



**Report of a South East European Tripartite Seminar**  
on  
„Strengthening social dialogue for improving  
occupational safety and health in South East Europe“  
Budapest, Hungary, 28 – 29 June 2007

**I. Introduction**

The Seminar was opened by the Chairperson, Ms. Miet Smet (Chair of the Stability Pact Initiative for Social Cohesion, SP ISC). She gave an overview of what had been achieved so far under the ISC. The Seminar marked the end of the first phase of a regional project which aimed to address occupational safety and health issues in South Eastern Europe. The project had been implemented by the ILO Sub-regional Office Budapest, in close cooperation with ETUC, IOE and WHO, in order to ensure a comprehensive approach. It had been initiated under the auspices of the SP ISC, and in response to the Sofia Conclusions of the Second Ministerial Conference on Employment in South Eastern Europe (October, 2005). The project and this seminar were funded by the Swiss Development Cooperation Agency, a long-standing partner of the Initiative for Social Cohesion.

The main objective of this first stage had been to assess the situation concerning OS&H in each of the participating eleven countries, entities and territories in South East Europe (SEE). This information had been analysed and integrated into a comprehensive regional Report, the background document of this Seminar. Such information was indispensable to design the next phase of the project, which would consist of an Action Plan with both regional and national elements. Only in analysing and understanding the strengths and weaknesses, and thus the needs of the countries/entities involved could a realistic Road Map be designed to move Social Dialogue on OS&H in the Region forward.

The third Ministerial Conference on Employment in SEE is scheduled to be held in Montenegro at end October 2007, where all SEE Ministers in charge of employment and labour will define priorities for future cooperation. As mentioned, at the last Ministerial Conference (Sofia, 2005) the Ministers had asked the SP ISC to address the most urgent OS&H matters in the SEE Region. This meeting was the final event of that first phase. The Chair expressed her hope that from this Seminar she could take a couple of strong messages to the SEE Ministers in October that could be incorporated into their future work.

Both the Initiative for Social Cohesion and the Stability Pact would terminate by the end of 2007. A new follow-up organisation would be set up in Sarajevo (BiH) and likely become operational in the first quarter of 2008. Phase II of the project, elements of which were already contained in the present project document, would presumably run from 2008 to 2010. Social dialogue would no doubt continue to be one the major driving forces for OS&H reform in SEE. A new institution, i.e. a Regional Cooperation Council would replace the Stability Pact. It was hoped that through the seminar a network of experts from the Region could be created. The Chair expressed her expectations that this regional seminar would be an important milestone in attaining the objectives of the project. She voiced her appreciation for the cooperation and commitment of the different partners, in particular the ILO Sub-regional Office Budapest, which had taken the lead in the implementation of the first phase, and which



she wished to thank for the good work in the first phase of the project and for the support in the organization of this Seminar, but also WHO, IOE and ETUC for their input so far. She thanked the donor, Switzerland, for making it all possible, and wished all a successful Seminar.

Ms. Annie Rice, ILO Senior specialist in occupational safety and health for Central and Eastern Europe briefly explained the process that led to the drafting of the Regional Report as the background document for this Seminar. The first step had been to compile an OS&H profile of each country or entity. Each profile was prepared by a consultant from the respective country/entity in a process which integrated the views of representatives of the different principal relevant ministries, government agencies and in particular the representative social partner organisations. Thus, while the consultants were responsible for compiling the data and writing the profiles, the consultation process was an essential part of this first phase, both to catalyse social dialogue on OS&H and to validate the results of the information and data collection process.

Very extensive terms of reference were given to the national/entity consultants, both in order to obtain all relevant data, and to ensure consistency in the structure of the profiles for better subsequent comparison. Overall, the format followed that of the ILO's Recommendation No. 194 on Promotion of OS&H Activities. Several such national profiles from other countries and regions were already available; the Finish National Profile had been given to all consultants to use as a model.

