coverage for workers in small firms. It was also argued that in order to make programmes more cost-efficient, the quality of the staff in public employment services should be enhanced and more synergies with the extended network of private employment agencies be sought.

41. Finally, the Committee heard with interest Korean government's plans to introduce the concept of "productive welfare" in the new social assistance law, which is to take effect as from 1 October 2000. The objective of the new law is i) to improve the coverage and level of social assistance, and ii) encourage able-bodied social assistance recipients to participate in the labour market. On the latter point, authorities envisage to withdraw the payment cash benefits in case a recipient refuses either a job offer or an invitation

to participate in a labour market programme – however, non-cash benefits would be maintained. These plans go some way in meeting the Review recommendations in this area. However, important implementation legislation has not been adopted as yet.

42. The ILO representative provided the Committee with the main conclusions of the examination undertaken by his organisation regarding *Korean industrial relations and labour law*. These conclusions were in line with the Review assessment. In particular, he noted i) areas where progress has been made, notably the final recognition of the KCTU as the second union centre, the legalisation of teachers' unions, the fact that the Tripartite Commission is functioning again, and the release of many trade unionists from prison, combined with the adoption of a plan to limit arrests in the future; ii) areas where the Korean government is considering action, in particular concerning the union status of non-workers, the effective establishment of the principle of multiple unions at the enterprise level and the notification of third parties; and iii) issues to which the Korean government has not responded, including the denial civil servants' right to organise, the broad definition of essential services, where strike action is limited, the legal prohibition of payment of full-time union officials, and the fact that a provision of the Penal Code, namely "obstruction of business", is often used to arrest trade unionists even in cases of legitimate trade union action. The ILO Freedom of Association Committee will examine the Korean case once again, probably at its November meeting.

43. The Committee noted with satisfaction that progress has been made in the desired direction - some delegates thought this represented a major leap forward, while others were somewhat less sanguine. Both Korea and other Member countries underlined the positive role of OECD peer pressure in achieving these results. However, the Committee also noted that several issues remain outstanding on the labour law reform and industrial relations front before the commitment is met fully. In particular, concerns were expressed that the current labour and criminal laws in Korea are not conducive to the peaceful resolution of labour disputes.

44. The Committee agreed with the recommendation in the Review that further actions are needed in these areas and it reviewed several options as to how it could assist Korea to achieve its goals. In view of the fact that time is needed to adopt and implement additional reforms, the Committee recommended, within the framework of the 1996 Council mandate, i) to follow-up, in 18 to 24 months, with a progress report on the extent to which the Korean government has given effect to all the recommendations put forward in the Review of Labour Market and Social Safety-Net Policies; and ii) to inform the Council on the outcomes. In the meantime, should unforeseen circumstances in Korea warrant it, the Committee is at liberty to review progress in the intervening period and inform the Council of the results of its deliberations, if need be.

45. On the proposal of the President, the Committee

- **NOTED** the review report by the Secretariat;
- **RECOMMENDED** its derestriction for publication under the responsibility of the Secretary-General, in the light of the Committee's discussion;
- **NOTED** the comments made during the discussion on how best to follow-up the mandate which Council gave to the Committee in 1996 to monitor labour law reform and industrial relations in Korea; and
- **AGREED** to recommend to Council that a follow-up review take place in 18 to 24 months time, or earlier should unexpected events in Korea warrant it, on the recommendations put forward in the Review.

## ITEM 10: LABOUR MARKET POLICIES AND THE PUBLIC EMPLOYMENT SERVICE

### *A. Conference on Labour Market Policies and the Public Employment Service: Lessons from recent experience and directions for the future , Prague, 3-4 July, 2000 [DEELSA/ELSA(2000)2]*

46. Mr. David Grubb presented the Programme for the conference to take place in Prague, 3-4 July.

47. Delegates welcomed the revised Programme and the fact that concerns expressed at the Autumn meeting had been taken into account. There was some concern that with such a full Programme there would be little opportunity for discussion and debate (Denmark, Japan and the US).

