

4 实施国际劳工标准委员会

Committee on the Implementation of International Labour Standards

4.1 引言

Introduction

国际劳工大会于 1976 年通过国际劳工公约《三方协商（国际劳工标准）公约》（第 144 号）。这条公约旨在推广政府、雇主和雇员之间的三方协商，以制定、检讨和实施国际劳工标准。这条公约于 1978 年经修改而适用于香港。基于这条公约适用于香港，当局根据劳工顾问委员会的建议，在同年成立了实施国际劳工标准委员会。

In 1976, the International Labour Conference adopted the Tripartite Consultation (International Labour Standards) Convention (No.144) which aims to promote tripartite consultations among governments, employers and workers on matters related to the formulation, review and implementation of international labour standards. This convention was applied to Hong Kong with modification in 1978. In relation to the application of this convention, a Committee on the Implementation of International Labour Standards (CIILS) was set up in the same year on the advice of the Labour Advisory Board.

4.2 职权范围

Terms of Reference

实施国际劳工标准委员会成立的目的如下：

The CIILS is established to:

- 就国际劳工公约在香港特别行政区的适用情况而需作出的适当声明提供意见；
advise on appropriate declarations to be made in respect of the application of international labour conventions in the Hong Kong Special Administrative Region;
- 就采取何种适当的措施，以促进实施附有「经修改而适用」声明的国际劳工公约，或在适当情况下作出改善适用情况的声明，提供意见；
advise on appropriate measures to be taken to promote the implementation of, or where appropriate, to improve the declarations in respect of international labour conventions with the declaration of “applied with modification”;

实施国际劳工标准委员会的职权范围 (续)

The terms of reference of the CIILS (cont'd)

- 就向国际劳工局呈交的报告所引起的问题提供意见；以及
advise on questions arising out of the reports to be made to the International Labour Office; and
- 就政府对国际劳工大会议程中有关事项的问卷所作的答复,以及就政府对将在大会上讨论的拟文所作的评论提供意见。
advise on government replies to questionnaires concerning items on the agenda of the International Labour Conference and government comments on proposed texts to be discussed by the conference.

4.3 成员组织

Composition

实施国际劳工标准委员会的委员由劳工处处长委任。委员会在 2001 至 2002 年度内的成员组织如下：

Members of the CIILS are appointed by the Commissioner for Labour. The composition of the committee for the term 2001-2002 is as follows :

主席 Chairman	： 劳工处副处长 (劳工事务行政) Deputy Commissioner for Labour (Labour Administration)
委员 Members	： 劳工顾问委员会雇主代表三名 Three employer representatives from the Labour Advisory Board
	劳工顾问委员会雇员代表三名 Three employee representatives from the Labour Advisory Board
	劳工处助理处长一名 An Assistant Commissioner for Labour
秘书 Secretary	： 由一名劳工事务主任担任 A Labour Officer

实施国际劳工标准委员会的成员名单载于附录 III。

The membership list of the CIILS for the term 2001-2002 is at Appendix III.

4.4 2001 至 2002 年度的活动

Activities during the 2001-2002 term

在 2001 至 2002 年度内，实施国际劳工标准委员会的工作项目如下：
During the 2001 - 2002 term, the CIILS undertook the following activities：

国际劳工公约的报告 Reports on International Labour Conventions (ILCs)

根据《国际劳工组织章程》第 22 条的规定，香港特别行政区（香港特区）须应国际劳工局的要求，就国际劳工公约的适用情况提交报告。香港特区在 2001 及 2002 年分别就 22 条和 16 条公约提交报告。有关报告在提交国际劳工局前，已送交各委员征询他们的意见。

实施国际劳工标准委员会在 2001 至 2002 年度审议的国际劳工公约报告一览表载于附录 VIII。

In accordance with Article 22 of the Constitution of the International Labour Organization, the Hong Kong Special Administrative Region (HKSAR) is required to submit reports on the application of ILCs as requested by the International Labour Office. Reports on 22 and 16 ILCs were submitted respectively in 2001 and 2002. The reports were communicated to committee members for comment before they were forwarded to the International Labour Office.

A list of reports on ILCs which were considered by the CIILS during the 2001 - 2002 term is at Appendix VIII.

国际劳工公约适用情况的声明 Declaration of Application of International Labour Conventions

在 2001 至 2002 年度，实施国际劳工标准委员会审议了 1999 年《最有害的童工形式公约》（第 182 号），并就公约在香港特区适用情况所作的声明提供意见。公约要求批准的成员国采取立即和有效的措施，将禁止和消除最有害的童工形式作为一项紧迫事务。根据委员会的建议，公约第 182 号于 2002 年 8 月 8 日不经修改而适用于香港特区，并将于 2003 年 8 月 8 日生效。

截至 2002 年 12 月 31 日，适用于香港特区的公约共有 41 条，其中有 26 条不经修改而适用（即公约的全部条文可在香港特区实施），而有 15 条则经修改而适用（即公约是经修改其若干条文以适应本地情况才在香港特区实施）。

During the 2001-2002 term, the CIILS examined the Worst Forms of Child Labour Convention, 1999 (No. 182) and advised on the declaration to be made in respect of the application of the convention in the HKSAR. The convention requires ratifying States to take immediate and effective measures to prohibit and eliminate the worst forms of child labour as a matter of urgency. On the advice of the committee, the HKSAR applied Convention No. 182 without modification on 8 August 2002. The Convention will come into force on 8 August 2003.

As at 31 December 2002, the HKSAR applied a total of 41 conventions. Among them, 26 were applied without modification (i.e. all provisions of a convention were fully implemented) and 15 were applied with modification (i.e. a convention was implemented with modifications in some provisions to suit local conditions).