



## **Reports of the Selection Committee**

### **Second report**

#### **1. Withdrawal of 20 Recommendations**

Following a recommendation by the Selection Committee, the Conference decided, at its second sitting on Tuesday, 4 June 2002, to refer to the Selection Committee for examination and report, the seventh item on the agenda of the Conference: *Withdrawal of 20 Recommendations*.

The Committee had before it [Reports VII\(1\)](#) and [VII\(2\)](#) prepared by the Office on this item.

In his introductory statement on this issue, the *Chairperson* recalled that, following an amendment to its Standing Orders in June 1997, in particular the adoption of article 45bis, the Conference was enabled to withdraw obsolete international labour Conventions which are not in force and obsolete Recommendations. A Convention or Recommendation is considered obsolete “if [it] appears that it has lost its purpose or that it no longer makes a useful contribution to attaining the objectives of the Organization”.<sup>1</sup> Following examination by the Working Party on Policy regarding the Revision of Standards (Working Party) of the Committee on Legal Issues and International Labour Standards (LILS Committee) of the Governing Body, and in accordance with recommendations by that Committee, the Governing Body decided by consensus at its 274th and 276th Sessions (March and November 1999) that the 20 Recommendations listed below were obsolete. These Recommendations concern subject matters pertaining to employment policy, employment services and employment agencies, vocational guidance and training, labour inspection and hours of work. The Governing Body decided at its 277th Session (March 2000) to place the question of the withdrawal of these Recommendations on the agenda of the present session of the Conference. The withdrawal of these instruments will put an end to their legal effect vis-à-vis the Organization and will contribute to the rationalization of the standard-setting system of the International Labour Organization. As the decisions to consider these Recommendations obsolete had been taken by consensus, the Chairperson proposed that the Committee adopt all the decisions to withdraw the 20 Recommendations together.

On behalf of his group, the *Workers’ Vice-Chairperson* expressed full support for the proposal to withdraw the 20 Recommendations and the motion to adopt all these decisions

<sup>1</sup> Paragraph 9 of article 19 of the Constitution of the International Labour Organisation Instrument of Amendment, adopted at the 85th Session (June 1997) of the International Labour Conference.

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together. He noted that all the Recommendations at issue had been thoroughly examined both by the Working Party, the LILS Committee and by the Governing Body. He therefore considered that there was no need further to discuss the substance of these instruments. He expressed his appreciation for the accomplishments of the Working Party and recalled that while the Workers were staunch guardians of up-to-date and existing international labour standards, they recognized and supported fully the need to modernize and rationalize these standards.

On behalf of his group, the *Employers' Vice-Chairperson* expressed his full support for the proposals to withdraw the 20 Recommendations and for adopting all these proposals together. He noted that all the decisions by the Governing Body to consider these Recommendations obsolete had been taken by consensus and expressed the hope that this atmosphere of consensus would continue in the present Committee. The withdrawal of these Recommendations was both an important and a logical step in a process which had begun in 2000 with the withdrawal of five Conventions. The proposed decisions were welcomed and supported, as they would contribute to making the system of international labour standards more relevant and effective. The Employers' group favoured high-impact standards that expressed main and general labour principles and contained a minimum of detail. His group also encouraged all efforts to promote further ratifications of the 1997 amendment of the Constitution that would allow the Conference to abrogate obsolete Conventions in force.

The *Government member of France*, Chairperson of the Governing Body's Working Party on Policy regarding Revision of Standards that had concluded its work in March 2002, recalled that this Working Party had recommended the withdrawal of a total of 41 Recommendations. The present question before the Conference was the withdrawal of 20 Recommendations and the withdrawal of another 16 Recommendations would be proposed to the Conference at its 92nd Session (June 2004). The withdrawal of the remaining five maritime Recommendations would be proposed to the International Labour Conference at a forthcoming maritime session. He noted that the decisions to consider these Recommendations obsolete, and to propose their withdrawal to the Conference, had been taken by consensus by the Working Party, the LILS Committee and the Governing Body. While the decisions to withdraw these instruments would not have very significant legal consequences, such decisions would represent significant steps towards the modernization and improvement of the image of the ILO's body of international labour standards. In conclusion, the speaker expressed his full support for the proposals before the Committee to withdraw the 20 Recommendations.