The national profiles highlighted in particular the role of the social partners in the OS&H development process – their responsibilities according to national legislation, what specific programme they had, as well as their participation in national, branch and enterprise level activities, collective bargaining, etc. Emphasis was also laid on the inclusion of OS&H outcomes and results, including trends in national OS&H statistics.

To further ensure tripartite or „tripartite plus“ involvement, the national consultants were asked to distribute their first drafts to the different stakeholders and organisations involved so that these could prepare statements concerning the actual functioning of the policies, programmes, structures, and institutions described in the profiles. Furthermore, the consultants were instructed to organise a tripartite workshop or national-level seminar to discuss the viability of the accumulated data and their assessment of the functioning of the OS&H systems described, as well as to allow for comments to be integrated into the final profiles together with the recommendations of the different governmental representatives and social partners.

The resulting eleven country/entity profiles, even if of varying length and substance, certainly provide a first realistic picture on which to base further national and regional debate and planning on OS&H. They provided an inventory of the tools and resources available in each participating country/entity and were a product of constructive stakeholder cooperation. As such they should be made available and used widely for local debate and setting of priorities for action. It was planned to edit them in suitable form and make them available to all participating countries/entities in English as well as ensure their wide distribution in the countries/entities in their respective national languages.

Ms. Rice emphasised that the project was about regional cooperation. The regional Report was a synthesis of, and based on the information contained in the national profiles. It also gave a comprehensive analysis of the perceived strengths and weaknesses in the profiles, and came up with a set of Conclusions and a series of some 80 Recommendations for the Region as a whole. The Recommendations of this



Report were now before the delegates and it was expected that they would be developed further during the Seminar and that the next steps could be jointly agreed by all participants.

## **II. The regional Report**

The International Consultant then presented the regional Report, in particular its Conclusions (strengths and weaknesses) and a selection of the set of some 80 Recommendations. This was followed by an extensive discussion. A delegate from Macedonia considered the Report to be a very comprehensive, serious and detailed document, and quite unique in the field of OS&H in SEE. It should be used as the basis for further planning and development. However, the National CP of Macedonia was not entirely “representative”. There was a need for a second opinion. Macedonia did have a national OS&H Strategy as well as an official List of Occupational Diseases, adopted in 2004, which included new criteria for registration, etc. of occupational diseases.

A participant from Albania confirmed that his country’s national CP was well drafted but that the situation was not good; however, this simply reflected the reality. Albania needed substantial help if its OS&H policies, institutions and programmes were to be developed. Five priorities had already been identified: Preparation of documents for ratification of ILO OS&H Conventions; proposals for a national OS&H strategy; proposals to draft a new OS&H Law; promotional campaigns for OS&H in the construction sector; and measures to strengthen the role of the social partners in OS&H.

A representative from Croatia felt that the collection of data on the country’s work accidents and occupational diseases was not correct. The Ministry of Health had some different data. In fact the local consultant had not coordinated with that ministry; nor had any national tripartite or multi-stakeholder workshop been held to discuss and, where necessary, correct the information to be submitted through the national Country Profile. It was hoped that corrections could still be made before the final documents were published.

A speaker from Serbia felt that the regional Report was very useful. It contained a very good comparative analysis. In the past, the situation in Serbia had always only been compared with that of EU member States. Now, one could see the picture in the transition context of other SEE countries. This was a good platform for national and regional development. Serbia intended to use the regional Report as a document for further action. In Serbia, a national tripartite discussion on the Country Profile had been organised which had proved extremely useful in clarifying issues and ensuring that all parties’ views were correctly represented. This in itself had been a most useful exercise and positive „by-product” of Phase I of the ISC project.

A participant from the Federation of Bosnia and Herzegovina said that the regional Report was a good basis for future work. It should be further discussed at the national level to see what information could be used for future developments in both entities. These were both in the process of adopting new draft OS&H Laws and the picture of what was happening around Bosnia and Herzegovina would come in most usefully, even if other countries around Bosnia and Herzegovina were already further ahead.

