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La soixante-dix-huitième session du Conseil d’administration du Bureau international du Travail s’est tenue au Bureau international du Travail, à Genève, du jeudi 4 au samedi 6 février 1937.

Le Conseil d’administration était composé comme suit :

M. Nečas, Président.
M. Andersson.
M. Čurčín.
M. Duffy.
M. Erulkar.
M. Fabra Ribas.
M. Goodrich.
M. Hayday.
M. Jouhaux.
M. Kirkaldy.
M. Kitaoka.
M. Komarnicki.
M. Lambert-Ribot.
M. Li Ping-Heng.
M. Mannio.
M. Mertens.
M. Muniz.
M. Norman.
M. Němeček.
M. Oersted.
M. Pardo.
M. Picquenard.
M. Rau.
M. Riddell.
M. Schurch.
M. Sherrard.
M. Tzaut.
M. Villa Michel.
M. Volkmann.
M. Yonekubo.

Absents et non remplacés :

M. Markus.
M. de Michelis.

Absents :

M. Asano.
M. Bandeira de Mello.
M. Caballero.
M. Dennison.
M. Forbes Watson.
M. Gemmill.
M. Ruiz Guíñazú.
M. Joshi.
M. Leggett.
M. Moore.
Sir Firoz Khan Noon.
M. Olivetti.
The Seventy-eighth Session of the Governing Body of the International Labour Office was held at the International Labour Office, Geneva, from Thursday, 4 February to Saturday, 6 February 1937.

The Governing Body was composed as follows:

Mr. Nečas, Chairman.
Mr. Andersson.
Mr. Čurčin.
Mr. Duffy.
Mr. Erulkar.
Mr. Fabra Ribas.
Mr. Goodrich.
Mr. Hayday.
Mr. Jouhaux.
Mr. Kirkaldy.
Mr. Kitaoa.
Mr. Komarnicki.
Mr. Lambert-Ribot.
Mr. Li Ping-Heng.
Mr. Manno.
Mr. Mertens.
Mr. Muniz.
Mr. Norman.
Mr. Němeček.
Mr. Oersted.
Mr. Pardo.
Mr. Picquenard.
Mr. Rau.
Mr. Riddell.
Mr. Schürch.
Mr. Sherrard.
Mr. Tzaut.
Mr. Villa Michel.
Mr. Volkmann.
Mr. Yonekubo.

Absent but not replaced by a substitute:

Mr. Markus.
Mr. de Michelis.

Absent:

Mr. Asano.
Mr. Bandeira de Mello.
Mr. Caballero.
Mr. Dennison.
Mr. Forbes Watson.
Mr. Gemmill.
Mr. Ruiz Guínazu.
Mr. Joshi.
Mr. Leggett.
Mr. Moore.
Sir Firoz Khan Noon.
Mr. Olivetti.
Les membres adjoints suivants ou leurs suppléants étaient présents :

M. KNOB.
M. KRIER.
M. KUPERS.
M. LECOCQ.
M. MAHAIM.
M. MOLENAAR.
M. PEYER.
M. SERRARENS.
M. VANÉK.
M. YEREMITCH.

Étaient également présents :

M. Harold BUTLER, Directeur du Bureau international du Travail.
M. PHelan, Secrétaire du Conseil d'administration.
M. PÔNE, Chef du cabinet du Directeur.
M. LAFRANCE, Secrétaire adjoint du Conseil d'administration.

M. BACKLUND, accompagnant M. ANDERSSON.
M. BALDWIN, accompagnant M. GOODRICH.
M. CHALMERS, accompagnant M. GOODRICH.
M. DENNYS, accompagnant M. NORMAN.
M. JUNOY AGUIAR, accompagnant M. LECOCQ.
M. KOTEK, suppléant de M. NEČAS.
M. MUTÔ, accompagnant M. KITAOKA.
M. PAO HUA-KUO, suppléant de M. LI PING-HENG.
M. RENAUD, suppléant de M. RIDDELL.
M. RIEVE, accompagnant M. RIDDELL.
M. SCHEVENELS, accompagnant M. JOUHAUX.
M. STARZENŠKI, accompagnant M. KOMARNICKI.
M. TAKEMURA, accompagnant M. KITAOKA.
M. TELLO, accompagnant M. VILLA MICHEL.
M. UZNAŃSKI, accompagnant M. KOMARNICKI.
M. WALINE, accompagnant M. LAMBERT-RIBOT.
M. ZAGRODZKI, accompagnant M. KOMARNICKI.
M. ZAMAN, accompagnant M. RAU.
The following deputy members or their substitutes were present:

- Mr. Knob.
- Mr. Krier.
- Mr. Kupers.
- Mr. Lecocq.
- Mr. Mahaim.
- Mr. Molenaar.
- Mr. Peyer.
- Mr. Serrarens.
- Mr. Vanêk.
- Mr. Veremitch.

There were also present:

- Mr. Harold Butler, Director of the International Labour Office.
- Mr. Phelan, Secretary of the Governing Body.
- Mr. Pône, Chef du Cabinet of the Director.
- Mr. Laprance, Assistant Secretary of the Governing Body.

- Mr. Backlund, accompanying Mr. Andersson.
- Mr. Baldwin, accompanying Mr. Goodrich.
- Mr. Chalmers, accompanying Mr. Goodrich.
- Mr. Dennys, accompanying Mr. Norman.
- Mr. Junoy Aguiar, accompanying Mr. Lecocq.
- Mr. Kotek, substitute for Mr. Nečas.
- Mr. Muto, accompanying Mr. Kitaoka.
- Mr. Pao Hua-Kuo, substitute for Mr. Li Ping-Heng.
- Mr. Renaud, substitute for Mr. Riddei.
- Mr. Rieve, accompanying Mr. Riddei.
- Mr. Schevenels, accompanying Mr. Jouhaux.
- Mr. Starzeński, accompanying Mr. Komarnicki.
- Mr. Takemura, accompanying Mr. Kitaoka.
- Mr. Tello, accompanying Mr. Villa Michel.
- Mr. Uznański, accompanying Mr. Komarnicki.
- Mr. Waline, accompanying Mr. Lambert-Ribot.
- Mr. Zagrodzki, accompanying Mr. Komarnicki.
- Mr. Zaman, accompanying Mr. Rau.
PROCÈS-VERBAL DE LA PREMIÈRE SÉANCE.

(Jeudi 4 février 1937 — 10 heures 40.)


Absents : M. Markus, M. de Michelis.

Ouverture de la session.

Le Président souhaite la bienvenue dans le groupe gouvernemental à M. Rama Rau, qui remplace Sir Firoz Khan Noon, retenu dans l'Inde, dans le groupe des employeurs à M. Sherrard, qui vient du Canada, et dans le groupe des travailleurs à M. Duffy, qui vient des États-Unis d'Amérique.

Il signale d'autre part que M. Kitaoka a été récemment désigné à titre définitif comme représentant du Gouvernement japonais au Conseil d'administration, et que M. Fabra Ribas remplace M. de Buen comme représentant du Gouvernement espagnol. Les membres du Conseil se félicitèrent de pouvoir bénéficier dorénavant de la collaboration de ces deux personnalités.

DOUZIÈME QUESTION A L'ORDRE DU JOUR.

Rapport du Bureau sur l'organisation de la Conférence technique tripartite concernant l'industrie textile. (Washington, avril 1937.)

Le Directeur indique que la préparation de la Conférence de Washington est en bonne voie et ne se heurte à aucune difficulté particulière. Le rapport préparé par le Bureau est à l'impression et pourra sortir de presse avant la fin du mois de février.

Quant aux aspects financiers de l'organisation de la Conférence, le Conseil d'administration sera appelé à les envisager en examinant le rapport du Comité du budget.

La seule mesure que le Conseil soit appelé à prendre pour l'instant est de désigner ses représentants à la Conférence.

M. Oersted propose, sans augmenter les dépenses prévues, de compléter la représentation du Conseil à la Conférence, actuellement fixée à deux membres par groupe, par la désignation d'un ressortissant des États-Unis par chacun des trois groupes du Conseil. Il serait entendu que si l'un de ces représentants était empêché d'assister personnellement à la Conférence de Washington, il aurait la faculté de se faire remplacer par un de ses compatriotes.

M. Jouhaux ne s'opposera pas à la proposition de M. Oersted. Il y a évidemment intérêt à ce que les organisations patronales et ouvrières des États-Unis soient représentées dans la délégation du Conseil d'administration à la Conférence de Washington. Toutefois on aurait pu aboutir à ce résultat en désignant parmi les deux représentants de chaque groupe un ressortissant des États-Unis. Il lui semble qu'une telle mesure aurait été conforme à l'attitude habituelle du groupe des employeurs qui désire réduire le plus possible les dépenses de l'Organisation internationale du Travail.
MINUTES OF THE FIRST SITTING.

(Thursday, 4 February 1937, 10.40 a.m.)

The Governing Body was composed as follows: Mr. Nečas, Chairman; Mr. Andersson, Mr. Cürčin, Mr. Duffy, Mr. Erulkar, Mr. Fabra Ribas, Mr. Goodrich, Mr. Hayday, Mr. Jouhaux, Mr. Kirkaldy, Mr. Kitaoka, Mr. Komarnicki, Mr. Li Ping-Heng, Mr. Mannio, Mr. Mertens, Mr. Muniz, Mr. Němeček, Mr. Norman, Mr. Oersted, Mr. Pardo, Mr. Picquenard, Mr. Rau, Mr. Riddell, Mr. Schürch, Mr. Sherrard, Mr. Tzaut, Mr. Villa Michel, Mr. Volkmann, Mr. Waline, Mr. Yonekubo.

Absent: Mr. Markus, Mr. de Michelis.

Opening of the Session.

The Chairman welcomed Mr. Rama Rau, of the Government group, who was replacing Sir Firoz Khan Noon, whose duties had detained him in India; Mr. Sherrard, of the employers' group, who had come from Canada, and Mr. Duffy, of the workers' group, who had come from the United States of America.

He also informed the Governing Body that Mr. Kitaoka had recently been definitely appointed as Japanese Government representative on the Governing Body, and that Mr. Fabra Ribas was replacing Mr. de Buen as Spanish Government representative. Members of the Governing Body would welcome the continued collaboration of these two members.

TWELFTH ITEM ON THE AGENDA.


The Director said that considerable progress had been made with the preparation for the Conference at Washington, and no special difficulties had been encountered. The report prepared by the Office was being printed, and it was hoped to publish it before the end of February.

The financial aspects of the organisation of the Conference would come before the Governing Body in connection with the Finance Committee's report.

The only step which the Governing Body was called upon to take at the moment was to appoint its representatives at the Conference.

Mr. Oersted proposed that the representation of the Governing Body at the Conference, which was at present fixed at two members from each group, should be completed by the appointment of a national of the United States of America by each of the three groups of the Governing Body. This would involve no increased expenditure. It would be understood that if any of those representatives were unable to attend the Conference in Washington, he would be entitled to appoint one of his compatriots as his substitute.

Mr. Jouhaux said that he would not oppose Mr. Oersted's proposal. It was clearly desirable that the employers' and workers' organisations of the United States should be represented in the Governing Body's delegation to the Conference at Washington. This, however, could have been done by appointing a national of the United States as one of the two representatives of each group. It appeared to him that such a step would have been in accordance with the usual attitude of the employers' group, which always desired to reduce the expenditure of the International Labour Organisation as far as possible.
M. Komarnicki demande quels seraient les frais supplémentaires qu’entrainerait pour l’Organisation l’extension de la délégation du Conseil à la Conférence de Washington que vient de proposer M. Oersted.

Le Directeur interprète la proposition de M. Oersted comme signifiant que les trois ressortissants des États-Unis désignés par le Conseil se trouveraient à Washington à l’époque de la Conférence, et que l’élargissement de la délégation du Conseil aurait simplement pour effet de leur conférer la qualité de représentant du Conseil sans entrainer pour l’Organisation de frais supplémentaires.

M. Oersted confirme l’interprétation que vient de donner le Directeur.

M. Riddell se félicite de la proposition de M. Oersted, qui lui paraît susceptible de renforcer la délégation du Conseil d’administration, et qu’il appuie donc entièrement.

M. Norman appuie également la proposition de M. Oersted. Il demande à M. Goodrich s’il est disposé à accepter sa désignation dans les conditions indiquées. Si tel était le cas, il serait, pour sa part, très heureux de pouvoir s’associer à la désignation de M. Goodrich.

M. Goodrich accepte avec plaisir la proposition faite par M. Oersted dans les conditions qui viennent d’être précisées. Ce sont d’ailleurs ces conditions mêmes qui lui permettraient de l’accepter, car il ne voudrait pas que cette extension de la délégation du Conseil d’administration entraînât pour l’Organisation des frais supplémentaires. Il tient à remercier M. Oersted ainsi que les autres membres du Conseil qui ont appuyé cette proposition, de la courtoisie dont ils ont ainsi fait preuve à l’égard de son pays.

M. Hayday ne voudrait pas que les nouvelles désignations envisagées n’aient qu’un caractère purement honorifique.

M. Erulkar considère qu’il s’agit d’une question de principe plutôt qu’une question financière et il demande donc que le Conseil se prononce en conséquence.

La proposition de M. Oersted est adoptée.

M. Oersted suggère au Conseil de procéder immédiatement à la désignation de ses représentants à la conférence de Washington.

Le groupe des employeurs a, pour sa part, procédé aux désignations suivantes : M. Oersted, M. Tzaut, M. Dennison ; suppléants : M. Lecoq (lequel pourrait remplacer tout représentant des employeurs qui viendrait à être empêché) et M. Harriman, suppléant de M. Dennison.

M. Jouhaux déclare que le groupe des travailleurs a désigné les représentants suivants : M. Mertens, M. Kupers, M. Green ; suppléant : M. Hayday.

Le Président fait connaître que le groupe gouvernemental a effectué les désignations suivantes : le Président du Conseil d’administration, M. Pardo, M. Goodrich.

Le Conseil approuve ces désignations.

M. Komarnicki signale l’intérêt qu’il y aurait à ce que le rapport destiné à la Conférence de Washington parût à une date plus rapprochée qu’il n’est indiqué dans la note communiquée au Conseil, pour permettre aux déléguations et notamment à la délégation polonaise, de l’étudier avant leur départ. Il demande s’il serait possible, le cas échéant, d’envoyer aux Gouvernements le texte du rapport sous forme d’épreuve.

Le Directeur promet à M. Komarnicki de faire l’impossible pour hâter la parution du rapport. Cependant, il s’agit d’un document assez volumineux dont l’impression
Mr. Komarnicki asked what additional expenses the Organisation would have to bear if the Governing Body’s delegation to the Conference at Washington were increased as Mr. Oersted proposed.

The Director said that he took Mr. Oersted’s proposal to mean that the three United States nationals appointed by the Governing Body would be at Washington at the time of the Conference; the increase in the Governing Body’s delegation would merely have the effect of giving them the status of representatives of the Governing Body, without entailing any further expense for the Organisation.

Mr. Oersted confirmed the Director’s interpretation of his proposal.

Mr. Riddell welcomed Mr. Oersted’s proposal, which appeared to him to strengthen the Governing Body’s delegation. He therefore strongly supported it.

Mr. Norman also supported Mr. Oersted’s proposal. He asked Mr. Goodrich whether he was prepared to accept an appointment under the conditions suggested. If that were the case he would be very glad to support Mr. Goodrich’s appointment.

Mr. Goodrich said that he would be glad to accept Mr. Oersted’s proposal on the terms which had been indicated. It was indeed only on those terms that he would be able to accept it, since he would not wish the increase in the delegation from the Governing Body to entail further expenditure for the Organisation. He thanked Mr. Oersted, and the other members of the Governing Body who had supported the proposal, for the courtesy which they had shown to his country.

Mr. Hayday said that he hoped that the proposed new appointments were not to be purely honorary in character.

Mr. Erulkar said that the question was one of principle rather than a financial question; he suggested that the Governing Body should take a decision accordingly.

Mr. Oersted’s proposal was adopted.

Mr. Oersted suggested that the Governing Body should appoint its representatives at the Conference at Washington at once.

The employers’ group had made the following nominations: Mr. Oersted; Mr. Tzaut; Mr. Dennison; substitutes: Mr. Lecocq (who might replace any one of the employers’ representatives who might be unable to attend the Conference), and Mr. Harriman, substitute for Mr. Dennison.

Mr. Jouhaux said that the workers’ group had nominated the following representatives: Mr. Mertens; Mr. Kupers; Mr. Green; substitute: Mr. Hayday.

The Chairman said that the Government group had made the following nominations: The Chairman of the Governing Body; Mr. Pardo; Mr. Goodrich.

The Governing Body approved these nominations.

Mr. Komarnicki said that it would be desirable if the report for the Conference at Washington could be issued at an earlier date than was given in the note submitted to the Governing Body, so that the delegations, and in particular the Polish delegation, could study it before they left. If necessary, the report could perhaps be sent to Governments in proof.

The Director promised Mr. Komarnicki to do his utmost to expedite the issue of the report. It was however a somewhat lengthy document, and the printing was
est particulièrement difficile en raison du grand nombre de tableaux statistiques qu'il contient. La traduction française est à peu près achevée et il examinera s'il est possible d'envoyer aux Gouvernements le texte du rapport sous forme d'épreuve avant le tirage définitif.

**PREMIÈRE QUESTION A L'ORDRE DU JOUR.**

*Approbation des procès-verbaux de la 77ème session.*

Le Conseil d'administration approuve les procès-verbaux de la 77ème session, sous réserve des corrections communiquées par divers membres.

**DEUXIÈME QUESTION A L'ORDRE DU JOUR.**

*Compte rendu de la réunion technique préparatoire tripartite concernant l'industrie graphique.*

Le Directeur indique que le Conseil d'administration n'est pas appelé à prendre de décision au sujet de ce rapport, qui lui est communiqué pour information.

M. Norman reconnaît que le Conseil n'est pas appelé à se prononcer sur ce rapport. Toutefois, comme il a participé aux réunions préparatoires concernant l'industrie graphique, et l'industrie chimique, il croit devoir présenter au Conseil quelques observations au sujet des travaux de ces deux réunions.

L'une et l'autre ont débuté par une discussion générale. À son avis, cette discussion s'est trop concentrée sur la semaine de quarante heures, au sujet de laquelle ont été avancés des arguments de portée générale qui ne différaient en rien de ceux qui avaient été développés antérieurement au sein du Conseil. Il en est résulté que les délégués n'ont pas disposé de tout le temps désirable pour un échange de vues portant sur les autres conditions de travail dans l'industrie graphique ou dans l'industrie chimique. Il est vrai que ces réunions ne disposaient d'aucun document susceptible de les guider dans leurs débats à cet égard et qu'il était par conséquent difficile d'étudier de façon approfondie d'autres aspects du problème que la durée du travail. Il formule cette observation dans le seul but d'indiquer que si l'on veut retirer le maximum de résultats des conférences techniques, il est indispensable que leurs débats puissent être orientés par un rapport d'une portée plus étendue. Il se félicite donc d'apprendre que la conférence de Washington pourra disposer d'une telle documentation.

Après cette discussion générale, les réunions ont abordé le délimitation de chacune des deux industries. Dans le cas de l'industrie graphique, la réunion a décidé, à tort croit-il, de renoncer au texte préparé par le Bureau en vue de donner une définition de l'industrie graphique, et a pris comme base de discussion une proposition faite un peu à l'improvisée.

La conséquence a été que la réunion a abouti à une définition de l'industrie graphique qu'il considère comme défectueuse et inapplicable. Il reconnaît néanmoins que des observations très intéressantes ont été formulées au cours de la discussion, et qu'elles seront sans doute susceptibles d'aider le Bureau à préparer les textes qui seront soumis à la Conférence internationale du Travail à sa XXIIIème session.

La procédure suivie à la réunion concernant l'industrie chimique a été un peu différente. La réunion a accepté de prendre comme base de discussion le texte élaboré par le Bureau. Par contre, on s'est heurté à une difficulté résultant du fait qu'un certain nombre des délégués souhaitaient apparemment que l'industrie chimique fût délimitée sur la base des conventions collectives et des groupements syndicaux existant dans leurs pays respectifs. Étant donné que la situation à cet égard varie d'un pays à l'autre, il était évidemment très difficile d'aboutir à une décision unanime.

Pour sa part, il croit que la délimitation de ces deux industries aurait pu être établie d'une manière plus satisfaisante par une petite commission d'experts chargés d'examiner les aspects techniques du problème.
particularly difficult owing to the large number of statistical tables. The French translation was almost finished, and he would see whether it would be possible to send the report to Governments in proof before it was finally published.

**FIRST ITEM ON THE AGENDA.**

*Approval of the Minutes of the Seventy-seventh Session.*

The Governing Body approved the minutes of the Seventy-seventh Session, subject to the insertion of the corrections sent in by various members.

**SECOND ITEM ON THE AGENDA.**

*Record of the Preparatory Technical Tripartite Meeting on Printing and Kindred Trades.*

The Director pointed out that the Governing Body was not called upon to take any decision on the report, which was merely submitted to it for information.

Mr. Norman agreed that the Governing Body was not called upon to take any action on the report. However, as he had taken part in the preparatory meetings on printing and kindred trades and on the chemical industry, he felt bound to submit certain observations to the Governing Body with regard to the work of those two meetings.

In each case the proceedings had started with a general discussion. In his opinion that discussion had been too much concentrated on the forty-hour week, and the arguments put forward were of a general character in no way different from the opinions expressed previously in the Governing Body. The result was that the delegates had not had as much time as would have been desirable for an exchange of views on other conditions of labour in printing and kindred trades or in the chemical industry. It was true that the meetings had not had before them any documents which could have guided their discussions on these questions, and it would therefore have been difficult for them to have concentrated on any other aspects of the problem besides hours of work. He made this observation with the sole object of pointing out that if the best results were to be obtained from technical conferences, it was essential that there should be a report of wider scope to guide their discussions. He was glad to learn that such a report would be submitted to the Conference at Washington.

After the general discussion the meetings had discussed the scope of each of the industries concerned. In the case of printing and kindred trades the meeting had decided, in his opinion wrongly, not to accept the text prepared by the Office with a view to defining printing and kindred trades, and had taken as a basis of discussion a proposal which had been submitted somewhat hastily. The consequence was that the meeting had arrived at a definition of printing and kindred trades which, in his opinion, unsatisfactory and unworkable. He recognised, however, that very interesting observations had been made during the discussion; they would doubtless help the Office in preparing the texts which would be submitted to the International Labour Conference at its Twenty-third Session.

The procedure followed at the meeting on the chemical industry had been somewhat different. That meeting had agreed to take the text prepared by the Office as the basis of its discussions. A serious difficulty had, however, arisen from the fact that some of the delegates apparently desired that the scope of the chemical industry should be determined in terms of collective bargaining arrangements and the trade union systems in their own countries. Since the position in this respect varied from country to country, it was obviously difficult to reach unanimity.

In his opinion, the scope of the industries could have been determined in a more satisfactory manner by a small committee of experts set up to consider the technical aspects of the problem.
Ce sont là des considérations qui devraient ne pas être perdues de vue à la Conférence de Washington. Sans doute serait-il de bonne procédure de constituer à cette Conférence une petite commission d’experts pour étudier la documentation que l’on aura pu réunir et plus particulièrement les informations statistiques, qui présentent une importance toute particulière. Le Gouvernement britannique espère d’ailleurs être en mesure de comprendre dans sa délégation un fonctionnaire particulièrement compétent en matière de statistiques. Sans doute serait-il opportun que d’autres gouvernements prissent des mesures analogues. Il est convaincu qu’avec un petit comité composé d’experts, on pourrait aboutir, à la Conférence de Washington, à des résultats beaucoup plus utiles que par une discussion générale en séance plénière de la Conférence.

M. Mertens fait observer, en réponse à certaines remarques de M. Norman, que les délégués des travailleurs à la réunion technique concernant l’industrie graphique étaient des techniciens désireux de faire bénéficier le Bureau de leur compétence particulière et qu’ils y ont apporté la collaboration la plus loyale aux travaux de la réunion. Si d’autres éléments participant à la réunion n’ont pas fait preuve de la même bonne volonté et si le texte élaboré présente des défauts, cette situation ne peut être imputée aux représentants des travailleurs. À son avis, l’une des principales critiques que l’on pourrait adresser aux réunions techniques est que beaucoup de délégués, parmi lesquels il en est qui appartiennent au groupe des travailleurs, se placent à un point de vue strictement national et se bornent à se demander si tel ou tel système envisagé correspond à la situation existant dans leur pays. Il est évident que ce n’est pas en se plaçant à ce point de vue que l’on peut aboutir à une vue générale de la situation et des possibilités pratiques de réglementation.

M. Goodrich conserve des deux réunions préparatoires concernant l’industrie graphique et l’industrie chimique une impression plus favorable que celle de M. Norman. Néanmoins il considère que l’on pourrait tirer profit des observations qu’il a faites en vue de l’organisation future de conférences de ce genre. M. Norman a signalé qu’il avait été impossible de discuter utilement certains aspects des problèmes traités parce qu’ils n’avaient pas été inscrits spécifiquement à l’ordre du jour et ne faisaient pas l’objet de rapports soumis aux réunions. La Conférence du textile se présente donc dans des conditions plus favorables puisque son ordre du jour est beaucoup plus vaste et que le Bureau prépare un rapport très complet sur les divers aspects du problème. Il a eu connaissance du plan général de ce rapport et considère que ce document fournira une base très utile à la discussion.

Dans cet ordre d’idées il se demande s’il ne serait pas opportun de comprendre dans les rapports gris-bleu qui seront soumis à la Conférence internationale du Travail lors de sa XXIIIème session au sujet de l’industrie graphique et de l’industrie chimique certains éléments pouvant servir de base à une discussion sur la situation économique générale de ces industries, sans chercher évidemment à fournir à la Conférence un ensemble de données aussi étendu que celui dont disposera la Conférence du textile à Washington.

Le Directeur rappelle à M. Goodrich que la décision prise par le Conseil au sujet de la préparation de la Conférence de Washington constitue une innovation. On sait en effet que pour cette conférence le Conseil d’administration a chargé le Bureau de préparer un rapport qui ne fût pas limité aux aspects sociaux de l’industrie textile, mais qui indiquât également dans la mesure du possible le cadre des faits économiques dans lesquels devraient être examinés les problèmes sociaux. M. Goodrich vient de proposer que l’on adopte une méthode analogue pour l’examen des questions ayant trait à l’industrie graphique et à l’industrie chimique. Pour sa part, il se demande s’il ne serait pas préférable de se borner à suivre pour ces deux industries la méthode habituelle, tant que l’on n’a pu apprécier les résultats auxquels aboutira la méthode nouvelle suivie pour l’industrie textile. Au surplus, si l’on peut envisager d’étudier l’ensemble d’une industrie dans ses aspects économiques aussi bien que sociaux au cours d’une réunion technique préparatoire, une telle méthode offrirait peut-être certains inconvénients à une session ordinaire de la Conférence internationale du Travail.
These considerations should be borne in mind at the Conference at Washington. At that Conference it would be desirable to set up a small committee of experts to study the information which had been collected, and more particularly the statistical information, which was of special importance. The British Government hoped to be able to include in its delegation an official who was a particularly qualified statistical expert. It might be desirable that other Governments should take similar steps. He was convinced that if a small committee of experts were set up, the Washington Conference would reach much more satisfactory results than could be obtained from a general discussion in plenary sittings of the Conference.

Mr. Mertens pointed out, in reply to certain observations made by Mr. Norman, that the workers' delegates at the technical meeting on printing and kindred trades were technical experts, anxious to afford the Office the assistance of their special knowledge, and had loyally collaborated in the work. If the same goodwill had not been apparent in other sections of the meeting, and if the texts which had been drawn up were not wholly satisfactory, the fault could not be laid at the door of the workers' representatives. In his opinion, one of the principal criticisms which could be brought against the technical meetings was that many of the delegates, including some who belonged to the workers' group, adopted a strictly national point of view, and confined themselves to considering whether a particular system proposed exactly corresponded to the situation obtaining in their own countries. It was obvious that if such an attitude were adopted, it was not possible to reach a general view of the situation and to arrive at practical possibilities of regulation.

Mr. Goodrich said that although he had formed a more favourable impression of the preparatory meetings on printing and kindred trades and the chemical industry than Mr. Norman, he recognised that Mr. Norman's observations afforded useful suggestions for the work of future conferences of this character. Mr. Norman had pointed out that it had been impossible to discuss usefully some of the broader aspects of the problems under consideration, because they had not been specifically placed on the agenda, and no reports on them had been submitted to the meetings. In that respect the prospects for the Textile Conference would be more favourable, since its agenda was much wider and the Office was preparing a very full report on the various aspects of the problem. He had seen the outline of the report and was of opinion that it would furnish a most useful basis for discussion.

In this connection he wondered whether it would not be desirable to include, in the grey-blue reports concerning printing and kindred trades and the chemical industry which would be submitted to the International Labour Conference at its Twenty-third Session, some preparation for a discussion of the general economic position of those industries, though not, of course, such complete information as would be furnished to the Textile Conference at Washington.

The Director reminded Mr. Goodrich that the decision which the Governing Body had taken concerning the preparation of the Washington Conference was a new departure. In the case of this Conference the Governing Body had instructed the Office to prepare a report which would not be confined to the social aspects of the textile industry, but which would also give, as far as possible, the economic framework within which the social conditions should be considered. Mr. Goodrich had just suggested that a similar method should be adopted in regard to the printing and kindred trades and the chemical industry. His own view was that it might be preferable to follow the usual practice in regard to these two industries until the results of the new method followed for the textile industry were known. Moreover, although it might be possible to consider both the economic and social aspects of an industry at a preparatory technical meeting, certain difficulties would be encountered in endeavouring to do so at an ordinary session of the International Labour Conference.
Ce n'est pas la première fois que le Conseil est saisi de propositions tendant à charger le Bureau de préparer une documentation portant sur les faits économiques aussi bien que sur les problèmes sociaux; sauf dans le cas de la Conférence du textile, la décision prise par le Conseil au sujet de ces propositions avait toujours été négative. Il hésiterait, pour sa part, à s'engager dans la voie indiquée par M. Goodrich avant de connaître les résultats de la méthode qui sera suivie.

Il serait d'ailleurs quasi impossible de réunir une documentation complète sur la situation économique dans l'industrie graphique et dans l'industrie chimique au cours des quelques mois qui restent avant l'ouverture de la XXIIIème session de la Conférence, alors que, pour l'industrie textile, le Bureau a constaté qu'il lui était extrêmement difficile de réunir la documentation nécessaire dans le délai d'une année.

Il tient à assurer M. Norman que la Conférence de Washington aura à sa disposition d'abondantes statistiques et que, par conséquent, les statisticiens faisant partie des délégations trouveront un vaste champ d'activité.

M. Jouhaux fait appel aux représentants des employeurs pour qu'ils apportent à la Conférence du textile une collaboration plus complète qu'aux réunions concernant l'industrie graphique et l'industrie chimique. Il a le regret de constater qu'à l'occasion de ces deux réunions les délégués des employeurs se sont de nouveau refusés à collaborer, même à titre d'experts, aux travaux entrepris sous les auspices de l'Organisation au sujet de la réduction de la durée du travail dans certaines industries. M. Norman a souligné que les réunions techniques doivent disposer d'une documentation adéquate pour pouvoir aboutir à des résultats pratiques; à plus forte raison le succès de ces réunions est-il subordonné à la collaboration de tous les experts qui ont été désignés par leurs gouvernements pour y participer. Si les délégués des employeurs se refusent à une telle collaboration, il ne voit pas bien quel intérêt les employeurs peuvent avoir à être représentés à ces réunions. Au surplus, en assistant aux réunions avec l'idée préconçue de ne pas collaborer aux travaux, ils ne tiennent aucun compte des dispositions de la Constitution de l'Organisation. Il souhaite donc que les représentants patronaux participent aux délibérations des conférences futures dans un esprit de collaboration plus fécond.

M. Oersted se félicite de la demande formulée par M. Goodrich. Il a lui-même demandé à différentes reprises s'il ne serait pas possible au Bureau, dans la préparation des questions inscrites à l'ordre du jour de la Conférence, de tenir compte du point de vue économique; le Directeur lui a répondu chaque fois que la préparation de la documentation nécessaire constituerait pour le Bureau une tâche supplémentaire très lourde. Il serait sans doute difficile, ou même impossible pour le Bureau, faute de temps, de préparer une documentation économique au sujet de l'industrie graphique et de l'industrie chimique pour la XXIIIème session de la Conférence. Néanmoins, en raison de l'intérêt que présente l'aspect économique des problèmes sociaux, il demande au Directeur de tenir compte de la suggestion de M. Goodrich pour l'avenir, notamment lorsqu'on envisage la fixation de l'ordre du jour de la Conférence.

Il constate que, dans l'esprit de M. Jouhaux, les délégués des employeurs, en raison de leur opinion sur certaines questions, feraient aussi bien de s'abstenir de participer aux réunions préparatoires dans lesquelles ces questions sont examinées. Il est convaincu, pour sa part, que l'opinion de M. Jouhaux n'est pas partagée par tous les membres du Conseil. Dans le cas contraire, les employeurs devraient prendre en considération la cessation de leur collaboration aux travaux de l'Organisation internationale du Travail.

S'il est exact que les délégués des employeurs aux sessions de la Conférence internationale du Travail, tout comme aux réunions techniques concernant l'industrie graphique et l'industrie chimique, se sont abstenus de participer à l'élaboration des modalités d'application de la semaine de quarante heures dans certaines industries, ils n'en ont pas moins apporté leur collaboration entière et loyale à la discussion générale de ces questions. Au cours des deux réunions techniques, ils n'ont pas refusé de prendre part aux discussions portant sur la délimitation des deux industries en cause. Si leurs interventions ont été plutôt courtes, il s'agit là de l'exercice d'un droit que l'on ne saurait leur contester. Les employeurs auraient sans doute eu une attitude différente si, comme l'eût souhaité M. Norman, la discussion avait porté sur l'ensemble
This was not the first time that it had been proposed in the Governing Body that the Office should collect information on economic aspects as well as social problems; but except in the case of the Textile Conference, the Governing Body had always decided against such proposals. Personally, he would hesitate to adopt the method which Mr. Goodrich had suggested until he had seen how the method worked out at Washington. Besides, it would be practically impossible to collect complete information on the economic situation in printing and kindred trades and in the chemical industry during the few months which remained before the opening of the Twenty-third Session of the Conference. In the case of the textile industry the Office had already found that it was extremely difficult to collect the necessary information during the course of a year.

He assured Mr. Norman that the Washington Conference would be furnished with very complete statistical information, and that consequently the statisticians who might form part of the delegations would have ample scope for their activities.

Mr. Jouhaux appealed to the employers' representatives to co-operate more fully in the Textile Conference than they had in the meetings concerning the printing and chemical industries. He regretted to see that at these two meetings the employers' delegates had once again refused, even as experts, to collaborate in the work undertaken under the auspices of the Organisation in regard to the reduction of hours of work in certain industries. Mr. Norman had pointed out that the technical meetings should be furnished with adequate information in order to enable them to reach practical results; but the success of such meetings was even more dependent upon the collaboration of all the experts who had been appointed by their Governments to take part in them. If the employers' delegates refused to collaborate, he did not see what use there was in the employers being represented at such meetings. Moreover, by attending the meetings with the preconceived determination not to collaborate in the work, they were ignoring the provisions of the Constitution of the Organisation. He hoped therefore that the employers' representatives would participate in the work of future Conferences with a greater desire to collaborate usefully.

Mr. Oersted welcomed the proposal which Mr. Goodrich had made. He himself on various occasions had asked whether the Office could not, when carrying out preparatory work on questions on the agenda of the Conference, take account of the economic point of view; but on each occasion the Director had replied that the preparation of the necessary information would impose heavy additional work on the Office. It would no doubt be difficult, if not impossible, for the Office to prepare information on the economic aspects of printing and kindred trades and the chemical industry for the Twenty-third Session of the Conference, because there would not be time. In view, however, of the importance of the economic aspect of social problems, he asked the Director to bear Mr. Goodrich's suggestion in mind for the future, especially when the fixing of the agenda of the Conference was under consideration.

The view of Mr. Jouhaux appeared to be that because the employers' delegates held certain views on some questions, they might as well not come to the preparatory meetings at which those questions were discussed. He was convinced, however, that Mr. Jouhaux' opinion was not shared by all members of the Governing Body. If it were, the employers would have to consider whether they would not have to cease to collaborate in the work of the International Labour Organisation.

Although the employers' delegates at the sessions of the International Labour Conference, and also at the technical meetings on the printing and kindred trades and the chemical industry, had abstained from participating in drawing up provisions for the application of the 40-hour week in certain industries, they had nevertheless collaborated fully and loyally in the general discussion of these questions. During the two technical meetings they had not refused to take part in the discussions on the definition of the scope of the two industries concerned. They had perhaps spoken briefly, but they had every right to do so. They would no doubt have adopted a different attitude if the discussion had, as Mr. Norman desired, covered the whole
de la situation des deux industries, et non pas seulement sur l’application de la semaine de 40 heures.

M. Jouhaux ne conteste nullement aux employeurs le droit d’avoir telles opinions qui leur conviennent. Toutefois, ce n’est pas de cela qu’il s’agit pour l’instant.