The Committee approved, by consensus, the proposed conclusions in [Report VII\(2\)](#) for the withdrawal of 20 Recommendations.

*The Committee accordingly recommends to the Conference that it take the preliminary decision, referred to in paragraph 3 of article 45bis of the Standing Orders of the Conference, for the withdrawal of each of the ensuing 20 Recommendations, in the following terms:*

**1. *Withdrawal of the Unemployment Recommendation, 1919 (No. 1)***

The General Conference of the International Labour Organization,

Having been convened in Geneva by the Governing Body of the International Labour Office, and having met in its 90th Session on 3 June 2002, and

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Following consideration of the proposal for the withdrawal of 20 international labour Recommendations, which is the seventh item on the agenda of this session;

decides to withdraw the Unemployment Recommendation, 1919 (No. 1).

The Director-General of the International Labour Office shall notify all Members of the International Labour Organization as well as the Secretary-General of the United Nations of this decision to withdraw the Unemployment Recommendation, 1919 (No. 1).

**2. *Withdrawal of the Labour Inspection (Health Services) Recommendation, 1919 (No. 5)***

The General Conference of the International Labour Organization,

Having been convened in Geneva by the Governing Body of the International Labour Office, and having met in its 90th Session on 3 June 2002, and

Following consideration of the proposal for the withdrawal of 20 international labour Recommendations, which is the seventh item on the agenda of this session;

decides to withdraw the Labour Inspection (Health Services) Recommendation, 1919 (No. 5).

The Director-General of the International Labour Office shall notify all Members of the International Labour Organization as well as the Secretary-General of the United Nations of this decision to withdraw the Labour Inspection (Health Services) Recommendation, 1919 (No. 5).

**3. *Withdrawal of the Unemployment (Agriculture) Recommendation, 1921 (No. 11)***

The General Conference of the International Labour Organization,

Having been convened in Geneva by the Governing Body of the International Labour Office, and having met in its 90th Session on 3 June 2002, and

Following consideration of the proposal for the withdrawal of 20 international labour Recommendations, which is the seventh item on the agenda of this session;

decides to withdraw the Unemployment (Agriculture) Recommendation, 1921 (No. 11).

The Director-General of the International Labour Office shall notify all Members of the International Labour Organization as well as the Secretary-General of the United Nations of this decision to withdraw the Unemployment (Agriculture) Recommendation, 1921 (No. 11).

**4. *Withdrawal of the Vocational Education (Agriculture) Recommendation, 1921 (No. 15)***

The General Conference of the International Labour Organization,

Having been convened in Geneva by the Governing Body of the International Labour Office, and having met in its 90th Session on 3 June 2002, and

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Following consideration of the proposal for the withdrawal of 20 international labour Recommendations, which is the seventh item on the agenda of this session;

decides to withdraw the Vocational Education (Agriculture) Recommendation, 1921 (No. 15).

The Director-General of the International Labour Office shall notify all Members of the International Labour Organization as well as the Secretary-General of the United Nations of this decision to withdraw the Vocational Education (Agriculture) Recommendation, 1921 (No. 15).

**5. *Withdrawal of the Hours of Work (Hotels, etc.) Recommendation, 1930 (No. 37)***

The General Conference of the International Labour Organization,

Having been convened in Geneva by the Governing Body of the International Labour Office, and having met in its 90th Session on 3 June 2002, and

Following consideration of the proposal for the withdrawal of 20 international labour Recommendations, which is the seventh item on the agenda of this session;

decides to withdraw the Hours of Work (Hotels, etc.) Recommendation, 1930 (No. 37).

The Director-General of the International Labour Office shall notify all Members of the International Labour Organization as well as the Secretary-General of the United Nations of this decision to withdraw the Hours of Work (Hotels, etc.) Recommendation, 1930 (No. 37).