48. The Director assured the Committee that the Secretariat will be working closely with the Chairs of each session to ensure there will be sufficient time for discussion and debate. The Secretariat will reflect on the suggestion by the Japanese delegate about preparing an annotated agenda containing issues for discussion. Regarding the Swiss delegate's question about follow-up, the Secretariat will take stock of the PES reviews which have taken place over the past 10 years to see what would be the new impetus and the Committee will have an opportunity to discuss this at its Autumn session. The Prague conference will result in a publication.

49. On the proposal of the President, the Committee:

- **NOTED** the status report by the Secretariat and the Draft Agenda for the Conference to take place in Prague on 3-4 July 2000;
- **NOTED** suggestions concerning questions and issues for discussion; and
- **NOTED** that future work on the public employment service and active labour market policies will be on the Agenda for discussion at the Autumn Session.

### **B. External Audits of the Public Employment Services in the 1990s [DEELSA/ELSA(2000)3]**

50. Mr. David Grubb presented the document on the subject of external audits of the public employment service. He mentioned that one of the main motivations for it had been the existence of the Swiss audit as notified to the Committee by Mr. Babey (Office fédéral du développement économique et de l'emploi). Commenting that national evaluations of PES issues are quite common, although few are on the same scale or have had the same impact as the ones in the paper, he asked whether the summarisation of national evaluations for the benefit of other Member countries might be a useful theme for further work, and how far this approach could be taken, given that some evaluations may, for example, have a strong party political content.

51. The Australia delegate said that the finding from the audits that more centralisation was needed did not apply to his country, whose new arrangements represent a radical decentralisation. The Netherlands similarly said that, contrary to what the paper appeared to say, it had continued with decentralisation and Italy mentioned that a great deal of decentralisation was taking place there. France said that at the time of signature of the last two Contrats de Progrès (contracts between ANPE and other actors in the labour market covering 4 or 5 years) a large-scale evaluation had been undertaken - involving internal but also to a large extent external experts (Inspection Générale des Affaires Sociales, Commissariat Général au Plan, university experts) - and this could be made available to the Secretariat.

52. On the proposal of the President, the Committee:

- **NOTED** comments made on the paper; and
- **NOTED** comments from Australia, France, Italy and the Netherlands about decentralisation and evaluation material.

**ITEM 11: UPDATE OF THE 1996 REPORT ON “TRADE, EMPLOYMENT AND LABOUR STANDARDS: A Study of Core Workers’ Rights and International Trade” [COM/TD/TC/DEELSA/ELSA(2000)4]**

53. The draft update was presented to the Committee by Mr. Douglas Lippoldt and Mr. Heydon of the Trade Directorate. A revised version of the update is now being prepared and will be considered for declassification by both the Trade Committee (at its 22 May meeting) and the ELSA Committee (via written procedure).

54. Delegates welcomed the draft update of the 1996 study on *Trade, employment and labour standards* as a useful and substantial contribution to the international debate on this topic. Many echoed the comments heard earlier in the Trade Committee that the update provides a useful assessment of the situation that can serve as a point of reference for those on all sides of the issue. Many of the comments focused on specific adjustments to the text needed to ensure balanced and standardised language. One common theme in the comments was the need to give greater prominence in the text to the ILO’s 1998 Declaration. The delegate from France, supported by the Belgian representative expressed concerns that the report does not stress the risks of a “race to the bottom” in core labour standards, particularly among less developed countries. The Norwegian delegate and several others expressed concern that the presentation of export processing zones may be too positive.

55. Delegates generally indicated support for declassification of a revised version of the update, once the draft is adjusted to address their principal concerns. Many delegates also commented favourably on the idea of presenting the update report as one part of a future outreach exercise covering a broader range of topics linking trade and social and environmental concerns. There was no consensus on the subject of future work at the OECD on trade and labour standards. The delegates of Austria, the Netherlands, Sweden, the US, the ILO and others endorsed the idea of further OECD analytical work, which could make a contribution to further advancement of the debate. However, other countries such as Japan were more reserved. The Chairman proposed that those endorsing future work make specific proposals that might be considered on their merits.