Il rappelle que c’est à la demande des employeurs eux-mêmes que l’on a décidé de recourir à la procédure des réunions techniques préparatoires pour chaque branche d’industrie, en matière de réduction de la durée du travail. Les employeurs ont fait valoir que par cette méthode on pourrait aboutir à une vue plus nette de la situation de chaque industrie et dégager des éléments d’appréciation qui n’apparaîtraient pas dans une discussion d’ordre général. Les travailleurs ont accepté cette procédure. Il semble évident que les employeurs, tout en maintenant leur avis négatif au sujet de l’application de la semaine de 40 heures, acceptaient implicitement de collaborer, sinon comme employeurs, du moins comme experts, à des réunions préparatoires organisées pour examiner, du point de vue technique, l’application de la réduction de la durée du travail. A son avis, du moment que l’on accepte un mandat, on ne peut ensuite refuser de le remplir. C’est là une question tout à fait différente de celle des relations générales entre les employeurs et l’Organisation internationale du Travail, laquelle devra peut-être d’ailleurs être examinée un jour devant l’opinion publique. Or, d’après les indications contenues dans le compte rendu des deux réunions techniques, il apparaît que les employeurs se sont volontairement abstenus de participer à titre d’experts aux travaux des deux réunions. C’est là une attitude qui n’est pas admissible. Elle l’est si peu que certains délégués des employeurs ont eux-mêmes protesté contre les décisions prises par leur groupe et ont passé outre à ces décisions, ce qui prouve qu’il s’agissait, de la part du groupe des employeurs, d’une position prise avant même le début des travaux des réunions. C’est contre cette attitude systématique qu’il tient à protester.

Pour sa part, il ne s’oppose nullement à ce que l’on envisage les aspects économiques des problèmes comme leurs aspects sociaux, et il a toujours été en faveur d’une telle méthode. Il constate que la doctrine des employeurs était différente autrefois et que c’étaient eux qui s’opposaient à ce que le Bureau examinât les questions économiques en même temps que les questions sociales.

Sans vouloir prêter aux employeurs des intentions déloyales, on peut cependant se demander si, dans les circonstances actuelles, en réclamant l’examen des aspects économiques des questions, ils ne visent pas à ajourner la solution du problème de la réduction de la durée du travail.

Pour sa part, il poursuit l’application de la réduction de la durée du travail en France depuis le moment où la question a été posée devant la Conférence internationale du Travail. Il a actuellement la satisfaction de constater que cette réforme est appliquée en France d’une manière intégrale. Il a le devoir, non seulement en tant que défenseur des intérêts des travailleurs, mais encore en tant que Français, de faire l’impossible pour que cette mesure trouve son application sur le plan international. Il combattrait donc toutes les attitudes qui tendraient à fausser la question et à retarder la solution de la question de la réduction de la durée du travail.

M. Norman précise que lorsqu’il a regretté l’absence d’une certaine documentation aux réunions tripartites concernant l’industrie graphique et l’industrie chimique, il n’était pas dans son esprit que ces réunions eussent dû être saisies d’un exposé complet de la situation économique dans ces deux industries. Dans sa pensée, il eût simplement été utile de disposer d’un rapport portant non seulement sur la durée du travail, mais encore sur les salaires, les statistiques, l’apprentissage et autres questions touchant aux conditions de travail dans ces industries. De même pour la Conférence de Washington il serait utile que le rapport du Bureau ne portât pas seulement sur la question de la durée du travail, mais également sur les autres conditions du travail, sans constituer toutefois un exposé complet de la situation de l’industrie textile.

M. Oersted fait observer, à propos des critiques formulées par M. Jouhaux, que ce n’est pas le groupe des employeurs qui a demandé la convocation de réunions techniques préparatoires. A sa connaissance le groupe des employeurs n’a pris qu’une seule fois une initiative de ce genre, à la demande des armateurs. Le groupe
situation in the two industries, and not been confined to the application of the 40-hour week.

Mr. Jouhaux said that he did not dispute the right of the employers to their own opinions. That, however, was not the question at the present moment. It was at the request of the employers themselves that it had been decided to adopt the method of preparatory technical meetings to consider the reduction of hours of work in each separate industry. The employers had maintained that this method would make it possible to form a clearer idea of the position in each industry, and to ascertain the factors which must be taken into account in a way which would not be possible in a general discussion. The workers had agreed to this method of proceeding. It appeared obvious that the employers, although they maintained their opposition to the application of the 40-hour week, nevertheless implicitly agreed to collaborate, if not as employers, at least as experts, in the preparatory meetings called to consider the application of the reduction of hours of work from the technical point of view. In his opinion, once a task had been accepted it was impossible to refuse to carry it out. That was a totally different question from that of the general relationship between the employers and the International Labour Organisation, though that problem might have to be examined one day in the full light of public opinion. From the records of the two technical meetings it appeared that the employers had deliberately abstained from participating as experts in the work of the two meetings. That was an attitude which could not be admitted, and in fact, certain employers’ delegates had themselves protested against the decisions taken by their group and had disregarded them. That proved that the employers’ group had taken up its attitude before the meetings had even begun. It was against this systematic attitude that he protested.

He would raise no objection to the economic aspect of problems being considered as well as their social aspect. He had always been in favour of that procedure. The point of view of the employers had been different in the past; it was they who had previously been opposed to the Office considering economic questions at the same time as social questions.

Without imputing unfair intentions to the employers, he could not help wondering whether in the present case their object in asking that the economic aspects should be studied was not to delay the settlement of the problem of the reduction of hours of work.

He had been working for the application of the reduction of hours of work in France ever since the question had been raised in the International Labour Conference, and he now had the satisfaction of seeing that that reform was generally applied in France. It was his duty, not only as a defender of the workers’ interests but also as a Frenchman, to do everything in his power to ensure that this measure should be applied internationally. He would therefore oppose any attitude which tended to cloud the issue and to postpone the settlement of the question of the reduction of hours of work.

Mr. Norman said that when he had expressed regret at the absence of certain information at the tripartite meetings on printing and kindred trades and the chemical industry, he had not meant to suggest that the meetings should have been supplied with a full statement on the economic position in those industries. In his view it would have been useful if a report had been prepared not only on the question of hours of work but also on wages, statistics, apprenticeship, and other matters in regard to working conditions in those industries. Similarly, he thought it would be useful if the Textile Conference at Washington had before it a report which was not confined to the question of hours of work, but also dealt with other conditions of work, though it need not be a complete survey of the position of the industry.

Mr. Oersted pointed out in reply to Mr. Jouhaux’s criticisms that it was not the employers’ group which had requested that preparatory technical meetings should be called. The employers’ group had only once made such a proposal, at the request of the shipowners. Thus the employers’ group had no responsibility, as Mr. Jouhaux
des employeurs n'a donc aucune responsabilité, comme paraît le croire M. Jouhaux, dans la convocation des réunions techniques concernant l'industrie graphique et l'industrie chimique.

Quant à la participation des délégués des employeurs à ces réunions, il est inexact de dire qu'ils aient entièrement refusé leur collaboration. Dans la discussion générale ils ont fait connaître leur avis et ont apporté aux débats la documentation dont ils disposaient. C'est seulement pour la délimitation des deux industries envisagées qu'ils n'ont pris qu'une part minime aux discussions.

Enfin, à propos du changement d'attitude que M. Jouhaux reproche au groupe des employeurs, il rappelle qu'il y a cinq ou six ans au moins il demandait déjà que l'on envisageât les aspects économiques des problèmes en même temps que les aspects sociaux. Au surplus, il ne croit pas que l'on puisse reprocher à qui que ce soit de changer d'avis et il pense que des modifications d'attitude se rencontrent parmi les travailleurs aussi bien que chez les employeurs.

M. Goodrich n'a jamais eu l'intention d'émettre une critique à l'égard des rapports préparés antérieurement par le Bureau. II comprend parfaitement qu'il serait très difficile d'établir dans l'espace de quelques mois des rapports sur l'industrie graphique et sur l'industrie chimique comportant un examen de la situation économique de ces deux industries. D'ailleurs, il n'a jamais songé à demander pour celles-ci un exposé économique aussi complet que celui que le Bureau prépare au sujet de l'industrie textile. En sa qualité d'économiste, il croit à l'importance de l'examen des problèmes économiques, mais il est convaincu que cet examen ne doit ni ne devrait en aucun cas servir de prétexte pour évoquer d'agir dans le domaine social. En tout cas, il est d'accord avec le Directeur pour estimer qu'il est préférable de ne pas changer la procédure actuellement suivie pour la préparation des rapports jusqu'à ce que l'on puisse apprécier les résultats de l'expérience qui sera faite à l'occasion de la Conférence de Washington.

M. Mertens reconnaît que les délégués des employeurs aux réunions techniques ont participé à la discussion générale. Par contre, ils n'ont apporté aucun argument autre que ceux qui avaient déjà été développés depuis plusieurs années soit à la Commission du chômage, soit au Conseil d'administration, soit à la Conférence internationale du Travail. Il reste vrai que, dans l'ensemble, le groupe des employeurs n'a pas accordé sa collaboration technique à la discussion des détails d'application de la réduction de la durée du travail. Il peut, au sujet de l'industrie graphique, parler en connaissance de cause, étant un technicien de l'industrie graphique, ainsi que l'ont reconnu d'ailleurs certains techniciens patronaux. Lorsque la réunion concernant l'industrie graphique a passé au deuxième point de son ordre du jour, à savoir la délimitation de cette industrie, le délégué des employeurs de l'Empire britannique, parlant au nom de ses collègues employeurs, à l'exception du représentant des employeurs des États-Unis, a déclaré que les employeurs considéraient l'élaboration d'un projet de convention tendant à la limitation à 40 heures de la durée du travail dans l'industrie graphique comme inopportune et impossible, et que les employeurs estimaient en conséquence qu'il serait contraire à la logique de participer à une discussion quelconque sur la délimitation de cette industrie, étant donné que celle-ci avait précisément pour but l'établissement de cette convention. Après une suspension de séance, M. Mertens lui-même ayant insisté auprès des employeurs pour qu'ils renoncent à leur attitude négative, le représentant des membres employeurs du Conseil d'administration a déclaré que les délégués employeurs étaient prêts à écouter les arguments et les discours qui seraient prononcés et qu'à la fin du débat ils pourraient intervenir pour rectifier des malentendus ou des erreurs, mais en maintenant leur opposition absolue à l'introduction de la semaine de quarante heures. C'est alors que certains délégués employeurs qui étaient des techniciens, considérant que leur gouvernement ne les avait pas désignés uniquement pour siéger au sein de la réunion sans prendre part aux débats, ont apporté leur concours en présentant des observations sur des propositions ou des arguments de délégués gouvernementaux ou travailleurs.

Il est donc exact d'affirmer que, dans son ensemble, le groupe des employeurs n'a pas apporté à la réunion concernant les arts graphiques la collaboration d'ordre technique que l'on était en droit d'attendre de lui. Après avoir refusé de participer
appeared to think, in regard to the calling of the technical meetings on printing and kindred trades and the chemical industry.

As regards the participation of the employers' delegates in these meetings, it was not correct to say that they had entirely refused to collaborate. At the general discussion they had expressed their opinion and had contributed the information at their disposal. They had merely abstained from taking more than a very small part in the discussion on the determination of the scope of the two industries concerned.

As regards the change of attitude of which Mr. Jouhaux accused the employers, he pointed out that five or six years ago at least he had already requested that the economic aspects of problems as well as their social aspects should be considered. Moreover, nobody could be blamed for changing his opinion, and he thought that changes of views occurred amongst workers as well as amongst employers.

Mr. Goodrich said that he had had no intention of making any criticism of the reports previously prepared by the Office. He fully realised that it would be very difficult in the space of a few months to draw up reports on printing and kindred trades and the chemical industry giving a survey of the economic situation in those two industries. He had never intended to ask for such full economic information in regard to those industries as the Office was preparing for the textile industry. As an economist he believed in the importance of considering economic problems, but he was convinced that this need not and should not be used as a pretext for failure to take social action. He agreed with the Director that it would be preferable not to make any change in the present procedure for the preparation of reports until the result of the experiments which would be made at the Conference at Washington was known.

Mr. Mertens agreed that the employers' delegates at the technical meetings had participated in the general discussion; but they had put forward no arguments other than those which had already been adduced for many years past either in the Unemployment Committee, in the Governing Body, or at the International Labour Conference. As a whole the employers' group had not afforded technical collaboration in the discussion of the details of the application of the reduction of hours of work. As regards printing and kindred trades, he was in a position to speak with knowledge, having technical experience of one of the printing trades, as had been recognised by certain of the technical experts of the employers. When the meeting on printing and kindred trades had dealt with the second item on its agenda, namely, the scope of that industry, the British employers' delegate, speaking on behalf of his group with the exception of the employers' delegate from the United States, had announced that the employers considered the preparation of a Draft Convention to limit hours of work to forty in the week in printing and kindred trades as undesirable and impossible, and that the employers consequently considered that it would be illogical to participate in any discussion on the scope of that industry, since the object of such a discussion was to prepare a Convention. After the sitting had been suspended, Mr. Mertens had urged the employers to alter their negative attitude, but the representative of the employers on the Governing Body had announced that the employers' delegates were ready to listen to the arguments and speeches, and that at the end of the debate they might intervene to correct any misunderstandings or errors, but that they would maintain complete opposition to the introduction of the forty-hour week. It was then that certain employers' delegates who were technical experts and who considered that their Governments had not appointed them merely to sit at the meeting without taking part in the debates, assisted the meeting by making observations on the proposals or the arguments put forward by the Government or workers' delegates.

It was therefore true to say that as a whole the employers' group had not given the technical collaboration to the meeting on printing and kindred trades which was to be expected from it. After refusing to participate in drawing up a list of trades
à l'élaboration d'une liste de professions à comprendre dans l'industrie graphique, le groupe des employeurs pourra objecter à la Conférence internationale du Travail que celle-ci n'est pas en possession de toute la documentation nécessaire pour résoudre le problème en une seule discussion, et proposera de reprendre la question en 1938. Telle est en fait la tactique du groupe des employeurs, et c'est le devoir des travailleurs de la dénoncer et de protester contre elle.

* * *  

*M. Picquenard* constate qu'il est utile que la Conférence soit saisie d'une documentation aussi complète que possible, et que d'autre part il existe une certaine connexité entre la durée du travail et les problèmes économiques. Toutefois il ne faudrait pas, en voulant envisager la question dans toute son ampleur, en compliquer et en retarder la solution. Il rappelle que la Réunion technique préparatoire concernant l'industrie graphique a été convoquée à la suite d'une résolution adoptée par la Conférence à sa XIXème session et invitant le Conseil d'administration à inscrire la question de la réduction de la durée du travail dans l'industrie graphique à l'ordre du jour de la session de 1936 de la Conférence. C'est ce problème précis que la Conférence internationale du Travail sera appelée à examiner à sa XXIIIème session et la documentation à soumettre à la Conférence doit avoir pour but d'en faciliter l'examen. Il conviendrait donc que le Bureau ne retint, des éléments d'information qu'il a pu recueillir sur d'autres aspects de l'industrie graphique, que les seuls éléments qui ont un rapport direct avec la réduction de la durée du travail; ils ne devront toutefois être envisagés que dans la mesure où ils peuvent avoir une répercussion sur la question principale à discuter par la Conférence, à savoir la réduction de la durée du travail dans l'industrie graphique.

Le Conseil d'administration prend note du compte rendu de la réunion technique préparatoire tripartite concernant l'industrie graphique.

**Troisième question à l'ordre du jour.**

Compte rendu de la réunion technique préparatoire tripartite concernant l'industrie chimique.

Le Conseil d'administration prend note du compte rendu de la réunion technique préparatoire tripartite concernant l'industrie chimique.

**Quatrième question à l'ordre du jour.**

Rapport de la Commission de la liberté syndicale.

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*M. Kitaoka*, Rapporteur, présente le rapport de la Commission. Cette dernière a procédé à un nouvel examen de la question de la liberté syndicale, au cours duquel des informations très utiles lui ont été communiquées non seulement par ses membres, mais aussi par certains autres membres du Conseil d'administration, et notamment le représentant du Gouvernement des États-Unis d'Amérique. La Commission a décidé de maintenir comme base de discussion la reconnaissance et la pratique de la liberté syndicale. Elle demande au Conseil de charger le Bureau de lui soumettre un rapport complet qui comporterait notamment une énumération des pratiques jugées contraires à l'exercice du droit d'association professionnelle et devant être interdites à ce titre. Il resterait, bien entendu, que, conformément aux décisions antérieures, la Commission se limiterait à l'étude de la question de la garantie de la liberté du salarié individuel dans l'exercice de son droit d'association.

*M. Oersted* demande ce qu'il faut entendre par « la garantie de la liberté du salarié individuel dans l'exercice de son droit d'association ». Il suppose que cette
which should be covered under the heading of printing and kindred trades, the employers' group might argue at the International Labour Conference that the Conference was not in possession of the information necessary to enable it to deal with the problem in a single discussion, and might propose that it should be reconsidered in 1938. Those were the tactics which had been used by the employers, and it was the duty of the workers to call attention to them and protest against them.

Mr. Picquevar said that it was certainly desirable that the Conference should be provided with the fullest possible information, and that there was a certain connection between hours of work and economic problems. But the desire to deal with the question on the broadest possible lines should not be allowed to complicate it and retard its solution.

The preparatory technical meeting on printing and kindred trades had been called as the result of a resolution adopted by the Conference at its Nineteenth Session, which requested the Governing Body to place the question of the reduction of hours of work in printing and kindred trades on the agenda of the 1936 Session of the Conference.

It was this definite question which the International Labour Conference would be called upon to consider at its Twenty-third Session, and the purpose of the information to be submitted to the Conference should be to facilitate the consideration of this problem. The Office should therefore select from whatever information it had been able to collect on other aspects of the printing and kindred trades, only that which was directly concerned with the reduction of hours of work; this information should only be considered in so far as it might have a repercussion on the principal question to be discussed by the Conference, namely, the reduction of hours of work in printing and kindred trades.

The Governing Body took note of the record of the Preparatory Technical Tripartite Meeting on Printing and Kindred Trades.

THIRD ITEM ON THE AGENDA.

Record of the Preparatory Technical Tripartite Meeting on the Chemical Industry.


FOURTH ITEM ON THE AGENDA.


Mr. Kitaoka, Reporter, submitted the Committee's report. The Committee had given further consideration to the question of freedom of association, and most useful information had been communicated to it not only by the members but also by certain other members of the Governing Body, and in particular the representative of the Government of the United States of America. The Committee had decided to retain as the basis of its discussions the recognition and application of freedom of association. It requested the Governing Body to instruct the Office to submit to it a complete report which would include, in particular, a list of practices which were considered contrary to the exercise of the right of association and which, as such, should be prohibited. It was clearly understood that in accordance with former decisions the Committee would confine itself to a study of the question of safeguarding the right of association of the individual worker in the exercise of his right to associate.

Mr. Oersted asked what was meant by "safeguarding the right of association of the individual worker in the exercise of his right to associate". He presumed that
expression vise non seulement le droit de s’associer, mais également le droit de ne pas le faire.

M. Duffy déclare que la liberté syndicale est une question qui intéresse très vivement les travailleurs des États-Unis. Ils espéraient que les travaux de la Commission de la liberté syndicale aboutiraient à des résultats précis qui garantiraient le droit d’association des travailleurs. L’Organisation internationale du Travail, tout comme les organisations ouvrières, a pour objet d’améliorer les conditions de vie des travailleurs. Or, il est évident que la seule méthode qui permette d’aboutir à ce résultat est l’organisation efficace des travailleurs. Il importe donc beaucoup que les travailleurs jouissent de la liberté d’association.

D’après M. Oersted, il faut sauvegarder également le droit des travailleurs de ne pas adhérer à un syndicat. Il tient à rappeler, à propos de cette observation, qu’il peut arriver que l’action d’un seul individu porte atteinte au droit d’association d’un groupe dont il fait partie. Il ne fait pas allusion à aucun cas particulier, mais il est convaincu que M. Oersted n’ignore pas qu’un seul individu peut porter atteinte au droit d’association d’un grand nombre de travailleurs, et obtenir des employeurs des faveurs spéciales, en agissant, oubliant de sa dignité personnelle, dans l’intérêt des employeurs sans tenir compte des intérêts légitimes et normaux de la collectivité dont il fait partie.

Il fera connaître aux travailleurs des États-Unis que l’Organisation internationale du Travail porte un vif intérêt au problème de la liberté syndicale et que, si elle doit ajourner des décisions sur cette question, c’est en vue de pouvoir soumettre le problème à un examen approfondi et de se documenter avant de pouvoir envisager des mesures précises.

M. Goodrich se rallie entièrement aux observations de M. Duffy au sujet de l’importance de la question de la liberté syndicale. A son avis, la Commission a réalisé une œuvre utile en maintenant comme base de discussion la reconnaissance et la pratique de la liberté syndicale et en considérant qu’il y aurait lieu d’établir une liste des pratiques jugées contraires à l’exercice du droit d’association professionnelle et qui devraient être interdites à ce titre.

Il demande qu’en procédant à l’élaboration de cette liste le Bureau tienne compte des méthodes de prohibition de ces pratiques qui ont déjà été appliquées en Tchécoslovaquie, en Australie, en Nouvelle-Zélande, aux États-Unis, ainsi que dans d’autres pays qui possèdent une législation en la matière.

M. Jouhaux constate que le rapport soumis au Conseil porte sur le problème de la liberté syndicale. Il estime qu’on doit rester sur ce terrain et qu’il ne s’agit pas de substituer au principe de la liberté syndicale celui de la liberté individuelle. Au surplus, la suggestion formulée par la Commission tend à charger le Bureau de rechercher les pratiques contraires à l’exercice du droit d’association professionnelle et les moyens par lesquels on entrave le libre exercice de ce droit. C’est là la seule question qui soit posée.

M. Kirkaldy relève une légère divergence entre le texte anglais et le texte français du rapport de la Commission. En effet, si le rapport parle en français « de la garantie de la liberté du salarié individuel », le texte anglais fait mention de « the question of safeguarding the right of association ». Il lui semble que le mot « right » devrait être remplacé par « freedom ».

M. Riddell constate avec satisfaction que la Commission a décidé de maintenir comme base de ses travaux la reconnaissance et la pratique de la liberté syndicale. Il estime que cette étude doit aboutir à des résultats féconds. En effet, le fonctionnement même de l’Organisation internationale du Travail dépend pour une large part de la liberté syndicale.

Cette question suscite un vif intérêt au Canada. Récemment encore, le ministre du Travail du Canada a rappelé que le principe de la liberté syndicale était solide-ment établi au Canada. Il lui paraît donc que l’on ne peut renoncer à l’étude de cette question, même si elle offre des difficultés ; on ne doit pas perdre de vue que l’établis-
that phrase covered not only the right to associate, but also the right not to do so.

Mr. Duffy said that freedom of association was a question in which the workers in the United States were very much interested. They hoped that the work of the Committee on Freedom of Association would lead to definite results which would safeguard the right of the workers to associate. The International Labour Organisation, like the workers' organisations, was endeavouring to improve the position of the workers, and it was obvious that the only means of doing this was by the effective organisation of the workers. It was therefore of the greatest importance that the workers should enjoy freedom of association.

It was apparently Mr. Oersted's view that the right of the workers not to belong to a trade union must also be safeguarded. In this connection he would point out that the action of one individual might interfere with the right of association of the group to which he belonged. He was not making an allusion to any particular case, but he was convinced that Mr. Oersted was aware that one individual might interfere with the right of association of a large number of workers by obtaining special favours from the employers, by acting, contrary to his personal dignity, in the interests of the employers without regard for the lawful and reasonable interests of the group to which he belonged.

He would inform the workers in the United States that the International Labour Organisation was taking a keen interest in the problem of freedom of association, and that its only reason for adjourning a decision on the question was in order to give closer consideration to the problem and to obtain full information before contemplating definite measures.

Mr. Goodrich associated himself with what Mr. Duffy had said concerning the importance of the question of freedom of association. In his opinion, the Committee had been wise in maintaining as the basis of its discussion the recognition and application of freedom of association, and in considering that it would be desirable to draw up a list of practices which were considered contrary to the exercise of the right of freedom of association and which on that ground should be prohibited.

He asked that in drawing up this list the Office should take account of the methods of enforcing such prohibition which had been put into force in Czechoslovakia, Australia, New Zealand, the United States, and other countries, which had legislation on the subject.

Mr. Jouhaux pointed out that the report submitted to the Governing Body dealt with the question of freedom of association. He considered that the matter should remain on that basis, and that the freedom of the individual should not be substituted for the principle of freedom of association. Moreover, the Committee's suggestion was that the Office should be instructed to draw up a list of practices contrary to the right of association and the means by which the free exercise of that right was prevented. That was the only question at issue.

Mr. Kirkaldy said that there appeared to him to be a slight divergence between the English and French texts of the Committee's report. The French text referred to "la garantie de la liberté du salarié individuel", whereas in the English text it was "the question of safeguarding the right of association". It appeared to him that the word "freedom" should be substituted for the word "right".

Mr. Riddell said that he had noted with satisfaction that the Committee had decided to maintain as the basis of its work the recognition and application of freedom of association. In his opinion such a study should lead to satisfactory results. The working of the International Organisation itself depended largely on freedom of association.

The question was receiving considerable attention in Canada. Recently the Canadian Minister of Labour had pointed out that the principle of freedom of association was securely established in Canada. It was impossible to neglect the study of this question, even if it presented certain difficulties. It must be remembered
sement de bonnes relations industrielles dans un pays dépend essentiellement du respect de la liberté syndicale.

*M. Kitaoka* constate à propos de la remarque de M. Kirkaldy que les expressions « droit d'association » et « liberté d'association » sont fréquemment employées indistinctement. Néanmoins le terme « freedom » correspond mieux à la formule française « liberté syndicale ». Il accepte donc que le rapport soit modifié dans ce sens.

Le Conseil d'administration approuve le rapport de la Commission de la liberté syndicale avec la modification indiquée.

La séance est levée à midi 45.

JAROMIR NECÁS.
that the establishment of good industrial relations in any country depended largely on the observance of the principle of freedom of association.

Mr. Kitaoka said in reply to Mr. Kirkaldy that the expressions "right of association" and "freedom of association" were frequently used interchangeably. He thought, however, that the term "freedom of association" corresponded more nearly to the French text. He therefore agreed that the report should be amended by the substitution of the word "freedom" for "right".

The Governing Body approved the report of the Committee on Freedom of Association, subject to this modification.

The sitting closed at 12.45 p.m.

JAROMIR NEČAS.
PROCÈS-VERBAL DE LA DEUXIÈME SÉANCE.

(Jeudi 4 février 1937 — 15 heures.)


Absents : M. Markus, M. de Michelis.

CINQUIÈME QUESTION A L'ORDRE DU JOUR.

Ordre du jour de la session de 1938 de la Conférence.

Le Président rappelle que le Conseil d'administration, au cours de sa 77ème session, a retenu provisoirement huit questions pour l'ordre du jour de la session de 1938 de la Conférence. Le Bureau a préparé des exposés concernant la législation et la pratique pour chacune de ces questions, conformément au règlement.

Inspection du travail.

Le Directeur expose que pour trois des questions choisies provisoirement par le Conseil d'administration, le Bureau a proposé qu'elles ne soient pas inscrites à l'ordre du jour de la session de 1938 de la Conférence, mais qu'elles fassent l'objet d'une étude préparatoire avant d'être inscrites à l'ordre du jour de la Conférence, éventuellement pour la session de 1939.

La première de ces questions est celle des principes généraux pour l'organisation de systèmes d'inspection destinés à assurer l'application des lois et règlements pour la protection des travailleurs. La Conférence a adopté, en 1923, une recommandation fixant des principes généraux applicables à l'inspection du travail. Mais l'adoption d'une convention présente un tout autre caractère. Le Bureau considère qu'avant que l'on puisse demander aux gouvernements d'accepter des obligations déterminées dans ce domaine, il serait nécessaire de consulter des fonctionnaires qualifiés des services d'inspection du travail des divers pays afin de déterminer dans quelle mesure des obligations internationales pourraient être appliquées en pratique.

Le Bureau propose donc qu'une conférence d'inspecteurs du travail soit convoquée en 1938, afin d'aider le Bureau à préparer un avant-projet de convention sur l'inspection du travail. Cette méthode permettrait d'aboutir à une solution pratique lors de la session de 1939 de la Conférence. Il semble inutile d'inscrire cette question à l'ordre du jour de la session de 1938 et, suivant la procédure ordinaire, de dresser une liste de points en vue de l'établissement d'un questionnaire, sans procéder à une consultation préliminaire du genre de celle qu'il propose.

M. Komarnicki accepte que l'examen de cette question soit différé, et prend note de la promesse formelle qui vient d'être faite, de convoquer une réunion spéciale d'inspecteurs du travail en 1938. Une telle réunion serait, à son avis, de la plus grande utilité, car la pratique suivie jusqu'ici de convoquer des conférences régionales de représentants des services d'inspection du travail lui semble prêter à des objections et ne paraît pas de nature à favoriser l'uniformisation de l'inspection du travail dans l'ensemble des pays.

S'il accepte la proposition du Directeur, ce n'est pas qu'il ne considère pas la question de l'inspection du travail comme urgente, mais parce qu'il estime qu'elle doit être étudiée avec soin.
MINUTES OF THE SECOND SITTING.

(Thursday, 4 February 1937, 3 p.m.).

The Governing Body was composed as follows: Mr. Nečas, Chairman; Mr. Andersson, Mr. Čurčin, Mr. Duffy, Mr. Erulkar, Mr. Fabra Ribas, Mr. Goodrich, Mr. Hayday, Mr. Jouhaux, Mr. Kirkaldy, Mr. Kitaoka, Mr. Komarnicki, Mr. Li Ping-Heng, Mr. Mannio, Mr. Mertens, Mr. Muniz, Mr. Němeček, Mr. Norman, Mr. Oersted, Mr. Pardo, Mr. Picquenard, Mr. Rau, Mr. Riddell, Mr. Schürch, Mr. Sheppard, Mr. Tzaut, Mr. Villa Michel, Mr. Volkmann, Mr. Waline, Mr. Yonekubo.

Absent: Mr. Markus, Mr. de Michelis.

FIFTH ITEM ON THE AGENDA.

Agenda of the 1938 Session of the Conference.

The Chairman pointed out that the Governing Body had at its Seventy-seventh Session made a preliminary selection of eight questions for the agenda of the 1938 Session of the Conference. The Office had prepared statements of the law and practice on these questions in accordance with the Standing Orders.

Factory inspection.

The Director said that in regard to three of the questions provisionally selected by the Governing Body, the Office had proposed that they should not be placed on the agenda of the 1938 Session of the Conference, but should be subjected to a preparatory study before being placed on the agenda, possibly in 1939.

The first question was that of the general principles for the organisation of systems of inspection to secure the enforcement of the laws and regulations for the protection of the workers. The Conference had in 1923 adopted a Recommendation laying down general principles for factory inspection. The adoption of a Convention was, however, quite a different matter. The Office considered that before Governments could be asked to undertake certain definite obligations on this question, it would be necessary to consult qualified factory inspection officials in the different countries in order to determine the length to which international obligations could in practice be carried.

The Office accordingly proposed that a conference of factory inspectors should be held in 1938 in order to assist the Office in preparing a draft for a Convention on factory inspection. This would make it possible to reach a practical conclusion at the 1939 Session of the Conference. In his view it would be useless to place the question on the agenda of the 1938 Session and to go through the ordinary procedure of drawing up points for a questionnaire without some such preliminary consultation as he had proposed.

Mr. Komarnicki agreed that the discussion of this question should be postponed, and took note of the definite undertaking which had been given that a special meeting of factory inspectors should be called in 1938. Such a meeting would in his view be extremely useful, as the practice hitherto followed of calling regional factory inspection conferences seemed to him to be open to objection from the point of view of securing uniformity in factory inspection in all countries.

His reason for accepting the Director’s proposal was not that he did not regard the question of factory inspection as urgent, but because it needed to be carefully studied.
M. Goodrich accepte également la proposition du Directeur. Toutefois, étant donné le rôle fondamental de l’inspection du travail pour l’œuvre de l’Organisation et l’importance que l’on a attribuée à cette question lors de la 77ème session du Conseil d’administration, il demande instamment que l’on fasse tous les efforts possibles pour qu’une convention puisse être adoptée par voie de simple discussion lors de la session de 1939 de la Conférence.

Le Directeur déclare que telle est bien l’intention du Bureau.

Le Conseil d’administration décide de ne pas inscrire la question de l’inspection du travail à l’ordre du jour de la session de 1938 de la Conférence et approuve les propositions du Bureau quant à la convocation d’une conférence internationale de représentants des services d’inspection du travail en 1938.

Sécurité dans les mines de charbon.

Le Directeur est convaincu que tous ceux qui connaissent la situation de l’industrie charbonnière apprécient l’importance et l’urgence du problème de la sécurité dans les mines de charbon. Les chiffres reproduits dans la note du Bureau montrent les dangers que présente le métier de mineur et la nécessité de tout faire pour réduire le nombre des accidents. Mais ce problème est particulièrement complexe du point de vue international. Les conditions d’exploitation des mines de charbon varient de pays à pays beaucoup plus que ce n’est le cas pour une industrie quelconque. Les mines de charbon présentent des différences de structure très marquées et on y a recours à des mesures de précautions très variées contre les accidents. De plus, la terminologie de l’industrie minière est extrêmement diversifiée. Les termes techniques français ne sont pas les mêmes en France et en Belgique, tandis que les termes anglais diffèrent d’une région à l’autre en Grande-Bretagne et n’ont rien de commun avec ceux des États-Unis. Il serait donc nécessaire de recourir aux services d’experts.

Dans ces conditions, il n’est guère probable que l’on puisse aboutir à des résultats pratiques si l’on inscrivait la question à l’ordre du jour de la session de 1938 de la Conférence. Le Bureau propose donc tout d’abord qu’un expert soit chargé de procéder à une étude préliminaire de la situation dans les différents pays et de préparer un règlement-type de sécurité qui serait soumis ensuite à une réunion d’experts. On a fait valoir qu’il serait difficile à un expert unique de se familiariser dans le temps dont il disposerait avec les conditions extrêmement diverses de chacun des pays producteurs de charbon. Il serait d’ailleurs difficile de trouver un expert possédant à la fois une expérience internationale suffisante et les connaissances linguistiques nécessaires. Il n’insiste donc pas sur cette partie des propositions du Bureau, mais suggère plutôt qu’un petit nombre d’experts soient réunis vers la fin de 1937 afin d’aider le Bureau à élaborer un avant-projet de règlement-type qui serait soumis en 1938 à une réunion tripartite. Si celle-ci approuvait l’avant-projet, il serait sans doute possible d’en assurer l’adoption par la Conférence générale par voie de simple discussion en 1939.

M. Hayday déclare que la procédure proposée pour l’examen de cette question lui paraît extrêmement compliquée. Rien ne garantit que la question de la sécurité dans les mines de charbon qui est mûre pour être traitée sur le plan international soit effectivement inscrite à l’ordre du jour de la session de 1939 de la Conférence afin d’être réglée par voie de simple discussion. Ainsi les espoirs des mineurs risquent d’être vains une fois de plus. Chacun reconnaît que la profession de mineur est particulièrement dangereuse. Les explosions et les autres accidents prélèvent sur les mineurs une lourde rançon de vies humaines, et le Conseil d’administration devrait examiner s’il n’y a pas lieu de donner à la question de la sécurité dans les mines de charbon la priorité sur les autres questions proposées. Le taux d’accidents est plus élevé dans l’industrie minière que dans toute autre industrie, y compris celle des transports.

La question n’est pas nouvelle pour l’Organisation internationale du Travail puisqu’elle a été étudiée dans une certaine mesure par la Conférence technique préparatoire sur les conditions de travail dans les mines de charbon qui a siégé en
Mr. Goodrich also agreed with the Director's proposal. In view, however, of the basic nature of the question of factory inspection in relation to the work of the Organisation, and the strong support given to this item at the Seventy-seventh Session of the Governing Body, he urged that every possible effort should be made to enable a Convention on the subject to be adopted by a single discussion at the 1939 Session of the Conference.

The Director said that this was what the Office intended.

The Governing Body decided not to place the question of factory inspection on the agenda of the 1938 Session of the Conference, and approved the proposals of the Office concerning the calling of an international conference of representatives of factory inspection services in 1938.

Safety in coal mines.

The Director said that everyone who was familiar with the situation in the coal-mining industry would recognise the importance and urgency of the question of safety in coal mines. The figures given in the note of the Office showed the danger of the miner's occupation and the need of doing everything possible to reduce accidents. At the same time the subject was a particularly difficult one from the international point of view. Conditions in coal mines varied from country to country far more than conditions in any kind of factory. Coal mines were of different physical structure and required different kinds of precautions against accidents. In addition, the terminology of the mining industry was extremely confusing. The technical terms used in French differed in France and in Belgium, while those used in English were different in different parts of Great Britain, and entirely different again in the United States. The assistance of experts would therefore be necessary.

In these circumstances it was not likely that any practical results would be achieved if the question were placed on the agenda of the 1938 Session of the Conference. The Office had proposed that an expert should make a preliminary survey of conditions in the various countries and draft a model code of safety regulations which would then be considered by a meeting of experts. It had been objected that it would be difficult for a single expert to make himself familiar in the time available with the widely different conditions existing in coal-producing countries. It would moreover be difficult to find an expert who had the necessary international experience and the necessary linguistic qualifications. He therefore did not press this part of the Office proposal, but suggested that a meeting of a few experts should be called towards the end of 1937 to assist the Office in drafting a model code. This would be submitted to a tripartite meeting in 1938. If the tripartite meeting adopted the draft, it would probably prove possible to secure its passage through the general Conference by way of a single discussion in 1939.