**6. *Withdrawal of the Hours of Work (Theatres, etc.) Recommendation, 1930 (No. 38)***

The General Conference of the International Labour Organization,

Having been convened in Geneva by the Governing Body of the International Labour Office, and having met in its 90th Session on 3 June 2002, and

Following consideration of the proposal for the withdrawal of 20 international labour Recommendations, which is the seventh item on the agenda of this session;

decides to withdraw the Hours of Work (Theatres, etc.) Recommendation, 1930 (No. 38).

The Director-General of the International Labour Office shall notify all Members of the International Labour Organization as well as the Secretary-General of the United Nations of this decision to withdraw the Hours of Work (Theatres, etc.) Recommendation, 1930 (No. 38).

**7. *Withdrawal of the Hours of Work (Hospitals, etc.) Recommendation, 1930 (No. 39)***

The General Conference of the International Labour Organization,

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Having been convened in Geneva by the Governing Body of the International Labour Office, and having met in its 90th Session on 3 June 2002, and

Following consideration of the proposal for the withdrawal of 20 international labour Recommendations, which is the seventh item on the agenda of this session;

decides to withdraw the Hours of Work (Hospitals, etc.) Recommendation, 1930 (No. 39).

The Director-General of the International Labour Office shall notify all Members of the International Labour Organization as well as the Secretary-General of the United Nations of this decision to withdraw the Hours of Work (Hospitals, etc.) Recommendation, 1930 (No. 39).

## **8. *Withdrawal of the Employment Agencies Recommendation, 1933 (No. 42)***

The General Conference of the International Labour Organization,

Having been convened in Geneva by the Governing Body of the International Labour Office, and having met in its 90th Session on 3 June 2002, and

Following consideration of the proposal for the withdrawal of 20 international labour Recommendations, which is the seventh item on the agenda of this session;

decides to withdraw the Employment Agencies Recommendation, 1933 (No. 42).

The Director-General of the International Labour Office shall notify all Members of the International Labour Organization as well as the Secretary-General of the United Nations of this decision to withdraw the Employment Agencies Recommendation, 1933 (No. 42).

## **9. *Withdrawal of the Unemployment (Young Persons) Recommendation, 1935 (No. 45)***

The General Conference of the International Labour Organization,

Having been convened in Geneva by the Governing Body of the International Labour Office, and having met in its 90th Session on 3 June 2002, and

Following consideration of the proposal for the withdrawal of 20 international labour Recommendations, which is the seventh item on the agenda of this session;

decides to withdraw the Unemployment (Young Persons) Recommendation, 1935 (No. 45).

The Director-General of the International Labour Office shall notify all Members of the International Labour Organization as well as the Secretary-General of the United Nations of this decision to withdraw the Unemployment (Young Persons) Recommendation, 1935 (No. 45).

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**10. *Withdrawal of the Public Works (International Co-operation) Recommendation, 1937 (No. 50)***

The General Conference of the International Labour Organization,

Having been convened in Geneva by the Governing Body of the International Labour Office, and having met in its 90th Session on 3 June 2002, and

Following consideration of the proposal for the withdrawal of 20 international labour Recommendations, which is the seventh item on the agenda of this session;

decides to withdraw the Public Works (International Co-operation) Recommendation, 1937 (No. 50).

The Director-General of the International Labour Office shall notify all Members of the International Labour Organization as well as the Secretary-General of the United Nations of this decision to withdraw the Public Works (International Co-operation) Recommendation, 1937 (No. 50).

**11. *Withdrawal of the Public Works (National Planning) Recommendation, 1937 (No. 51)***

The General Conference of the International Labour Organization,

Having been convened in Geneva by the Governing Body of the International Labour Office, and having met in its 90th Session on 3 June 2002, and

Following consideration of the proposal for the withdrawal of 20 international labour Recommendations, which is the seventh item on the agenda of this session;

decides to withdraw the Public Works (National Planning) Recommendation, 1937 (No. 51).

The Director-General of the International Labour Office shall notify all Members of the International Labour Organization as well as the Secretary-General of the United Nations of this decision to withdraw the Public Works (National Planning) Recommendation, 1937 (No. 51).