A delegate from Moldova mentioned that the country was also developing a new OS&H Law. The regional Report would help considerably with the reform process. All information regarding Moldova in that report was correct. Moldova’s OS&H system was still overly compensation-based, but all actors were agreed that it was necessary



to move to a prevention-based system. Moldova also wished to follow the recommendation of the regional Report concerning setting up a tripartite OS&H Committee as part of the National Tripartite Commission. The participant from Montenegro noted the quality of the regional Report and expected a very useful meeting based on it. A delegate from Romania expressed his appreciation of the Report which contained a host of useful and important information. He requested access to all country profiles to study the additional data they provided.

Finally the trade union member from Bulgaria stated that the regional Report was a very useful, very interesting document. Experiences in Bulgaria regarding the transition and transposition process were still mixed. The country's occupational health services provided a good example. They had been established in accordance with ILO's Convention No. 161 and Recommendation No. 171 but in practice were not working well. One of several problems was the issue of control over these OH services. But important positive changes had been taking place and Bulgaria would like to share this good practice with the other delegations.

In summing up the discussions, the Chair also focused on the issue of what should be done with the Country Profiles and any necessary factual corrections both in the CPs and, subsequently, in the regional Report. She proposed that the CPs be sent to all participants and principal national actors in the first week of July for comments, suggestions and corrections. Any corrections regarding passages in the regional Report would have to be very precisely formulated, indicating the exact chapter, sub-chapter, page and paragraph, and providing suitable wording to replace the relevant text passages or data in tables, etc. of the present regional Report. Any such proposed changes would have to be validated by the principal actors at the national level, i.e. ministry of labour (and labour inspection), ministry of health (and national institute of public health or State sanitary inspection) and most representative social partner organisations. Then any corrections for the regional Report would have to be sent to the SP ISC Secretariat by 15 July. SP ISC and ILO would then make a decision on publication of both the regional Report and the Country Profiles in time for the October 25/26 third Ministerial Conference in Montenegro.

### **III. Group Work on national Issues**

Country and entity delegations were then constituted into 6 groups for the first round of group work to define priority issues at the national level. Groups were invited to discuss issues stemming from their country profiles as well as their experience and then discuss and present a set of 5 priorities. They were also asked to identify how these priorities affected the workers in their respective countries and entities, how social dialogue could impact on these issues and at the same time be strengthened, and whether international support would be needed to realise the identified priority issues.

Following are the results as presented by the groups.

#### Albania:

1. Preparation of legislation and documentation for the ratification of ILO Conventions directly related to OS&H;
2. Preparation of a national strategy on OS&H;
3. Preparation of a draft Law on OS&H and continuation of the approximation process of Albanian legislation with EU OS&H Directives;



4. Increased public education and awareness-raising for better prevention. Preparation of pilot projects for improving OS&H in high-risk branches, enterprises and workplaces; and
5. Better performance standards for the State labour inspection and the State sanitary inspection, benchmarking with ILO and EU inspection performance standards, and strengthening cooperation between the two inspectorates for higher efficiency and effectiveness.

The Albanian delegation underlined that these 5 priorities affected all workers and were very serious and urgent. In this context, there was a great need to develop social dialogue on OS&H at the sector/branch level and also for international support to realise these priorities.

#### Croatia:

1. The network of OS&H experts and institutions within the trade union system should be made to function more effectively;
2. Education programmes for employers on all aspects of OS&H should be organised;
3. Better coordination (both horizontally and vertically) should be ensured between the ministry of labour and the ministry of health on all levels;
4. The occupational accidents and diseases insurance system should be reorganised and more effectively implemented. Occupational health services should be strengthened at „primary“ level, but also in the national institute of public health; and
5. The number of labour inspectors should be substantially increased, preventive initiatives should be promoted and emphasised and inspectors should participate more in the work of enterprise OS&H committees.

