TENTH ITEM ON THE AGENDA

Report of the Negotiating Delegation

The Chairman said that the Delegation had been established at Philadelphia to negotiate with any world organisations which might be set up, in order that the International Labour Organisation might be in a position to collaborate with them. Subsequently, as a result of the San Francisco Conference, the United Nations Organisation had been set up and an article had been included in its Charter providing for bringing what were called the specialised agencies into relationship with the United Nations. The International Labour Organisation had been regarded as one of those specialised agencies.

Later, the Economic and Social Council of the United Nations, at its session in London early in 1946, had set up a committee to enter into negotiations with the delegations of the specialised agencies for the purpose of coming to an agreement on the method of relationship. Negotiations had been conducted in the first place between the Secretariat of the Economic and Social Council and the International Labour Office in March and April 1946 and a tentative draft agreement had been drawn up. That draft had been submitted to the Negotiating Delegation which had made certain alterations in it. The Governing Body had been informed of the position at its session in May.

The negotiations between the Negotiating Delegation of the Governing Body and the United Nations Economic and Social Council had taken place in New York
on 28 and 29 May, and had resulted in the drawing up of a draft agreement which had been circulated to members of the Governing Body. This agreement provided for bringing the International Labour Organisation into relationship with the United Nations and set out the basis of the relationship between them.

This document was before the Conference and it did not seem necessary to go through it in detail. After rather difficult negotiations the Negotiating Delegation had arrived at an arrangement which it unanimously regarded as extremely satisfactory to the Organisation. The Delegation had not got everything for which it asked, but it had got a very great deal. It found that the Negotiating Committee of the Economic and Social Council was most co-operative and did its best to meet the Delegation on all the points to which the latter attached particular importance.

He wished to pay tribute to the Economic and Social Council and to its chairman, Sir Ramaswami Mudaliar, the representative of the Government of India, who presided over the proceedings, for the great understanding they had shown with regard to the various considerations placed before them by the Delegation.

Article 20 of the Draft Agreement provided that it should come into force as soon as it was approved by the General Assembly of the United Nations and the General Conference of the International Labour Organisation. The Draft Agreement had already been accepted by the Economic and Social Council and had been submitted by the Council to the General Assembly. It was to be considered by the Assembly at the session which was to open in New York on 23 October.

The Draft Agreement was now before the International Labour Conference, and he hoped that it would be unanimously approved.

Mr. Justin Godart, on behalf of the members of the Delegation, wished to add, to what the Chairman had said, that during the historic meetings held on 28 and 29 May, the Chairman had conducted the discussion with courteous tenacity and with a complete grasp of the problems involved. He set out the solutions which were desired with a clarity which convinced all those present. Thanks to his authority he was able to carry through negotiations which promised to be particularly difficult. During those two days, the Chairman had enabled the International Labour Organisation to take a step forward which would secure its future position among the new international organisations. He thought that the Governing Body owed the Chairman a debt of gratitude for the decisive part he had played.

Mr. Troclet said that Belgium was not represented on the Negotiating Delegation of the Governing Body, but it had been represented on the United Nations Economic and Social Council by Mr. Dehousse, who was a faithful friend of the International Labour Organisation.

Like Mr. Godart, he wished to pay a tribute to the Chairman of the Governing Body who, according to the reports which had reached him, had conducted the negotiations with authority, competence and diplomatic skill. The results which were now before the Governing Body were largely due to the efforts and experience of the Chairman.

He wished also to thank the other members of the Delegation. It was always difficult to obtain international agreement, when the wishes of the various groups constituting the International Labour Organisation had to be reconciled, on solutions which were generally satisfactory, especially when it was a case of negotiations with another powerful international organisation. On behalf of all those who had the interests of the International Labour Organisation at heart, he felt that he was paying a debt of gratitude in thanking all the members of the Delegation.

The Director and his colleagues, who had so thorough a knowledge of the Organisation, had given valuable help to the negotiators and were also entitled to the gratitude of the Governing Body.

It was thanks to all these united efforts, and also to the admirable spirit which the Governing Body Delegation had shown, that it had been possible to reach results which were really remarkable. Remembering the uncertainty which still existed at the Paris Conference, it might be said that considerable progress had been made.
which should be emphasised and on which the Governing Body should congratulate itself. Thanks to the Draft Agreement, the International Labour Organisation would be able to make a new start and to rejuvenate itself. It was to be hoped that it would achieve results as encouraging and as satisfactory as those which it had achieved between the two wars.

He noted that through this Draft Agreement with the United Nations the International Labour Organisation had secured rights which were relatively greater than those granted to other international organisations. He had heard from those who had taken part in the negotiations that this result was largely due to the sound experience of the International Labour Organisation and to the conscientious work which it had done for over twenty years. Nevertheless, he thought it regrettable that Paragraph 3 of Article 9 of the Draft Agreement did not allow the Governing Body to apply directly to the International Court of Justice for advisory opinions. He would have liked the Governing Body to enjoy a greater measure of independence in this respect. For the time being there was no question of amending the Draft Agreement, which was extremely favourable, but he thought it his duty to call the attention of the Governing Body to this point so that if the Agreement were to be amended in future an effort might be made to secure rather more independence for the Organisation in the event of its wishing to apply to the International Court of Justice.

*The Chairman* said that he was deeply touched by the remarks made by Mr. Godart and Mr. Troclet. He did not feel that he deserved all their words of praise, which he thought should rather have been addressed to the Delegation as a whole. No chairman could have had a more loyal delegation to support him. Sometimes he had had to meet points as they came up without having any possibility of consulting his colleagues, and it was because he knew that he could count on their loyal support that he had been able to deal with those points as appeared right to him, and in a way which they had approved.

He wished to thank all the members of the Delegation for their contribution to the making of an agreement which, when it had been adopted by the Conference and the Assembly, would mark a big step along the road of international collaboration upon which the future of the world depended.

He had noted Mr. Troclet's remarks in connection with Paragraph 3 of Article 9. At that stage it had not been possible to secure a more satisfactory arrangement. He understood that Mr. Troclet did not suggest that any attempt should be made to obtain a revision of the Agreement on this point at the present time, but he was sure that the Governing Body would bear the point in mind in connection with any future revision of the Agreement.

*The Governing Body* took note of the Draft Agreement with the United Nations which was submitted to it for information and noted that it would be considered by the Conference in the course of its current session.