**12. *Withdrawal of the Inspection (Building) Recommendation, 1937 (No. 54)***

The General Conference of the International Labour Organization,

Having been convened in Geneva by the Governing Body of the International Labour Office, and having met in its 90th Session on 3 June 2002, and

Following consideration of the proposal for the withdrawal of 20 international labour Recommendations, which is the seventh item on the agenda of this session;

decides to withdraw the Inspection (Building) Recommendation, 1937 (No. 54).

The Director-General of the International Labour Office shall notify all Members of the International Labour Organization as well as the Secretary-General of the United

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Nations of this decision to withdraw the Inspection (Building) Recommendation, 1937 (No. 54).

**13. *Withdrawal of the Vocational Education (Building) Recommendation, 1937 (No. 56)***

The General Conference of the International Labour Organization,

Having been convened in Geneva by the Governing Body of the International Labour Office, and having met in its 90th Session on 3 June 2002, and

Following consideration of the proposal for the withdrawal of 20 international labour Recommendations, which is the seventh item on the agenda of this session;

decides to withdraw the Vocational Education (Building) Recommendation, 1937 (No. 56).

The Director-General of the International Labour Office shall notify all Members of the International Labour Organization as well as the Secretary-General of the United Nations of this decision to withdraw the Vocational Education (Building) Recommendation, 1937 (No. 56).

**14. *Withdrawal of the Labour Inspectorates (Indigenous Workers) Recommendation, 1939 (No. 59)***

The General Conference of the International Labour Organization,

Having been convened in Geneva by the Governing Body of the International Labour Office, and having met in its 90th Session on 3 June 2002, and

Following consideration of the proposal for the withdrawal of 20 international labour Recommendations, which is the seventh item on the agenda of this session;

decides to withdraw the Labour Inspectorates (Indigenous Workers) Recommendation, 1939 (No. 59).

The Director-General of the International Labour Office shall notify all Members of the International Labour Organization as well as the Secretary-General of the United Nations of this decision to withdraw the Labour Inspectorates (Indigenous Workers) Recommendation, 1939 (No. 59).

**15. *Withdrawal of the Control Books (Road Transport) Recommendation, 1939 (No. 63)***

The General Conference of the International Labour Organization,

Having been convened in Geneva by the Governing Body of the International Labour Office, and having met in its 90th Session on 3 June 2002, and

Following consideration of the proposal for the withdrawal of 20 international labour Recommendations, which is the seventh item on the agenda of this session;

decides to withdraw the Control Books (Road Transport) Recommendation, 1939 (No. 63).

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The Director-General of the International Labour Office shall notify all Members of the International Labour Organization as well as the Secretary-General of the United Nations of this decision to withdraw the Control Books (Road Transport) Recommendation, 1939 (No. 63).

**16. *Withdrawal of the Night Work (Road Transport) Recommendation, 1939 (No. 64)***

The General Conference of the International Labour Organization,

Having been convened in Geneva by the Governing Body of the International Labour Office, and having met in its 90th Session on 3 June 2002, and

Following consideration of the proposal for the withdrawal of 20 international labour Recommendations, which is the seventh item on the agenda of this session;

decides to withdraw the Night Work (Road Transport) Recommendation, 1939 (No. 64).

The Director-General of the International Labour Office shall notify all Members of the International Labour Organization as well as the Secretary-General of the United Nations of this decision to withdraw the Night Work (Road Transport) Recommendation, 1939 (No. 64).

**17. *Withdrawal of the Methods of Regulating Hours (Road Transport) Recommendation, 1939 (No. 65)***

The General Conference of the International Labour Organization,

Having been convened in Geneva by the Governing Body of the International Labour Office, and having met in its 90th Session on 3 June 2002, and

Following consideration of the proposal for the withdrawal of 20 international labour Recommendations, which is the seventh item on the agenda of this session;

decides to withdraw the Methods of Regulating Hours (Road Transport) Recommendation, 1939 (No. 65).