Mr. Hayday said that the procedure proposed for dealing with this question appeared to him excessively complicated. There was no guarantee that the question of safety in coal mines, which was ripe for international settlement, would actually appear on the agenda of the 1939 Session of the Conference for treatment by way of a single discussion. There was thus a danger that the hopes of the miners would once more be disappointed. It was universally admitted that mining was a particularly dangerous occupation. In view of the heavy toll which was taken of miners' lives through explosions and other accidents, the Governing Body might well have considered whether the question of safety in coal mines should not be given precedence over some of the other questions proposed. The accident rate in the coal mining industry was heavier than that in any other industry, including transport.

The question was not a new one for the International Labour Organisation, since it had been to some extent considered by the Preparatory Technical Conference on conditions of labour in coal mines which had been held in 1930. Presumably
1930. Il est à présumer que les recherches ont été poursuivies depuis cette époque; il ne devrait donc y avoir aucune raison d'ajourner l'examen de la question.

Il n'ignore pas que les termes du règlement du Conseil d'administration rendent impossible au Directeur de donner l'assurance que la question fera l'objet d'une décision finale à la session de 1939 de la Conférence. Il désire cependant savoir dans quelle mesure une décision finale est probable, car, à défaut d'une telle probabilité, le groupe des travailleurs ne serait pas disposé à perdre l'occasion qui se présente d'inscrire la question à l'ordre du jour de la session de 1938 de la Conférence, même si elle ne doit faire l'objet que d'une première discussion.

**M. Kirkaldy** désire tout autant que M. Hayday que les travaux du Bureau dans ce domaine aboutissent à un résultat satisfaisant. C'est pourquoi il s'est félicité de la modification que le Directeur a proposé d'apporter à la procédure. Les employeurs de la Grande-Bretagne avaient été frappés également par la difficulté que l'on éprouverait à trouver un expert unique connaissant suffisamment la situation de fait dans les pays intéressés pour pouvoir préparer un règlement-type réellement utile. A leur avis, il serait préférable d'entamer la procédure en convoquant une réunion d'experts provenant des principaux pays producteurs de charbon qui étudieraient les statistiques d'accidents en vue de déterminer les principales causes d'accidents dans les mines de charbon. Le Comité d'experts pourrait élaborer un questionnaire qui serait adressé aux gouvernements intéressés et s'il était nécessaire, tenir une seconde session pour établir un avant-projet de règlement-type qui serait soumis à la réunion tripartite envisagée.

Il comprend le souci de M. Hayday d'avoir l'assurance que la question soit réglée définitivement en 1939, mais le règlement ne permet pas de se prononcer sur ce point actuellement.

**M. Mertens** se félicite de l'effort qu'a fait M. Hayday pour concilier les tendances diverses qui se sont manifestées au sein du groupe ouvrier. Pour sa part, comme il l'a indiqué au cours de la session précédente, il estime que la question de la sécurité dans les mines de charbon est un des sujets qui doivent être traités sans délai. Néanmoins, il considère qu'il serait préférable de suivre la procédure suggérée par le Directeur, plutôt que de procéder à deux discussions successives aux sessions de 1938 et 1939 de la Conférence. A son avis, la question devrait faire l'objet d'une seule discussion à la Conférence, afin que les gouvernements ne soient pas obligés d'envoyer les mêmes experts pour débattre les mêmes questions à deux sessions successives. Suivant la procédure proposée par le Directeur, le travail de préparation ne serait pas effectué par le Bureau seul, mais les mineurs, les employeurs et les gouvernements collaberaient à établir les éléments d'une solution susceptible d'être acceptée par tous les intéressés. C'est pourquoi le groupe des travailleurs votera en faveur de la proposition du Directeur.

Il n'est pas d'avis qu'il convienne de renoncer à l'idée d'engager un expert chargé d'étudier la situation dans les divers pays. Il doit être tout à fait possible de trouver un expert qui puisse étudier la question de la sécurité dans les mines dans son ensemble. Le travail de cet expert serait complété ensuite par les débats de la réunion d'experts dont le Directeur a parlé. Les délibérations de la réunion technique tripartite que l'on propose de convoquer seraient ainsi préparées d'une façon approfondie et la Conférence pourrait certainement régler la question par voie de simple discussion lors de sa session de 1939.

Il appuie donc les propositions du Directeur qu'il considère comme répondant aux intérêts des mineurs eux-mêmes. Lorsque le moment sera venu de fixer l'ordre du jour de la session de 1939 de la Conférence, le groupe des travailleurs s'engage à inscrire la question de la sécurité dans les mines de charbon en tête des points à retenir pour cet ordre du jour.

**M. Komarnicki** appuie la proposition du Directeur. Son pays s'intéresse vivement aux conditions de travail dans les mines de charbon. Il votera en faveur de la procédure suggérée par le Directeur, car il lui semble qu'elle garantit pleinement que les travaux feront des progrès rapides et satisfaisants et que cette question complexe sera étudiée sous tous ses aspects.
investigations had been pursued since that time, and there should therefore be no reason to postpone the discussion of the question.

He was aware that in view of the Standing Orders of the Governing Body it was impossible for the Director to give any guarantee that the question would form the subject of a final decision at the 1939 Session of the Conference. He was, however, anxious to know what was the probability of this, as otherwise the workers' group would be unwilling to miss the opportunity of having the question placed on the agenda of the 1938 Session of the Conference, even if only for a first discussion.

Mr. Kirkaldy said that he was as anxious as Mr. Hayday that the work of the Office on this question should prove a real success. He had therefore welcomed the modification in procedure which the Director had proposed. The employers of Great Britain had also been struck by the difficulty which would be experienced in securing a single expert who would be sufficiently familiar with the varied conditions in the countries concerned to prepare a really useful draft code. They had, therefore, felt that it would be a better plan to start the procedure by calling a meeting of experts from the principal coal-producing countries, who would examine the statistics of accidents in coal mines and see what were their principal causes. The committee of experts might draw up a questionnaire which would be sent to the Governments concerned; and they could, if necessary, meet a second time to draft the model regulations before they were submitted to the proposed tripartite meeting.

He appreciated Mr. Hayday's anxiety to have an assurance that the question would be definitely settled in 1939, but in view of the Standing Orders this point could not be decided at the present stage.

Mr. Mertens welcomed the effort which Mr. Hayday had made to conciliate the different points of view held in the workers' group. He had himself pointed out at the previous session that the question of safety in coal mines was one which required early treatment. He nevertheless considered that the procedure suggested by the Director would be more satisfactory than two successive discussions at the 1938 and 1939 Sessions of the Conference. In his view the question should form the subject of a single discussion only at the Conference, so that Governments might not be obliged to send the same experts to discuss the same questions at two successive sessions. According to the procedure proposed by the Director, the preparatory work would not be done by the Office alone, but the miners, the employers and the Governments would assist in arriving at an agreed solution. The workers' group would therefore vote for the Director's proposal.

He did not agree that the idea of engaging an expert to study the position in the different countries should be given up. It should be quite possible to find an expert who could study the whole question of safety in mines. His work would then be supplemented by that of the meeting of experts to which the Director had referred. The work of the proposed technical tripartite meeting would then be thoroughly prepared, and the Conference could certainly deal with the question by a single discussion at the 1939 Session.

He accordingly supported the Director's proposals, which seemed to him to be in the best interests of the miners themselves. When the time came to fix the agenda of the 1939 Session of the Conference, the workers' group undertook to place the question of safety in coal mines at the head of those to be selected for the agenda.

Mr. Komarnicki supported the Director's proposal. His country was deeply interested in the conditions of workers in coal mines. He would vote in favour of the procedure suggested by the Director, since it appeared to him to give every guarantee for rapid and satisfactory progress, and for a study of all aspects of this complex question.
M. Norman appuie la proposition de M. Kirkaldy. Il semble que le Directeur lui-même estime qu'il n'est guère possible de trouver un expert qui soit au courant de la situation dans les mines de charbon de tous les pays et qui possède les connaissances linguistiques nécessaires. Il serait donc préférable d'organiser une réunion de quelques experts qui aborderait le problème de façon logique, en étudiant les causes d'accidents qui sont les plus fréquentes et les plus dangereuses. Les experts préparaient ensuite un questionnaire portant sur ces diverses causes.

La Grande-Bretagne s'intéresse vivement à la sécurité dans les mines de charbon ; une Commission royale étudie présentement ce problème. Cette commission a réuni une documentation de la plus grande valeur, et fera le moment venu un rapport qui présentera certainement le plus grand intérêt pour l'Organisation internationale du Travail.

M. Duffy se félicite de constater que tous les membres qui ont pris la parole estiment qu'il faut enfin faire quelque chose en faveur des travailleurs des mines de charbon. Mais il ne suffit pas de reconnaître la nécessité d'une action immédiate. Il constate que le pourcentage des décès et des accidents dans les mines est plus élevé aux États-Unis que dans tout autre pays. En sa qualité de membre américain du Conseil, il s'estime donc tenu d'appuyer la proposition de M. Hayday tendant à ce que la question de la sécurité dans les mines de charbon soit inscrite à l'ordre du jour de la session de 1938 de la Conférence. Il estime, comme M. Hayday, qu'il reste une possibilité, que si la question est inscrite à l'ordre du jour de la Conférence de 1938, la situation des mineurs soit améliorée beaucoup plus rapidement que si la question est encore ajournée pour une année.

Le Directeur signale qu'en adoptant la procédure qu'il a proposée, on ne retardera aucunement la solution de la question. Même si la question de la sécurité dans les mines de charbon était inscrite à l'ordre du jour de la session de 1938, une convention ne pourrait, en fait, être adoptée qu'en 1939. Suivant la procédure qu'il a suggérée, le même résultat serait atteint, mais le travail préparatoire serait effectué de façon beaucoup plus satisfaisante. Il ne s'agit pas d'ajourner l'examen de la question à 1939, puisqu'en 1938 serait convoquée une réunion tripartite qui élaborerait un avant-projet de convention. Cette procédure serait beaucoup plus efficace qu'une première discussion relative aux points à inclure dans un questionnaire. La différence entre les deux méthodes ne porte pas sur le temps, mais sur la procédure. Il rappelle à M. Hayday que la Commission royale britannique pour la sécurité dans les mines de charbon siège déjà depuis plus d'une année et n'a pas encore présenté de rapport. Cela montre la difficulté et la complexité de toutes les questions relatives aux accidents dans les mines. Il ne peut pas donner à M. Hayday la garantie que la question sera inscrite à l'ordre du jour de la session de 1939 de la Conférence, mais en suivant la procédure qu'il a proposée il serait certain que la question serait l'objet de discussion, au cours de 1938.

Il souligne que sa proposition revisée ne tend pas à remplacer la nomination d'un expert par la constitution d'un comité. En tout état de cause, la constitution d'un comité était envisagée par le Bureau. Ce qu'il suggère maintenant, c'est que le comité soit réuni sans attendre qu'un expert ait visité les divers pays producteurs de charbon et présenté un rapport. Il serait à la fois difficile et coûteux de trouver un expert qualifié et la préparation du rapport de cet expert prendrait quelques mois. La procédure serait donc accélérée si l'on renonçait à ce stade préliminaire pour recourir à une consultation d'experts. Malgré cette consultation, une réunion tripartite pourrait être organisée, probablement pour le printemps 1938, et la discussion finale devant la Conférence aurait lieu dans ce cas en 1939. Il estime que ce n'est pas là seulement la meilleure procédure, mais également la plus rapide que l'on puisse envisager.

M. Riddell fait remarquer que l'article 9bis du règlement du Conseil d'administration prévoit une procédure déterminée de vote par élimination sur les questions proposées en vue de la fixation de l'ordre du jour de la Conférence. Il demande si cette règle ne s'applique pas à l'ensemble des huit questions qui ont été provisoirement retenues par le Conseil d'administration lors de sa 77ème session.
Mr. Norman supported the suggestion made by Mr. Kirkaldy. He understood that the Director himself agreed that it was hardly possible to find an expert acquainted with conditions in coal mines in all countries and possessing the necessary knowledge of languages. It would therefore be better to arrange that a small group of experts should meet in order to attack the problem in a logical way, starting with those causes of accidents which were most prevalent and most dangerous. The experts should then draft a questionnaire dealing with these causes.

Much interest in the question of safety in coal mines was taken in Great Britain, and a Royal Commission on the subject was at present sitting. Evidence of great value was being given to the Commission, which would in due course make a report which would no doubt be of considerable interest to the International Labour Organisation.

Mr. Duffy said that he was glad to see that all those members who had spoken agreed that something should eventually be done to benefit coal miners. A mere recognition of the immediate need of action was, however, insufficient. He understood that the percentage of deaths and accidents in mines was higher in the United States than in any other country. As an American member of the Governing Body, he therefore felt bound to support Mr. Hayday’s suggestion that the question of safety in coal mines should be placed on the agenda of the 1938 Session of the Conference. He agreed with Mr. Hayday that there was still a possibility that if the question were placed on the 1938 agenda the miners would benefit much sooner than if the question were adjourned for another year.

The Director pointed out that the adoption of the procedure which he had suggested did not involve any delay. Even if the question of safety in coal mines were placed on the agenda of the 1938 Session, no Convention would actually be adopted until 1939. Under the procedure which he had suggested the same result would be reached, but the preparatory work would be much more satisfactory. It was not proposed to postpone dealing with the question until 1939, since there was to be a tripartite meeting in 1938 to draw up a draft for a Convention. This would be a much more effective operation than a first discussion on the points of a questionnaire. The difference was not one of time, but one of procedure. In any case he would remind Mr. Hayday that the British Royal Commission on Safety in Coal Mines had already been sitting for more than a year and had not reported yet. This illustrated the difficulty and complexity of all questions relating to accidents in mines. Although he could not give Mr. Hayday an absolute guarantee that the question would be placed on the agenda of the 1939 Session of the Conference, there would, under the procedure which he had suggested, be a certainty that the question would form the subject of discussion in 1938.

His revised proposal did not involve substituting a meeting of a Committee for the appointment of an expert. The Office had in any case proposed that the Committee should meet. What he now suggested was that the Committee might be convened without waiting until an expert had visited the various coal-producing countries and submitted a report. It would be both difficult and expensive to find a suitable expert, and the preparation of his report would take some months. It would therefore expedite the procedure if this preliminary part of it were omitted, and a meeting of experts held. After this a tripartite meeting could be arranged, probably in the spring of 1938, and the final discussion at the Conference would then take place in 1939. He thought that this was not only the best but also the most speedy procedure which could be devised.

Mr. Riddell said that Article 9a of the Standing Orders of the Governing Body laid down a definite procedure of voting by elimination with regard to the items proposed for the agenda of the Conference. He asked whether this rule did not apply to all the eight questions which had been provisionally selected by the Governing Body at its Seventy-seventh Session.
M. Oersted déclare qu’en tout cas la question des statistiques des salaires et des heures de travail doit être incluse dans la liste sur laquelle le Conseil d’administration est appelé à voter. Le Conseil d’administration a renvoyé cette question à une Conférence d’experts statisticiens qui se réunira en 1937, et a décidé qu’elle pourrait éventuellement être inscrite à l’ordre du jour de la session de 1938 de la Conférence. Cette question devrait par conséquent figurer parmi celles sur lesquelles le Conseil d’administration votera par élimination.

Ce qui précède ne s’applique pas nécessairement, à son avis, aux trois questions que l’on considère présentement. Le paragraphe 1er de l’article 9bis parle « de toutes les questions proposées ». Il est donc nécessaire de déterminer qui a proposé ces questions. Le Conseil d’administration lui-même ne l’a pas fait, puisqu’à sa 77ème session, il s’est borné à retenir ces questions provisoirement en chargeant le Bureau de préparer des exposés concernant la législation et la pratique pour chacune d’entre elles. En pratique, on a toujours considéré que les questions proposées sont celles que suggère le Directeur. Par conséquent, comme le Directeur n’a pas proposé que ces trois questions soient inscrites à l’ordre du jour pour 1938, le Conseil d’administration n’a pas à procéder à un vote éliminatoire à leur sujet. Pour ce qui est des cinq autres questions, ainsi que de la question des statistiques des salaires et des heures de travail, il y a lieu d’appliquer la procédure prévue à l’article 9bis du règlement.

Il a l’intention de voter en faveur de la proposition du Directeur relative à la méthode applicable à la question de la sécurité dans les mines de charbon. Il serait utile pour tous ceux qui s’intéressent à la question que cette proposition fût adoptée sinon à l’unanimité, du moins à une très grande majorité.

Le Directeur déclare que, quant au point soulevé par M. Riddell, il interprète le règlement de la même manière que M. Oersted. Il est également d’avis que la question des statistiques des salaires et des heures de travail dans l’industrie doit être prise en considération en même temps que les cinq autres questions. La procédure adoptée à l’égard de cette question est semblable à celle que l’on propose actuellement au sujet de la sécurité dans les mines de charbon. On a envisagé l’inscription de cette question à l’ordre du jour de la Conférence de 1938, étant entendu qu’elle serait tout d’abord étudiée par une Conférence de statisticiens. Il estime donc que la question devrait être inscrite à l’ordre du jour de 1938 dés à présent, bien que la Conférence de statisticiens ne se soit pas encore réunie. De même, lorsque le Conseil d’administration procédera à la fixation de l’ordre du jour de la session de 1939 de la Conférence, il conviendrait d’y inscrire la question de la sécurité dans les mines de charbon, même si la Conférence tripartite compétente n’a pas encore siégé.

Par 23 voix sans opposition, le Conseil d’administration décide de ne pas inscrire la question de la sécurité dans les mines de charbon à l’ordre du jour de la session de 1938 de la Conférence, et approuve les propositions du Directeur concernant la procédure applicable à cette question.

Droits des exécutants en matière de radiodiffusion, de télévision et de reproduction mécanique des sons.

Le Directeur declare qu’il s’agit là d’une question complexe présentant toutes sortes de difficultés juridiques. Il serait donc utile avant que ce sujet fût discuté par la Conférence, d’obtenir l’opinion d’un certain nombre de personnes qualifiées, de juristes notamment, quant à la possibilité d’aboutir à une solution pratique, possibilité qui semble être mise en doute par certains. Il propose donc que la question ne soit pas inscrite à l’ordre du jour de la session de 1938 de la Conférence, mais soit renvoyée à un petit comité de dix personnes au maximum qui se réunirait au cours de 1938. Si cette méthode est approuvée, le Bureau soumettra au Conseil d’administration, lors d’une prochaine session, des propositions quant aux noms des membres du Comité.

M. Norman est persuadé que ce sujet ne devrait pas être inscrit à l’ordre du jour de 1938 étant donné le nombre de questions plus importantes dont on prévoit déjà l’inclusion dans cet ordre du jour. Il éprouve par ailleurs quelque doute quant à l’opportunité de la proposition faite par le Directeur de consulter des experts. Il semble
Mr. Oersted said that in any case the question of statistics of wages and hours of work should be included in the list on which the Governing Body was to vote. The Governing Body had referred this question to a Conference of statistical experts to be held in 1937, and had decided that the question might possibly be placed on the agenda of the 1938 Session of the Conference. This question should therefore be one of those on which the Governing Body would vote by elimination.

This did not, however, in his view necessarily apply to the three questions now under consideration. Paragraph 1 of Article 9a referred to "all the items proposed". It was therefore necessary to consider who had proposed these questions. The Governing Body itself had not done so. All that it had done at its Seventy-seventh Session was to select these questions provisionally and instruct the Office to prepare reports on the law and practice with regard to them. In practice it had always been considered that the questions proposed were those suggested by the Director. Accordingly, since the Director had not proposed that these three questions should be placed on the agenda for 1938, the Governing Body was not required to vote on them by elimination. With regard to the other five questions, as well as the question of statistics of wages and hours of work, the procedure laid down by Article 9a of the Standing Orders should be applied.

He intended to vote for the Director's proposal as regards the method of dealing with the question of safety in coal mines. It would be desirable in the interests of all those concerned that this proposal should be adopted, if not unanimously, at any rate by a very large majority.

The Director said that as regards the point raised by Mr. Riddell, he agreed with the interpretation of the Standing Orders given by Mr. Oersted.

He also agreed that the question of statistics of wages and hours of work in industry should be taken into consideration together with the other five questions. The procedure adopted with regard to this question was similar to that now proposed in regard to safety in coal mines. The placing of the question on the agenda of the 1938 Conference had been contemplated, subject to its being first considered by a meeting of statisticians. He therefore thought that the question should be placed on the agenda for 1938 at once, even though the Conference of Statisticians had not yet met. Similarly, when the Governing Body came to draw up the agenda of the 1939 Session of the Conference, it should place the question of safety in coal mines on the agenda, even if the tripartite conference on the subject had not yet met at that time.

The Governing Body decided by 23 votes to nil not to place the question of safety in coal mines on the agenda of the 1938 Session of the Conference. It approved the Director's proposals concerning the method of dealing with this question.

Rights of performers in broadcasting, television and the mechanical reproduction of sounds.

The Director said that this was a complex question involving all kinds of legal difficulties. It would therefore be better, before it was discussed by the Conference to secure the opinion of a certain number of qualified persons, particularly lawyers, as regards the feasibility of the proposal, which he understood was questioned by a number of people. He therefore proposed that the question should not be placed on the agenda of the 1938 Session of the Conference, but should be referred to a small committee of not more than ten persons which should meet in the course of 1938. If this course were approved, the Office would at a later session submit proposals to the Governing Body as regards the names of the members of the committee.

Mr. Norman said that he felt sure that this subject should not appear on the agenda for 1938 in view of the number of more important subjects which had been proposed. He was moreover somewhat doubtful about the Director's proposal to consult experts. There seemed a tendency for the activities of the Organisation to
que l'activité de l'Organisation tend à s'élargir dans toutes les directions, et il est à craindre que le mécanisme administratif du Bureau ne se trouve surchargé. Le personnel du Bureau est déjà extrêmement occupé et il conviendrait de ne pas trop lui demander. Il importera par conséquent de se concentrer sur les questions essentielles et de réfléchir longuement avant de s'embarquer dans de nouvelles entreprises qui pourraient ne pas être de première importance.

M. Jouhaux peut accepter la proposition du Directeur tendant à ne pas inscrire cette question à l'ordre du jour de la session de 1938, mais il ne saurait admettre que ce sujet soit moins important que les autres questions proposées. Il est possible qu'il n'ait pas encore été préparé de façon suffisamment approfondie et qu'un complément d'étude soit nécessaire. Mais cette question intéresse des centaines de milliers de travailleurs à un moment où leur profession, qui est d'une grande importance pour le développement de la civilisation, est particulièrement menacée. C'est uniquement parce qu'il est nécessaire de procéder à un travail préparatoire approfondi qu'il accepte que la question ne soit pas inscrite à l'ordre du jour de 1938.

M. Kirkaldy hésite fort à se prononcer sur la proposition qui est faite de continuer l'étude de cette question. L'opinion des employeurs britanniques à ce sujet a été déjà exposée et il n'a pas besoin de l'exprimer à nouveau. Toutefois, même si le Conseil d'administration décidait de convoquer une réunion d'experts pour traiter de cette question, il se demande s'il serait sage de charger ces experts de discuter le problème de la télévision. Il semble prématûre de procéder à un tel débat, car jusqu'à présent le développement de la télévision est extrêmement limité. Il n'insistera pas sur ce point, pourvu qu'il soit entendu que le Comité d'experts, s'il se réunit, pourra examiner s'il est opportun ou non d'exclure la télévision du champ de la question traitée.

M. Picquenard accepte que l'inscription de la question à l'ordre du jour de la Conférence soit ajournée, mais il appuie l'observation de M. Norman. La procédure proposée par le Directeur tend à la consultation préliminaire d'experts. Il estime que le Conseil d'administration ne devrait pas prendre de décision définitive à cet égard dès maintenant, d'autant plus que cette procédure entraînerait des dépenses et que le Conseil d'administration ne peut prendre de décisions sur des questions entraînant des dépenses avant d'avoir entendu l'avis du Comité du budget. Tout ce que le Conseil d'administration doit décider pour le moment, c'est si la question des droits des exécutants doit être ou non inscrite à l'ordre du jour de la session de 1938 de la Conférence. La méthode selon laquelle cette question devrait être étudiée devrait faire l'objet d'un examen ultérieur.

M. Jouhaux ne peut pas être d'accord avec M. Picquenard. Il appartient au Conseil d'administration de prendre, en pareil cas, une décision de principe. Le Comité du budget examine ensuite normalement les dépenses qu'une telle décision peut entraîner, mais il serait contraire à la fois aux droits et aux devoirs du Conseil d'administration que sa décision dût dépendre de celle du Comité du budget.

M. Picquenard se réfère au paragraphe 3 de l'article 13 du règlement du Conseil d'administration, aux termes duquel le Conseil d'administration n'adopte aucune décision relativement à toute proposition entraînant des dépenses tant que cette proposition n'a pas été renvoyée à l'examen préalable du Comité du budget. Cette disposition n'empêche pas le Conseil d'administration de prendre en considération une proposition entraînant des dépenses, mais il ne peut pas prendre de décision définitive à son sujet tant que le Comité du budget ne l'a pas examinée.

Le Directeur rappelle qu'il est actuellement proposé au Conseil d'administration de prendre une décision de principe tendant à renvoyer à un comité la question des droits des exécutants. Cela n'engage le Conseil d'administration à aucune dépense. La question des dépenses ne se posera qu'au cours de la phase suivante de la procédure, au moment où le Bureau fera des propositions précises quant à la composition et à la convocation du comité. C'est à ce stade que la question sera envoyée au Comité du budget.
spread out in all directions, and there was a danger that the administrative machinery of the Office might be overloaded. The staff of the Office was already extremely busy, and should not be overburdened. It would therefore be better to concentrate attention on vital questions and to consider very carefully before embarking on fresh enterprises which might not be of the first importance.

Mr. Jouhaux said that he could agree to the Director's proposal that this question should not be placed on the agenda of the 1938 Session, but could not admit that it was of less importance than the other questions proposed. It was possible that it had not yet been sufficiently thoroughly prepared, and that further investigations were necessary. The question was, however, one which concerned hundreds of thousands of workers at a time when their occupation, which was of great importance to the development of civilisation, was particularly threatened. It was merely because of the need for carrying out careful preparatory work that he agreed that the question should not be placed on the agenda in 1938.

Mr. Kirkaldy also had considerable hesitation in regard to the proposal for a further consideration of this question. The views of the British employers on this subject had been stated in the past, and he need not repeat them. Even, however, if the Governing Body decided to call a meeting of experts on the subject, he questioned whether it would be wise to ask it to deal with television. The time hardly seemed ripe for this, as the development of television was so far very slight. He would not press this point, provided that it was understood that the Committee of experts, if it met, might consider the advisability or inadvisability of excluding television from the scope of the subject under consideration.

Mr. Picquenard agreed that the placing of this question on the agenda of the Conference should be adjourned, but supported the point of view expressed by Mr. Norman. The procedure which the Director had proposed involved a preliminary consultation of experts. He did not think that the Governing Body should take a final decision on this procedure at once, especially as it would involve expenditure and the Governing Body could not take any decision on matters involving expenditure until it had heard the views of the Finance Committee. All that the Governing Body had to decide at present was whether the question of the rights of performers should be placed on the agenda of the 1938 Session of the Conference. The method to be adopted in studying the question should be considered at a later stage.

Mr. Jouhaux said that he was unable to agree with Mr. Picquenard. It was for the Governing Body, in such a case, to take a decision on the question of principle. In the normal course the Finance Committee then considered the expense which such a decision would involve, but it would be contrary both to the rights and the duties of the Governing Body if its decision was dependent upon that of the Finance Committee.

Mr. Picquenard referred to paragraph 3 of Article 13 of the Standing Orders of the Governing Body, which stated that the Governing Body should take no decision regarding any proposal involving expenditure until that proposal had been referred in the first instance to the Finance Committee. This article did not preclude the Governing Body from considering any proposal involving expenditure, but it could not take a definite decision on it until the Finance Committee had discussed it.

The Director said that the suggestion now before the Governing Body was that it should take a decision of principle to refer the question of the rights of performers to a committee. This did not commit the Governing Body to any expenditure. The question of expenditure would arise at the next stage, when the Office made definite proposals for the composition and meeting of the Committee. It was at that stage that the matter would go before the Finance Committee.
M. Norman souligne qu'il n'a fait qu'exprimer un doute au sujet du point en discussion, sans faire de proposition définie. Son intention a été de faire remarquer au Conseil d'administration qu'il ne devrait pas s'embarquer à la légère dans des entreprises qui demandent du temps et de l'argent, sans en considérer l'effet cumulatif. En effet, dans un tel cas, il y aurait danger que le mécanisme de l'Organisation ne se trouvât surchargé ou qu'en tout cas il ne fonctionnât pas de façon efficace, ce qui aurait pour effet d'affecter défavorablement l'étude de questions d'importance plus grande.

M. Mannio espère que le Conseil d'administration ne prolongera pas la discussion sur des questions de principe puisqu'il a déjà discuté de façon approfondie de l'opportunité ou de l'inopportunité d'inscrire la question à l'ordre du jour. Il propose au Conseil d'administration d'adopter la suggestion du Directeur.

Le Conseil d'administration décide de ne pas inscrire la question des droits des exécutants en matière de radiodiffusion à l'ordre du jour de la session de 1938 de la Conférence, et approuve les propositions du Directeur relatives à la procédure applicable à cette question.

Discussion générale.

Le Président ouvre la discussion générale sur les questions proposées en vue de l'élaboration de l'ordre du jour de la session de 1938 de la Conférence. Ces questions sont les suivantes :

Enseignement technique et professionnel et apprentissage.
Réglementation des contrats de travail des travailleurs indigènes.
Repos hebdomadaire dans le commerce et dans les bureaux.
Recrutement, placement et conditions de travail (égalité de traitement) des travailleurs migrants.
Réglementation de la durée du travail et des repos dans les transports par route.
Statistiques des salaires et des heures de travail.

M. Komarnicki est en faveur de l'inscription à l'ordre du jour de la question du recrutement, placement et conditions de travail (égalité de traitement) des travailleurs migrants. D'après la note présentée au Conseil, il semble que l'attitude du Bureau à l'égard de cette question ait quelque peu évolué, puisqu'il considère maintenant qu'au moment où l'activité économique tend à s'intensifier de nouveau et où les courants migratoires paraissent devoir reprendre, il est particulièrement approprié que la Conférence s'occupe de l'organisation des migrations. Cette question présente une grande importance pour beaucoup de pays, spécialement pour ceux de l'Europe centrale et orientale. Plusieurs pays de cette partie de l'Europe, et tout spécialement le sien, tiennent beaucoup à ce qu'elle soit inscrite à l'ordre du jour. Il propose que l'on suive une procédure accélérée à son égard, puisque la session de 1936 de la Conférence a déjà été saisie d'un rapport du Bureau sur les travailleurs migrants, document qui contenait tous les éléments d'un rapport gris. Il serait ainsi possible de soumettre un rapport gris-bleu à la session de 1938 de la Conférence. Cette proposition est justifiée par les raisons invoquées dans la note du Bureau. Les migrations commencent à reprendre de l'ampleur et l'Organisation internationale du Travail ne doit pas être en retard sur les événements, sinon son activité prendrait un caractère purement théorique.

M. Li Ping-Heng se prononce également en faveur de l'inclusion de cette question dans l'ordre du jour. Il attire spécialement l'attention sur l'importance de l'égalité de traitement. Ce sujet a déjà été discuté par la Conférence et par le Conseil d'administration et l'importance en a été soulignée par la conférence de Santiago, la conférence panaméricaine et l'Assemblée de la Société des Nations. La Conférence répondrait ainsi à un vœu à peu près universel en s'occupant de cette question.
Mr. Norman said that he had merely expressed a doubt on the question under discussion; he had not made a definite proposal. His purpose had been to suggest to the Governing Body that it should not embark lightly on undertakings which involved time and money without considering their cumulative effect. If it did so, there was a danger that the machinery would become overloaded, or would at any rate not do its work efficiently, and the result would be that questions of greater importance would suffer.

Mr. Mannio said that he hoped that the Governing Body would not continue the discussion of questions of principle, since it had already discussed fully whether or not it was desirable that the question should be placed on the agenda. He proposed that the Governing Body should adopt the Director’s suggestion.

The Governing Body decided not to place the question of the rights of performers in broadcasting on the agenda of the 1938 Session of the Conference. It approved the Director’s proposal with regard to the method of dealing with this question.

General discussion.

The Chairman opened the general discussion on the questions proposed for the agenda of the 1938 Session of the Conference. These questions were as follows:

Technical and vocational education and apprenticeship.
Regulation of contracts of employment of indigenous workers.
Weekly rest in commerce and offices.
Recruiting, placing and conditions of labour (equality of treatment) of migrant workers.
Regulation of hours of work and rest periods in road transport.
Statistics of wages and hours of work.

Mr. Komarnicki said that he was in favour of placing on the agenda the question of the recruiting, placing and conditions of labour (equality of treatment) of migrant workers. The note submitted to the Governing Body appeared to suggest that the attitude of the Office on this question had somewhat changed. It now considered that at a time when economic activity showed a tendency to recover and when there were signs of a revival in migration, it was particularly appropriate that the Conference should deal with the organisation of migration. The question was of great importance to many countries, especially those of Central and Eastern Europe. Several of these countries, and in particular his own, were anxious that this question should be placed on the agenda.

He proposed that a more expeditious procedure should be applied in regard to this question, since the 1936 Session of the Conference had had before it a report of the Office on migrant workers which contained all the elements of a grey report. It would thus be possible to submit a grey-blue report to the 1938 Session of the Conference. This proposal was justified by the reasons given in the Office note. Migration was beginning to revive, and the International Labour Organisation must not lag behind events, as otherwise its work should be purely theoretical in character.

Mr. Li Ping-Heng also supported the inclusion of this question in the agenda of the Conference. He drew special attention to the importance of equality of treatment. This matter had already been discussed by the Conference and the Governing Body, and its importance had been emphasised by the Santiago Conference, the Pan-American Conference and the Assembly of the League of Nations. The Conference would therefore be meeting an almost universal desire if it dealt with the question.
M. Pardo appuie également la proposition d'inscrire cette question à l'ordre du jour. Ce point a été l'objet d'une résolution de la conférence de Santiago et tous les pays qui s'intéressent aux problèmes des migrations désirent que la Conférence s'en occupe. Le Bureau étudie d'ailleurs la question depuis de nombreuses années.

M. Kirkaldy fait remarquer que trois questions, la réduction de la durée du travail dans l'industrie graphique et dans l'industrie chimique et l'organisation des travaux publics en relation avec le chômage, reviendront très probablement devant la session de 1938 de la Conférence. Le Conseil d'administration est saisi actuellement d'une liste de six questions nouvelles, soit au total neuf questions dont la Conférence pourrait être saisie en 1938. Il ne saurait rester indifférent devant cette possibilité. Naguère encore, on considérait qu'il était bien suffisant d'inscrire deux ou trois questions à l'ordre du jour de la Conférence et il croit qu'alors le travail de la Conférence était plus efficace. Il ne saurait par conséquent se prononcer en faveur de l'addition de l'un quelconque de ces sujets à l'ordre du jour de la session de 1938.

L'opinion des employeurs britanniques au sujet des diverses questions proposées a déjà été exprimée. Il désire toutefois s'étendre plus spécialement sur la question des migrations. Son pays est convaincu de tous les avantages que les mouvements migratoires ont apportés dans le passé et apporteront dans l'avenir tant aux pays d'émigration que d'immigration. Or, les propositions faites présentement en vue de la Conférence ne semblent en aucune façon de nature à faciliter les migrations, mais plutôt à les entraver; dans ces conditions, il ne saurait appuyer l'inclusion de cette question à l'ordre du jour.

Dans son exposé sur la législation et la pratique en matière de migrations, le Bureau mentionne les points sur lesquels une convention relative aux migrations pourrait porter. Un de ces points concernerait la protection des migrants pendant leur voyage vers le pays d'immigration, et comprendrait vraisemblablement la question des conditions de transport des travailleurs migrants à bord des navires. Il tient à déclarer nettement que les armateurs britanniques refuseraient de discuter au sein d'une Conférence internationale du Travail la question du transport des migrants à bord des navires. Comme ils l'ont exposé dans le passé et en particulier lors de la session de 1926 de la Conférence, les armateurs britanniques considèrent en effet que la Conférence internationale du Travail n'est pas compétente en matière de transport de passagers.

M. Villa Michel, sans se prononcer à l'égard des divers problèmes traités dans le rapport de la Commission des migrations, exprime l'espoir que le Conseil d'administration inscrira à l'ordre du jour la question du recrutement et du placement des travailleurs migrants. Cette question présente un grand intérêt pour certains pays d'Amérique.

M. Goodrich attire l'attention sur l'importance de deux autres problèmes qui, jusqu'à présent, n'ont fait l'objet d'aucune mention. Le premier est celui de la durée du travail et des repos dans les transports par route. Il y a là un champ d'activité sociale dans lequel on a beaucoup tardé à agir. Le temps semble maintenant venu de traiter cette question. Des réglementations du genre de celle qui est proposée sont depuis longtemps appliquées aux cheminots et aux autres travailleurs de l'industrie du transport. L'industrie récente des transports routiers a grand besoin de la même protection. Aux États-Unis, la Commission interétatique du Commerce procède actuellement à des enquêtes dans l'ensemble du pays afin de déterminer la nature de la réglementation nécessaire. Il n'est pas douteux que dans beaucoup d'autres pays, le moment soit également venu d'agir dans ce domaine, tant pour assurer la protection sociale d'une classe de travailleurs relativement négligée que pour contribuer à la sécurité de tous les usagers de la route.