#### Macedonia (and Bulgaria):

1. Legislation should be developed to reflect the new national OS&H Strategy and Action Plan, and fully implemented;
2. A major programme of HR improvement and capacity building involving all major actors: the labour inspectorate, the occupational health institutions, employers' and workers' organisations, etc.;
3. All possible measures should be undertaken to strengthen social dialogue. This was most important and at present the greatest weakness;
4. Public awareness on OS&H issues through all media, publications, etc. should be strengthened; and
5. The occupational OS&H information system should be improved with the aim of establishing a „real“, viable database.

The Macedonian delegation emphasised that OS&H was important at all levels, but most important was the need to address the deficit in the SME sector.

#### Bosnia and Herzegovina (Federation and Republika Srpska):



1. The new OS&H Laws and all necessary by-laws should be adopted in close tripartite collaboration, also including scientific experts and institutions;
2. People directly responsible for OS&H should be identified and funds made available;
3. An new Law on Labour Inspection should be drafted, giving it a more preventive role;
4. Agencies for occupational medicine should be set up in both entities with responsibility and competence for risk assessment and public awareness campaigns to mobilise public opinion for OS&H; and
5. Special attention should be given to OS&H and risk management in SMEs, including economic incentives for employers with good OS&H performance.

A representative of the Republika Srpska noted that a new RS OS&H Law was being adopted this very day; furthermore, the social partners had decided to organise a seminar on modern OS&H standards, policies and best practice. It was necessary to emphasise employers' responsibilities and ensure the good implementation of the new Law.

#### Serbia (and Montenegro):

1. Continuation of the process of ratification of ILO OS&H Conventions (and not only harmonization with EU Directives). Better implementation by means of a national strategy and action plan. Adoption of by-laws for different sectors, such as construction. In particular, ILO Convention No. 167 on Safety in Construction should be ratified;
2. Promotion of OS&H social dialogue and strengthening of social dialogue structures;
3. Emphasis on prevention through education at all levels and development of a „safe work culture“. Development of a risk assessment capacity;
4. Specifically for Montenegro the development for labour inspection services in accordance with ILO standards and the EU inspection policy;
5. Development of an effective data collection, information and dissemination system; and
6. A road Map to move forward by means of a government action plan. This should include cooperation at national and international levels as well as creation of a network to exchange data and best practice with the countries of the SEE Region.

The delegates from both countries emphasised that international support was needed to develop contacts and partnerships at bipartite and tripartite levels within the specific fields/sectors where common interests could be identified.

#### Moldova:

1. Development and implementation of new OS&H legislation harmonised with EU Directives and ILO Conventions;
2. Development of institutions capable of effectively implementing the new OS&H law and by-laws;



3. Setting up a permanent sub-committee exclusively dealing with OS&H matters as one of six such sub-committees of the National Council for Tripartite Consultations;
4. Reform of the social insurance system to set up a separate, reorganised occupational accidents and work-related diseases insurance with separate collection of social contributions from the employers; and
5. Development of a unified OS&H information system.

#### Romania:

1. Implementation of new, EU-based OS&H legislation and reduction of the amount of new regulations and bi-laws;
2. Operations of a new occupational accidents and diseases insurance system with fair contributions on a branch-level assessment basis, with impact on the national and enterprise levels;
3. Strengthening social dialogue at national and enterprise levels. This would include revitalisation of existing tripartite OS&H organisations at the national level, and at the enterprise level making bipartite OS&H committees work more effectively;
4. A determined drive to ratify ILO OS&H Conventions but in particular (as the top three) Cs. Nos. 167, 184, and 187; and
5. Creation of an institutional framework for consultations between labour inspection and the representative employers' and workers' organisations.

#### **IV. Presentations by other Partners**

Following the group work presentations, several representatives of international organisations took the floor. The delegate of the European Commission's Directorate General on Employment and Social Affairs spoke on the topic of „OS&H legislation: Transposition of EU OS&H Directives into national legislation and the accession requirements“. He found the Regional Report to be very good and very useful, and promised to give it due publicity in the Commission's units dealing with OS&H or SEE countries. The representative of the International Organisation of Employers gave an exposé on „Mechanisms for social dialogue in OS&H – the role of employers' organisations“. He also found the Regional Report very useful. The representative of the European Trade Union Congress spoke on „The role of trade unions in promoting OS&H improvements at national and enterprise level“. Finally the representative of the European Agency for Safety and Health at Work gave a presentation on „Effective OS&H data collection, information, dissemination and national/regional networking“. The Chairperson closed the day with a round-up of the proceedings and the, in her view, very constructive results of the group work.