The Director-General of the International Labour Office shall notify all Members of the International Labour Organization as well as the Secretary-General of the United Nations of this decision to withdraw the Methods of Regulating Hours (Road Transport) Recommendation, 1939 (No. 65).

**18. *Withdrawal of the Rest Periods (Private Chauffeurs) Recommendation, 1939 (No. 66)***

The General Conference of the International Labour Organization,

Having been convened in Geneva by the Governing Body of the International Labour Office, and having met in its 90th Session on 3 June 2002, and

Following consideration of the proposal for the withdrawal of 20 international labour Recommendations, which is the seventh item on the agenda of this session;



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decides to withdraw the Rest Periods (Private Chauffeurs) Recommendation, 1939 (No. 66).

The Director-General of the International Labour Office shall notify all Members of the International Labour Organization as well as the Secretary-General of the United Nations of this decision to withdraw the Rest Periods (Private Chauffeurs) Recommendation, 1939 (No. 66).

**19. *Withdrawal of the Employment Service Recommendation, 1944 (No. 72)***

The General Conference of the International Labour Organization,

Having been convened in Geneva by the Governing Body of the International Labour Office, and having met in its 90th Session on 3 June 2002, and

Following consideration of the proposal for the withdrawal of 20 international labour Recommendations, which is the seventh item on the agenda of this session;

decides to withdraw the Employment Service Recommendation, 1944 (No. 72).

The Director-General of the International Labour Office shall notify all Members of the International Labour Organization as well as the Secretary-General of the United Nations of this decision to withdraw the Employment Service Recommendation, 1944 (No. 72).

**20. *Withdrawal of the Public Works (National Planning) Recommendation, 1944 (No. 73)***

The General Conference of the International Labour Organization,

Having been convened in Geneva by the Governing Body of the International Labour Office, and having met in its 90th Session on 3 June 2002, and

Following consideration of the proposal for the withdrawal of 20 international labour Recommendations, which is the seventh item on the agenda of this session;

decides to withdraw the Public Works (National Planning) Recommendation, 1944 (No. 73).

The Director-General of the International Labour Office shall notify all Members of the International Labour Organization as well as the Secretary-General of the United Nations of this decision to withdraw the Public Works (National Planning) Recommendation, 1944 (No. 73).

**2. *Submission of the draft resolution on the informal economy and international trade barriers and subsidies, especially concerning agricultural products***

The Committee had before it for examination the draft resolution on the informal economy and international trade barriers and subsidies, especially concerning agricultural

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products, submitted by the Government of Argentina under item VI of the Conference agenda in accordance with article 15 of the Conference Standing Orders.

In his introductory statement on this issue, the Chairperson informed the Committee that draft resolutions submitted to the Conference relating to matters included in an item placed on the agenda of that session of the Conference did not fall within the purview of the Resolutions Committee under the procedures set out in article 17 of the Conference Standing Orders. Instead these were normally referred to the technical committees concerned. It was thus for the Selection Committee, under its duty to make recommendations to the Conference on the proper conduct of its business, to decide on the transfer of a draft resolution relating to matters included in the item on the informal economy to the competent technical committees to consider the merits of the draft resolution.

The Government member of Brazil and the Government member of Peru supported the proposal for referral of the draft resolution to the Committee on the Informal Economy.

A number of other Government members, as well as the Workers' and Employers' Vice-Chairpersons on behalf of their groups, expressed their concerns regarding the procedure used for the submission of the resolution. The Employers' Vice-Chairperson wished that the serious reservations of his group be recorded in this regard.

Upon deliberation, however, a consensus was reached by the Committee to refer the draft resolution to the Committee on the Informal Economy, and the following wording was adopted:

On the advice of the Legal Adviser, the Committee understands that it has no real choice but to refer the resolution to a Conference Committee.

Although it is recognized that the substance of the resolution extends beyond the issues before the Committee on the Informal Economy, the Selection Committee agrees to refer the resolution to that Committee.

The Committee records that if this occurs again next year many members of the Committee would consider this to be an abuse of the procedure.

Geneva, 6 June 2002.

*(Signed)* A. A. Soltanieh,  
Chairperson.

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