Il attire également l'attention du Conseil sur l'importance toute particulière de la question de l'enseignement professionnel et de l'apprentissage. Il conviendrait de définir cette question de manière aussi large que possible, de ne pas la limiter à l'industrie seulement, mais de l'étendre à l'ensemble de l'enseignement professionnel, car, ainsi que le fait ressortir la note du Bureau, toutes les formes de cet enseignement ont des relations entre elles. Il propose d'autre part que la définition ne soit pas trop
Mr. Pardo also supported the inclusion of this question. It had formed the subject of a resolution of the Santiago Conference, and all countries which were interested in migration problems were anxious that the Conference should deal with it. The Office had already been studying the question for many years.

Mr. Kirkaldy pointed out that there were three questions, namely, the reduction of hours of work in the printing and chemical industries and the planning of public works in relation to employment, which were in any case likely to come before the 1938 Session of the Conference. The Governing Body now had before it a list of six new questions. This made a total of nine subjects which might be before the Conference in 1938. He could not contemplate this prospect with equanimity. At one time two or three questions had been considered quite enough for the agenda of the Conference, and he believed that at that time the work of the Conference had been more efficiently done. He therefore could not support the addition of any of these new items to the agenda of the 1938 Session.

The views of the British employers with regard to the various items proposed had already been expressed in the past. He would however refer more specially to the migration question. His country was convinced of the benefits which migration had conferred in the past and would confer in the future both on countries of emigration and immigration. The proposals now suggested for the Conference agenda did not, however, appear in any way likely to encourage migration, but rather to hinder it, and therefore he could not support the inclusion of the item.

In its note on the law and practice as regards migration, the Office mentioned the subjects with which a Convention on the question might deal. One of those suggested was the protection of workers during their journey to the country of immigration. This would presumably include the question of conditions of transport of migrant workers on board ship. He wished to make it perfectly clear that British shipowners would decline to discuss the question of the carriage of migrants on board ship at an International Labour Conference. As they had explained in the past, particularly at the 1926 Session of the Conference, British shipowners did not consider that the International Labour Conference was competent to deal with the question of the transport of passengers.

Mr. Villa Michel said that while he would express no opinion as regards the problems dealt with in the report of the Migration Committee, he hoped that the Governing Body would place the question of the recruiting, placing and conditions of labour migrant workers on the agenda of the Conference. This question was of great interest to certain American countries.

Mr. Goodrich urged the importance of two other subjects which had not so far been mentioned. The first was that of hours of work and rest periods of workers engaged in road transport. This was a field of social activity in which there had been a great delay in action. The time now seemed ripe to deal with it. Regulations of the type proposed had long been in force for railwaymen and other transport workers. The newer industry of road transport stood in great need of the same protection. In the United States the Interstate Commerce Commission was at present holding hearings throughout the country on the nature of the regulations needed. No doubt there were many other countries in which the time was also ripe for action in this field. This was necessary both as a measure of social protection for the benefit of a relatively neglected class of workers, and also as a contribution to the safety of all those who used the roads.

He also urged that very serious consideration should be given to the subject of technical education and apprenticeship. The definition of this question should be as broad as possible, and should not be limited to industry alone, but should cover all vocational education because, as the note of the Office pointed out, all kinds of vocational education were interrelated. He also suggested that the definition should not be too narrowly confined to technical or vocational education; it might be possible
étroitement limitée à l'enseignement technique ou professionnel; il devrait être possible d'inclure dans le champ du sujet certaines formes plus larges d'éducation ouvrière, étant donné que, dans beaucoup de pays et notamment dans le sien, on attribue, depuis quelque temps déjà, la plus grande importance à l'éducation ouvrière envisagée au sens le plus large.

Il espère également que le Conseil d'administration inclura dans l'ordre du jour la question des statistiques des salaires et des heures de travail.

M. Jouhaux appuie les observations de M. Goodrich relatives à l'importance de la question des transports par route. Il y a lieu de tenir compte en outre d'un autre facteur, celui de la concurrence que se font dans certains pays les transports par route et les autres formes de transports, notamment par voie ferrée. Il est de la plus grande importance que l'on assure l'égalité des conditions de travail des entreprises de ces différentes catégories de transports.

En tout cas, le Conseil d'administration ne saurait se refuser à inscrire à l'ordre du jour de la session de 1938 de la Conférence une question relative à la réduction de la durée du travail. Il s'est engagé dans une procédure d'examen de cette question, industrie par industrie, et s'il n'inscrivait pas une nouvelle question relative à la durée du travail à l'ordre du jour de la Conférence, il pourrait en résulter une très mauvaise impression.

Il présume que l'opinion exprimée par M. Kirkaldy au sujet du transport des migrants lui est personnelle ou représente tout au plus les vues des armateurs britanniques. En tout cas, il n'estime pas que le Conseil d'administration puisse en tenir compte, car elle est en contradiction formelle avec la pratique suivie par tous les Gouvernements en ce qui concerne les migrations.

Le Président déclare que, conformément au paragraphe 1er de l'article 9bis de son règlement, le Conseil d'administration doit décider par un premier vote s'il désire inscrire à l'ordre du jour de la Conférence toutes les questions proposées ou s'il veut éliminer quelques-unes d'entre elles.

M. Mertens, au nom du groupe ouvrier, propose formellement au Conseil d'administration d'inscrire à l'ordre du jour l'ensemble des six questions proposées.

Le Conseil d'administration décide, par 16 voix contre 13 d'inscrire l'ensemble des six questions à l'ordre du jour de la session de 1938 de la Conférence.

Ces questions sont les suivantes:

- Enseignement technique et professionnel et apprentissage.
- Réglementation des contrats de travail des travailleurs indigènes.
- Repos hebdomadaire dans le commerce et dans les bureaux.
- Recrutement, placement et conditions de travail (égalité de traitement) des travailleurs migrants.
- Réglementation de la durée du travail et des repos dans les transports par route.
- Statistiques des salaires et des heures de travail.

Invitation du Gouvernement de l'Union Sud-Africaine.

Le Directeur annonce que le Gouvernement de l'Union Sud-Africaine a invité le Conseil d'administration à envoyer une délégation en Afrique du Sud, en vue notamment de se documenter au sujet de la question concernant le travail indigène qui vient d'être inscrite à l'ordre du jour de la session de 1938 de la Conférence. Le Conseil d'administration désirera sans doute accepter cette invitation. Dans ce cas le Bureau en informerait M. Andrews, le représentant de l'Union Sud-Africaine accrédité auprès de la Société des Nations, en le priant d'exprimer au Gouvernement de l'Union la reconnaissance du Conseil d'administration. Il conviendrait d'examiner en même temps divers détails d'organisation de cette visite, et un rapport pourrait être soumis au Conseil d'administration lors d'une prochaine session.
to include somewhat broader types of workers' education, since in many countries, including his own, there had for some time been active support for workers' education in the broadest sense of the term.

He also hoped that the Governing Body would include the question of statistics of wages and hours of work in the agenda.

Mr. Jouhaux supported what Mr. Goodrich had said concerning the importance of the question of road transport. Another factor which should be taken into account was that of the competition which existed in some countries between road transport and other kinds of transport, such as transport by rail. It was exceedingly important that equality of labour conditions as between these different methods of transport should be realised.

In any case, the Governing Body could hardly do otherwise than include a question concerning the reduction of hours of work in the agenda of the 1938 Session of the Conference. It had entered on the procedure of dealing with this question industry by industry, and if it did not place a new question concerning the reduction of hours of work on the agenda of the Conference, a most unfortunate impression would be produced.

He presumed that the view expressed by Mr. Kirkaldy on the question of the transport of migrants was simply his own view, or at most that of the British shipowners. In any case he did not think that the Governing Body could take it into account, since it was in definite contradiction to the practice followed by all Governments as regards migration.

The Chairman said that in accordance with paragraph 1 of Article 9a of the Standing Orders of the Governing Body, the Governing Body had to decide by a first vote whether it would place on the agenda of the Conference all the items proposed or whether it would eliminate some of them.

Mr. Mertens, on behalf of the workers' group, formally proposed that the Governing Body should place all the six items which had been proposed on the agenda.

The Governing Body decided, by 16 votes to 13, to place all the six questions on the agenda of the 1938 Session of the Conference.

These six items were as follows:

- Technical and vocational education and apprenticeship.
- Regulations of contracts of employment of indigenous workers.
- Weekly rest in commerce and offices.
- Recruiting, placing and conditions of labour (equality of treatment) of migrant workers.
- Regulation of hours of work and rest periods in road transport.
- Statistics of wages and hours of work.

Invitation from the South African Government.

The Director said that the Government of the Union of South Africa had invited a delegation from the Governing Body to visit that country, particularly in connection with the question of native labour which had just been placed on the agenda of the 1938 Session of the Conference. The Governing Body would no doubt wish to accept this invitation. If so, the Office would inform Mr. Andrews, the accredited representative of the Union of South Africa to the League of Nations, and would request him to convey to the Government of the Union the appreciation and thanks of the Governing Body. Further details concerning the visit could be discussed at the same time, and a report could be submitted to a subsequent session of the Governing Body.
Le Président, au nom du Conseil d’administration, exprime la vive reconnaissance du Conseil pour l’invitation qui lui a été adressée par le Gouvernement de l’Union Sud-Africaine.

Le Conseil d’administration décide d’accepter en principe l’invitation qui lui est faite par le Gouvernement de l’Union Sud-Africaine d’envoyer une délégation dans ce pays et il exprime ses remerciements à ce Gouvernement. Il est entendu que le Bureau présentera au Conseil, à une prochaine session, un rapport sur les suites à donner à cette invitation.

SIXIÈME QUESTION A L’ORDRE DU JOUR.

Examen de la réclamation présentée par le Syndicat des travailleurs du textile de Madras au sujet de l’application dans l’Inde britannique de la convention concernant le chômage (1919).

Le Conseil d’administration ajourne l’examen de cette question à sa 79ème session.

SEPTIÈME QUESTION A L’ORDRE DU JOUR.

Suite à donner aux résolutions adoptées par la Conférence à sa XXIème session (maritime).

I. Résolutions proposant l’inscription de questions à l’ordre du jour de la Conférence.


Le Directeur indique que le Bureau se propose de poursuivre l’étude des deux questions mentionnées dans cette résolution en vue de leur inscription éventuelle à une session maritime ultérieure de la Conférence.

M. Yonekubo déclare qu’il est, dans l’ensemble, d’accord avec le Directeur quant à la suite à donner aux résolutions adoptées par la session maritime de la Conférence. La résolution qui est présentement en discussion tend toutefois à ce que la question de la réparation des accidents du travail pour les gens de mer soit inscrite à l’ordre du jour d’une session maritime future. Il ne semble pas qu’il doive y avoir une session maritime dans un proche avenir; et aussi demande-t-il au Conseil d’administration d’envisager la possibilité d’inscrire cette question à l’ordre du jour de la session ordinaire de 1939 de la Conférence.

La XXIème session de la Conférence a adopté deux projets de convention concernant, l’un, les obligations individuelles des armateurs à l’égard des gens de mer malades ou blessés, et l’autre, l’assurance-maladie des gens de mer. Ces conventions toutefois ne couvrent pas d’autres risques, tels que ceux de vieillesse, d’invalidité et de chômage. Ce sont là des questions très importantes et il espère que le Conseil d’administration envisagera la possibilité d’en saisir la Conférence en 1939.

M. Erulkar déclare que les arguments qui viennent d’être exposés ne le convainquent pas de la nécessité d’apporter une modification à la proposition faite dans la résolution, qui tend à ce que ces questions soient inscrites à l’ordre du jour d’une session maritime de la Conférence.

M. Mertens appuie la suggestion présentée par M. Yonekubo. Bien que la résolution en question ait été adoptée par une session maritime de la Conférence, c’est au Conseil d’administration de considérer s’il convient de laisser de nombreuses années s’écouler avant que la protection nécessaire soit assurée aux marins. L’avant-dernière session maritime a eu lieu en 1929, et ce n’est que sept ans plus tard que la seconde discussion des questions examinées a pu être effectuée. Le Conseil d’administration ne devrait pas attendre à nouveau de nombreuses années pour donner satisfaction aux marins, qui ont droit à la réparation des accidents du travail dans la même mesure que tous les autres travailleurs.
The Chairman, on behalf of the Governing Body, expressed its great appreciation of the invitation extended by the Government of the Union of South Africa.

The Governing Body decided in principle to accept the invitation of the Government of the Union of South Africa to send a delegation to that country, and expressed its thanks to the Government. It was agreed that the Office should submit a report to a subsequent session of the Governing Body on the action to be taken in consequence of this invitation.

SIXTH ITEM ON THE AGENDA.

Examination of the Representation made by the Madras Labour Union for Textile Workers concerning the Application of the Unemployment Convention (1919) in British India.

The Governing Body adjourned this question until its Seventy-ninth Session.

SEVENTH ITEM ON THE AGENDA.

Effect to be given to the Resolutions adopted by the Conference at its Twenty-first Session (Maritime).

I. Resolutions proposing questions for the agenda of the Conference.

1. Resolution concerning compensation for accidents and unemployment insurance.

The Director said that it was proposed that the Office should continue to study the two questions mentioned in this resolution with a view to their possible discussion at a future maritime session of the Conference.

Mr. Yonekubo said that he was in general agreement with the Director's suggestions as to the effect to be given to the resolutions adopted by the maritime session of the Conference. The resolution now under discussion, however, suggested that the question of compensation for accidents to seamen should be placed on the agenda of a future maritime session. There did not appear likely to be a maritime session in the near future, and he therefore asked the Governing Body to consider the possibility of placing the question on the agenda of the ordinary session of the Conference in 1939.

The Twenty-first Session of the Conference had adopted two Draft Conventions concerning the individual liability of the shipowner towards sick or injured seamen, and sickness insurance for seamen. These Conventions did not, however, deal with other risks such as those of old age, invalidity and unemployment. These were very important questions, and he hoped that the Governing Body would consider the possibility of placing them before the Conference in 1939.

Mr. Erulkar said that he was not convinced by the argument put forward in favour of departing from the proposal made in the resolution that these questions should be placed on the agenda of a maritime session of the Conference.

Mr. Mertens supported Mr. Yonekubo's suggestion. Although the resolution in question had been adopted by a maritime session of the Conference, it was for the Governing Body to consider whether it was right to let many years pass before the necessary protection was provided for seamen. The last maritime session but one had been held in 1929, and it was not until seven years later that the second discussion of the question then considered had taken place. The Governing Body should not again wait for many years before giving satisfaction to the seamen, who were entitled to workmen's compensation for accidents in the same way as any other workers.
M. Oersted ne peut se rallier aux vues de M. Mertens. Ce ne sont pas les membres employeurs ou travailleurs du Conseil d'administration qui ont institué les sessions maritimes de la Conférence. On sait toutefois que les deux parties intéressées, et sans aucun doute les Gouvernements également, considèrent que les questions maritimes doivent être discutées au cours des sessions maritimes spéciales de la Conférence. Si le Conseil d'administration envisageait d'inscrire la question mentionnée dans la résolution à l'ordre du jour d'une session ordinaire de la Conférence, on se heurterait à des difficultés très graves au moment où la Conférence en serait saisie.

Il pense que le Directeur estimerait comme lui qu'il serait préférable de consulter la Commission paritaire maritime à ce propos avant que des propositions déterminées soient soumises au Conseil d'administration. En tout cas, il est persuadé que l'on n'obtiendra pas de bons résultats en tentant de supprimer les sessions maritimes spéciales de la Conférence.

Le Directeur fait remarquer que c'est la dernière session maritime de la Conférence qui a émis la proposition dont le Conseil d'administration est présentement saisi. Il est tout à fait certain que la Conférence n'aurait pas adopté la résolution en question si celle-ci avait envisagé que la question à laquelle elle se réfère fût discutée à une session ordinaire de la Conférence. Dans ces conditions, la meilleure solution est celle que suggère M. Oersted, c'est-à-dire de soumettre la question à la Commission paritaire maritime qui se réunira probablement en 1937 ou en 1938.

Il ajoute que l'on procède déjà actuellement à la réparation des accidents du travail frappant les gens de mer dans presque toutes les marines marchandes importantes. Il importait évidemment que cette question fût l'objet d'un accord international, mais on ne peut pas dire qu'elle a été complètement négligée.

M. Norman signale une difficulté qui se présente au sujet des suites à donner aux résolutions adoptées à la XXIème session de la Conférence, comme au sujet d'autres questions. Le Conseil d'administration vient de décider d'inscrire six questions nouvelles à l'ordre du jour de la session de 1938. C'est là une décision très grave et il n'est pas sûr que tous ceux qui ont voté oui se soient pleinement rendu compte des conséquences de leur vote. Cela signifie que le personnel du Bureau sera à tel point absorbé par la préparation de la session de 1938 qu'il n'aura plus de temps à consacrer à d'autres sujets dont, normalement, il pourrait être désirable qu'il entreprît l'étude. Or la note relative aux suites à donner aux résolutions adoptées à la XXIème session de la Conférence prévoit que le Bureau devra soit poursuivre des études déjà entreprises, soit en aborder de nouvelles.

Il souligne qu'étant donné qu'il a voté contre l'inscription de l'ensemble des six questions à l'ordre du jour, son Gouvernement n'a pas contracté la moindre obligation morale d'envoyer à la Conférence des conseillers compétents pour toutes ces questions. Les membres qui ont voté en faveur de la proposition ont, à son avis, pris un engagement moral à cet égard. Aussi doute-t-il qu'en raison des dépenses qui en découlent la situation budgétaire de leurs pays respectifs leur permette d'entreprendre dans d'autres domaines des travaux tels que ceux qui sont envisagés dans la note en discussion.

M. Yonekubo a proposé que la question soit mise à l'ordre du jour d'une session ordinaire plutôt que d'une session maritime de la Conférence parce que l'expérience a montré combien il est difficile d'aboutir à l'adoption d'un projet de convention à une session maritime. Il a fallu seize ans pour obtenir un projet de convention sur la durée du travail à bord. En 1929 les représentants des armateurs ont menacé de se retirer de la Conférence. Les conditions lui paraissent plus favorables pour l'adoption d'une convention aux sessions ordinaires de la Conférence en raison du plus grand esprit de conciliation qui y règne.

Il demande au Directeur à quelle date la Commission paritaire maritime se réunira probablement. Il espère que ce ne sera pas plus tard qu'en 1938.

M. Mertens déclare qu'étant donné que le Directeur a proposé de soumettre l'ensemble de la question à la Commission paritaire maritime, il demande au Conseil
Mr. Oersted said that he could not agree with Mr. Mertens’ suggestion. It was not the employers’ or workers’ members of the Governing Body who had invented maritime sessions of the Conference. It was, however, known that the two parties concerned, and no doubt the Governments also, were agreed that maritime questions should be discussed at special maritime sessions of the Conference. If the Governing Body contemplated placing the question mentioned in the resolution on the agenda of the ordinary session of the Conference, very serious difficulties would arise when it actually came before the Conference.

He thought the Director would agree with him that it would be better to consult the Joint Maritime Commission on this subject before definite proposals were submitted to the Governing Body. In any case, however, he was certain that no good results would be achieved by trying to abolish the special maritime sessions of the Conference.

The Director pointed out that the authority for the proposal now before the Governing Body was derived from the last maritime session of the Conference. It was quite certain that the Conference would not have adopted the resolution in question if it had proposed that the subject to which it referred should be discussed at an ordinary session of the Conference. In those circumstances the best solution was that suggested by Mr. Oersted, namely, that the question should be referred to the Joint Maritime Commission, which would probably meet in 1937 or 1938.

He would add that seamen’s compensation for accidents already existed in nearly all important mercantile marines. It was no doubt desirable that there should be an international agreement on the subject, but the matter was not one which had been altogether neglected.

Mr. Norman said that he was faced with a difficulty which applied to the effect to be given to the resolutions adopted at the Twenty-first Session of the Conference as well as to other questions. The Governing Body had just decided to place six new questions on the agenda of the 1938 Session of the Conference. That was a very serious decision, and he was not sure whether all those who had voted in favour of it fully realised its implications. It meant that the time and attention of the Office staff would be so much engaged in preparing for the 1938 Session that it would not have time for other things which, in ordinary circumstances, it might be desirable for it to undertake. The note on the effect to be given to the resolutions adopted at the Twenty-first Session of the Conference, however, proposed that the Office should continue or undertake researches on various subjects.

He would point out that since he had voted against the proposal to place all six questions on the agenda, he had not committed his Government to any moral undertaking to send advisers to the Conference for all these subjects. The members who had voted in favour of the proposal had, in his view, undertaken such a moral obligation. He therefore doubted whether, in view of the expense which this would involve, budgetary conditions in their respective countries would permit them to engage in activities in other directions such as were suggested in the note now under consideration.

Mr. Yonekubo said that his reason for proposing that the question should be placed on the agenda of an ordinary rather than a maritime session of the Conference was that experience had shown the difficulty of getting a Draft Convention adopted at a maritime session. It had taken sixteen years to secure a Draft Convention on hours of work on board ship. In 1929 the shipowners’ representatives had threatened to leave the Conference. Conditions appeared to him to be more favourable for the adoption of a Convention at ordinary sessions of the Conference because a greater spirit of conciliation prevailed at those sessions.

He asked the Director when it was likely that the Joint Maritime Commission would meet. He hoped that it would not be later than 1938.

Mr. Mertens said that since the Director had proposed to submit the whole question to the Joint Maritime Commission he would ask the Governing Body, in a
d'administration, par esprit de conciliation, de réserver sa décision jusqu'à ce que la Commission se soit réunie.

M. Oersted répond que telle était sa proposition.

Le Conseil d'administration décide de renvoyer la résolution concernant la réparation des accidents du travail et l'assurance-chômage à la Commission paritaire maritime pour examen.

I. 2. Résolution concernant l'égalité de traitement entre les gens de mer nationaux et étrangers.

Le Directeur suggère que cette résolution soit également renvoyée à la Commission paritaire maritime, qui se réunira sans doute en 1938.

Le Conseil d'administration décide de renvoyer la résolution concernant l'égalité de traitement entre les gens de mer nationaux et étrangers à la Commission paritaire maritime pour examen.

II. Résolutions invitant le Conseil d'administration à prendre certaines mesures.

1. Résolution concernant la convocation de conférences économiques.

Il est entendu que cette résolution sera traitée dans le rapport relatif au projet de convocation d'une Conférence économique qui doit être soumis au Conseil d'administration lors de sa 79ème session.

II. 2. Résolution concernant le « contractor system ».

Le Conseil d'administration charge le Bureau de procéder à certaines recherches préliminaires sur le sujet mentionné dans cette résolution.

II. 3. Résolution concernant le logement des équipages à bord des navires marchands.

Le Conseil d'administration charge le Bureau de préparer un rapport sur cette question pour la prochaine session de la Commission paritaire maritime.

III. Résolution proposant l'étude d'une question par le Bureau international du Travail.

1. Résolution concernant les salaires des gens de mer.

Le Directeur rappelle qu'aux termes de cette résolution le Bureau continuerait, en les développant, ses travaux de compilation périodique de données sur les salaires et autres questions pouvant affecter les conditions de concurrence. Cette question est complexe et délicate. Aussi suggère-t-il qu'avant de publier quoi que ce soit sur le sujet, le Bureau dresse un plan d'études et consulte la Commission paritaire maritime lors de sa prochaine session.

M. Erulkar fait remarquer que, d'après la note du Bureau, il semble que l'on se propose d'étudier certaines questions qui, à son avis, sortent du cadre de cette résolution. Les réserves de pavillon et le traitement différentiel des pavillons, par exemple, sont des questions qui présentent également un caractère politique. Or le préambule montre clairement que la résolution prévoyait que les études ne porteraient que sur les conditions de travail affectant la concurrence. La proposition faite par le Bureau va donc au-delà des intentions des auteurs de la résolution.

M. Oersted déclare qu'à son avis la proposition du Directeur pourrait être adoptée, à la condition qu'il soit entendu que l'on ne prendra une décision définitive qu'après consultation de la Commission paritaire maritime.

Il a été lui aussi quelque peu surpris de l'étendue des études envisagées. En outre, il ne voit pas tout à fait clairement quel est le sens de certains des termes de la note du Bureau tels que : réserves de pavillon. Il ne conteste toutefois pas au Bureau le
spirit of conciliation, to reserve its decision until the Joint Maritime Commission had met.

Mr. Oersted said that this was what he had proposed.

The Governing Body decided to refer the resolution concerning compensation for accidents and unemployment insurance to the Joint Maritime Commission for consideration.

I. 2. Resolution concerning equality of treatment for national and foreign seamen.

The Director suggested that this resolution should also be referred to the Joint Maritime Commission, which would no doubt be meeting in 1938.

The Governing Body decided to refer the resolution concerning equality of treatment for national and foreign seamen to the Joint Maritime Commission for consideration.

II. Resolutions requesting the Governing Body to take action.

1. Resolution concerning the calling of economic conferences.

The Governing Body agreed that this resolution should be dealt with in the report on the proposal to call an economic conference which was to be submitted to the Governing Body at its Seventy-ninth Session.

II. 2. Resolution concerning the "contractor system".

The Governing Body instructed the Office to make certain preliminary researches on the question mentioned in this resolution.

II. 3. Resolution concerning accommodation of crews on board cargo vessels.

The Governing Body instructed the Office to prepare a report on this question for submission to the next meeting of the Joint Maritime Commission.

III. Resolution proposing a question for study by the International Labour Office.

1. Resolution concerning seamen's wages.

The Director said that this resolution proposed that the Office should extend its work in connection with the periodic collection of information on wages and other matters relating to competitive conditions. This was a complex and difficult question, and it was suggested that before anything was published on the subject the Office should prepare a plan for the study and consult the Joint Maritime Commission at its next session.

Mr. Erulkar said that in the note of the Office it was apparently proposed to study certain questions which in his view were not intended to be covered by this resolution. For instance, trade reservations and flag discrimination were questions also of a political nature, whereas it was clear from the preamble that the resolution intended the study to relate solely to competitive conditions of labour. The proposal made by the Office thus went beyond the intentions of the authors of the resolution.

Mr. Oersted said that in his view the Director's proposal could be adopted on the understanding that no final decision was taken until the Joint Maritime Commission had been consulted.

He had also been somewhat surprised at the extent of the studies proposed. In addition, some of the terms of the Office note, such as flag discrimination, were not quite clear to him. He did not, however, deny the right of the Office to deal with
droit de s’occuper de cet aspect de la question, car il n’ignore pas que cette résolution a été amendée sur proposition de M. Odéfjell, président du groupe des armateurs à la session maritime de la Conférence. Bien que le Bureau aille peut-être un peu loin, il ne voit pas d’inconvénient à ce que la question soit étudiée, à condition qu’aucune décision définitive ne soit prise actuellement.

M. Jouhaux n’est pas convaincu que les questions mentionnées dans cette résolution relèvent entièrement de la compétence de la Commission paritaire maritime. Il ne voit pas comment l’on pourrait isoler la question des salaires des gens de mer de la question générale des salaires des travailleurs. C’est là un problème qui est tout à fait indépendant des conditions spéciales des transports maritimes. Les autres questions mentionnées dans la résolution sont des sujets d’économie et de politique générales pour lesquels la Commission paritaire maritime n’est en aucune manière compétente. Elles se rapportent à des mesures prises par les Gouvernements dans le cadre de leur politique générale et non pas spécialement à l’égard des transports maritimes. Si ces mesures doivent être étudiées, il faut par conséquent les envisager dans leur ensemble et en relation avec les causes qui ont conduit à leur adoption. Elles ne pourraient pas être traitées uniquement du point de vue spécial des transports maritimes.

Le Directeur fait remarquer qu’il ne propose pas de consulter la Commission paritaire maritime sur la question des salaires des gens de mer. Ainsi qu’il l’a signalé dans sa note, le Bureau publie régulièrement des données relatives aux salaires dans la marine marchande. Le point sur lequel la Commission paritaire maritime doit être consultée est celui des «autres questions pouvant affecter les conditions de concurrence». Les auteurs de la résolution ont eu certainement pour intention que le Bureau allât beaucoup plus loin qu’il ne l’a fait jusqu’à présent et qu’il traitât des diverses questions mentionnées dans la note. Il n’est cependant pas tout à fait convaincu qu’il soit possible ou désirable de traiter ces questions; c’est pourquoi il a suggéré que la Commission paritaire maritime fût consultée au sujet de l’ensemble des autres conditions de concurrence. Il ne saurait actuellement affirmer que le Bureau serait en mesure de traiter certaines de ces questions, qui sont extrêmement ardues.

Il est donc pleinement d’accord avec M. Oersted.

Le Conseil d’administration approuve les suggestions du Directeur quant à la suite à donner à la résolution concernant les salaires des gens de mer.

M. Jouhaux tient à faire cette réserve qu’à son avis la seconde série de questions dont le Directeur a parlé ne sont pas de la compétence spécifique de la Commission paritaire maritime.

La séance est levée à 18 heures 50.

JAROMIR NEČAS.
this aspect of the question, since he was aware that the resolution had been amended on the proposal of Mr. Odfjell, Chairman of the shipowners' group at the maritime session of the Conference. Although the Office was perhaps going somewhat far, there was no reason why the question should not be studied so long as no final decision was taken at present.

Mr. Jouhaux said that he was not convinced that the questions mentioned in this resolution belonged entirely to the sphere of the Joint Maritime Commission. He did not see how the question of seamen's wages could be dealt with apart from the general question of workers' wages. The question had nothing to do with the special conditions of the shipping industry. The other questions mentioned in the resolution were general economic and political ones with which the Joint Maritime Commission was in no way competent to deal. They were measures taken by Governments as part of their general policy, and not in connection with shipping of such. If they were to be considered they must therefore be taken as a whole and in relation to the causes which led to their adoption. They could not be dealt with solely from the special point of view of the shipping industry.

The Director pointed out that it was not proposed to consult the Joint Maritime Commission on the question of seamen's wages. As was pointed out in its note, the Office regularly published figures about wages in the mercantile marine. The question on which the Joint Maritime Commission was to be consulted was that of "other matters relating to competitive conditions". It was undoubtedly the intention of the authors of the resolution that the Office should go much further than it had hitherto done and deal with the various questions mentioned in the note. He was, however, not altogether convinced whether it was practicable or desirable to deal with these questions and it was therefore proposed that the whole question of other competitive conditions should be referred to the Joint Maritime Commission. He could not at present give any definite undertaking that the Office would be able to deal with some of these questions, which were extremely difficult. He was therefore in full agreement with Mr. Oersted.

The Governing Body approved the Director's suggestions concerning the effect to be given to the resolution on seamen's wages.

Mr. Jouhaux made the reservation that in his view the second series of questions to which the Director had referred did not fall within the specific competence of the Joint Maritime Commission.

The sitting closed at 6.50 p.m.

JAROMÍR NEČAS.
PROCÉS-VERBAL DE LA TROISIÈME SÉANCE.

(Vendredi 5 février 1937 — 10 heures 5 du matin.)


Absents : M. MARKUS, M. de MICHELIS.

HUITIÈME QUESTION A L'ORDRE DU JOUR.

Questions se posant à la suite de l'examen des rapports annuels sur l'application des conventions.

1. Difficultés matérielles auxquelles s'est heurtée, à la Conférence, la Commission de l'application des conventions.

Le Président déclare que cette question sera traitée à l'occasion de l'examen du rapport de la Commission du règlement.

Cette procédure est approuvée.

2. Exposé sommaire contenant des informations relatives aux services d'inspection du travail.

Le Directeur indique que, le Conseil ayant décidé de convoquer une réunion d'inspecteurs du travail en 1937, l'exposé en question sera préparé pour cette réunion.

Le Conseil d'administration approuve cette procédure.

3. Difficultés d'application et d'interprétation de la convention n° 27 : indication du poids sur les colis transportés par bateau.

Le Directeur souligne que, comme l'indique la note soumise au Conseil, le Gouvernement japonais applique la convention, en vertu d'une ordonnance qui est considérée, dans certains milieux, comme soulevant une question d'interprétation analogue à celle qui pourrait se poser dans le cas de l'Allemagne. Toutefois, M. Yoshisaka, parlant en qualité de représentant du Gouvernement japonais, a fait connaître à la Commission de l'application des conventions, lors de la XXème session de la Conférence, que l'exception prévue par l'ordonnance japonaise vise les marchandises manipulées en vrac (bois, pierre, barres de fer, etc.).

Toutefois, en dehors des questions d'interprétation qui pourraient se poser, il est certain qu'au moins un pays, la Belgique, s'est heurté à des difficultés pratiques dans l'application de la convention; en outre, les gouvernements de certains autres pays ont également mentionné dans leurs rapports diverses difficultés. Dans son rapport, le Bureau demande à être autorisé à entrer en contact avec les gouvernements de ces pays en vue de faire préciser la nature exacte des difficultés, de caractère administratif ou technique, qui les ont empêchés d'aboutir à une application complète de la convention. C'est seulement lorsque le Bureau aura obtenu des renseignements plus complets qu'il sera possible au Conseil de traiter la question.

M. KITAOKA est heureux de constater que le Bureau a bien compris la situation de fait au Japon. Comme d'ailleurs M. Yoshisaka l'avait exposé à la dernière session
MINUTES OF THE THIRD SITTING.

(Friday, 5 February 1937—10.5 a.m.).

The Governing Body was composed as follows: Mr. Nečas, Chairman; Mr. Andersson, Mr. Čurčin, Mr. Duffy, Mr. Erulkar, Mr. Fabra Ribas, Mr. Goodrich, Mr. Hayday, Mr. Jouhaux, Mr. Kirkaldy, Mr. Kitaoka, Mr. Komarnicki, Mr. Lambert-Ribot, Mr. Li Ping-Heng, Mr. Mannio, Mr. Mertens, Mr. Muniz, Mr. Němecék, Mr. Norman, Mr. Oersted, Mr. Pardo, Mr. Picquenard, Mr. Rau, Mr. Riddell, Mr. Schürch, Mr. Sherrard, Mr. Tzaut, Mr. Villa Michel, Mr. Volkmann, Mr. Yonekubo.

Absent: Mr. Markus, Mr. de Michelis.

EIGHTH ITEM ON THE AGENDA.

Questions arising out of the Examination of the Annual Reports on the Application of Conventions.

1. Material difficulties encountered by the Conference Committee on the Application of Conventions.

The Chairman said that this question would be dealt with during the discussion of the report of the Standing Orders Committee.

This was agreed.

2. Summary statement giving information regarding factory inspection services.

The Director said that now that the Governing Body had decided to convene a meeting of factory inspectors in 1937, the statement in question would be prepared for that meeting.

The Governing Body approved that procedure.

3. Difficulties of application and interpretation of Convention No. 27, Marking of the Weight on Heavy Packages.

The Director said that, as was pointed out in the note before the Governing Body, the Japanese Government applied the Convention in virtue of an Ordinance which it was thought in some quarters raised a similar question of interpretation to that which might arise in the case of Germany. Mr. Yoshisaka, however, speaking as the representative of the Japanese Government, had informed the Committee on the Application of Conventions at the Twentieth Session of the Conference that the exception contained in the Japanese Ordinance applied to iron bars, stone, timber, etc., handled or manipulated in bulk.

Apart, however, from any question of interpretation that might arise, it was clear that at least one country, namely Belgium, had experienced practical difficulties in applying the Convention, and the Governments of other countries had also mentioned difficulties in their reports. The Office therefore suggested in the note that it should be authorised to get into touch with the Governments concerned with a view to ascertaining the precise nature of the difficulties, administrative or technical, which had hindered them in securing the complete application of the Convention. It would only be when the Office had obtained fuller information that the Governing Body could deal with the matter.

Mr. Kitaoka said that he had been glad to learn that the Office had understood the actual situation in Japan. As Mr. Yoshisaka had explained at the last session.
de la Conférencé, l’ordonnance japonaise est basée sur le rapport soumis par la Commission compétente et approuvé par la Conférence. Dans la mesure où l’interprétation de la Conférence est acceptée, le Conseil peut avoir l’assurance que le Japon continuera à appliquer loyalement la convention.

Le Conseil approuve les propositions du Directeur, aux termes desquelles le Bureau entrera en contact avec les Gouvernements intéressés.

NEUVIÈME QUESTION A L’ORDRE DU JOUR.

Compte rendu de la réunion de la Commission technique des verreries.

M. Picquenard, Président et Rapporteur de la Commission, se félicite de l’appui et de la collaboration qu’ont apportés à la Commission tous les experts des divers groupes. Les conclusions auxquelles a abouti la Commission figurent dans la résolution adoptée par elle et qui a déjà fait l’objet d’un examen au sein du Conseil, lorsque ce dernier a procédé au choix préliminaire des questions susceptibles de figurer à l’ordre du jour de la session de 1938 de la Conférence. Conformément aux termes de cette résolution, il avait alors invité le Conseil à retenir la question de la réduction de la durée du travail dans les verreries, en vue de l’élaboration d’un projet de convention ; mais le Conseil n’a pas accepté cette proposition. Tout en la regrettant, il ne peut que s’incliner devant cette décision. Dans ces conditions, la résolution ne pourra être retenue que lorsque le Conseil aura à examiner l’ordre du jour d’une session ultérieure de la Conférence. Le Gouvernement français se réserve à ce moment le droit de reprendre la résolution votée par la Commission et de demander au Conseil d’inscrire la question à l’ordre du jour de la session de 1939 de la Conférence.

Le Président déclare que le Conseil d’administration est appelé à prendre note du compte rendu de la Réunion de la Commission technique des verreries. La question mentionnée dans la résolution adoptée par la Commission sera à nouveau soumise au Conseil lorsque celui-ci établira l’ordre du jour de la session de 1939 de la Conférence.