56. On the proposal of the President, the Committee:

- **WELCOMED** the draft update of the OECD’s 1996 Study;
- **EMPHASISED** the need to give greater prominence in the text to the ILO’s 1998 Declaration; and
- **NOTED** that a revised version of the update is being prepared and will be considered for declassification and publication under the responsibility of the Secretary-General by both the Trade Committee (at its meeting on 22 May) and the ELSA Committee (via the written procedure).

**ITEM 12: REVIEW OF THE OECD GUIDELINES FOR MULTINATIONAL ENTERPRISES**  
**For reference see DAFFE/IME/WPG(99)18/REV5 and DAFFE/IME/WPG(2000)2/REV2**

57. Mr. Robert Ley, head of the Capital Movements, International Investment and Services Division (DAFFE) reported on the overall progress of the current review of the OECD Guidelines for Multinational Enterprises. He noted that the Working Party on the Guidelines was to meet again in the week following the ELSA Committee meeting, and that a further meeting was scheduled for mid-May to finalise the draft going to the OECD Ministerial Council in June 2000. The Working Party had on a number of occasions consulted with the social partners and non-governmental organisations. Apart from negotiations on a revised Guidelines text, a major effort was spent on new and more effective implementation procedures, which included an enhanced role for National Contact Points.

58. Mr. Peter Tergeist reported on the progress of negotiations and outstanding issues regarding the text and commentary of the Employment and Industrial Relations chapter. This particular chapter would echo the relevant provisions of the ILO's 1998 Declaration on Fundamental Principles and Rights at Work and include references to all four principles contained therein (freedom of association; forced labour; child labour; and non-discrimination). Other new features were the inclusion of language on occupational health and safety and on consultative forms of employee participation. In addition, it was likely that previous language on prior notice of major changes in business operations would be strengthened.

59. Several delegations put forward suggestions for further changes in the Employment and Industrial Relations chapter. The delegates from Austria, the Netherlands and Sweden proposed an even stronger reference in the text to the 1998 ILO Declaration. Several delegates also preferred a further strengthening of the language on child labour, while Australia was concerned about premature disclosure of enterprise decisions that seemed to be required in the current language on prior notice. Several delegates pointed out that they were reasonably happy with the current text and that countries should realise that not all their particular preferences and peculiarities of their employment and industrial relations system could be reflected in the final text.

60. On the proposal of the President, the Committee:

- **NOTED** the report by the Secretariat on developments within the CIME and the Working Party on the Guidelines since the Autumn meeting of ELSAC;
- **NOTED** the intention to submit a final text of the OECD Guidelines, as well as revised implementation procedures, to Ministers during the forthcoming Ministerial Council meeting on 26-27 June, 2000.

**ITEM 13: INTERNATIONAL MIGRATION: Principal conclusions of the Bratislava Seminar, 2-3 March 2000 [DEELSA/ELSA/WP2(2000)1]**

61. Mr. Jean-Pierre Garson presented the principal conclusions of the meeting on "Recent developments in migration and the labour market in Central and Eastern Europe in the context of European Union enlargement". He thanked the Slovak authorities for the excellent organisation of the Seminar, as well as the Austrian and Swiss delegation for their support and their contribution to the success of the meeting.

62. The Austrian and Slovak Republic delegates welcomed the report of the meeting which gave a good and honest account of the proceedings. The Italian, Slovak Republic and Turkish delegates referred

to the importance and necessity of follow-up work in this area, especially with regard to migratory flows, free movement of foreign workers, social protection, social exclusion and discrimination.

63. The EU delegate said that, although the Commission was not able to be represented at the Seminar in Bratislava, the Commission was following the work closely and will ensure that the Conclusions are widely distributed within the departments concerned. Referring to the section of the document on "Prospective enlargement of the European Union to include the CEECs", the Commission was uncomfortable with the wording in paragraph 17. The Commission will contact the Secretariat to see if the wording of that paragraph can be modified.

64. Mr. Garson informed delegates that the Secretariat will publish the proceedings of the Seminar as soon as possible. He added that this type of study and approach should be extended to the Balkan regions and to the Baltic countries.

65. The Committee:

- **NOTED** the presentation by the Secretariat on the meeting held in Bratislava.