#### **V. Group work on regional cooperation**

On the second day, the same groups were invited to focus their work on the „Development of recommendations for action and identification of needs for international support on regional level“, in particular each group was to consider specific action on the following issues: OS&H legislation and policies, national programmes and strategy on OS&H; mechanisms for social dialogue; Occupational Health (OH) services; awareness-raising, information and training on OS&H; and specific priorities for the social partner organisations. All these issues should be looked at in the context of regional cooperation and development of strategic partnerships.



The result of this group work was then presented in a plenary session followed by discussions:

Albania:

1. Transposition of EU OS&H Directives into national law was the most important issue; a regional programme/strategy for transposition should be developed to assist Albania and other countries in a similar position and facilitate the transposition process;
2. Mechanisms for social dialogue should be developed, for instance „mixed“ regional tripartite 2-day workshops with each group meeting separately on the first day and all three together in plenary on the second. In this context, creating an SEE employers' forum, similar to that of the trade unions, should also be considered;
3. OH services needed to be completely reorganised. An overview of best practice in the Region for reform of OH services should be established. Countries should be identified with which Albania could cooperate in the context of this reform process;
4. Regarding reform of labour inspection services, recommendations should be sought from ILO experts to change the present procedures and practice at both national and enterprise levels. Regional workshops, regional training events, and regional exchange of OS&H information should be organised on a regular basis. This could take the form of a regional network for OS&H information exchange;
5. To promote strategic partnerships, it was suggested to set up a tripartite regional OS&H council or similar body to coordinate all the previous issues; and
6. International support, both technical and financial, was needed to implement the recommendations of the Regional Report and of this Regional Seminar into national practice.

Croatia:

1. Regarding OS&H legislation and policy, all relevant ILO and WHO Codes of Practice and other guidance material should be translated into ISC project country languages to feed into the national policy documents and into the drafting process for all necessary OS&H by-laws;
2. The concept of risk management should be propagated in the Region through user-friendly implementation guidelines in the SEE languages;
3. Social dialogue should start at the workplace. Therefore all countries/entities should be stimulated to set up national/entity OS&H councils. National OS&H programmes should then be adopted;
4. Multi-disciplinary occupational health services should be established with competence for risk assessment. The advantages and disadvantages of public or private ownership should be analysed as recommended in the Regional Report, benchmarking with any available best practice in the Regional and elsewhere;
5. Labour inspection services should be developed by using the training system ILITS designed by the ILO for integrated labour inspection system development. A regional campaign should be undertaken to strengthen labour inspection, also



through an increase in the number of inspectors and by placing the accent on prevention; and

6. Awareness-raising programmes for employers and workers should be conducted. Better use of media should be promoted. Employers' and workers' organisations should be encouraged to develop and maintain their own websites.

As regarded strategic partnerships several of these had already been arranged during this Regional Seminar. Thus, Croatia had agreed on a cooperation framework with Serbia and Macedonia.

#### Macedonia:

1. Promotion of WHO's role in the field of occupational health through regional partnerships, for instance with the SEE network on workers' health. This should include promotion of common work with other partners in the field;
2. A comparison of national OS&H strategies, programmes or documents from the Region identifying advantages and disadvantages, strengths and weaknesses, using different available OS&H documents which would have to be translated; and
3. In connection with the new OS&H law presently under discussion in the Macedonian Parliament, a campaign should be organised, benchmarking with good practice from the Region to inform in particular the employers what their obligations under this new legislation were. Labour inspectors should be sensitised to evaluate how the new regulation had been implemented and how they worked.

The Macedonian delegation joined the other delegations in support of their recommendations.