Le Conseil d’administration prend note du compte rendu de la réunion de la Commission technique des verreries.

TREIZIÈME QUESTION A L’ORDRE DU JOUR.

Rapport du Directeur.

Nécrologie.

Le Directeur est convaincu que tous les membres du Conseil ont appris avec une profonde tristesse la mort de Jules Gautier, qui était un vieil ami pour la plupart d’entre eux, et un très vieil ami de l’Organisation. Les membres du Conseil seront, sans aucun doute, unanimes pour adresser leurs condoléances à la veuve de Jules Gautier.

M. Mertens croit de son devoir de rappeler publiquement l’estime que le groupe des travailleurs éprouvait à l’égard de Jules Gautier, qui a loyalement collaboré pendant de longues années à l’œuvre de l’Organisation internationale du Travail. Tous ceux qui ont eu l’honneur de travailler avec lui connaissaient ses qualités de cœur et son dévouement à la cause de la justice sociale.

M. Oersted tient à s’associer aux paroles qui viennent d’être prononcées par M. Mertens. Lui aussi a eu le privilège de connaître Jules Gautier pendant de longues années et d’apprécier sa culture, son grand talent, sa courtoisie. Ses qualités avaient frappé tous ceux qui avaient collaboré avec lui au sein de diverses commissions. Les membres du groupe des employeurs garderont de Jules Gautier le meilleur souvenir et tiennent, à l’occasion de sa disparition, à exprimer leurs condoléances au Gouvernement français.
of the Conference, the Japanese Ordinance was drafted on the basis of the report submitted by the competent Committee and approved by the Conference. In so far as the interpretation of the Conference was accepted, the Governing Body could be assured that Japan would loyally apply the Convention.

_The Governing Body approved the Director’s suggestion that the Office should get into touch with the Governments concerned._

**NINTH ITEM ON THE AGENDA.**

*Record of the Meeting of the Technical Committee on Glass Works.*

_Mr. Picquenard_, Chairman and Reporter of the Committee, expressed his appreciation of the support and collaboration which the Committee had received from all the experts in every group. The conclusions at which the Committee had arrived were embodied in the resolution which it had adopted and which the Governing Body had already considered when it had made a preliminary choice of the questions which might be placed on the agenda of the 1938 Session of the Conference. In accordance with the resolution he had requested the Governing Body to select the question of the reduction of hours of work in the glass industry with a view to the preparation of a Draft Convention. The Governing Body had, however, not agreed to that proposal, and although he regretted it he had to bow before the decision taken. In the circumstances, the resolution would have to wait over until the Governing Body considered the agenda of a subsequent Conference. The French Government reserved the right at that moment to bring the Committee’s resolution forward again and to ask the Governing Body to place the question on the agenda of the 1939 Session of the Conference.

_The Chairman_ said that the Governing Body was asked to take note of the Record of the meeting of the Technical Committee on Glass Works. The question mentioned in the resolution of the Technical Committee would come before the Governing Body again when it fixed the agenda of the 1939 Session of the Conference.

_The Governing Body took note of the Record of the meeting of the Technical Committee on Glass Works._

**THIRTEENTH ITEM ON THE AGENDA.**

*The Director’s Report.*

_Obituaries._

_The Director_ said that all members of the Governing Body would have learnt with great sorrow of the death of Mr. Jules Gautier. He was an old friend of almost all of them, and a very old friend of the Organisation. The Governing Body would unanimously agree in expressing its sympathy with Mr. Gautier’s widow.

_Mr. Mertens_ said that he felt it his duty to give a public expression to the esteem which the workers’ group had felt for the late Mr. Gautier. He had collaborated loyally for many years with the International Labour Organisation, and all those who had had the privilege of working with him were aware of his kind-heartedness and his devotion to the cause of social justice.

_Mr. Oersted_ associated himself with what Mr. Mertens had just said. He also had had the privilege of knowing Mr. Gautier for many years and had appreciated his knowledge, his great ability and his graciousness. Those qualities had been evident to all who had worked with him on various Committees. The members of the employers’ group would always remember Mr. Gautier with respect, and expressed their sympathy with the French Government on the occasion of his death.
M. Riddell s'associe aux paroles de sympathie prononcées par les orateurs précédents. C'est en 1922 qu'il a eu le plaisir de collaborer pour la première fois avec Jules Gautier et, depuis, il a eu l'occasion de le faire souvent tant au sein de l'Organisation internationale du Travail qu'à la Société des Nations. Jules Gautier était un homme de grande intelligence et de capacités exceptionnelles et un chaud partisan de la collaboration internationale.

Le Président tient à associer le Conseil d'administration tout entier à l'hommage rendu à la mémoire de Jules Gautier; le souvenir de cet homme éminent vivra toujours dans la mémoire de ceux qui l'ont connu.

M. Picquenard remercie le Conseil d'administration, au nom du Gouvernement français et en son propre nom — car Jules Gautier était pour lui un grand ami — pour l'hommage rendu à sa mémoire par le Président et par les représentants des différents groupes. Il ne manquera pas de faire part au Gouvernement français et à la famille de Jules Gautier des témoignages de sympathie qui ont été exprimés au sein du Conseil.

Le Directeur pense que les membres du Conseil tiendront également à exprimer toute leur sympathie à la famille du professeur Kettle, qui était l’un des membres les plus anciens et les plus éminents du Comité de correspondance pour l’hygiène industrielle. Le Professeur Kettle a consacré une grande partie de sa vie à la lutte contre la silicose. Il avait tenu à venir à Genève en octobre dernier, à la réunion du Comité qui s’est occupé de la question, bien qu’à l’époque l’état de sa santé rendît ce déplacement dangereux.

Il est entendu que le Bureau transmettra aux familles de M. Jules Gautier et du Professeur Kettle l’expression de la sympathie du Conseil d’administration.

Conférence régionale de représentants des services d’inspection du travail des pays de l’Europe orientale.

Le Directeur déclare que cette conférence, dont la convocation avait été décidée antérieurement, s’ouvrira à Vienne le 24 mai 1937.

Le Conseil d’administration prend note de cette indication.

Conférence de statisticiens.

Le Directeur fait connaître que le Bureau propose de convoquer cette conférence le 27 septembre 1937, en limitant son ordre du jour à l’examen d’un avant-projet de convention sur les statistiques des salaires et de la durée du travail. Il est proposé de renvoyer la discussion de la question des statistiques du chômage des jeunes gens à une autre conférence des statisticiens chargée d’étudier les statistiques de l’emploi et du chômage qui se réunirait à une date ultérieure.

M. Mertens approuve la proposition du Directeur. Toutefois, il estime que le Conseil doit être appelé à décider s’il tient ou non à être représenté à cette conférence; si ses souvenirs sont exacts la question a déjà été soulevée.

Le Directeur répond à M. Mertens que le Conseil a déjà décidé de ne pas être représenté au Comité d’experts statisticiens en raison de son caractère hautement technique. Dans son opinion, le caractère de la conférence en question sera tout aussi technique.

Le Conseil approuve les propositions du Directeur concernant la Conférence de statisticiens.

Commission des charges sociales.

Le Directeur rappelle que le Bureau suggère au Conseil d’ajourner la réunion de la Commission des charges sociales dont il a autorisé la convocation, et de la convoquer à l’occasion de la 79ème session.
Mr. Riddell also associated himself with the expressions of sympathy offered by the previous speakers. The first time he had had the pleasure of working with Mr. Gautier was in 1922, and that pleasure had been renewed during subsequent years in connection both with the International Labour Organisation and the League of Nations. Mr. Gautier was a man of great intelligence and of real ability and a true friend of international co-operation.

The Chairman said that the whole Governing Body would wish to join in the tribute which had been paid to Mr. Gautier's memory. His outstanding personality would long be remembered by all who had known him.

Mr. Picquenard thanked the Governing Body on behalf of the French Government, and also in his own name—for Mr. Jules Gautier had been a great friend of his—for the tribute paid to his memory by the Chairman and by the representatives of the different groups. He would not fail to bring the Governing Body's expressions of sympathy to the notice of the French Government and Mr. Gautier's family.

The Director said that the Governing Body would doubtless also wish to express its sympathy to the family of Professor Kettle, who had been one of the earliest and most eminent members of the Correspondence Committee on Industrial Hygiene. Professor Kettle had spent much of his life in combating silicosis and he had come to Geneva last October to the meeting of the Committee which dealt with that subject, although the state of his health had made it dangerous for him to do so.

It was agreed that the Office should convey an expression of the Governing Body's sympathy to the families of Mr. Jules Gautier and Professor Kettle.

Regional Conference of representatives of factory inspection services in Eastern European countries.

The Director said that this Conference, which the Governing Body had already decided to hold, would open at Vienna on 24 May 1937.

The Governing Body noted this information.

Conference of Statisticians.

The Director said that it was proposed to convene this Conference on 27 September 1937, and that its agenda would be confined to the discussion of a draft for a Convention on statistics of wages and hours of work. It was suggested that the question of unemployment statistics for young persons should be dealt with at a further conference of statisticians on the statistics of employment and unemployment to be held at some later date.

Mr. Mertens agreed with the Director's proposal, but thought that the Governing Body should decide whether it would be represented at this Conference. He believed that that question had already been raised.

The Director said that the Governing Body had decided not to be represented on the Committee of Statistical Experts on account of its highly technical character. In his opinion the Conference would not be any less technical.

The Governing Body approved the Director's proposals with regard to the Conference of Statisticians.

Committee on Social Charges.

The Director said that it was suggested that the meeting of the Committee on Social Charges which the Governing Body had authorised should be adjourned and held in connection with the Seventy-ninth Session.
M. Oersted demande au Directeur s'il ne pourrait pas dresser un programme d'ensemble des diverses réunions qui auraient lieu immédiatement avant ou après la 79ème session du Conseil.

Il est entendu que le Directeur soumettra un programme de réunions qui sera examiné en même temps que le 14ème point de l'ordre du jour.

Comité de correspondance pour la prévention des accidents.

Le Directeur rappelle que le Bureau propose que le Comité de correspondance pour la prévention des accidents se réunisse immédiatement après la Conférence ou même, si cela est possible, au cours de la Conférence. L'ordre du jour de la session serait le suivant :

1) Discussion d'un projet de monographie sur la sécurité dans l'emploi des échelles et escabeaux (Rapporteur : M. Verwilst, Bruxelles).
2) Discussion d'un projet de monographie sur la manutention sans danger des fluides corrosifs (Rapporteurs : M. Morley, Toronto, et M. Kjaer, Washington).
3) Discussion d'un projet de monographie sur la protection des mains et des pieds des ouvriers occupés dans la métallurgie et les fonderies de fer (Rapporteur : M. van de Weyer, Bruxelles).
4) Discussion d'un projet de monographie sur les écrans protecteurs (Rapporteur : M. van de Weyer).
5) Divers.

M. Oersted espère qu'il ne s'agit pas d'aborder sous le point 5 une question à laquelle le Conseil d'administration n'aurait pas donné son approbation.

M. Tzaut insiste pour que la réunion de ce Comité n'ait pas lieu pendant la Conférence. Les délégués ont déjà suffisamment de peine à assister aux réunions de la Conférence et il leur serait impossible de participer, en outre, aux travaux d'un comité extérieur.

Le Directeur a proposé de convoquer le Comité au cours de la Conférence parce que la plupart des membres du Comité seront à Genève à l'occasion de l'examen du problème de la sécurité dans l'industrie du bâtiment. Il arrive souvent que pendant deux ou trois jours la Conférence ne soit pas surchargée de travaux. En tout cas le Comité ne serait pas convoqué avant que tous ses membres aient été consultés quant à la date de convocation.

En ce qui touche l'observation de M. Oersted, il est disposé, pour sa part, à supprimer le point 5 intitulé « Divers ».

Le Conseil d'administration approuve l'ordre du jour de la réunion du Comité de correspondance pour la prévention des accidents et supprime le point 5 « Divers ». Il est entendu que la date de la réunion sera fixée après consultation des membres du Comité.

Commission consultative des travailleurs intellectuels.

Le Directeur déclare que le Bureau propose au Conseil d'autoriser la convocation de cette commission à l'occasion de la 79ème session du Conseil. L'ordre du jour de la réunion serait le suivant :

1) Protection du titre et organisation de la profession d'expert-comptable.
2) Droit moral des travailleurs intellectuels salarisés sur leurs créations en matière d'arts appliqués (étude préliminaire).
3) Indemnisation des travailleurs intellectuels dont l'emploi est supprimé, après de longs services, par suite de la réorganisation d'une entreprise.
4) Étude sur l'application aux travailleurs intellectuels de la protection prévue dans les conventions élaborées par la Conférence internationale du Travail.
Mr. Oersted asked the Director whether he could draw up a programme of all the various meetings which would take place immediately before or after the Seventy-ninth Session of the Governing Body.

It was agreed that the Director should submit a programme of meetings which would be discussed in connection with the fourteenth item on the agenda.

**Correspondence Committee on Accident Prevention.**

The Director said that it was proposed that the Correspondence Committee on Accident Prevention should meet immediately after the Conference, or even during the Conference if that were feasible. The proposed agenda was as follows:

1. Discussion of a draft monograph on safety in the use of ladders. (Reporter, Mr. Verwilst, Brussels).
2. Discussion of a draft monograph on the safe handling of corrosive liquids. (Reporters, Mr. Morley, Toronto, and Mr. Kjaer, Washington).
3. Discussion of a draft monograph on the protection of the hands and feet of workers employed in metal works and iron foundries. (Reporter, Mr. Van de Weyer, Brussels).
4. Discussion of a draft monograph on protective screens. (Reporter, Mr. Van de Weyer).
5. Miscellaneous.

Mr. Oersted said that he hoped that it was not intended under the fifth item on this agenda to deal with some new question to which the Governing Body had not yet given its approval.

Mr. Tzaut urged that the meeting of the Committee should not take place during the Conference. The delegates already had sufficient difficulty in attending the meetings of the Conference, and could not take part in another outside Committee.

The Director said that he had suggested that the Committee should meet during the Conference because most of the members would be in Geneva for the discussion on safety in the building trade. It frequently happened that there were two or three days during which the Conference was not over-occupied. In any case the meeting of the Committee would not be convened until all its members had been consulted as regards the date.

As regards the point raised by Mr. Oersted, he was prepared to delete item 5, "Miscellaneous".

The Governing Body approved the agenda for the meeting of the Correspondence Committee on Accident Prevention and decided to delete item 5, "Miscellaneous". It was agreed that the date of the meeting would be after the members of the Committee had been consulted.

**Advisory Committee on Professional Workers.**

The Director said that it was proposed that the Governing Body should authorise the Office to call a meeting of this Committee in connection with the Seventy-ninth Session of the Governing Body. The proposed agenda was as follows:

1. Protection of titles and professional organisation for chartered accountants.
2. Moral right of professional workers in receipt of a salary over their creations in the sphere of applied arts (preliminary study).
3. Compensation for professional workers whose posts are abolished, after long service, owing to the reorganisation of an undertaking.
4. Study of the application to professional workers of the protective measures laid down in the Conventions adopted by the International Labour Conference.
L’ordre du jour envisagé comportait également un point 5 intitulé « Divers » que le Directeur propose de supprimer.

M. Norman suggère la suppression du point 2. Depuis que le Conseil a examiné pour la dernière fois les questions concernant les travailleurs intellectuels, en juin 1936, il a pris des décisions qui ont accru considérablement les travaux du Bureau et des commissions qui en dépendent. Aussi croit-il qu’il serait nécessaire de réduire autant que possible celles de ses activités sur lesquelles aucune décision précise n’a encore été prise. La question qu’il vient de mentionner lui paraît relativement peu importante et l’on ferait une économie de temps et d’énergie si on la rayait de l’ordre du jour.

M. Kirchdy estime qu’en raison du programme très chargé de la session de mai du Conseil, il serait préférable d’ajourner la réunion de la Commission consultative des travailleurs intellectuels. Il demande, d’autre part, des précisions quant à la portée du point 2, dont le libellé n’est pas clair.

M. Oersted demande des précisions sur la portée du point 3. Il ne conteste aucunement le droit moral des employés qui ont travaillé pendant de longues années dans une entreprise à recevoir une certaine indemnité, conformément à leur contrat. Mais il voudrait savoir ce que signifie exactement la réorganisation d’une entreprise. Il ne pourrait accepter sans explications plus détaillées qu’on envisage un accord international qui obligerait un employeur à donner une indemnité à tous ses employés au cas où il se trouverait contraint de supprimer entièrement son entreprise.

Le Directeur pense que l’on pourrait fixer la date de la réunion en question à l’occasion de l’examen du programme général des travaux de la prochaine session du Conseil.

Il tient à rappeler au Conseil que l’ordre du jour envisagé pour cette réunion a été établi, non par le Bureau international du Travail, mais par le bureau de la Commission consultative des travailleurs intellectuels, au cours de deux réunions. Le point 2 a été retenu lors d’une première réunion à laquelle participaient M. de Michelis, M. Olivetti et M. Jouhaux, et le point 3 lors d’une réunion ultérieure à laquelle ont pris part M. de Buen, M. Waline et M. Schürch. Peut-être ceux des membres du Conseil présents qui ont assisté à ces réunions pourraient-ils donner des éclaircissements sur les points soulevés par M. Norman et M. Oersted.

M. Mannio, sans avoir pris part aux travaux de cette Commission, a quelque connaissance des questions envisagées. Il n’a pas l’intention d’aborder le fond de ces questions, qui sont de caractère technique. Toutefois, il peut donner au Conseil l’assurance qu’elles sont d’un grand intérêt pour les travailleurs intellectuels et qu’elles ont fait l’objet d’une étude approfondie de la part du bureau de la commission. Il croit qu’il est de coutume que les commissions proposent elles-mêmes diverses questions pour inscription à leur ordre du jour et que le Conseil ne discute pas alors en détail ces différents points. Le Conseil décide si la commission doit se réunir et réduit parfois le nombre des questions figurant à son ordre du jour. Mais il croit que ce serait perdre du temps que de discuter d’une manière détaillée les différentes questions proposées. Il estime qu’il serait tout à fait indiqué de convoquer cette commission au printemps, puisqu’on a l’habitude de la réunir tous les deux ans. En outre, l’opinion publique demande que les travaux de cette commission soient activement poursuivis.

M. Oersted ne peut accepter, comme le suggère M. Mannio, que le Conseil renonce à discuter l’ordre du jour proposé par une commission pour sa prochaine session. Il estime que le Conseil a le devoir de discuter de telles propositions. Il regrette que M. Mannio n’ait pas apporté de précisions quant à la question soulevée par lui, et se soit borné à indiquer que les problèmes envisagés ont un caractère trop technique pour être examinés au sein du Conseil. Pour sa part, il tient essentiellement à connaître la portée exacte des questions que les Commissions sont appelées à traiter.
The proposed agenda had also included an item 5, "Miscellaneous". The Director proposed that it should be deleted.

Mr. Norman suggested the deletion of item 2. Since the Governing Body had last considered questions relating to professional workers in June 1936, it had taken decisions which had much increased the work of the Office and of the Committees attached to it. He thought, therefore, that it would be necessary to reduce as far as possible activities which had not already been decided on. The question to which he had referred seemed to be comparatively unimportant, and time and effort would be saved if it were omitted.

Mr. Kirkaldy thought that in view of the great congestion of the programme of the May Session of the Governing Body, the proposed meeting might be postponed. He also asked for an explanation of the exact meaning of point 2, the title of which was not clear.

Mr. Oersted asked for information as to the exact meaning of item 3. He had no intention of questioning the moral right of employees who had worked for many years in an undertaking to receive some compensation in accordance with their contract. He wished to know, however, exactly what was meant by the reorganisation of an undertaking. He could not agree without more detailed explanation that an international agreement should be contemplated whereby an employer would be obliged to compensate all his employees in the case of his being compelled to close down his undertaking.

The Director suggested that the date of the meeting might be considered in connection with the general programme of the next session of the Governing Body.

He would remind the Governing Body that the agenda proposed for this meeting had been drawn up not by the Office, but by the Officers of the Advisory Committee on Professional Workers, who had met twice. Item 2 was decided on at the first meeting in which Mr. de Michelis, Mr. Olivetti and Mr. Jouhaux had taken part, and item 3 at a later meeting in which Mr. de Buen, Mr. Waline and Mr. Schürch had taken part. Perhaps some of the members present who had attended those meetings could throw light on the points raised by Mr. Norman and Mr. Oersted.

Mr. Mannio said that although he had not taken part in the work of its Committee, he had some knowledge of the questions suggested for the agenda. He did not propose to enter into the substance of the questions, which were of a technical nature, but he could assure the Governing Body that they were of great interest to professional workers and had been studied carefully by the Officers of the Committee. He thought it was usual that Committees should themselves propose various questions for their agenda, and that the Governing Body did not discuss those questions in detail. The Governing Body decided whether the Committee should meet, and sometimes reduced the number of questions on its agenda. It would, however, be a waste of time to discuss the various questions proposed in detail. He thought that it would be advisable to call the Committee in the spring, since it was usual for it to meet every two years. Moreover, public opinion demanded that the work with which the Committee was concerned should be actively continued.

Mr. Oersted said that he could not accept Mr. Mannio's suggestion that the Governing Body should refrain from discussing the agenda proposed by a Committee for its next meeting. It was the duty of the Governing Body to discuss such proposals. He regretted that Mr. Mannio had not given a more detailed explanation as regards the question which he had raised, but had merely suggested that the problems were too technical to be discussed in the Governing Body. Personally, he thought it essential to know exactly what was meant by the questions which were to be discussed by Committees.
M. Jouhaux se demande s’il est opportun de discuter l’ordre du jour de la réunion avant d’avoir décidé si cette réunion doit se tenir et, dans l’affirmative, à quelle date. Sans être expert sur les questions dont il a été fait mention, il considère que le libellé du point 2 est parfaitement clair. Toutefois, c’est seulement au cours de la discussion même de cette question qu’il sera possible pour les auteurs de l’ordre du jour de définir les possibilités d’action pratique qu’ils avaient en vue dans ce domaine.

M. Norman constate qu’aucune explication n’a encore été donnée sur la portée exacte du point 2. Comme, d’autre part, le personnel du Bureau est occupé à étudier de très nombreux problèmes dont certains présentent une grande importance, il estime impossible de lui demander de négliger ces études pour établir un rapport sur un problème de la nature de celui que vise le point 2. Il serait également superflu de convoquer à Genève un certain nombre d’experts pour examiner ce point. C’est pourquoi il propose formellement de supprimer le point 2 de l’ordre du jour de la Commission.

M. Kirkaldy rappelle que M. Jouhaux a proposé de décider tout d’abord si la Commission devrait se réunir avant de fixer son ordre du jour. Dans son opinion, le Conseil devrait d’abord fixer les points que la Commission pourrait être appelée à examiner et décider ensuite, seulement, s’il y a lieu de la convoquer. Comme M. Norman, il considère n’avoir pas encore reçu d’explication satisfaisante quant à la portée du point 2, et il appuie, en conséquence, la proposition de ce dernier tendant à supprimer ce point de l’ordre du jour proposé.

M. Jouhaux ne peut comprendre que M. Norman considère que la question n’a pas d’importance alors qu’elle a été proposée par des experts pleinement compétents. D’ailleurs, le sens de ce point de l’ordre du jour lui paraît tout à fait clair. La formule adoptée signifie que les travailleurs intellectuels intéressés qui n’ont pas de droit juridique sur leurs créations, désirent qu’on leur reconnaissa un droit moral à leur égard. Il est évident que les revendications des travailleurs intellectuels sont, dans de nombreux cas, moins précises que celles des travailleurs industriels, mais les travailleurs intellectuels n’en ont pas moins des revendications entièrement justifiées.

On a pu constater récemment en France le caractère très net de ces revendications et la nécessité de donner satisfaction à cette catégorie de travailleurs. Lorsque les solutions envisagées par la Commission seront soumises au Conseil, il espère qu’elles justifieront l’importance de la question. À ce moment, il sera possible au Conseil, à la lumière de toutes les informations qui lui seront fournies, de décider si la question présente ou non de l’importance.

M. Norman n’a nullement prétendu qu’il n’y eût aucun intérêt à réunir une commission pour discuter cette question. Ce qu’il a dit, c’est que l’Organisation est chargée actuellement de travaux si importants qu’elle ne pourrait assumer en plus une tâche qui, dans son opinion, est évidemment de moindre importance.

M. Picquenard considère que le Conseil a le droit d’examiner les questions portées à l’ordre du jour d’une commission dont la convocation est envisagée.

Peut-être le libellé du point 2 n’est-il pas très clair. Mais la formule proposée est suivie des mots « étude préliminaire ». Il n’est pas douteux qu’au cours de cette étude préliminaire on s’efforcera de définir avec plus de précision ce que signifie le droit moral des travailleurs intellectuels salariés sur leurs créations en matière d’arts appliqués. Mais il estime qu’il n’y a pas de doute sur le sens général de cette expression. Chacun sait que lorsqu’une création est présentée au cinéma, les noms de tous ceux qui ont participé à la confection du film sont indiqués sur l’écran. C’est là une satisfaction morale donnée à ceux qui ont collaboré au film et qui est aisé d’imaginer des satisfactions analogues qui pourraient être données à d’autres catégories de travailleurs intellectuels. En conséquence, il propose de maintenir le point 2, d’autant plus qu’il s’agit là d’une étude préliminaire.

Par 13 voix contre 10, le Conseil d’administration repousse la proposition de M. Norman tendant à la suppression du point 2.
Mr. Jouhaux questioned whether it was advisable to discuss the agenda of the meeting before it had been decided whether the meeting should take place and, if so, at what date. He was in no way an expert on the questions concerned, but he found the wording of item 2 perfectly clear. In his opinion, it was only when the question was actually discussed that those who had drawn up the agenda could define the practical action which they thought it possible to take in this sphere.

Mr. Norman said that no explanation had yet been given of the meaning of item 2; and as the staff of the Office was engaged upon the study of a large number of questions, some of which were of great importance, they could not be asked to leave those subjects on one side in order to prepare a memorandum on such a subject as item 2. It would also be unnecessary to invite experts to Geneva to discuss the question. He therefore definitely moved that item 2 should be deleted from the agenda.

Mr. Kirkaldy said that Mr. Jouhaux had suggested that the Governing Body should first decide whether the Committee should meet before it fixed its agenda. In his opinion it should first be decided what the Committee was to discuss, and then whether it was necessary for it to meet. He agreed with Mr. Norman that no satisfactory explanation had been given of the meaning of item 2, and he therefore supported Mr. Norman's proposal that the item should be deleted from the proposed agenda.

Mr. Jouhaux said that he could not understand how Mr. Norman could suggest that a question was of no importance although it had been proposed by highly qualified experts. The meaning of the item appeared to him quite clear. It meant that the professional workers concerned who had no legal right over their creations desired to have a certain moral right over them recognised. It was obvious that the demands of professional workers would in many cases be less definite than those of industrial workers, but professional workers nevertheless had claims which were entirely justified. It had already been made clear in France that such claims were definite, and that satisfaction had to be given to such workers. When the solutions which the Committee proposed were submitted to the Governing Body, he hoped that they would show the importance of the question. It would then be possible for the Governing Body, in the light of all the information supplied, to decide whether the question was of importance or not.

Mr. Norman said that he had not suggested that it was of no importance for a Committee to discuss this subject. What he had said was that when the Organisation was occupied with so much important work it should not assume a task which in his opinion was obviously of less importance.

Mr. Picquenard said that in his opinion the Governing Body had the right to consider questions to be placed on the agenda of a Committee which it was proposed to convene.

The drafting of item 2 was perhaps not very clear, but the proposed title of the item was followed by the words "preliminary study". During that preliminary study an effort would doubtless be made to define more precisely what was meant by the moral right of professional workers in receipt of a salary over their creations in the sphere of applied arts. He did not think, however, that there could be any doubt as to the general sense of the expression. Everyone was aware that when a film was presented in a cinema the names of all those who had participated in making it were shown on the screen. That was a moral satisfaction which those who had collaborated in making the film received, and it was easy to imagine other such satisfactions being afforded to other kinds of professional workers. He therefore proposed that item 2 should be retained, particularly since it was a preliminary study.

The Governing Body rejected Mr. Norman's proposal to delete item 2 by 13 votes to 10.
Le Conseil d'administration approuve l'ordre du jour proposé pour la réunion de la Commission consultative des travailleurs intellectuels, à l'exception du point 5 intitulé : «Divers» dont la suppression est décidée.
Il est entendu que le Conseil, à une séance ultérieure, fixera la date de la réunion de la Commission.
Commission consultative de l'organisation scientifique du travail.
Le Directeur rappelle que le Bureau propose de convoquer la Commission consultative de l'organisation scientifique du travail à l'occasion de la prochaine session du Conseil. La date de la réunion sera également examinée lorsque le Conseil sera appelé à fixer la date de sa prochaine session. L'ordre du jour de la réunion de la Commission serait le suivant :

1) Terminologie de la rationalisation et de l'organisation scientifique du travail.
2) Action concertée pour l'élimination ou la conservation des entreprises ou des machines «en surplus».
3) Relation du progrès technique avec le chômage et l'emploi.
4) L'emploi des machines de bureau et ses conséquences sur les conditions de travail du personnel.

M. Oersted demande des éclaircissements à propos du point 2 : «Action concertée pour l'élimination ou la conservation des entreprises ou des machines «en surplus»». Si des entreprises ne peuvent plus exister, ou si du matériel est en surplus, il est évident qu'il y a lieu de les supprimer, sans qu'il soit nécessaire de consulter une Commission de l'Organisation internationale du Travail à cet égard.

M. Riddell, en tant que président de la Commission intéressée, indique qu'il existe par exemple certaines industries qui subissent un lourd handicap du fait de leur outillage démodé et des conditions onéreuses dans lesquelles elles peuvent se procurer les matières premières, ce qui pose pour l'industrie dans son ensemble de graves problèmes, tels que le placement des travailleurs ayant perdu leur emploi, l'indemnisation des industriels, etc. L'inscription de cette question à l'ordre du jour de la Commission a pour objet de permettre l'examen, notamment du point de vue social, des problèmes touchant à l'élimination ou à la conservation des entreprises et de l'outillage.

M. Kirkaldy se demande si cette question est en relation directe avec l'activité de l'Organisation internationale du Travail. Il peut imaginer, dans une certaine mesure, une action concertée pour l'élimination de certaines entreprises; mais il tiendrait à savoir pour quelles raisons, si une entreprise se trouve «en surplus», il y aurait lieu de recourir à une action concertée pour en assurer la conservation.

M. Jouhaux répond que si l'énoncé de la question n'est pas très clair, son sens ne saurait être contesté. M. Kirkaldy a dit en effet que l'on pourrait recourir, à son avis, à une action concertée, en vue d'éliminer une entreprise en surplus, mais non en vue de la conserver. Toute la question est là et elle présente une importance considérable. Il s'agit de savoir si la rationalisation doit entraîner l'élimination de certaines entreprises, sans tenir compte de la situation des travailleurs qui y sont employés et de la situation économique générale.

Le Directeur ne croit pas qu'il soit difficile de comprendre le sens de cette question, ou ses rapports avec l'œuvre de l'Organisation. Comme on le sait, dans de nombreux pays, des mesures de concentration industrielle ont été prises; elles impliquent l'élimination de certaines entreprises et provoquent ainsi un certain chômage. Des opinions divergentes se sont manifestées sur le point de savoir si cette méthode est ou non en dernière analyse, de l'intérêt même de ceux qui sont employés dans l'industrie. Par ailleurs, dans certains pays, des mesures sont prises pour assurer d'une manière plus ou moins artificielle le maintien en activité de certaines entreprises.
The Governing Body approved the proposed agenda of the meeting of the Advisory Committee on Professional Workers with the exception of point 5, "Miscellaneous", which it decided to delete.

It was agreed that the Governing Body would, at a subsequent session, fix the date of the meeting of the Committee.

Advisory Committee on Management.

The Director said that it was also suggested that a meeting of the Advisory Committee on Management should be included in the programme of the next session. The date of that meeting would also be considered when the Governing Body fixed the date of its next session. The proposed agenda of the Committee was as follows:

1. Terminology of management;
2. Concerted action to eliminate or to preserve "surplus" undertakings and machinery;
3. The relation of technical progress to unemployment and employment;
4. The use of office machinery and its influence on conditions of work of staff.

Mr. Oersted asked for further information as to the meaning of item 2: "Concerted action to eliminate or to preserve 'surplus' undertakings and machinery." If undertakings were no longer able to exist, or if machinery was superfluous, they must obviously be eliminated, and it was not necessary to consult a Committee of the International Labour Organisation on the point.

Mr. Riddell, speaking as Chairman of the Committee in question, said that, for instance, certain industries were handicapped by antiquated equipment or unprofitable sources of raw material which created serious problems for the industry as a whole, such as employment for displaced workers, compensation for the owners and so forth. The placing of this question on the agenda was to afford an opportunity for the consideration of these problems of elimination or preservation, especially in their social aspects.

Mr. Kirkaldy said that he was very doubtful whether the item had any direct relation with the work of the International Labour Organisation. He could understand to some extent concerted action to eliminate certain undertakings, but he would like to know why if an undertaking were "surplus" concerted action should be taken to preserve it.

Mr. Jouhaux said that whilst the proposed item was not very clearly defined, its meaning was obvious. Mr. Kirkaldy had said that he understood that concerted action might be taken to eliminate a surplus undertaking but not to preserve it. That was the whole question, and it was of considerable importance. The point was whether rationalisation should lead to the elimination of certain undertakings, regardless of the position of the workers employed in them and of the general economic position.

The Director said that it did not seem to him difficult to understand the meaning of the question or its relation to the work of the Organisation. It was well known that in many countries steps had been taken to concentrate certain industries; that involved the elimination of certain establishments and thereby created a certain amount of unemployment. Whether that was or was not of ultimate benefit to those engaged in the industry was a matter of controversy. On the other hand, in certain countries steps were being taken to preserve more or less artificially the existence of certain establishments, or even certain branches of industry, which from a strictly
ou même de certaines branches d’industrie, maintien qui paraît ne plus être justifié d’un point de vue strictement économique. Ces mesures peuvent avoir pour conséquence de conserver leur emploi à un certain nombre de travailleurs, qui seraient, sans cela, réduits au chômage. Il est évident que, dans certains cas, l'existence des entreprises en question n'a été rendue possible que par l'octroi de subventions prélevées sur les fonds publics. Des controverses ont eu lieu sur le point de savoir si le maintien d'entreprises dans ces conditions était suffisamment justifié par des raisons d'ordre social. Ce problème a donc des répercussions sur la question du chômage, et relève par conséquent de la compétence de l'Organisation. Peut-être, comme M. Joubiaux l’a indiqué, l’énoncé de la question n’est-il pas très clair, mais il signifie évidemment : « Les effets sociaux de l'action concertée pour l'élimination ou la conservation de certaines entreprises. »

M. Goodrich se déclare entièrement satisfait par les explications données au sujet de l'importance et de la portée du point 2. D’ailleurs, il estime que le Conseil, en prenant une décision sur cette question, devrait adopter le principe que s’il convoque une commission d’experts pour examiner un problème de caractère général, il y a lieu de lui laisser une certaine latitude pour qu’elle puisse définir elle-même les différents aspects du problème soumis à son examen.

M. Riddell espère que les explications données satisfont maintenant tous les membres du Conseil. Lorsqu’on envisage l’activité de la Commission consultative de l’organisation scientifique du travail, il convient de se souvenir de l’historique de sa création. Comme on le sait, il y a quelques années, le Conseil avait voté un crédit très considérable en vue d’assurer l’examen du problème de l’organisation scientifique, en collaboration avec les diverses organisations qui s’occupent de cette question. Pour des motifs bien connus de tous les membres du Conseil, cette collaboration, sous sa forme initiale, a pris fin. La Commission consultative a pour mission de maintenir certaines des relations ainsi établies et de s’efforcer de tirer le plus grand bénéfice possible du concours des organisations déjà existantes qui s’occupent de l’organisation scientifique.

Il a été surpris de voir une certaine opposition sur ce point au sein du groupe des employeurs, alors que les employeurs ont toujours été étroitement associés à l’activité des organisations qui s’occupent de la rationalisation dans le monde. Il espère que le Conseil acceptera l’ordre du jour proposé et qu’il sera possible de fixer la date de la prochaine réunion de la Commission.

M. Ørsted remercie M. Riddell et les autres orateurs des explications qu’ils ont bien voulu donner. Il précise qu’il ne s’est opposé, ni à la réunion de la commission, ni à son ordre du jour. Il s’est contenté de demander certaines explications. M. Riddell n’a aucune raison de craindre que les employeurs s’opposent à l’étude des différentes questions envisagées.