#### **ITEM 14 : OTHER BUSINESS**

##### ***A. Evaluation of the ELSA Committee : Synthesis of the replies to the questionnaire completed at the Autumn meeting***

66. The Committee:

- **NOTED** the Synthesis of the replies to the questionnaire and **AGREED** to reflect on the Director's proposal to i) invite lead speakers for a substantive item on the agenda; and ii) introduce an item on "Country Developments" to give one or two countries the possibility of presenting a recent innovation in employment or social policy.

##### ***B. Dates of future meetings:***

67. The Committee:

- **NOTED** the dates of future meetings: **Autumn 2000** : 18-20 October 2000; **Spring 2001** : 21-23 March, **Autumn 2001**: 22-24 October.

##### ***C. Seminar On "Human And Social Capital And Sustained Growth And Development", Quebec, 19-21 March 2000.***

68. The President and Deputy Director reported on the Quebec Seminar. A summary of the meeting was circulated to delegates for information [Room Document No. 1].

69. Delegates welcomed the oral report . The Italian delegate remarked that the relationship between human capital and social capital is well developed within the European Commission. The conclusions of the Lisbon meeting on the Information Society, which took place on 23-24 March, contain a recommendation by Member States to increase expenditure for carrying out research on training and human capital. The Italian delegate will provide the Secretariat with information on this meeting. The Portuguese delegate referred to the fundamental link between economic growth and social cohesion, an issue of concern to the Portuguese President of the European Union. The Austrian and Mexican delegates

asked how this work will feed into the programme of work of the Committee, Mexico suggesting it could feed into the social indicators project.

70. The Chair did see possibilities of including this in the indicator work and said that several indicators were discussed during the Quebec Seminar. The Deputy-Director added that the Secretary-General will make a presentation in Lisbon on “Social protection as a productive factor”. Regarding the programme of work, a lot is being done on social indicators, particularly within the framework of the horizontal project on sustainable development. At the Autumn Session the Committee will have on its Agenda a document covering policies aimed at a better use of the labour force to increase productivity. This work will cover the assessment of social protection, income inequalities and economic growth..

71. On the proposal of the President, the Committee;

- **NOTED** the oral presentation by the President and the Deputy Director;
- **NOTED** that future work on human and social capital will make a significant contribution to the horizontal project on Growth and to several other activities of the Committee.

**ANNEX I**  
**PRIORITIES GIVEN TO ACTIVITIES IN THE PROGRAMME OF WORK 2001-2002**

<b>Activity</b>	<b>Title</b>	<b>2001 Points</b>	<b>2001 Ranking</b>	<b>2002 Points</b>	<b>2002 Ranking</b>
<b>A</b>	<b><i>Monitoring labour market trends, performance and institutions, and evaluating progress in enhancing the effectiveness of labour market policies</i></b>				
1.1	Employment Outlook	47	<b>1</b>	47	<b>1</b>
1.2	Evaluating labour market performance -- institutions and policies	80	<b>2</b>	81	<b>2</b>
1.3	Trade, FDI and Labour Standards	217	<b>12</b>	222	<b>12</b>
1.4	Policies for meeting learning needs of adults (ELSAC and the Education Committee)	174	<b>8</b>	174	<b>8</b>
1.5	Determinants of economic growth	170	<b>7</b>	169	<b>7</b>
<b>B</b>	<b><i>New orientations for Social and Health Policies</i></b>				
1.6	Employment-Oriented Social Policy	101	<b>3</b>	96	<b>3</b>
1.7	Social policy responses to ageing	132	<b>4</b>	146	<b>4</b>
1.8	Monitoring social policy	168	<b>6</b>	163	<b>6</b>
1.9	Performance of health-care systems	189	<b>10</b>	185	<b>11</b>
<b>C.</b>	<b><i>The impact of International Migration on the Labour Market</i></b>				
1.10	Monitoring and analysis of International Migration and Migration Policies	174	<b>8</b>	174	<b>8</b>
1.11	Globalisation, International Migration and the Labour Market	189	<b>10</b>	181	<b>10</b>
<b>D.</b>	<b><i>Statistics and Indicators</i></b>				
1.12	Development of indicators on employment, education, health and other social outcomes	152	<b>5</b>	155	<b>5</b>

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