#### Serbia:

1. Adoption of a national transposition policy, in particular for OS&H by-laws, benchmarking with best practice as referred to in the Regional Report;
2. Development of mechanisms for OS&H social dialogue including cross-border cooperation and regional training of employers' and trade unions' representatives;
3. Revitalisation of labour inspection services with a view to developing a fully integrated enforcement approach;
4. The need to upgrade OH services and to connect with the newly established WHO OHS network in Skopje, Macedonia. A framework for strengthening OH services in the Region and developing them into full-fledged OH and Safety services; and
5. Developing strategic partnerships including creating a network to exchange OS&H data and best practice.

The trade union delegate from Bulgaria also underlined the importance of establishing regional networks. Such a network already existed for the trade unions in Central and Eastern Europe, but not specifically for the SEE countries, to prepare the social partners for their role in future EU member countries.



The delegation from Bosnia and Herzegovina joined the Working Group from Serbia and Montenegro in support of its recommendations and likewise underlined the importance of creating functional networks. The members of the SEE ECOSOCs should meet twice yearly to exchange information on OS&H issues. It would also be necessary to create better working relationships between the SEE employers' and workers' organisations. Social dialogue on OS&H should include not only the 3 social partners but also representatives of the ministries of Health and their subordinate institutions. Once national OS&H committees or similar institutions had been formed, they should set up their own coordination group or network.

Finally, Moldova presented its recommendations together with the social partner representatives from Romania:

1. The transposition process should continue; Regional exchange of experience in this context between new EU members and other SEE countries would be very valuable;
2. Tripartite Working Groups should be set up at regional level to deal with specific OS&H issues such as high-hazard sectors, SMEs, cooperation between institutions responsible for labour and health, etc.;
3. There was an urgent need to establish better occupational health services and to exchange information at the regional level with other countries that had already embarked on this important reform;
4. There was a need for regional exchange of information and experience between the different labour inspection services, in particular between Moldova and Romania;
5. Awareness-raising and training activities should be organised for social partner representatives, particularly also on Risk Management;
6. Additionally, there was a need to include OS&H in vocational training activities; and
7. This development process depended crucially on international cooperation & support.

## **VI. Conclusions**

In her concluding remarks, the Chairperson congratulated the Seminar participants for the good results of the national and regional group work sessions which had produced important elements of orientation and reflection, and a basis for selected activities to be included in Phase II of the Project. She recalled once more the "Sofia Conclusions" of the Second Ministerial Conference on Employment in South East Europe, (October 2005), in which the Ministers also highlighted the great attention they gave to additional labour market issues, and in this context they had invited the Stability Pact for South Eastern Europe to also address health and safety at work as important elements of the quality of employment and as a prominent part of social dialogue, in accordance with standards laid down in the respective ILO Conventions and EU Directives. The process to improve labour inspection services and to promote better health and safety at work should include awareness-raising and capacity-building by governments, employers' and workers' organisations at both national and workplace levels.

Ms. Smet emphasised that certain activities would continue under Phase II; however, she questioned the need for ISC assistance when non-EU members



transposed Directives into national legislation. This had to be done almost on a word-by-word basis and it was not necessary to discuss the shape of the legislation at the regional level. From this Seminar, and also from the regional Report, it had become very clear that some of the most serious deficits still lay in the area of cooperation, coordination and consultation between the respective ministries of health, and of employment, labour and social affairs and their subordinate structures, such as national OS&H or Public Health Institutes, and in particular the labour inspection services and the sanitary/epidemiological inspectorates. Therefore, she indicated that as one important activity for Phase II another OS&H regional meeting would be held, focusing on improvement and coordination of occupational safety and occupational health policies, mechanisms, institutions and activities. This next ISC-sponsored OS&H meeting could be held at the seat of the European OS&H Agency in Bilbao, Spain, in the first half of 2008. In closing, the Chair thanked participants, organisers, resource persons and partner organisations, the Representatives from Belgium and, last not least, the donor, Switzerland, for their contributions to this very successful Regional Seminar.