M. Lambert-Ribot est tout à fait partisan de l’inscription de cette question à l’ordre du jour. Toutefois, il estime qu’on ne lui a peut-être pas donné toute l’ampleur qu’elle devrait avoir, car elle ne peut être placée sur le même plan que les autres questions. Par exemple, il n’y a aucune comparaison possible entre cette question et celle de l’emploi des machines de bureau. Il faut bien se rendre compte que le point 2 est d’une ampleur considérable et, par conséquent, ne peut être traité sans une étude extrêmement approfondie. Il présente un aspect social indiscutable et très important, mais il a aussi un aspect économique non moins important et particulièrement difficile à mettre en valeur. Aussi espère-t-il que les experts qui vont se charger de ce travail difficile ne le feront pas sous une forme générale ou théorique, mais sous une forme précise et pratique, en sorte qu’ils puissent apporter toute une série d’exemples, et non pas seulement des exemples d’ordre législatif, mais des exemples d’ordre économique, montrant que ces mesures de rationalisation ont été opérées plus ou moins librement, plus ou moins par la voie des ententes industrielles, et quelquefois en accord avec le Gouvernement ou avec un contrôle de la puissance publique. Ce sont des questions qui sont extrêmement complexes et qui doivent faire l’objet d’une étude approfondie. Mais si les experts arrivent à donner au Conseil une étude aussi complète
economic standpoint might no longer be justifiable. That action might have the
effect of maintaining the employment of a certain number of workers who would
otherwise have become unemployed. Obviously in some of those cases the existence
of the plants in question had only been made possible by the receipt of subsidies from
the State. The question whether subsidies of that kind were justified on social
grounds had given rise to a good deal of controversy. The problem thus had a
considerable bearing on the unemployment problem, and was therefore relevant from
the point of view of the Organisation. Although, as Mr. Jouhaux had said, the title
of the question was perhaps not particularly clearly drafted, it obviously meant "the
social effects of concerted action to eliminate or conserve certain undertakings".

Mr. Goodrich said that he was fully satisfied by the explanations which had been
given as regards the importance and relevance of item 2. The Governing Body's
decision in the matter should in any case be governed by the principle that if
a Committee of Experts were called together to consider a general problem,
considerable freedom should be left to it in defining the various aspects of the questions
to be discussed.

Mr. Riddell said that he hoped that all members of the Governing Body were now
satisfied with the explanations which had been given. In considering the work of
the Advisory Committee on Management it was necessary to bear its history in mind.
It would be remembered that some years ago the Governing Body had voted a very
considerable sum of money so that the problem of management might be studied in
collaboration with the various management organisations. For reasons with which
all were familiar, that collaboration, in the form which it had originally taken, had
come to an end. The function of the Committee was therefore to maintain some of
those connections and to draw the greatest benefit from the existing organisations
dealing with management.

He had been surprised that opposition had been encountered from the employers'
group, since the employers had always been closely associated with the work of the
management organisations throughout the world. He hoped that the Governing
Body would accept the proposal agenda, and that it would be possible to arrange for
the date of the next meeting of the Committee.

Mr. Oersted thanked Mr. Riddell and other speakers who had offered explanations.
He wished it to be understood that he had not raised any opposition either to the
meeting of the Committee or to its agenda. He had merely asked for certain
explanations. Mr. Riddell need have no fear that the employers were opposed to
the study of the various questions.

Mr. Lambert-Ribot said that he was in full agreement with the suggestion to
place that particular item on the agenda. He thought, however, that the point had
not been sufficiently widely defined, since it could not be placed on the same footing
as the other questions. For instance, there was no possible comparison between that
question and the question of the use of office machinery. It must be recognised that
item 2 had a very wide bearing, and that consequently it could not be dealt with
without very considerable study. It had a very important and distinct social aspect,
but it also had a no less important economic aspect, and one which it was particularly
difficult to assess. He hoped therefore that the experts who would have to deal with
this difficult question would not treat it in a general or theoretical manner, but on a
definite practical basis, so that they could give a series of examples, not only examples
of any legislation which had been adopted, but examples of an economic character
showing that rationalisation had been effected more or less freely, more or less by
industrial agreements and sometimes in agreement with the Government or under
the supervision of a public authority. Those were very difficult questions which must
be most carefully studied. If, however, the experts could supply the Governing Body
with as complete details as possible as to the results which had been achieved, they
que possible sur les résultats obtenus, ils auront fait un travail extrêmement utile, dont l'effet débordera certainement le cadre de l'Organisation.

M. Piqueenard appuie entièrement les observations de M. Lambert-Ribot. S'il n'a, pour sa part, pas éprouvé de difficultés à comprendre le sens du point 2, cela est, sans doute, dû au fait que le Gouvernement français a été appelé à se préoccuper, à différentes occasions, de cette question, et qu'il a fait des enquêtes au sujet de l'action concertée pour l'élimination ou la conservation des entreprises ou des machines en surplus. Ce problème a même fait l'objet de délibérations au Conseil supérieur du travail. Dans son opinion, il s'agit là de questions importantes qui sont en rapport étroit avec les problèmes dont s'occupe le Bureau international du Travail, et avec la question du chômage en particulier.

S'il avait des critiques à faire, ce serait plutôt au sujet de l'ampleur de la question qui est inscrite ainsi à l'ordre du jour de la Commission consultative de l'organisation scientifique du travail. Puisqu'on a l'intention de charger également la Commission d'examiner le problème de la relation du progrès technique avec le chômage et l'emploi, qui est un sujet d'une ampleur au moins égale, il semble que la Commission aura traité dès sa première session les questions les plus importantes qui relèvent de sa compétence. Il s'agit d'ailleurs, sans doute, simplement, d'une étude préliminaire en vue d'organiser une enquête sur ces deux questions, et c'est sur cette hypothèse qu'il approuve l'ordre du jour de la réunion proposée.

Le Conseil d'administration approuve l'ordre du jour proposé pour la Commission consultative de l'Organisation scientifique du Travail.
Il est entendu que la date de cette réunion sera fixée à une séance ultérieure du Conseil.

Commission d'experts pour l'application des conventions.

Le Directeur rappelle que le Bureau propose de convoquer pour le 5 avril 1937 la Commission d'experts chargée de l'examen des rapports annuels présentés en vertu de l'article 22 de la Constitution. Le Bureau demande, en outre, au Conseil de l'autoriser, conformément à la pratique habituelle, à imprimer le rapport de la Commission, en spécifiant que ce rapport n'a pas encore été approuvé par le Conseil d'administration. Il pourrait ainsi être distribué aux Gouvernements en même temps que le résumé des rapports annuels.
Le rapport de la Commission des experts sera naturellement soumis au Conseil d'administration avant d'être présenté à la Conférence.

Le Conseil d'administration adopte ces propositions.

Comité d'experts statisticiens.

Le Directeur rappelle que le Conseil a déjà décidé de convoquer la Conférence de statisticiens pour le 27 septembre 1937. Comme la plupart des membres du Comité d'experts statisticiens participeront à cette Conférence, le Bureau propose de les réunir à l'issue de la Conférence, afin de procéder à l'examen de la question des statistiques des loyers des logements ouvriers, des questions concernant les budgets familiaux et l'alimentation, qui pourraient lui être renvoyées par le Comité d'experts pour l'alimentation des travailleurs, et de la question des méthodes suivies pour recueillir et présenter les données de salaires par profession. Le Comité pourrait aussi procéder à l'examen du programme futur des conférences de statisticiens du travail.

Le Conseil d'administration adopte ces propositions.

Commission pour l'examen des rapports périodiques.

Le Directeur rappelle que la date de la réunion de cette Commission pourra être fixée lors de l'examen du programme détaillé des réunions convoquées à l'occasion de la prochaine session du Conseil. Le Bureau propose que la Commission soit invitée à procéder à l'examen des rapports périodiques portant sur les conventions suivantes :

Convention n° 20 : travail de nuit (boulangeries);
Convention n° 22 : contrat d'engagement des marins;
would perform an extremely useful work, the effect of which would certainly go beyond the scope of the Organisation.

Mr. Picquenard said that he fully supported Mr. Lambert-Ribot's observations. He had no difficulty in grasping the meaning of the proposed item 2. That was perhaps due to the fact that the French Government had on several occasions been called upon to deal with the question, and that it had made enquiries into the subject of concerted action to eliminate or preserve surplus undertakings and machinery. That question had even been discussed by the Supreme Labour Council. In his opinion they were important questions in close relationship to the problems with which the International Labour Office dealt, and in particular the unemployment problem.

If he had any criticism to make, it would be as to the scope of the question placed on the agenda of the Advisory Committee on Management. Since it was proposed that the Committee should also discuss the question of the relationship of technical progress to unemployment and employment, which was quite as wide a question, the Committee would, at its first session, be dealing with the most important questions which fell within its sphere. It was presumably only intended that a preliminary study should be made with a view to organising enquiries into those two questions, and on that hypothesis he approved the agenda of the proposed meeting.

The Governing Body approved the proposed agenda for the Advisory Committee on Management.
It was agreed that the date of the meeting should be fixed at a subsequent sitting.

Committee of Experts on the Application of Conventions.

The Director said that it was proposed that the Committee of Experts appointed to examine the annual reports submitted under Article 22 of the Constitution should meet on 5 April 1937. The Governing Body was requested to authorise the Office, in accordance with the usual practice, to have the Committee's report printed, with an indication that it had not yet been approved by the Governing Body, so that it could be circulated to Governments, together with the summary of annual reports.

The report of the Committee of Experts would of course be submitted to the Governing Body before it was laid before the Conference.

The Governing Body approved those proposals.

Committee of Statistical Experts.

The Director said that it had already been decided that the Conference of Statisticians should meet on 27 September 1937. As most of the members of the Committee of Statistical Experts would attend that Conference, it was suggested that they should meet immediately after the Conference in order to discuss the question of statistics of working-class rents, any questions concerning family budgets and nutrition which might be referred to the Committee by the Committee on Workers' Nutrition, and the question of the collection and presentation of data on wages by occupation. The Committee might also discuss the programme of future Conferences of Statisticians.

The Governing Body approved these proposals.

Committee on the periodical reports.

The Director said that the date of meeting of this Committee could be decided when the general programme for the next session of the Governing Body was being discussed. It was proposed that the Committee should be asked to consider the periodical reports on the following Conventions:

Convention No. 20, Night Work in Bakeries,
Convention No. 22, Seamen's Articles of Agreement,
Convention n° 23: rapatriement des marins;
Convention n° 24: assurance-maladie (industrie, etc.);
Convention n° 25: assurance-maladie (agriculture).

Le Conseil d’administration approuve cet ordre du jour et décide de fixer la date de la réunion de la Commission pour l’examen des rapports périodiques à une séance ultérieure.

Composition des commissions.

Le Président fait connaître que le groupe gouvernemental a décidé de proposer que M. Kitaoka soit désigné pour remplacer M. Yoshisaka en qualité de membre titulaire ou suppléant dans les diverses commissions où il occupait un siège.

Le Conseil d’administration approuve ces désignations.

Régime des suppléants des membres gouvernementaux des Commissions.

M. Mahaim rappelle qu’à la dernière session du Conseil d’administration, le groupe gouvernemental s’était occupé du régime à adopter pour les suppléants des représentants gouvernementaux dans les commissions. Le groupe gouvernemental avait constitué une commission spéciale pour examiner la question et a discuté ensuite lui-même les conclusions de cette commission. M. Mahaim a été chargé de donner connaissance au Conseil, à titre d’information, du règlement adopté par le groupe gouvernemental.

Le groupe gouvernemental a adopté deux systèmes différents pour le régime des suppléants des membres gouvernementaux des commissions, et a ensuite déterminé, dans le cas de chaque commission, lequel de ces deux systèmes il y avait lieu d’appliquer.

Le fonctionnement de chacun de ces deux systèmes serait le suivant :

Système I. (Systèmes des suppléants personnels et suppléants de groupe combinés.)

Chaque siège de membre gouvernemental dans les commissions soumises au système I serait attribué à un Gouvernement, à qui il appartenait de désigner la personne chargée de le représenter aux réunions. Dans chacune de ces commissions, il serait désigné un certain nombre de suppléants de groupe. A défaut de représentant du Gouvernement pourvu d’un siège de membre titulaire de la Commission, le droit d’occuper ce siège reviendrait aux suppléants de groupe, dans l’ordre de leur nomination.

Système II. (Système des suppléants de groupe.)

Chaque siège de membre titulaire gouvernemental dans les commissions soumises au système II serait attribué à un membre du Conseil désigné nommément. Il serait désigné dans ces commissions un certain nombre de suppléants de groupe, également désignés nommément.

En cas d’absence ou d’empêchement d’un membre titulaire, le droit d’occuper le siège vacant appartiendrait aux suppléants de groupe, dans l’ordre de leur nomination.

Il serait entendu que le Bureau prendrait toutes dispositions utiles pour assurer chaque fois que cela serait nécessaire la présence des suppléants de groupe aux réunions des commissions, dans l’ordre de leur nomination.

Le groupe gouvernemental a décidé de faire appliquer comme suit les deux systèmes adoptés pour le régime des suppléants dans les diverses commissions :

A. Commissions du Conseil d’administration :

1. Commission du travail agricole : système II.
2. Sous-commission préparatoire de l’artisanat : système II.
5. Commission pour l’étude des charges sociales : système II.
Convention No. 23, Repatriation of Seamen,
Convention No. 24, Sickness Insurance (Industry, etc.),
Convention No. 25, Sickness Insurance (Agriculture).

The Governing Body approved that agenda and decided to fix the date of the meeting of the Committee on the periodical reports at a later sitting.

Composition of Committees.

The Chairman announced that the Government group had decided to propose that Mr. Kitaoka should replace Mr. Yoshisaka as a regular or substitute member on all the Committees on which he had sat.

The Governing Body approved those appointments.

Substitutes for Government members of Committees.

Mr. Mahaim said that at the last session the Government group had considered the question of substitutes for Government members of Committees. The Government group had set up a special committee to consider the question, and had then itself considered the conclusions of the Committee. It had instructed Mr. Mahaim to communicate to the Governing Body, for information, the rules adopted by the Government group.

The Government group had adopted two different systems for substitutes for the Government members of Committees, and had then decided in regard to each Committee which system should be applied.

The working of the two systems was as follows:

System 1 (a system of personal substitutes combined with that of group substitutes).

Every seat on a Committee by a Government member in the Committees to which the system was applied would be allocated to a Government, and that Government would be responsible for appointing a person to represent it. In each of these Committees a certain number of group substitutes would also be appointed, and if no representative was sent by the Government which had a regular seat on the Committee, the right to occupy that seat would be granted to the group substitutes in the order in which they had been appointed.

System 2 (system of group substitutes).

Each seat held by a regular Government member in Committees to which System 2 was applied would be allotted to a member of the Governing Body appointed by name. A certain number of group substitutes would be appointed also by name.

In the absence of a regular member, the right to occupy the vacant seat would be exercised by the group substitutes in order of nomination.

It was understood that the Office would take the necessary steps whenever the occasion arose to ensure the presence of such group substitutes as might be required in order of their nomination.

The Government group had decided that the two systems should be applied to the various Committees as follows:

A. Committees of the Governing Body.

1. Committee on Agricultural Work: system 2.
2. Preparatory Sub-Committee on Handicrafts: system 2.
3. Accommodation Sub-Committee: system 1.
5. Committee on Social Charges: system 2.
7. Commission des statistiques sur le coût de la vie et les salaires : système I.
8. Commission des conditions de travail dans l'industrie du fer et de l'acier : système I.
9. Commission des conditions de travail dans l'industrie houillère : système I.
10. Commission de la liberté syndicale : système I.
11. Commission pour l'examen des rapports périodiques : système II.
13. Commission des conditions de travail dans l'industrie textile : système I.

B. Commissions d'experts dans lesquelles le Conseil d'administration est représenté :

Toutes les commissions (sauf la Commission des migrations) : système II.
Commission des migrations : système I.

C. Organismes extérieurs dans lesquels le Conseil d'administration est représenté :
système II.

Le Conseil d'administration prend note de cet arrangement.

Commission permanente agricole.

Le Président fait connaître que le groupe gouvernemental propose de désigner les membres suivants pour occuper les sièges de représentants gouvernementaux du Conseil à la Commission permanente agricole :

Membres titulaires :
  M. Picquenard,
  M. Ruiz-Guíñazú.

Suppléants :
  M. de Michelis,
  M. Riddell.

M. Oersted annonce que le groupe patronal a désigné les personnes qui font déjà partie de la Commission du travail agricole, à savoir :

Membres titulaires :
  M. Oersted,
  M. Vaněk.

Suppléants :
  M. Čurčín,
  M. Olivetti.

M. Mertens déclare que le groupe ouvrier a désigné les personnes faisant déjà partie de la Commission du travail agricole, à savoir :

Membres titulaires :
  M. Caballero,
  M. Schürch.

Suppléants :
  M. Jensen,
  M. Němecěk.

Le Conseil d'administration approuve ces désignations.
6. Unemployment Committee: system 1.
7. Committee on Cost of Living and Wages Statistics: system 1.
12. Standing Orders Committee: system 1.

B. Committees of Experts on which the Governing Body is represented.

All Committees except the Migration Committee: system 2.
Migration Committee: system 1.

C. Outside bodies on which the Governing Body is represented:

System 2.

The Governing Body took note of that arrangement.

Permanent Agricultural Committee.

The Chairman said that the Government group proposed to appoint the following members to fill the seats of Government representatives of the Governing Body on the Permanent Agricultural Committee:

Regular members:
Mr. Picquenard,
Mr. Ruiz Guiñazu;

Substitutes:
Mr. de Michelis,
Mr. Riddell.

Mr. Oersted said that the employers' group had nominated the following persons who were already members of the Committee on Agricultural Work:

Regular members:
Mr. Oersted,
Mr. Vaněk;

Substitutes:
Mr. Čurčin,
Mr. Olivetti.

Mr. Mertens said that the workers' group had nominated the members who were already members of the Committee on Agricultural Work, namely:

Regular members:
Mr. Caballero,
Mr. Schürch;

Substitutes:
Mr. Jensen,
Mr. Němeček.

The Governing Body approved these appointments.
Comité de correspondance pour les assurances sociales.

Le Directeur indique qu'à la suite d'un changement survenu dans les fonctions que M. Marcel Bernard occupe dans l'administration française, il y aurait lieu de considérer comme non avenu la désignation de M. Bernard comme membre du Comité de correspondance pour les assurances sociales, faite par le Conseil à sa 77ème session; d'autre part, également à la suite d'un changement de fonctions, il conviendrait de considérer dorénavant que M. Jacques Ferdinand-Dreyfus, dont le mandat a été renouvelé à la 77ème session, fait partie du Comité en qualité d'expert pour les questions relevant des services gouvernementaux de législation et de contrôle des assurances.

Enfin il suggère au Conseil la désignation, comme nouveaux membres du Comité, des personnalités suivantes:

- M. Paul Henry (Français), comme expert pour les questions actuarielles des assurances sociales;
- M. Erwin Lengyel (Hongrois), en remplacement de M. Geza Pap, comme expert pour les questions relevant des services gouvernementaux de législation et de contrôle des assurances.

Le Conseil approuve ces suggestions.

Comité de correspondance pour le travail féminin.

Le Directeur propose au Conseil de désigner Mrs. C. Beresford Fox en remplacement de Miss Mary A. Dingman, démissionnaire.

Le Conseil d'administration approuve cette désignation.

Comité de correspondance pour l'hygiène industrielle.

Le Directeur propose de désigner comme membre de ce Comité M. P. A. Van Luyt, qui a récemment remplacé M. Kranenburg dans les fonctions de conseiller médical du Service de l'Inspection du Travail des Pays-Bas.

En raison des services rendus par le Dr. Kranenburg, dont le mandat comme membre du Comité vient à expiration, le Bureau propose de lui renouveler en même temps son mandat.

Le Conseil d'administration approuve ces désignations.

Renouvellement du mandat des membres de diverses Commissions.

Le Conseil d'administration désigne pour une nouvelle période de trois ans les membres des commissions suivantes dont le mandat est venu à expiration:

Comité de correspondance pour la prévention des accidents:

- M. Cyril Ainsworth (États-Unis).
- M. Kjaer (États-Unis).
- M. Vitaliano Colombo (Italien).

Comité de correspondance pour les assurances sociales:

- M. Bégault (Belge).
- M. Kovrig (Hongrois).
- M. Pfisterer (Hongrois).
- M. Delvaux (Belge).
- M. Demeur (Belge).
- M. Dewandre (Belge).
- M. le Chanoine Éeckhout (Belge).
- M. Jauniaux (Belge).
- M. Saccasyn (Belge).
Correspondence Committee on Social Insurance.

The Director said that as a result of a change which had occurred in the post held by Mr. Marcel Bernard in the French administration, his appointment as a member of the Correspondence Committee on Social Insurance, which the Governing Body had made at its Seventy-seventh Session, should be regarded as null and void; in addition it was desirable, also in consequence of a change of post, that Mr. Jacques Ferdinand-Dreyfus whose appointment had been renewed at the Seventy-seventh Session, should be regarded in future as belonging to the Committee as an expert on questions connected with Government departments for legislation and enforcement.

He also suggested that the Governing Body should appoint the following persons as new members of the Committee:

- Mr. Paul Henry (French) as expert on actuarial questions connected with social insurance.
- Mr. Ervin Lengyel (Hungarian), in place of Mr. Geza Pap, as expert on questions connected with Government departments for legislation and enforcement.

The Governing Body approved these suggestions.

Correspondence Committee on Women's Work.

The Director proposed the appointment of Mrs. C. Beresford Fox in the place of Miss Mary A. Dingman, who had resigned.

The Governing Body approved that appointment.

Correspondence Committee on Industrial Hygiene.

The Director proposed the appointment of Mr. P. A. van Luyt, who had recently replaced Dr. Kranenburg as medical adviser to the Netherlands Factory Inspectorate.

In view of the great services rendered by Dr. Kranenburg, whose term of office as a member of the Committee had come to an end, it was suggested that his appointment should be renewed at the same time.

The Governing Body approved those appointments.

Reappointment of members of Committees.

The Governing Body reappointed for a further period of three years the following members of Committees whose term of office had come to an end.

Correspondence Committee on Accident Prevention.

- Mr. Cyril Ainsworth (United States).
- Mr. Kjaer (United States).
- Mr. Vitaliano Colombo (Italian).

Correspondence Committee on Social Insurance.

- Mr. Bégault (Belgian).
- Mr. Kovrig (Hungarian).
- Mr. Pfisterer (Hungarian).
- Mr. Delvaux (Belgian).
- Mr. Demeur (Belgian).
- Mr. Dewandre (Belgian).
- Canon Eeckhout (Belgian).
- Mr. Jauniaux (Belgian).
- Mr. Saccasyn (Belgian).
Comité de correspondance pour l’hygiène industrielle :

Dr. Gilbert (Belge).
Dr. Alice Hamilton (États-Unis).
Dr. Jinnosuke Hoshiai (Japonais).
Dr. Loriga (Italien).
Dr. Madsen (Danois).
Dr. Pieraccini (Italien).
Dr. Rajchman (Organisation d’Hygiène de la Société des Nations).
Dr. Wirgin (Suédois).
Dr. Chajes (Palestine).
Dr. Leroy U. Gardner (États-Unis).
Dr. Sayers (États-Unis).
Dr. Irvine (Union Sud-Africaine).
Dr. Mavrogordato (Union Sud-Africaine).
Dr. Orenstein (Union Sud-Africaine).
M. Lee (États-Unis) — Fatigue industrielle.
M. Myers (Britannique) — Fatigue industrielle.

Commission d’experts en matière de travail indigène :

M. Cayen (Belge).

Remplacement de M. de Buen au sein de diverses Commissions.

Le Président fait connaître que le groupe gouvernemental a désigné M. Fabra Ribas pour remplacer M. de Buen dans les commissions suivantes dont il faisait partie :

Membre titulaire :

- Comité du budget.
- Commission des conditions de travail dans l’industrie houillère.
- Commission de la liberté syndicale.
- Représentant du Conseil d’administration au Comité de correspondance pour la prévention des accidents.
- Représentant du Conseil d’administration à la Commission de l’attelage automatique.
- Représentant du Conseil d’administration à la Commission de l’organisation scientifique du travail.

Membre suppléant :

- Commission du règlement.
- Commission des conditions de travail dans l’industrie textile.
- Représentant du Conseil d’administration à la Commission consultative des travailleurs intellectuels.

Le Conseil approuve ces désignations.

Commissions d’enquête.

Le Directeur fait connaître au Conseil que Sir Atul Chatterjee a été désigné, en remplacement de Sir Bhupendra Nath Mitra, en qualité de personnalité indépendante représentant l’Inde sur la liste sur laquelle sont choisis les membres des commissions d’enquête, conformément aux dispositions de l’article 26 de la Constitution.

Le Conseil approuve cette désignation.

Réunion de la Commission permanente agricole.

M. Schürch rappelle qu’il avait été entendu, lors de la dernière session du Conseil, que cette Commission devrait être convoquée avant l’automne de 1937. Or, à sa connaissance, aucune proposition n’est soumise au Conseil à cet effet. La Commission devait procéder à l’examen de différents problèmes, et l’un d’eux, relatif à la durée
Correspondence Committee on Industrial Hygiene.
- Dr. Glibert (Belgian).
- Dr. Alice Hamilton (United States).
- Dr. Jinnosuke Hoshiai (Japanese).
- Dr. Loriga (Italian).
- Dr. Madsen (Danish).
- Dr. Pieraccini (Italian).
- Dr. Rajchman (Health Organisation of League of Nations).
- Dr. Wirgin (Swedish).
- Dr. Chajes (Palestine).
- Dr. Leroy U. Gardner (United States).
- Dr. Sayers (United States).
- Dr. Irvine (Union of South Africa).
- Dr. Mavrogordato (Union of South Africa).
- Dr. Orenstein (Union of South Africa).
- Mr. Lee (United States)—Industrial Fatigue.
- Mr. Myers (British)—Industrial Fatigue.

Committee of Experts on Native Labour.
- Mr. Cayen (Belgian).

Replacement of Mr. de Buen on the Committees of which he was a member.

The Chairman said that the Government group had nominated Mr. Fabra Ribas to replace Mr. de Buen on the following Committees of which he was a member:

Regular member:
- Finance Committee.
- Committee on Conditions of Work in Coal Mines.
- Committee on Freedom of Association.
- Representative of the Governing Body on the Correspondence Committee on Accident Prevention.
- Representative of the Governing Body on the Committee on Automatic Coupling.
- Representative of the Governing Body on the Advisory Committee on Management.

Substitute:
- Standing Orders Committee.
- Committee on Conditions of Work in the Textile Industry.
- Representative of the Governing Body on the Advisory Committee on Professional Workers.

The Governing Body approved these appointments.

Commissions of Enquiry.

The Director said that Sir Atul Chatterjee had been nominated in place of Sir Bhupendra Nath Mitra as a person of independent standing representing India on the panel from which the members of Commissions of Enquiry provided for under Article 26 of the Constitution were drawn.

The Governing Body approved this appointment.

Meeting of the Permanent Agricultural Committee.

Mr. Schürch pointed out that it had been agreed at the last session of the Governing Body that this Committee should be convened before the autumn of 1937. No proposal to that effect was, however, before the Governing Body. The Committee was to consider various problems, and one, which concerned hours of work, had been
du travail, avait été ajourné afin de donner à la Commission l’occasion de l’examiner. C’est dans ces conditions qu’on avait jugé opportun que la Commission fût convoquée avant l’automne. Il demande si les crédits nécessaires sont disponibles, car il ne se souvient pas que la question ait été soumise au Comité du budget.

Le Directeur répond que depuis la dernière session du Conseil deux événements se sont produits, qui ont modifié quelque peu l’aspect sous lequel se présente la question. Tout d’abord, il a été décidé de convoquer à Washington la Conférence sur l’industrie textile. A cette fin, le Bureau devra trouver 120.000 francs et, en conséquence, en dehors même de toute autre question, il serait impossible de trouver les 50.000 à 60.000 francs nécessaires pour une réunion de la Commission permanente agricole.

D’autre part, lors de la récente réunion de la Commission de contrôle, la question des activités nouvelles a été mentionnée à diverses reprises. On s’est accordé à estimer que la méthode normale pour assurer le financement d’activités nouvelles consistait à prévoir des crédits dans le budget.

Lorsque la question avait été discutée, en 1936, au Comité du budget, l’inscription d’un crédit pour la Commission permanente agricole avait été envisagée. Toutefois, certaines objections, d’ailleurs justifiées, s’étaient fait jour contre l’inscription au budget d’un article relatif à la réunion d’une commission qui n’avait pas encore été constituée définitivement à l’époque. En conséquence, aucun crédit n’a été prévu pour la réunion de la Commission permanente agricole. D’ailleurs, même s’il était possible d’affecter une somme de 60.000 francs environ à cette réunion, ce qui est très douteux, il est certain que l’on susciterait des critiques fondées sur le fait qu’il s’agit d’une activité entièrement nouvelle, pour laquelle aucun crédit n’a été prévu au budget, et que la méthode normale serait d’inscrire le crédit nécessaire au budget de 1938. Dans l’opinion du Directeur, telle est, d’ailleurs, la seule méthode financière qui soit correcte. Dans ces conditions, tout en regrettant vivement que l’on doive ajourner encore la convocation de la Commission, il considère que l’on n’a pas d’autre choix que de décider de la convoquer aussitôt que possible en 1938. Si la commission se réunissait en janvier 1938, on disposerait d’un délai suffisant pour que toute proposition qu’elle soumettrait de pour l’inscription de certaines questions à l’ordre du jour de la session de 1939 de la Conférence puisse être soumise au Conseil lorsque ce dernier sera appelé à fixer cet ordre du jour.

Il rappelle que la Commission comprendra environ une cinquantaine de personnes et que les travaux préparatoires soient effectués d’une manière satisfaisante, il se propose de convoquer, vers la fin de l’année en cours, un petit nombre d’experts spécialement choisis qui pourraient assister au Bureau leur concours pour la préparation de cette réunion.

M. Oersted rappelle qu’il s’était engagé personnellement vers M. Schürch à propos de la réunion de la Commission permanente agricole au cours de l’automne 1937. Sans avoir l’intention de revenir sur sa promesse, il doit reconnaître qu’il se trouverait évidemment dans l’impossibilité de la tenir si le Conseil prenait une décision contraire. D’ailleurs, il comprend parfaitement les explications du Directeur, et il est heureux d’apprendre que l’ajournement de la réunion n’aura pas pour effet de retarder l’inscription de certaines questions à l’ordre du jour de la session de 1939 de la Conférence.

Le Directeur a ajouté qu’il avait l’intention de convoquer un certain nombre d’experts pour préparer les travaux de la Commission. Il se demande s’il n’y aurait pas lieu de réunir en même temps les membres de la Commission du travail agricole du Conseil d’administration. Il convient, en effet, que les membres de cette Commission soient consultés sur toutes les questions que le Bureau se propose de soumettre aux experts.

M. Picquenard s’associe aux considérations présentées par M. Schürch et M. Oersted sur l’urgence de la convocation de la Commission permanente agricole. Il enregistre la proposition du Directeur tendant à la convocation de la Commission permanente au début de 1938, afin que les décisions de cette Commission puissent être prises en considération lors de la fixation de l’ordre du jour de la session de 1939 de
postponed in order that it might be examined by the Committee. It was in this
connection that it had been considered desirable that the Committee should meet
before the autumn. He asked whether the necessary funds were available, as he had
no recollection of the question being brought up in the Finance Committee.

The Director said that since the last meeting of the Governing Body two events
had occurred which had put this question in a somewhat different light. In the first
place, it had been decided to convene the Conference on the textile industry at
Washington. For that purpose the Office would have to find 120,000 francs, so that,
apart from any other question, it would be impossible to provide the 50,60,000 francs
which would be necessary for the meeting of the Permanent Agricultural Committee.

Further, at the recent meeting of the Supervisory Commission, the question of
new activities was mentioned on several occasions, and it was agreed that the proper
method of financing new activities was to provide for them in the budget.

When this question had been discussed in 1936 by the Finance Committee, the
question of providing an appropriation for the Permanent Agricultural Committee
had been discussed. Objections were, however, quite justifiably raised to the inclusion
of any item in the budget for a Committee which at that time had not been definitely set
up. The consequence was that there was no provision for the meeting of the Perma-
nent Agricultural Committee. Even if it were possible to provide some 60,000 francs
for the meeting, which seemed very doubtful, certain criticisms would be bound to be
made on the ground that this was an entirely new activity for which no provision had
been made in the budget, and that the proper method would be to include the necessary
amount in the 1938 budget. That, in the Director's opinion, was the only correct
financial procedure. Much, therefore, as it was to be regretted that there would be a
further postponement of the meeting of the Committee, there appeared to be no
alternative but to convene it as early as possible in 1938. If it were to meet in January
1938, there would be sufficient time for any proposal which the Committee might
make for the inclusion of questions in the agenda of the 1939 Session of the Conference
to be considered when that agenda was being fixed by the Governing Body.

The Committee would consist of some fifty persons, and in order that its work
should be properly prepared the Director proposed to bring together a few selected
experts towards the end of the present year in order to assist the Office in the
preparation.

Mr. Oersted said that he had given Mr. Schürch a personal undertaking with regard
to the meeting of the Committee during the autumn of 1937. Although he had no
intention whatever of going back on his promise, it was obvious that he would be
unable to fulfil it if the Governing Body took another decision. He fully understood
the Director's explanations, and he was glad to learn that adjournment of the meeting
would not have the effect of postponing the placing of certain questions on the agenda
of the 1939 Session of the Conference.

The Director had said that he intended to call together a certain number of
experts to prepare the work of the Committee. He wondered whether the six members
of the Committee on Agricultural Work of the Governing Body should not be convened
at the same time. The members of that Committee ought to be consulted concerning
all questions it was proposed to submit to the experts.

Mr. Picquenard said that he agreed with Mr. Schürch and Mr. Oersted as to the
urgency of calling a meeting of the Permanent Agricultural Committee. He had
noted the Director's proposal to convene the Committee at the beginning of 1938 so
that its decisions could be taken into consideration when the agenda of the 1939
Session of the Conference was fixed. It was, however, at the autumn session of 1937
la Conférence. Toutefois, c’est à la session d’automne 1937 que le Conseil sera appelé à déterminer les questions qui devront faire l’objet d’un rapport préliminaire sur la législation et la pratique. Il estime que l’on pourrait donner suite à la proposition du Directeur s’il est bien entendu qu’à la session de janvier ou de février 1938 on ne pourra pas faire d’objection à ce que des questions agricoles soient inscrites à l’ordre du jour de la session de 1939 de la Conférence, même si elles n’ont pas fait l’objet d’un examen préliminaire lors de la session de l’automne 1937. Si le Directeur peut lui donner une assurance sur ce point, il appuiera sa proposition.

Le Directeur répond qu’après la discussion qui vient de se dérouler il ne croit pas que le Conseil éprouve de difficultés à accepter la proposition de M. Picquenard, qui correspond à ce qu’il avait lui-même dans l’esprit.

Selon la procédure habituelle, c’est à la session d’automne que le Bureau est chargé par le Conseil de préparer des rapports sur la législation et la pratique concernant un certain nombre de questions. Dans le cas des questions agricoles, la Commission permanente agricole se substituera au Bureau, et ses débats constitueront une étude préparatoire des questions susceptibles de figurer à l’ordre du jour de la Conférence. Dans ces conditions, il pourrait être entendu que, lorsque le Conseil sera appelé à prendre sa décision définitive concernant la fixation de l’ordre du jour de la session de 1939 de la Conférence, il pourrait prendre en considération toute proposition qui émanerait de la Commission permanente agricole.

Il reconnaît d’ailleurs avec M. Oersted qu’il conviendrait de consulter les membres de la Commission du travail agricole; le Bureau ne manquera pas de le faire à titre officiel ou officieux au cours de la présente session du Conseil ou à sa prochaine session.

M. Schürch estime que lorsqu’on établit le budget on devrait prévoir des crédits pour des circonstances imprévues de ce genre. Il espère que la proposition de M. Picquenard sera acceptée afin que l’inscription à l’ordre du jour de la Conférence de certaines questions concernant l’agriculture ne risque plus d’être ajournée. Il accepte donc la proposition du Directeur, étant entendu qu’il ne se produira plus de nouveaux retards.

Le Conseil d’administration adopte la proposition du Directeur.

Premier rapport supplémentaire du Directeur.

M. Oersted ne croit pas qu’il soit possible de discuter à la présente session le rapport de M. Maurette sur sa mission au Brésil. Il vient en effet de recevoir ce document et n’a pas eu le temps de le lire. Il ne serait ni digne du Conseil, ni courtois envers M. Maurette, de procéder à la discussion immédiate d’un rapport qui est certainement extrêmement intéressant et extrêmement documenté. Si le Conseil d’administration avait l’intention de procéder à une discussion de ce rapport, il en demanderait l’ajournement à la session de mai. En tout cas, il espère que le rapport de M. Maurette sera soumis à la Commission des migrations, puisqu’il traite particulièrement les questions de migrations, et que la Commission en discutera et fera elle-même rapport au Conseil d’administration sur les conclusions auxquelles elle pourra arriver.

Le Directeur est convaincu que lorsque les membres du Conseil auront eu le temps de lire ce rapport, ce qui leur a été évidemment impossible jusqu’à présent, ils constateront qu’ils se trouvent en présence d’un document extrêmement intéressant. Toutefois, il espère que le Conseil voudra bien ne pas en retarder l’impression pour avoir l’occasion de le discuter au préalable. Une discussion au sein du Conseil n’entamerait, sans doute, aucune modification du rapport quant au fond, et il serait regrettable de retarder son impression de trois mois, ce qui lui ferait perdre une partie de son actualité.

M. Muniz comprend très bien que les membres du Conseil n’aient pas eu le temps d’étudier ce rapport, d’autant plus qu’il s’agit d’un rapport très minutieux et très documenté.
that the Governing Body would select the questions concerning which a report on the law and practice would be drawn up. He thought that the Director's proposal could be accepted if it was clearly understood that at the January or February Session of 1938 no objection would be raised to any agricultural questions being placed on the agenda of the 1939 Session of the Conference on the ground that they had not already been considered at the autumn session in 1937. If the Director could give him an assurance to that effect he would support the proposal.

_The Director_ said that after the discussion which had taken place he did not think that the Governing Body would find any difficulty in agreeing to Mr. Picquenard's suggestion, which was what he had himself had in mind.

The usual procedure was that at the autumn session the Governing Body instructed the Office to prepare reports on the law and practice concerning a certain number of questions. In the case of the agricultural questions the Permanent Agricultural Committee would take the place of the Office, and its discussions would constitute a preparatory study of the questions which might be placed on the agenda of the Conference. It could therefore be agreed that when the Governing Body took its final decision concerning the agenda of the 1939 Session, any proposals emanating from the Permanent Agricultural Committee could be taken into account.

He agreed with Mr. Oersted that it would be desirable to consult the members of the Committee on Agricultural Work, and the Office would do so, either officially or unofficially, at the present session of the Governing Body or at the following session.

_Mr. Schürch_ said that when the budget was being drawn up, appropriations should be provided for unforeseen circumstances of this kind. He hoped that Mr. Picquenard's proposal would be accepted so that there would be no further danger that the placing of certain questions concerning agriculture on the agenda of the Conference would be postponed. He would therefore accept the Director's proposal on the understanding that there would be no further delay.

_The Governing Body approved the Director's proposal._

_First Supplementary Report of the Director._

_Mr. Oersted_ said that he did not think it was possible to discuss Mr. Maurette's report on his mission to Brazil at the present session. He had only just received it and had had no time to read it. It would not be worthy of the Governing Body, nor courteous towards Mr. Maurette, to proceed to an immediate discussion of the report, which was certainly most interesting and very detailed. If the Governing Body proposed to have a discussion on the report, he would suggest that it should be adjourned until May. In any case he hoped that the report would be submitted to the Migration Committee, since it dealt particularly with questions of migration, and that the Committee would discuss it and would itself make a report to the Governing Body on any conclusions which it might reach.

_The Director_ said that when the members of the Governing Body had had time to read the report, which was at present admittedly not the case, they would find it an extremely interesting document. He hoped, however, that the Governing Body would not wish to delay the printing of the report in order to have an opportunity of discussing it. Any discussion which might take place was not likely to modify the substance of the report, and it would be unfortunate to delay printing it for three months as it would have already lost some of its actuality.

_Mr. Muniz_ said that he fully understood that the members of the Governing Body had not had time to study the report, particularly since it was a very detailed and lengthy one.
Il ne voudrait pourtant pas laisser passer cette occasion de dire quelques mots sur son impression à l'égard de ce document.

La lecture du rapport de M. Maurette sur sa mission au Brésil lui a procuré le plaisir le plus vif. Ces quelque cent pages renferment un exposé remarquablement clair des problèmes que M. Maurette s’est proposé d’étudier. On ne peut que s’étonner qu’à l’occasion d’un séjour aussi court, dans un pays aussi vaste et aussi varié, l’auteur ait pu voir avec tant de netteté les aspects sociaux essentiels de l’économie brésilienne.

Ces aspects, comme M. Maurette l’a fort nettement souligné, englobent des questions démographiques et des questions sociales. Ces deux sortes de questions se trouvent intimement liées, mais il est loisible de les considérer séparément, comme l’a fait M. Maurette dans son rapport.

Du point de vue social, il se réjouit — et tous les Brésiliens se réjouissent avec lui — qu’une haute autorité internationale ait souligné les grands progrès accomplis au Brésil dans le domaine de l’amélioration des conditions de vie des travailleurs. Ces progrès, comme M. Maurette le fait ressortir, sont attribuables bien plus à l’action même des autorités brésiliennes qu’à celle des organisations ouvrières. Dans un pays où la main-d’œuvre nationale n’est pas encore considérable et où l’immigration s’est imposée comme une nécessité économique inéluctable, il était naturel que le Gouvernement prit lui-même l’initiative de donner aux travailleurs ce qui leur revient de droit.

La législation ouvrière brésilienne a pu ainsi se développer sans heurts notables, sans action révolutionnaire de la part des travailleurs, comme sans réactions violentes de la part des employeurs. Elle s’est imposée comme une nécessité aussi bien d’ordre économique que d’ordre social. Dans certains pays, la législation sociale a été créée en vue d’assurer une répartition plus équitable des richesses. Au Brésil, elle devrait, plus qu’ailleurs, jouer le rôle de condition nécessaire à la création de nouvelles richesses, en ouvrant à l’industrie naissante, mais déjà considérable de ce pays, les marchés que d’autres pays n’ont pu trouver qu’à l’extérieur.

La première conclusion qui se dégage ainsi du rapport de M. Maurette est que la justice sociale progressivement réalisée sera, à l’avenir, le meilleur facteur de la prospérité brésilienne. M. Maurette expose ce point de vue avec une élégance et une logique qui ne manqueront de convaincre ceux qui pourraient encore y être opposés.

Le rapport passe en revue rapidement la capacité physique du Brésil, sa formation régionale, la variété de ses ressources naturelles sur une étendue qui fait du Brésil un des cinq pays les plus vastes du monde, la moitié du continent sud-américain en territoire et en population.

Mais M. Maurette, tout en accentuant cette capacité physique, n’oublie pas non plus l’œuvre de l’homme, qui est capitale. Toute civilisation est le résultat de l’interréaction de l’homme et de la terre.

Malgré l’énorme étendue du pays, et bien que le Brésil ne compte que 400 ans d’existence, l’œuvre humaine y est considérable.

A la date de la proclamation de son indépendance, en 1822, le Brésil ne comptait que 4 millions d’habitants, dépourvu presque de commerce extérieur, sans moyens de communication, et disposant d’une immense étendue de territoires attendant d’être mis en valeur.

Un siècle plus tard, le Brésil d’aujourd’hui compte une population de 45 millions, disposant d’une solide structure commerciale et industrielle, d’un important système de voies de communication, d’une production considérable de matières premières et de denrées alimentaires pour la consommation mondiale, ainsi que d’une industrie manufacturière dont les horizons s’élargissent continuellement.

Comme dit M. Maurette en parlant de l’homme, sa qualité certes ne manque pas au Brésil, mais c’est la quantité qui y est insuffisante, tout au moins pour une mise en exploitation rapide et intégrale.

Du point de vue démographique, M. Maurette montre que le moment est venu pour le peuple brésilien de choisir entre un développement rapide, continu et intégral de ses possibilités économiques, par un vaste plan de colonisation, et un progrès plus lent, en ne demandant la main-d’œuvre nécessaire qu’à l’excédent des naissances sur les décès.
He would not, however, let this opportunity pass without saying a few words as to his impression of the report.

His perusal of the report on Mr. Maurette's mission to Brazil had given him the greatest satisfaction. The document of some 100 pages contained a remarkably clear account of the problems which Mr. Maurette had set out to study. It was indeed surprising that during so short a visit to so vast and varied a country, the author had been able to form so clear an impression of the essential social aspects of Brazilian economy.

These aspects, as Mr. Maurette had clearly shown, included both demographic and social questions. Those two kinds of questions were closely bound up together, although it was quite permissible to treat them separately as Mr. Maurette had done in this report.

From the social point of view he had been happy to see—and all Brazilians would be of the same opinion—that a high international official had laid stress upon the great progress accomplished in Brazil towards the improvement of the conditions of life of the workers. This progress, as Mr. Maurette had shown, was due more to the action of the Brazilian authorities than to that of the workers' organisations. In a country in which the amount of national labour was still not very great and where immigration was an economic necessity, it was natural that the Government should itself take the initiative of providing the workers with the protection to which they were entitled.

Thus, Brazilian labour legislation had been developed without serious difficulties, without revolutionary action on the part of the workers, and without violent reactions from the employers. It had been felt as a necessity both from the economic and social standpoint. In certain countries social legislation had been undertaken with a view to securing a more equitable division of wealth. In Brazil, more than in other countries, it was a necessary condition for the creation of new wealth by opening up to the budding but already important industries the markets which other countries had only been able to find abroad.

The first conclusion to be drawn from Mr. Maurette's report was that social justice, progressively developed, would in the future be one of the greatest factors in Brazilian prosperity. Mr. Maurette had expressed this view with an elegance and logic which would not fail to convince those who might still be opposed to it.

The report dealt briefly with the physical resources of Brazil, the geography of its various districts, and the variety of its natural resources over an expanse which made Brazil one of the five largest countries in the world, representing half the whole continent of South America as regards territory and population.

But Mr. Maurette, whilst laying stress upon the physical resources of the country, had not disregarded the work of man, which was of capital importance. The whole civilisation was the result of the interaction of man and the earth.

In spite of the vastness of the country and in spite of the fact that Brazil had only existed for 400 years, the human achievement was considerable.

When its independence had been proclaimed in 1822, Brazil had only 4 million inhabitants, had hardly any foreign trade, was without means of communication, and yet possessed vast stretches of territory waiting to be developed.

A century later, the Brazil of to-day had a population of 45 millions, a commerce and industry built upon a sound foundation, a well-developed system of means of communication, a considerable production of raw materials and foodstuffs destined for world consumption, and a steadily growing manufacturing industry.

Mr. Maurette, referring to the achievements of man, had pointed out that it was not quality which was insufficient in Brazil, but quantity, at any rate for the rapid and complete development of the country.

From the demographic standpoint, Mr. Maurette showed that the time had come for the Brazilian people to choose between a rapid, continuous and complete development of the economic possibilities of the country by means of a vast plan of colonisation, and slower progress by means of the labour provided by the excess of births over deaths.
Mais s'il a bien saisi la pensée de M. Maurette, ce qu'il met en relief, c'est surtout la nécessité d'une politique migratoire tendant à diriger les courants d'immigration de façon à pourvoir — en quantité comme en qualité — aux besoins du pays. Personne ne pense aujourd'hui à revenir à la politique migratoire qui a caractérisé le XIXème siècle, politique basée sur la liberté entière de mouvement. Malgré son adaptation aux conditions alors existantes dans les pays nouveaux d'agriculture extensive, cette politique n'a pas été sans graves inconvénients, puisqu'elle a facilité des déplacements pour un grand nombre de personnes entièrement inadaptables à la nouvelle ambiance.

La politique migratoire que M. Maurette a en vue est celle qui contribue à la formation d'une communauté nationale au sens le plus large du mot. Malheureusement, le temps lui manque pour suivre M. Maurette dans toutes les conclusions de son rapport qui constitue une précieuse contribution pour la connaissance du Brésil, contribution apportée par un économiste et un géographe doué d'une admirable pénétration.

Il tient à féliciter M. Maurette pour l'œuvre accomplie et le Bureau international du Travail pour l'initiative si heureuse qu'il a prise d'envoyer son éminent Sous-Directeur au Brésil.

Pour terminer, il émet le vœu que le Bureau international du Travail assure la vulgarisation aussi rapide que possible de l'excellent rapport de M. Maurette.

M. Hayday estime qu'il est difficile, au moment actuel, de se faire une opinion définitive sur le rapport. Il tient, cependant, à rendre hommage à M. Maurette pour le remarquable exposé de faits qu'il a fourni dans ce document. La manière particulièrement directe avec laquelle il sait présenter les questions permet de comprendre aisément les renseignements qui figurent dans son rapport. Jusqu'à présent, il lui a été seulement possible de lire les trois quarts de ce document, mais il y a pris un tel intérêt qu'il est revenu au début pour en relire certains passages afin d'avoir un tableau complet des renseignements et des faits qui s'y trouvent mentionnés. Il espère donc que ce rapport sera publié le plus tôt possible et fera l'objet d'une large diffusion, afin de permettre au plus grand nombre possible de personnes de comprendre la situation du Brésil et les nombreux problèmes qui s'y posent et présentent un caractère international. Si les renseignements qui figurent dans ce rapport sont envisagés sans idées préconçues, ce document permettra de dissiper un certain nombre de conceptions erronées.

M. Jouhaux n'a pas encore eu le temps de lire le rapport de M. Maurette, mais il est convaincu que, du point de vue scientifique, les renseignements qu'il contient sont absolument certains et peuvent être utilisés en toute sécurité.

Toutefois, il croit devoir formuler certaines réserves à l'égard des déclarations faites par le représentant du Gouvernement brésilien. Il comprend fort bien qu'à l'occasion de la présentation de ce rapport le représentant du Gouvernement du Brésil ait parlé dans le sens où il l'a fait, et il n'a aucunement l'intention, pour sa part, d'élever de protestations sur ce point. Il n'est pas douteux, d'ailleurs, que l'œuvre accomplie par le Brésil, au cours du siècle dernier, a été considérable et que tous doivent s'incliner devant cette œuvre constructive. Mais il ne peut laisser passer sans quelques réserves une déclaration d'après laquelle le développement de la justice sociale, qui a pu se produire au Brésil, et dont il est convaincu que le représentant du Gouvernement brésilien voudra bien reconnaître qu'il n'est pas très considérable, a été effectué sans le concours des organisations syndicales et par le seul fait des autorités gouvernementales du pays.

Il est certain que le mouvement syndical au Brésil n'a pas une importance considérable, mais il convient de se demander si ce fait est dû à un manque d'initiative de la part des travailleurs brésiliens ou aux difficultés qu'ils ont rencontrées pour assurer au mouvement syndical un développement aussi vaste que celui qu'il aurait dû revêtir. Pour sa part, il considère que la justice sociale se serait encore plus développée au Brésil si la classe ouvrière avait pu participer plus librement à ce développement par l'entremise d'organisations reconnues dont l'activité et les droits auraient pu s'exercer en toute liberté.

Après les explications données au sein du Conseil, il espère que la liberté syndicale aura, au Brésil comme dans tous les autres pays démocratiques, la possibilité de se
He had understood Mr. Maurette to lay special stress on the need for a policy of immigration which would attract immigrants so that the needs of the country might be met both as regards quality and quantity. No one to-day contemplated a return to the immigration policy of the nineteenth century, based upon complete liberty of movement. In spite of its adaptation to the conditions then existing in the new countries with an extensive agriculture, that policy had had certain serious disadvantages, since it had facilitated the movements of large numbers of persons who were quite incapable of being adapted to their new situation.

The migration policy which Mr. Maurette had in mind was one which would contribute to the formation of a national community in the widest sense of the word. Unfortunately he had no time to refer to the conclusions of the report, which represented a great contribution towards the knowledge of Brazil, made by an economic and geographical expert who was an admirably acute observer.

He congratulated Mr. Maurette on the work which he had performed, and the International Labour Office on the happy idea of sending its eminent Assistant Director to Brazil.

In conclusion, he suggested that the International Labour Office should give Mr. Maurette's excellent report the widest possible circulation.

Mr. Hayday said that it was difficult at this stage to form a definite opinion on the report. He nevertheless paid a tribute to Mr. Maurette for his admirable account of the facts. The style of the report was so straightforward that it was easy to absorb the information which it contained. He had so far been able to read only three-quarters of the document, but he had found it so interesting that he had turned back and read over again certain parts in order to obtain a complete picture of the information and incidents referred to. He hoped that the report would be published as soon as possible, and that it would be widely circulated so as to enable the largest possible number of people to understand the conditions obtaining in Brazil and the many problems which related to the international sphere. If the information contained in the report were considered with an unprejudiced mind it would remove many misunderstandings.

Mr. Jouhaux said that he had not yet had time to read Mr. Maurette's report, but he was certain that from the scientific point of view the facts given were absolutely correct and could be entirely depended upon.

He had, however, certain reservations to make as regards the declaration made by the Brazilian Government representative. He fully understood that on the occasion of the presentation of the report the Brazilian Government representative should have spoken as he did, and he had no intention of raising any objection. There was no question that the task accomplished by Brazil during the last century had been very great, and everyone would recognise the constructive work which had been carried out. He could not, however, let pass without reservation the statement that the development of social justice in Brazil, which he felt sure the Brazilian Government representative would agree was not very considerable, had been accomplished without the assistance of the trade union organisations and merely by the action of the Government authorities.

The trade union movement in Brazil was not very considerable, but it must be asked whether that was due to the lack of initiative of the Brazilian workers or to the difficulties which they had encountered in developing the trade union movement as widely as it should have been developed. For his part he thought that social justice would have been further developed in Brazil if the working classes had been enabled to participate more freely in its development through recognised unions which had complete freedom to exercise their right of association.

After what had been said in the Governing Body he hoped that freedom of association in Brazil would, as in all other democratic countries, be allowed to develop
développer d’une façon complète, permettant ainsi aux organisations syndicales et aux travailleurs brésiliens de participer de tout leur cœur et de toutes leurs forces au développement économique et social du Brésil.

M. Riddell a lu le rapport de M. Maurette avec un vif intérêt et tient à féliciter son auteur pour ce remarquable travail. Il tient également à remercier le représentant du Gouvernement brésilien pour les renseignements complémentaires qu’il a bien voulu donner au Conseil. Le point sur lequel il voudrait insister particulièrement, c’est la signification de rapports de ce genre pour l’œuvre de l’Organisation. Un tel document donne un tableau des problèmes qui affectent, dans le cadre de l’Organisation crée en vue d’une collaboration internationale, un grand pays en pleine croissance. Ceux des membres du Conseil qui ont longé l’année dernière la côte du Brésil pendant presque une semaine ont pu avoir une impression des possibilités que présente ce vaste pays. Il est essentiel que le Conseil soit mieux renseigné sur les pays qui sont situés si loin de Genève. On peut être tenté de croire que des pays qui se trouvent à 10,000 milles de Genève n’ont pas à faire face à des problèmes aussi importants que les pays plus rapprochés. C’est pourquoi il est heureux de voir procéder à des études de cette nature, qui font mieux comprendre les problèmes que le Conseil est appelé à traiter. La Conférence de Santiago a été très utile de ce point de vue, et il est convaincu que dans l’avenir une conférence asiatique pourra présenter un intérêt tout aussi grand.

M. Maurette tient à s’excuser du temps très bref dont le Conseil a pu disposer pour prendre une première connaissance de son rapport malgré l’effort de rapidité qui a été fait pour la traduction et le ronéotage.

Il a été très sensible aux compliments qui lui ont été adressés, d’autant plus que, comme la plupart des orateurs n’avaient pu lire son rapport que très rapidement, ces compliments s’adressaient peut-être plus à sa personne qu’à son œuvre. Il espère que lorsqu’ils auront pu lire plus complètement ce rapport, leur trop flatteuse impression sera, au moins en partie, confirmée. Il saisit l’occasion qui lui est offerte pour remercier ceux qui lui ont permis d’écrire ce rapport, c’est-à-dire toutes les personnalités brésiliennes avec lesquelles il a été en contact, et dont il ne lui a été possible de citer qu’un très petit nombre, et en particulier M. Macedo Soares, qui a été, avec le Directeur, à l’origine de sa mission au Brésil et a facilité cette mission par tous les moyens.

Il espère que son rapport pourra être imprimé prochainement. Il croit savoir que le Directeur a l’intention de le faire imprimer non seulement dans les deux langues officielles, mais également en portugais, afin qu’il soit immédiatement accessible aux lecteurs brésiliens.

Il tient à remercier encore une fois très sincèrement les orateurs qui ont pris la parole au sujet de son rapport, ainsi que l’ensemble du Conseil d’administration pour l’accueil fait à son travail.

Il est entendu que la discussion du rapport de M. Maurette pourra être reprise à la 79ème session du Conseil, et que ce rapport sera imprimé entre temps.

La séance est levée à 13 heures 5.

Jaromír Nečas.
as completely as possible, so that the trade unions and the Brazilian workers could participate unreservedly in the economic and social development of Brazil.

Mr. Riddell said that he had read the report with the greatest interest and congratulated Mr. Maurette on his fine achievement. He also thanked the representative of the Brazilian Government for the additional information which he had given to the Governing Body. The point which he wished to make was the significance of such reports in regard to the work of the Organisation. They presented a picture of the problems of a great and growing country in their relation to an organisation which existed to promote international co-operation. Those members of the Governing Body who had, in the previous year, sailed down the coast of Brazil for nearly a week had formed some impression of the possibilities of that great country. It was essential that the Governing Body should know more of countries which lay far from Geneva. People were apt to think that countries 10,000 miles away did not have so many important problems as countries nearer at hand. He therefore welcomed studies of this nature, which brought home the problems which the Governing Body had to face. The Conference at Santiago had been most helpful in that respect, and he believed that at some future time an Asiatic Conference might be equally helpful.

Mr. Maurette apologised for the short time which the Governing Body had had to study the report, in spite of the great efforts which had been made to translate and roneograph it rapidly.

He was very grateful for the congratulations which had been addressed to him, particularly since many of the speakers had obviously only been able to read the report very quickly, and the congratulations had therefore been addressed rather to him than to his work. He hoped that when they had been able to read the whole report the good impression which they had formed would be confirmed. He would take this opportunity of thanking again those who had made it possible for him to write the report, namely, the numerous persons with whom he had been in touch in Brazil, of whom he had only been able to give a short list. In particular he thanked Mr. Macedo Soares, to whom, with the Director, the initiative for his mission to Brazil was due, and who had done everything possible to assist him.

He hoped that the report would be published as soon as possible. He understood that the Director intended to print it not only in the two official languages but also in Portuguese, so that it might be easily read in Brazil.

Once again he would sincerely thank those who had spoken on his report, and the whole Governing Body for the way in which it had received it.

It was agreed that the discussion of Mr. Maurette's report might be resumed at the Seventy-ninth Session of the Governing Body, and that the report should be printed in the meantime.

The sitting closed at 1.05 p.m.

Jaromir Něčas.
PROCÈS-VERBAL DE LA QUATRIÈME SÉANCE (PRIVÉE).

Au cours de cette séance, qui a eu un caractère privé, le Conseil d'administration a examiné la onzième question à l'ordre du jour (*Rapport du Comité du budget*) et la cinquième question à l'ordre du jour (*Fixation de l'ordre du jour de la session de 1938 de la Conférence*).

Conformément aux dispositions de l'article 8 du règlement du Conseil d'administration, le procès-verbal de cette séance est imprimé séparément.
MINUTES OF THE FOURTH SITTING (PRIVATE).

At this sitting, which was private, the Governing Body considered the Eleventh Item on the Agenda (Report of the Finance Committee) and the Fifth Item on the Agenda (Agenda of the 1938 Session of the Conference).

In accordance with the provisions of Article 8 of the Standing Orders of the Governing Body, the minutes of this sitting have been printed separately.
PROCÈS-VERBAL DE LA CINQUIÈME SÉANCE.

(Vendredi 5 février 1937 — 18 heures 20.)


Absents : M. Markus, M. de Michelis.

QUATORZIÈME QUESTION À L’ORDRE DU JOUR.

Date et lieu de la prochaine session.

Le Directeur suggère de fixer la date d'ouverture de la soixante-dix-neuvième session du Conseil d'administration au jeudi 6 mai 1937, qui est la date la plus rapprochée que l'on puisse prévoir pour permettre aux membres du Conseil qui participeront à la Conférence de Washington d'être présents à Genève. D'autre part, c'est également la date la plus éloignée que l'on puisse envisager, car la Commission de contrôle doit être saisie des prévisions budgétaires de l'Organisation au début du mois de mai.

Diverses commissions devraient se réunir à l'occasion de cette session. Pour répondre au désir formulé par le Conseil à une séance antérieure, il lui soumet le programme suivant pour ces réunions :

Lundi 3 mai
  10 h. Sous-Commission du bâtiment.
  15 h. Comité du budget.

Mardi 4 mai
  10 h. Comité du budget.
  15 h. Comité du budget.

Mercredi 5 mai
  10 h. Réunion des groupes.
  15 h. Réunion des groupes.
  17 h. 30 Comité du budget.

Jeudi 6 mai
  10 h. Ouverture de la session du Conseil d'administration.
  15 h. Conseil d'administration.

Vendredi 7 mai
  10 h. Do.
  15 h. Do.

Samedi 8 mai
  10 h. Do.
  15 h. Do.

Lundi 10 mai
  10 h. Commission des charges sociales.
  15 h. Commission des rapport périodiques.

Mardi 11 mai
  10 h. Commission consultative des travailleurs intellectuels.
  15 h. Commission consultative de l'O.S.T.

Mercredi 12 mai
  10 h. Commission consultative des travailleurs intellectuels.
  15 h. Commission consultative de l'O.S.T.

M. Ridell demande s'il ne serait pas possible de reporter à une autre date, soit avant le 9 mai, soit vers la fin du mois de mai, la réunion de la Commission consultative de l'organisation scientifique du travail.
MINUTES OF THE FIFTH SITTING.

(Friday, 5 February 1937—6.20 p.m.).

The Governing Body was composed as follows: Mr. Nečas, Chairman; Mr. Andersson, Mr. Curci, Mr. Duffy, Mr. Eruškar, Mr. Fabra Ribas, Mr. Goodrich, Mr. Hayday, Mr. Jouhaux, Mr. Kirkaldy, Mr. Kitaoka, Mr. Komarnicki, Mr. Lambert-Ribot, Mr. Li Ping-Heng, Mr. Mannio, Mr. Mertens, Mr. Muniz, Mr. Němeček, Mr. Norman, Mr. Oersted, Mr. Pardo, Mr. Picquenard, Mr. Rau, Mr. Riddell, Mr. Schürch, Mr. Sherrard, Mr. Tzaut, Mr. Villa Michel, Mr. Volkmann, Mr. Yonekubo.

Absent: Mr. Markus, Mr. de Michelis.

FOURTEENTH ITEM ON THE AGENDA.

Date and Place of the next Session.

The Director suggested that the date of opening of the Seventy-ninth Session of the Governing Body should be Thursday, 6 May 1937. This was the earliest possible date which would allow those members of the Governing Body who would be attending the Washington Conference to reach Geneva. It was also the latest possible date, because the budget of the Organisation must be submitted to the Supervisory Commission early in May.

Several Committees would have to meet in connection with this session. In order to meet a desire expressed by the Governing Body at a previous sitting, he submitted the following programme of meetings:

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<th>Monday, 3 May</th>
<th>10 a.m.</th>
<th>Accommodation Sub-Committee.</th>
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<td>3 p.m.</td>
<td>Finance Committee.</td>
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<tr>
<td>Tuesday, 4 May</td>
<td>10 a.m.</td>
<td>Finance Committee.</td>
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<td></td>
<td>3 p.m.</td>
<td>Finance Committee.</td>
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<td>Wednesday, 5 May</td>
<td>10 a.m.</td>
<td>Group meetings.</td>
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<td>3 p.m.</td>
<td>Group meetings</td>
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<td>5.30 p.m.</td>
<td>Finance Committee.</td>
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<td>Thursday, 6 May</td>
<td>10 a.m.</td>
<td>Opening of Session of Governing Body.</td>
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<td>3 p.m.</td>
<td>Governing Body.</td>
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<td>Friday, 7 May</td>
<td>10 a.m.</td>
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<td>Saturday, 8 May</td>
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<td>Governing Body.</td>
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<td>Monday, 10 May</td>
<td>10 a.m.</td>
<td>Committee on Social Charges.</td>
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<td>3 p.m.</td>
<td>Committee on Periodical Reports.</td>
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<td>Tuesday, 11 May</td>
<td>10 a.m.</td>
<td>Advisory Committee on Professional Workers.</td>
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<td>3 p.m.</td>
<td>Advisory Committee on Management.</td>
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<tr>
<td>Wednesday, 12 May</td>
<td>10 a.m.</td>
<td>Advisory Committee on Professional Workers.</td>
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<tr>
<td></td>
<td>3 p.m.</td>
<td>Advisory Committee on Management.</td>
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Mr. Riddell asked whether the Advisory Committee on Management could not meet on some other date, either before 9 May or towards the end of the month.
M. Kirkaldy suggère que la réunion de la Commission des charges sociales soit également reportée à la fin du mois de mai.

M. Oersted demande que l'on reporte au mois de juin toutes les réunions des commissions énumérées par le Directeur, sauf, bien entendu, la Sous-Commission du bâtiment et le Comité du budget. Il ajoute qu'une demi-journée serait sans doute suffisante pour les réunions de groupes qui auront lieu à l'occasion de la 80ème session.

Le Conseil d'administration décide que sa soixante-dix-neuvième session s'ouvrira le jeudi 6 mai 1937 et que les réunions qui la précédèrent seront fixées conformément au programme suggéré par le Directeur.

Il est entendu que les réunions suivantes auront lieu à l'occasion de la 80ème session du Conseil:

Vendredi 28 mai et Commission consultative des travailleurs intellectuels.
Samedi 29 mai Commission consultative de l'organisation scientifique du travail.
Lundi 31 mai (matin) Réunion des groupes du Conseil d'administration.
(Après-midi) Commission des charges sociales.
Commission des rapports périodiques.
Mardi 1er juin Ouverture de la quatre-vingtième session du Conseil d'administration.

QUINZIÈME QUESTION À L'ORDRE DU JOUR.

Rapport du Bureau sur la question des conventions collectives.

Le Directeur rappelle que les membres du Conseil d'administration ont reçu un rapport vert, élaboré par le Bureau, sur la question des conventions collectives. C'est un document assez volumineux, dans lequel sont abordées des questions très délicates, notamment dans le dernier chapitre, qui a trait aux conditions dans lesquelles il serait possible de concilier la méthode des conventions collectives avec la réglementation internationale par voie de conventions. En raison du caractère complexe de cette question, il n'est pas encore en mesure de présenter au Conseil des suggestions précises. Il propose donc que le Conseil ajourne l'examen de cette question à la 79ème session.

M. Goodrich se rend compte, comme le Directeur, de l'importance et de la complexité des questions qui se posent au sujet des conventions collectives. Il ne s'opposera pas à ce que le Conseil ajourne l'examen du problème; il insiste cependant pour que cette question ne soit pas perdue de vue. Aux réunions techniques concernant l'industrie graphique et l'industrie chimique, on a de divers côtés signalé l'importance des conventions collectives.

Il ne voudrait pas que l'on considérât qu'il serait nécessairement partisan d'une modification à apporter au système de ratification en vue de faire jouer à cet égard un rôle plus considérable à la méthode des conventions collectives. En effet, les conventions collectives présentent de ce point de vue des inconvénients à côté de certains avantages, et il importe que le Conseil ait l'occasion, lors de sa prochaine session, d'étudier la question de façon approfondie sur la base d'un rapport établi avec soin.

Le Directeur tient à assurer M. Goodrich qu'il ne perdra pas de vue la question. Il reconnaît avec lui qu'elle est très importante et fort complexe. Si le Bureau n'a pas présenté de suggestions au Conseil pour la présente session, c'est précisément parce qu'il n'a pas encore eu le temps d'examiner la question d'une manière suffisamment approfondie. Il espère être en mesure de soumettre un rapport détaillé au Conseil lors de sa 79ème session.

Le Conseil ajourne à sa 79ème session l'examen de la question des conventions collectives sur la base d'un rapport qui lui sera soumis par le Bureau.
Mr. Kirkaldy suggested that the meeting of the Committee on Social Charges should also be postponed until the end of May.

Mr. Oersted suggested that all the meetings of Committees which the Director had mentioned should be postponed until June except those of the Accommodation Sub-Committee and the Finance Committee. One half-day would probably be sufficient for the Groups meetings which would be held in connection with the Eightieth Session.

The Governing Body decided that its Seventy-ninth Session should open on Thursday, 6 May 1937, and that the meetings preceding it should be fixed in accordance with the programme suggested by the Director.

It was agreed that the following meetings should be held in connection with the Eightieth Session:

Friday, 28 May and Saturday 29 May: Advisory Committee on Professional Workers and Advisory Committee on Management.
Monday, 31 May:
   Morning: Meetings of the groups of the Governing Body.
   Afternoon: Committee on Social Charges.
              Committee on the Periodical Reports.
Tuesday, 1 June: Opening of Eightieth Session of the Governing Body.

Fifteenth Item on the Agenda.


The Director said that members of the Governing Body had received a green report prepared by the Office on the question of collective agreements. This was a substantial report dealing with a number of difficult questions, especially in the last chapter, which discussed the possibility of reconciling the procedure of collective agreements with the regulation of questions by means of international Conventions. In view of the complex nature of the questions, he was not yet in a position to lay definite suggestions before the Governing Body. He therefore proposed that the Governing Body should adjourn the question until the Seventy-ninth Session.

Mr. Goodrich agreed with the Director on the importance and difficulty of the questions which arose in connection with collective agreements. He did not oppose the postponement of the problem, but he urged that the Office should not lose sight of it. Great interest in the question of collective agreements had been shown in various quarters at the technical meetings concerning the printing and chemical industries.

He would not wish it to be thought that he would necessarily be in favour of changing the system of ratification in order to give a greater place to the method of collective agreements. Collective agreements presented elements of danger as well as elements of promise from this point of view, and the Governing Body should have an opportunity at its next session of studying the question thoroughly on the basis of a carefully prepared report.

The Director assured Mr. Goodrich that he would not lose sight of this question. He agreed that it was a very important and a very difficult one. The reason why the Office had not laid any suggestions before the Governing Body at the present session was that it had not yet had time to consider the question thoroughly enough. He hoped to be able to submit a detailed report to the Governing Body at its Seventy-ninth Session.

The Governing Body adjourned the question of collective agreements until its Seventy-ninth Session, when it would be discussed on the basis of a report to be submitted by the Office.
Seizième question à l'ordre du jour.

Compte rendu de la réunion de la Commission consultative des employés.

M. Mannio, qui a présidé les travaux de la Commission consultative des employés, présente le compte rendu de la réunion.

La Commission a étudié quatre questions, à savoir la résiliation du contrat de travail des employés et techniciens (délai-congé et indemnité de licenciement), les statistiques des travailleurs non manuels dans différents pays, l'emploi des machines de bureau et ses conséquences sur les conditions de travail du personnel, et la réglementation des conditions d'hygiène dans les bureaux et les magasins. La Commission a, au sujet de chacune de ces questions, adopté des résolutions qui, toutefois, ne constituent pas des suggestions définitives présentées au Conseil, mais uniquement des demandes de travaux préparatoires à effectuer par le Bureau ou par d'autres commissions.

A la fin du compte rendu figurent les suggestions du Bureau quant aux suites à donner aux résolutions adoptées par la Commission. A propos de la question du délai-congé et des indemnités de licenciement, le Bureau pourrait examiner ultérieurement si ces questions paraissent suffisamment avancées pour faire l'objet d'une proposition au Conseil en vue de leur inscription à l'ordre du jour d'une session de la Conférence et en attendant le Bureau pourrait mettre à la disposition de tous les intéressés la documentation qui a déjà été recueillie et qu'il s'efforcera de tenir à jour.

Le Conseil est appelé à approuver cette suggestion.

M. Mertens tient à exprimer toute sa satisfaction au sujet des rapports qui ont été soumis par le Bureau à la Commission consultative des employés. Ces documents lui ont plus que jamais fait apprécier l'utilité des études préliminaires effectuées par le Bureau; il espère que le Bureau pourra continuer à accorder toute son attention aux questions concernant les employés.

C'est dans cet esprit qu'il fait appel au groupe des employeurs pour que celui-ci se rende compte de l'importance des travaux effectués par le Bureau dans ce domaine et de l'œuvre de la Commission consultative des employés. Il espère que le groupe des employeurs pourra examiner à nouveau la question de la représentation des employeurs au sein de la Commission consultative des employés.

M. Oersted ne répétera pas les arguments qui justifient l'attitude d'abstention des employeurs à l'égard de la Commission consultative des employés. Toutefois, le groupe des employeurs est disposé à examiner s'il y a lieu de modifier cette attitude, à condition bien entendu que le Conseil d'administration accepte de reviser la composition de cette Commission.

Il a une observation à formuler au sujet de la première résolution, qui a trait au délai-congé et aux indemnités de licenciement. Il est dit dans cette résolution que la durée du préavis dû par l'employé devrait être toujours inférieure à celle due par l'employeur. Il ne comprend pas bien la raison qui a pu amener la Commission à formuler ce principe. Il ne voit aucun inconvénient à protéger l'employé, mais constate qu'il devient de plus en plus nécessaire de protéger également l'employeur. Dans ces conditions, il ne voit pas pourquoi il serait nécessaire d'établir une différence entre eux quant au délai-congé.

M. Schürch constate avec satisfaction que M. Oersted ne s'oppose pas formellement au principe formulé par la Commission des employés. La différence faite entre l'employeur et employé au point de vue de la durée du délai-congé, s'explique par la différence entre la situation économique des deux parties. Il est évident qu'il est plus facile à un patron de trouver des employés qu'à un employé de retrouver un emploi. Ce principe est, au surplus, déjà sanctionné par diverses législations, notamment en Belgique, en Grèce et au Luxembourg. En France, il est admis par l'usage. Dans le même esprit, la loi suisse sur les fabriques prévoit qu'en cas de rupture brusque de contrat, le patron doit payer une indemnité de six jours de salaire, alors que cette indemnité n'est que de trois jours pour l'ouvrier. On a voulu ainsi rétablir un certain
Mr. Mannio, Chairman of the Advisory Committee on Salaried Employees, submitted the record of the meeting.

The Committee had discussed four questions, namely, the termination of contracts of employment of salaried employees and technicians (period of notice and indemnity on discharge), statistics of non-manual workers in various countries, use of office machines and its effect on the conditions of employment of the staff, and regulation of health conditions in shops and offices. The Committee had adopted resolutions on all these questions. These, however, did not represent definite suggestions submitted to the Governing Body, but simply suggestions as regards the preparatory work to be carried out by the Office or by other Committees.

The suggestions of the Office as regards the effect to be given to the resolutions adopted by the Committee appeared at the end of the record.

As regards the question of the period of notice and indemnities on discharge, the Office might consider later whether these questions were sufficiently ripe to be proposed to the Governing Body with a view to their being placed on the agenda of a session of the Conference. In the meantime it might place the information already compiled at the disposal of those interested and keep this information up to date.

The Governing Body was asked to approve this question.

Mr. Mertens expressed his satisfaction with the reports which the Office had submitted to the Advisory Committee on Salaried Employees. These documents had made him feel more keenly than ever the value of the preliminary studies which the Office had carried out. He hoped that the Office would continue to devote the utmost attention to questions relating to salaried employees.

He accordingly appealed to the employers' group to realise the importance of the work which the Office was doing in this sphere and the work of the Advisory Committee on Salaried Employees. He hoped that the employers' group would feel able to reconsider the question of the representation of the employers on the Advisory Committee on Salaried Employees.

Mr. Oersted said that he need not repeat the reasons why the employers refrained from participating in the Advisory Committee on Salaried Employees. The employers' group would, however, be prepared to reconsider its attitude provided that the Governing Body would agree to revise the composition of the Committee.

He had one observation to make as regards the first resolution, which dealt with the period of notice and indemnities on discharge. The resolution stated that "the notice to be given by the employee should always be less than that to be given by the employer". He did not understand the reasons which had led the Committee to lay down this principle. There was no reason why employees should not be protected, but it was becoming increasingly necessary to protect the employer too. He therefore did not see why there should be any difference between the two as regards the period of notice.

Mr. Schürch noted with satisfaction that Mr. Oersted was not definitely opposed to the principle laid down by the Committee on Salaried Employees. The differentiation between the employer and the employee as regards the period of notice was due to the difference between the economic position of the two parties. Obviously it was easier for an employer to find employees than for an employee to find a post. The principle was moreover already embodied in the legislation of various countries such as Belgium, Greece and Luxemburg. In France it was sanctioned by custom. Similarly, under the Swiss Factory Act, when a contract was terminated suddenly the employer had to pay an indemnity representing six days' earnings, whereas the indemnity was only three days' earnings in the case of
équilibre entre les situations économiques différentes; il n’est que juste à son avis
d’étendre ce traitement équitable à d’autres catégories de salariés.

M. Mannio s’associe entièrement au vœu de M. Mertens concernant la
participation des patrons, dans l’avenir, aux travaux de la Commission consultative
des employés.
Quant à la question du délai-congé, il précise que le principe inscrit dans la
résolution de la Commission a évidemment été mis en avant par les employés. Si des
membres employeurs avaient participé aux travaux de la Commission, le principe en
question aurait peut-être pris une forme différente.
La deuxième question examinée par la Commission consultative des employés
se rapportait aux études statistiques concernant les travailleurs non manuels. À cet
égard, le Bureau pourrait continuer ses recherches en collaboration avec les organi-
sations intéressées et les bureaux de statistique nationaux.
A l’égard de la troisième question, à savoir l’emploi des machines de bureaux et
ses conséquences sur les conditions de travail du personnel, il est proposé au Conseil
de saisir de la question la Commission consultative de l’organisation scientifique du
travail; les études dans ce domaine seraient poursuivies en vue de fournir à la
Commission des informations aussi étendues que possible.
Enfin, pour le quatrième point, qui est la réglementation des conditions d’hygiène
dans les magasins et les bureaux, le Bureau envisage de donner la publicité la plus
large aux standards d’hygiène du travail. La résolution de la Commission consultative
des employés serait communiquée au Comité de correspondance pour l’hygiène
industrielle afin qu’il prenne connaissance des mesures que la Commission consultative
des employés estime nécessaire pour assurer au personnel de bureau des conditions
satisfaisantes d’hygiène, de confort et de sécurité et pour qu’il en soit tenu compte,
s’il y a lieu, dans le projet de « standards d’hygiène dans les bureaux » actuellement
t à l’étude.
Le Conseil d’administration approuve le compte rendu de la réunion de la Commission
consultative des employés, ainsi que les suggestions qu’il contient au sujet de la suite à
donner aux travaux de la Commission.

DIX-SEPTIÈME QUESTION A L’ORDRE DU JOUR.

Compte rendu de la réunion d’experts en matière d’assurances sociales.

Le Directeur rappelle qu’une réunion d’experts en matière d’assurances sociales
a eu lieu au mois de novembre 1936 pour élaborer des directives concernant l’évaluation
de l’incapacité permanente dans l’assurance ou la réparation des accidents du travail
et dans l’assurance-invalidité. Les experts ont accompli une œuvre très remarquable
et ont élaboré un ensemble de conclusions qui sont communiquées au Conseil.
Il suggère que le Conseil décide de communiquer le texte de ces conclusions aux
administrations nationales intéressées, étant entendu que cette communication serait
faite à titre d’information et qu’elle n’engage pas la responsabilité du Conseil.

Il en est ainsi décidé.

DIX-HUITIÈME QUESTION A L’ORDRE DU JOUR.

Rapport du Bureau sur l’extension de la composition de la Commission
paritaire maritime.

Le Conseil ajourne l’examen de cette question à sa 79ème session.
The intention of these measures was to restore some degree of equilibrium between different economic situations. In his view it was only right that this equitable treatment should also be extended to other classes of wage earners.

Mr. Mannio said that he fully shared the desire expressed by Mr. Mertens as regards the future participation of the employers in the work of the Advisory Committee on Salaried Employees.

As regards the question of the period of notice, the principle embodied in the Committee's resolution had of course been put forward by the employees. If there had been employers' representatives taking part in the work of the Committee the principle might perhaps have been embodied in a different form.

The second question which the Committee had considered was that of a statistical study of the number of non-manual workers. The Office might continue its researches on this subject in collaboration with the organisations concerned and the national statistical offices.

With regard to the third question, that of the use of office machinery and its effects on the conditions of work of the staff, it was proposed that the Advisory Committee on Management should be asked to consider the question. The study of this subject would be continued so that the fullest possible information might be submitted to that Committee.

As regards the fourth point, namely, the regulation of health conditions in shops and offices, the Office proposed to give the widest possible publicity to the "Standards of labour hygiene". The resolution of the Advisory Committee on Salaried Employees would be communicated to the Correspondence Committee on Industrial Hygiene so that it might be aware of the measures which the Advisory Committee on Salaried Employees considered necessary to ensure that office employees enjoyed satisfactory conditions of health, comfort and safety, and so that account might be taken of them, if necessary, in the draft standards of hygiene in offices which were at present under consideration.

The Governing Body approved the record of the meeting of the Advisory Committee on Salaried Employees, and the suggestions which it contained regarding the action to be taken as a result of the Committee's discussions.

Seventeenth Item on the Agenda.

Record of the Meeting of Experts on Social Insurance.

The Director said that a Meeting of Experts on Social Insurance had been held in November 1936 in order to discuss the evaluation of permanent incapacity under workmen's compensation and invalidity insurance schemes. The experts had done very valuable work and had drawn up conclusions which were communicated to the Governing Body.

He suggested that the Governing Body should decide to transmit the conclusions to the national administrations concerned, on the understanding that those conclusions were communicated for their information and that the Governing Body did not accept responsibility for them:

The Governing Body adopted this suggestion.

Eighteenth Item on the Agenda.


The Governing Body adjourned this question until its Seventy-ninth Session.
DIX-NEUVIÈME QUESTION A L’ORDRE DU JOUR.

Rapport du Bureau sur l’organisation d’une Conférence tripartite des pays asiatiques.

Le Directeur expose que les membres du Conseil d’administration appartenant à des pays intéressés aux questions asiatiques ont tenu, le jour même, une réunion officieuse pour examiner l’organisation d’une conférence consultative tripartite des pays asiatiques. Il a été entendu que le Bureau communiquerait aux Gouvernements des pays d’Asie les notes relatives à l’organisation d’une conférence des pays asiatiques qui ont été soumises au Conseil d’administration. D’autre part, le Bureau informerait ces Gouvernements de suggestions présentées par M. Erulkar et M. Yonekubo et tendant, avant toute décision concernant la convocation d’une conférence asiatique, à la constitution d’une commission composée de représentants des pays d’Asie pour examiner les questions présentant un intérêt particulier pour ces pays. Les Gouvernements seraient invités à communiquer au Bureau leur avis tant sur les notes du Bureau que sur les suggestions de M. Erulkar et de M. Yonekubo, de manière que le Conseil d’administration puisse procéder à un nouvel examen de la question à sa 79ème session.

Le Conseil d’administration approuve les suggestions de la réunion des membres asiatiques telles qu’elles ont été exposées par le Directeur.

La séance est levée à 19 heures 10.

JAROMIR NEČAS.
Nineteenth Item on the Agenda.


The Director said that the members of the Governing Body belonging to countries interested in Asiatic questions had held an unofficial meeting on that day to discuss the organisation of an Advisory Tripartite Conference of Asiatic Countries. It had been agreed that the Office should communicate to the Governments of the countries of Asia the notes on the organisation of a Conference of Asiatic Countries which had been submitted to the Governing Body. It would also inform those Governments of the suggestions put forward by Mr. Erulkar and Mr. Yonekubo that pending any decision as regards the convening of an Asiatic Conference a Committee consisting of representatives of Asiatic countries should be set up to discuss questions of particular interest to those countries. The Governments would be invited to inform the Office of their views both on the notes of the Office and on the suggestions of Mr. Erulkar and Mr. Yonekubo, so that the Governing Body could consider the matter further at its Seventy-ninth Session.

The Governing Body approved the suggestions made by the meeting of Asiatic members as formulated by the Director.

The sitting closed at 7.10 p.m.

Jaromir Necas.
Au cours de cette séance, qui a eu un caractère privé, le Conseil d'administration a examiné la cinquième question à l'ordre du jour (*Fixation de l'ordre du jour de la session de 1938 de la Conférence*).

Conformément aux dispositions de l'article 8 du règlement du Conseil d'administration, le procès-verbal de cette séance est imprimé séparément.
MINUTES OF THE SIXTH SITTING (PRIVATE).

At this sitting, which was private, the Governing Body considered the Fifth Item on the Agenda (Agenda of the 1938 Session of the Conference).

In accordance with the provisions of Article 8 of the Standing Orders of the Governing Body, the minutes of this sitting have been printed separately.
PROCÈS-VERBAL DE LA SEPTIÈME SÉANCE.

(Samedi 6 février 1937 — II heures 25.)


Absents : M. Markus, M. de Michelis.

CINQUIÈME QUESTION A L'ORDRE DU JOUR.

Fixation de l'ordre du jour de la session de 1938 de la Conférence (suite).

Le Président fait connaître qu’au cours de la séance privée qu’il vient de tenir, le Conseil d’administration a décidé d’inscrire à l’ordre du jour de la session de 1938 de la Conférence les quatre questions suivantes :

1) Enseignement technique et professionnel et apprentissage;
2) Réglementation des contrats de travail des travailleurs indigènes;
3) Recrutement, placement et conditions de travail (égalité de traitement) des travailleurs migrants;
4) Réglementation de la durée du travail et des repos dans les transports par route.

DIXIÈME QUESTION A L'ORDRE DU JOUR.

Rapport de la Commission des migrations.

M. Komarnicki ne veut pas engager une discussion sur le fond de la question des migrations, qui a fait l’objet d’un débat au sein d’un organe compétent, la Commission des migrations. Le Gouvernement polonais par ailleurs ne manquera pas de présenter son point de vue dans toute son ampleur tant à la Conférence internationale du Travail, qu’à l’Assemblée de la Société des Nations. Aussi a-t-il l’intention de limiter ses observations aux questions de procédure.

Personne n’a dû être surpris de l’attitude ferme du représentant du Gouvernement polonais à la Commission des migrations, lorsqu’il a insisté pour que les questions de migration fissent l’objet d’un examen approfondi dans le domaine international. Il représente un pays pour-lequel le problème des migrations prime tous les autres, car depuis la fin de la guerre, la population de la Pologne a augmenté de 7 millions, ce qui correspond à peu près à la population du Portugal, à celle de la Belgique, ou à celle des quatre pays baltes pris ensemble, à savoir l’Estonie, la Finlande, la Lettonie et la Lithuanie.

En présentant certains aspects de la question des migrations devant le Bureau international du Travail, le Gouvernement polonais démontre de la façon la plus évidente qu’il désire que la question soit traitée du point de vue social. Il souhaite en effet que le Bureau international du Travail ne serve pas seulement les intérêts d’un certain groupe de pays hautement industrialisés, privilégiés aussi bien du point de vue de la répartition des matières premières que de celui du niveau de vie atteint par les masses ouvrières. Il voudrait que le Bureau pût s’adapter aux besoins des pays moins privilégiés, dont les intérêts ont été jusqu’à présent presque entièrement négligés par l’Organisation internationale du Travail.

Dans l’opinion du Gouvernement polonais, l’avenir de l’Organisation dépend des solutions qu’elle sera à même d’élaborer pour ces problèmes. Tant que son
MINUTES OF THE SEVENTH SITTING.

(Saturday, 6 February 1937—11.25 a.m.)

The Governing Body was composed as follows: Mr. Nečas, Chairman; Mr. Andersson, Mr. Curčin, Mr. Duffy, Mr. Erulkar, Mr. Fabra Ribas, Mr. Goodrich, Mr. Hayday, Mr. Jouhaux, Mr. Kirkaldy, Mr. Kitaoka, Mr. Komarnicki, Mr. Lambert-Ribot, Mr. Li Ping-Heng, Mr. Mannio, Mr. Mertens, Mr. Muniz, Mr. Némeček, Mr. Norman, Mr. Oersted, Mr. Pardo, Mr. Picquenard, Mr. Rau, Mr. RiddeIi, Mr. Schürch, Mr. Sherrard, Mr. Tzaut, Mr. Villa Michel, Mr. Volkmann, Mr. Yonekubo.

Absent: Mr. Markus, Mr. de Michelis.

FIFTH ITEM OF THE AGENDA.

Agenda of the 1938 Session of the Conference (continued).

The Chairman announced that at the private sitting which it had just held, the Governing Body had decided to place the following four items on the agenda of the 1938 Session of the Conference:

1. Technical and vocational education and apprenticeship.
2. Regulation of contracts of employment of indigenous workers.
3. Recruiting, placing and conditions of labour (equality of treatment) of migrant workers.
4. Regulation of hours of work and rest periods in road transport.

TENTH ITEM ON THE AGENDA.

Report of the Migration Committee.

Mr. Komarnicki said that he did not propose to discuss the substance of the question of migration. That had been done before the competent body, namely, the Migration Committee. The Polish Government would not fail to explain its point of view fully both at the International Labour Conference and the Assembly of the League of Nations. He therefore proposed to confine his remarks to questions of procedure.

No one would be surprised at the firm attitude adopted by the Polish Government representative on the Migration Committee, who had urged that migration questions should be carefully considered in the international sphere. He represented a country in which the problem of migration was of primary importance. Since the end of the war the population of Poland had increased by seven millions, a figure which corresponded approximately to the whole population of Portugal and to that of Belgium, or that of all the four Baltic countries taken together, namely, Estonia, Finland, Latvia and Lithuania.

In laying certain aspects of the migration question before the International Labour Office, the Polish Government showed in the clearest manner that it wished the question treated from the social standpoint. It was the Government’s desire that the International Labour Office should not only serve the interests of a certain group of highly industrialised countries which were privileged both as regards the distribution of raw materials and the standard of life attained by the workers, but that it should also be able to adapt itself to the needs of much less privileged countries whose interests had so far been almost entirely neglected by the International Labour Organisation.

In the opinion of the Polish Government, the future of the Organisation depended on the solution which it would be able to find for those problems, and so long as it
Gouvernement gardera cette confiance dans les possibilités de trouver des solutions dans le cadre des organisations internationales, il continuera à multiplier ses efforts dans ce sens. Le Bureau international du Travail a des obligations auxquelles il ne peut se dérober, et le Gouvernement polonais est prêt à collaborer aussi complètement que possible avec lui pour l'élargissement de ses activités dans le domaine des problèmes démographiques. Le rôle du Bureau, dont l'activité doit être dépourvue de tout caractère politique, est de rechercher des terrains d'entente et de collaboration entre les pays d'immigration et d'émigration, sans exercer de pression sur aucun pays, puisque le respect de la souveraineté nationale doit être à la base même de son activité.

Il a cru devoir faire ces observations d'ordre général afin d'expliquer son attitude à l'égard de la procédure proposée. Il a été heureux de noter que le rapport supplémentaire présenté par le Bureau dénote un certain progrès par rapport à l'attitude antérieure du Bureau. Il est donc disposé à voter les propositions soumises par le Bureau, mais il tient à souligner que le Gouvernement polonais souhaite aboutir à des résultats pratiques et non à des propositions théoriques qui seraient hors de proportion avec les moyens employés et le but même de l'Organisation.

Si la Conférence d'experts ne devait se réunir qu'en 1938, sa convocation ne présenterait pas d'intérêt pour le Gouvernement polonais ; si d'autre part, les aspects financiers des problèmes de colonisation n'étaient pas au premier plan de ses préoccupations, sa réunion n'aurait aucune utilité pratique. Le Gouvernement polonais est prêt à saisir cette Conférence d'experts de propositions concrètes relatives aux perspectives internationales de crédits pour la colonisation.

En donnant son adhésion aux propositions du Bureau, il insiste sur la nécessité de procéder à une profonde transformation dans l'organisation du Bureau, en vue de l'adapter aux besoins réels de la vie sociale internationale. Il aura l'occasion d'ailleurs de revenir sur cette question dans un avenir rapproché, car l'attitude du Gouvernement polonais à l'égard du budget du Bureau international du Travail est déterminée par ces considérations.

M. Muniz constate que le Bureau international du Travail, dont le rythme d'activité s'accélère sans cesse en vue de résoudre les problèmes sociaux et économiques, se trouve aujourd'hui en présence d'un problème dont la solution est pleine de difficultés. On a beaucoup discuté des avantages et des désavantages des mouvements migratoires. Plusieurs publicistes ont même condamné toute migration, et notamment le général Walker, qui a développé une théorie d'après laquelle l'émigration, au lieu de contribuer à l'augmentation de la population d'un pays donné, tend au contraire à la diminuer en faisant baisser la natalité au fur et à mesure que les immigrants entrent dans le pays. Cette théorie a été réfutée avec des arguments sérieux par d'autres publicistes, qui soutiennent au contraire que si les pays nouveaux désirent augmenter leur population d'un minimum annuel de 2 %, ils doivent recourir à l'immigration.

Dans ces conditions, force est de reconnaître qu'il y a aujourd'hui des pays qui ont tout à gagner à encourager l'émigration de l'excès de leur population, tandis que d'autres, offrant une grande capacité d'absorption, doivent avoir recours à l'immigration pour être à même de poursuivre l'exploitation de leurs ressources.

Il a donc de sérieuses raisons pour que le Bureau international du Travail s'occupe de ce problème, de façon à être en mesure de mettre à la disposition des États Membres de l'Organisation tous les renseignements dont ils peuvent avoir besoin pour la mise en œuvre de leur politique migratoire.

L'étude de ce problème a atteint, heureusement, aujourd'hui une phase qu'on pourrait appeler scientifique, grâce aux statistiques très complètes publiées régulièrement par le Bureau international du Travail sur les mouvements migratoires de l'époque actuelle. D'un autre côté, les expériences récentes faites par divers Gouvernements en matière de migrations dirigées prouvent à quel degré d'organisation on est déjà arrivé dans la solution de ce problème. Les traités bilatéraux conclus à une date récente par certains pays ont donné des résultats particulièrement satisfaits. Grâce à ces traités bilatéraux, la France a réussi à repeupler une importante région du Sud-Ouest, créant ainsi une activité économique dans une région autrefois peu productive.

Il ne doute pas que les services du Bureau international du Travail n'apportent une contribution importante aux pays pour lesquels le problème des migrations se pose
had confidence that solutions could be found within the framework of the international organisations it would continue to exert its efforts in that direction. The International Labour Office had certain obligations, and the Polish Government was ready to afford it every collaboration to increase its activities in the field of demographic problems. The function of the Office, whose work should be entirely non-political, was to find common ground for agreement and collaboration between the countries of immigration and emigration, without bringing pressure to bear upon any country, since respect for national sovereignty was at the very basis of its activity.

He had made these general observations in order to explain his attitude in regard to the proposed procedure. He had been glad to see that the supplementary note submitted by the Office showed a certain advance as compared with the previous attitude of the Office. He was consequently prepared to vote for the proposals put forward by the Office, but he must emphasise that the Polish Government was anxious for practical results and not theoretical proposals which would be out of proportion to the means employed and to the objects of the Organisation.

If the Conference of Experts was only to meet in 1938, it would be of little interest to the Polish Government, and if the financing of settlement were not to be one of the main questions before it, no useful purpose would be served by its meeting. The Polish Government was ready to submit definite proposals in regard to international credits for colonisation to the Conference of Experts.

In giving his support to the Office proposals, he urged the necessity of some considerable adaptation in the organisation of the Office in order to meet the real needs of international social life. He proposed to bring this question up again in the near future, since the attitude of the Polish Government towards the budget of the International Labour Office was governed by those considerations.

Mr. Muniz said that the International Labour Office, whose activities were continually increasing in an endeavour to find solutions for social and economic problems, was now faced with a problem which was very difficult to solve. The advantages and disadvantages of migration had been widely discussed. Many writers had condemned all attempts at migration as, for example, General Walker, who had put forward a theory that migration, instead of contributing towards an increase of the population, tended, on the contrary, to reduce it, since as immigrants came into a country, the birth rate decreased. Other writers had contested that theory with powerful arguments and had maintained that if the new countries desired to increase their population by an annual average of 2 per cent., they must resort to immigration.

It must also be recognised that there were countries which had everything to gain by encouraging their superfluous population to emigrate, whereas others, with a considerable capacity for absorbing a further population, should resort to immigration in order to continue to exploit their resources.

There was, therefore, every reason for the International Labour Office to deal with this problem, so that it could place at the disposal of the States Members of the Organisation all the information which they might require in order to carry out their policy of migration.

Fortunately the problem had now reached a stage which might be called scientific, thanks to the very complete statistics regularly published by the International Labour Office on migration movements of the present time. On the other hand, the recent experience of various Governments in the field of controlled migration showed what a high degree of organisation had already been attained in this respect. Bilateral treaties recently entered into by certain countries had given particularly satisfactory results. Thanks to such treaties, France had been able to repopulate a large district in the south-west, thus creating economic activity in a district which had not previously been particularly productive.

The services of the International Labour Office would considerably assist the countries which had to deal with problems of migration, and would facilitate the
en leur facilitant la solution de ce problème. Il appuie donc les propositions présentées par la Commission des migrations et, particulièrement, celle qui tend à consulter les Membres de l’Organisation sur l’intérêt qu’ils attacheraient à la réunion d’une conférence d’experts en matière de migrations colonisatrices, afin de convoyer cette conférence dans le cas où les Gouvernements l’estimeraient désirable.

Afin d’éviter toute équivoque, il tient à souligner que cet appui ne préjuge en rien l’attitude que son Gouvernement se réserve d’adopter le moment venu au sujet de certains aspects constitutionnels du problème des migrations.

M. Pardo tient à exprimer tout d’abord sa satisfaction de voir que la résolution adoptée par la Conférence de Santiago de Chili sur l’initiative du Gouvernement argentin est en pleine voie d’exécution puisque le Bureau est en train de procéder aux études spéciales demandées.

Le problème des accords bilatéraux pour le recrutement et le placement des travailleurs migrants, qui constituait l’un des points de la résolution adoptée par la Conférence de Santiago vient en effet d’être inscrit à l’ordre du jour de la Conférence internationale du Travail. L’étude du problème des migrations colonisatrices, spécialement mis en relief par la résolution, est également en bonne voie.

Le Gouvernement argentin porte un intérêt tout particulier au problème de l’immigration colonisatrice, qui a produit au siècle dernier des résultats si remarquables. Toutefois, la politique migratoire suivie à cette époque ne peut plus être appliquée avec la même amplitude à l’heure actuelle, où s’impose toujours davantage l’obligation d’un contrôle en raison de circonstances diverses. En Argentine, le problème des migrations est un problème fondamental qui intéresse également le gouvernement et le peuple lui-même, comme le démontrent l’initiative prise par la délégation argentine à la Conférence de Santiago, les déclarations du Ministre des Affaires étrangères de la République Argentine, M. Saavedra Lamas, à la dernière Assemblée de la Société des Nations et la résolution adoptée sur l’initiative du Gouvernement argentin par la Conférence panaméricaine pour la consolidation de la Paix réunie à Buenos-Ayres en décembre dernier. Par cette résolution, dont les termes concordent entièrement avec ceux de la résolution de la Conférence de Santiago, et à laquelle tous les pays d’Amérique ont donné unanimement leur appui, la Conférence panaméricaine de Buenos-Ayres recommande aux États Membres de l’Union panaméricaine de procéder, dans le plus bref délai, à une étude des possibilités d’immigration qu’offrent leurs territoires respectifs, et de communiquer les résultats de cette étude à l’Union panaméricaine, afin que celle-ci en donne connaissance aux autres nations d’Amérique. Ceci, ajoute la résolution, sans préjudice des informations qu’aura recueillies sur ce sujet le Bureau international du Travail, conformément à la résolution de Santiago.

Ces études et les recherches entreprises à Genève serviront à élaborer des projets de convention ou des recommandations propres à fournir une base à des traités bilatéraux de caractère social conclus entre les États d’Europe et d’Amérique qui l’estimeront digne, en établissant, autant que possible, une distinction entre l’immigration spontanée et l’immigration dirigée. On a ainsi établi une coordination entre les études effectuées par le Bureau et celles qui viennent d’être entreprises dans les pays d’Amérique.

En dernier lieu, l’intérêt que le Gouvernement argentin porte à cette question a été amplement démontré par le dépôt d’un projet de loi élaboré par le Ministre de l’Agriculture, et qui a été soumis par le pouvoir exécutif à l’examen du congrès. Ce projet de loi, qui sera probablement adopté, propose la création d’un organe central chargé de la direction du problème de la colonisation et, dans une certaine mesure, de l’ensemble du problème des migrations. Ce projet de loi permet de se rendre compte des possibilités qui peuvent se présenter en Argentine et de la manière dont le Gouvernement argentin envisage le problème. Dans son message au Parlement, le Gouvernement argentin déclare notamment :

« Nous avons toujours estimé que le problème principal de la République Argentine résidait dans le développement économique du pays. Pour créer une grande nation et une culture bien définie, pour parvenir à la prospérité, pour qu’un peuple s’organise il ne suffit pas d’avoir une grande quantité de terres fertiles et d’attirer des éléments racialphétérogènes. »
solution of their problems. For this reason he supported the proposals submitted by
the Migration Committee, and particularly the suggestion that the States Members
of the Organisation should be consulted as to the desirability of holding a Conference
of Experts on the subject of migration, with a view to convening this Conference if
the Governments considered that it should be called.

With a view to avoiding any misunderstanding, he pointed out that his support
did not in any way prejudice the attitude which his Government might in the future
adopt with regard to certain constitutional aspects of the problem of migration.

Mr. Pardo expressed his satisfaction that effect was now being given to the
resolution adopted by the Santiago Conference on the proposal of the Argentine
Government. The Office was making the special studies for which the resolution
had asked.

The question of bilateral agreements for the recruiting and placing of migrant
workers, which was one of the points referred to in the resolution adopted at Santiago,
had just been placed on the agenda of the International Labour Conference. Progress
was also being made on the problem of migration for settlement, on which special
stress had been laid in the resolution.

The Argentine Government was particularly concerned with the problem of
immigration for settlement, which during the last century had produced remarkable
results. But the migration policy followed at that time could not be so widely applied
at the present moment, when a system of control was necessary owing to various
circumstances. In Argentina, the problem of migration was one of primary import-
ance in which both the Government and the people were concerned. This had been
shown by the initiative taken by the Argentine delegation at the Santiago Conference,
the statement made by the Argentine Minister for Foreign Affairs, Mr. Saavedra
Lamas, at the last Assembly of the League of Nations, and the resolution adopted
on the proposal of the Argentine Government at the Inter-American Peace Conference
held at Buenos Aires in December 1936. In that resolution, the terms of which
corresponded with those of the resolution adopted at the Santiago Conference, and
which had received the unanimous support of all the American countries, the Inter-
American Conference recommended the States Members of the Pan-American Union
to undertake, as soon as possible, studies of openings for immigration in their respective
territories, and communicate the results to the Pan-American Union to be brought
to the notice of other American nations; but, as the resolution added, without prejudice
to any information which might have been collected by the International Labour
Office in accordance with the resolution adopted at Santiago.

Those studies and the enquiries undertaken at Geneva would be of assistance in
the drawing up of Draft Conventions or Recommendations which could form a basis
for bilateral treaties of a social character to be concluded between such European
and American States as might consider it desirable, by making a distinction as far as
possible between spontaneous and controlled immigration. A means had thus been
found to co-ordinate the studies made by the International Labour Office and those
which were being undertaken in the American countries.

Finally, the interest which the Argentine Government took in this question had
been clearly shown by a Bill prepared by the Minister of Agriculture, which had been
submitted to Congress by the executive authority. This Bill, which would probably
be adopted, proposed that a central body should be set up to deal with colonisation,
and to a certain extent with the whole problem of migration. The Bill illustrated all
the possibilities which offered in Argentina, and the manner in which the Argentine
Government contemplated dealing with the problem. In its message to Parliament,
the Argentine Government had included the following phrase:

"The Government has always considered that the principal problem of the
Argentine Republic was the economic development of the country. In order to
create a great nation and to reach a definite stage of culture, in order to
attain prosperity and to provide for the organisation of the people, it is not sufficient
to possess vast areas of fertile land and to attract a heterogeneous collection of races."
Et plus loin :

« Nous nous proposons de créer les organismes nécessaires pour amener les éléments d’immigration sélectionnés dont le pays a grand besoin. Nous avons heureusement assimilé l’immigration étrangère que l’insuffisance économique de l’Europe a envoyée sans distinction dans nos terres au siècle passé. Nous pouvons maintenant choisir et faire venir chez nous ceux qui viennent pour travailler le sol qui les recevra. Mais nous ne pouvons pas stimuler l’immigration sans lui créer en même temps des possibilités économiques. »

Le projet de loi en question crée ces possibilités, et l’agriculture est sa première préoccupation. En ce qui concerne les industries manufacturières, l’Argentine n’a besoin que d’une faible quantité de techniciens. Par contre, la campagne n’est pas suffisamment peuplée et a besoin d’immigrants. L’Argentine considère que la colonisation est une fonction sociale qui est déjà mentionnée dans la Constitution du pays. Il ne s’agit pas pour elle d’opérations commerciales tendant à réaliser un profit par la vente de terrains, mais elle attend de la colonisation un bénéfice d’une grande valeur économique et sociale qui contribuera au progrès national. L’Argentine n’a jamais fermé ses portes à l’immigration rurale, dont elle a toujours besoin, et elle considère que son progrès dépend en partie de la solution du problème démographique sous ses aspects économique et social.

Il donne son adhésion aux propositions contenues dans le rapport de la Commission des migrations ainsi qu’aux suggestions présentées par le Bureau. En novembre dernier, la Commission des migrations s’est spécialement occupée du problème des migrations colonisatrices. Il est apparu à la Commission que le manque d’une organisation adaptée aux nouvelles conditions économiques et sociales constituait le principal obstacle à la reprise du mouvement de colonisation souhaitée par les pays d’immigration et d’émigration, et que le Bureau pourrait en particulier faire œuvre utile en déterminant les possibilités d’une coopération technique et financière entre les pays intéressés. On a proposé que les modalités d’une telle coopération fussent élaborées par une conférence d’experts. Il considère que les gouvernements des États Membres de l’Organisation doivent être consultés, afin de pouvoir donner leur avis sur l’opportunité d’une telle conférence. On pourra ainsi être fixé sur la possibilité d’aboutir à des conclusions qui faciliteront l’élaboration d’accords bilatéraux entre les pays particulièrement intéressés.

M. Jouhaux rappelle que la question posée par le rapport de la Commission des migrations a toujours été considérée comme d’une importance capitale par le groupe des travailleurs, lequel a toujours demandé que le Bureau participe à l’examen et à la discussion de toutes décisions qui pourraient être prises à l’égard des problèmes de migrations.

Il est certain que si l’on n’envisageait les migrations que sous l’aspect d’un problème démographique ou de colonisation, le Bureau n’y serait pas profondément intéressé. Mais il y a des aspects sociaux qu’il appartient au Bureau d’examiner et de s’efforcer de résoudre.

La question des migrations met en lumière la solidarité entre les diverses nations. Mais cette solidarité ne saurait être unilatérale. Si elle intéresse les nations qui possèdent des terres de peuplement et qui ont besoin d’une main-d’œuvre supplémentaire, elle intéresse également les pays qui sont dans la nécessité d’expatrier leurs ouvriers. Si la solidarité doit s’exercer entre les différentes nations du point de vue du droit au travail des ouvriers, à quelque nationalité qu’ils appartiennent, le devoir des pays qui ont un excédent de population ou une natalité trop élevée est aussi d’essayer, par leurs propres moyens, à l’intérieur de leur territoire, par l’application de la législation du travail déjà réalisée dans d’autres pays, de résorber, dans une certaine mesure, les excédents de travailleurs qu’ils ont avant de songer à les expatrier. C’est là, dans l’état actuel du développement de la législation du travail, un aspect du problème sur lequel le groupe des travailleurs attirera l’attention de toutes les Commissions ou organes qui s’occupent de migrations. S’il, sans aucune réserve, les travailleurs acceptent la solidarité entre toutes les nations, ils demandent la réciprocité sur ce point particulier. Il faut que les nations bénéficiant de cette solidarité reconnaisson qu’elles ont, de leur côté, le devoir de participer au développement de la législation sociale et
Subsequently, the message continued:

"It is proposed to set up the necessary bodies in order to provide for a system of selected immigration, of which the country stands in great need. The Argentine Republic has fortunately assimilated the foreign immigrants whom the economic insufficiency of Europe has in the last century indiscriminately sent to its territory. Now it is possible to make a choice and to attract immigrants to work on the land. Immigration, however, cannot be stimulated unless economic opportunities are created at the same time."

The Bill in question created such opportunities, and its primary object was to deal with agriculture. As regards the manufacturing industries, Argentina only required small numbers of technicians. The country, on the other hand, was not sufficiently populated and required immigrants. Argentina considered that colonisation was a social function which was referred to in the Constitution. There was no question of commercial operations nor of making a profit from the sale of land. But considerable benefit of an economic and social character was expected, which would contribute towards national progress. Argentina had never shut its doors to rural immigration, of which it always had need, and it believed that its progress partly depended on the solution of the economic and social aspects of the demographic problem.

He supported the proposals contained in the report of the Migration Committee, and the suggestions put forward by the Office. In November 1936 the Migration Committee had been particularly concerned with the subject of migration with a view to settlement. The Committee had felt that the lack of organisation adapted to new economic and social conditions was the chief obstacle in the way of re-starting the colonisation movement which was desired by several immigration and emigration countries, and that the Office could do particularly useful work in determining the possibilities of technical and financial co-operation between the interested countries. It was proposed that the details of such co-operation should be worked out by a Conference of Experts. He agreed that the Governments of all the States Members of the Organisation should be consulted as to the desirability of holding such a Conference. That would show whether it would be possible to arrive at conclusions which would facilitate the drawing up of bilateral agreements between the countries which were particularly interested.

Mr. Jouhaux said that the question raised in the report of the Migration Committee had always been considered by the workers' group as of primary importance. The group had always urged that the Office should take part in the consideration and discussion of any decisions which might be taken concerning problems of migration.

Obviously if migration was only considered from the standpoint of a demographic problem, or of colonisation, the Office would not be very deeply concerned. There were, however, social aspects which it was the Office's duty to consider and to endeavour to solve.

The question of migration was one which illustrated the community of interests of the various countries. This, however, could not be one-sided. While it concerned nations possessing land for settlement and requiring additional labour, it also concerned countries which needed to find possibilities of emigration for their workers. If collaboration was necessary between the various countries in order to find work for the workers, to whatever nationality they might belong, it was also the duty of countries which had superfluous population, or too high a birth rate, to endeavour themselves, within their own territory, by applying the labour legislation already in force in other countries, to absorb to a certain extent their superfluous workers before endeavouring to send them to other countries. In the present state of the development of labour legislation, this was an aspect to which the workers' group called the attention of all the Committees or bodies which dealt with migration. Whilst the workers agreed without reserve that there was community of interests between all nations, they asked for reciprocity on this particular point. The nations which were to benefit by this community of interests must recognise that it was their duty to participate in the development of social legislation, and give the workers
de donner aux travailleurs qu’elles vont envoyer dans certains pays de peuplement ou ayant besoin de main-d’oeuvre, un niveau social aussi élevé que celui dont jouissent les travailleurs dans ces pays d’immigration. C’est là une considération sur laquelle il a attiré l’attention de la Conférence internationale du Travail lors de sa dernière session et qu’il a exposée à différentes reprises dans son propre pays. Son attitude est commandée par les conditions mêmes de la législation sociale en France et il continuera à exercer son action dans ce sens chaque fois qu’il en aura l’occasion. Dans son opinion, si le principe de la solidarité entre les pays est reconnu, il est indispensable que dans les pays où la main-d’œuvre est en excédent, cette main-d’œuvre n’apparaisse pas comme pouvant concurrencer dangereusement celle des pays dans lesquels elle se rend.

M. Oersted est heureux de se trouver en complet accord avec M. Jouhaux. Il fait cette déclaration non seulement en son propre nom, mais également au nom de tout le groupe des employeurs.

Le problème des migrations intéresse vivement les employeurs qui reconnaissent, eux aussi, qu’il a un aspect social, lequel est peut-être le plus important à l’heure actuelle. C’est parce que les différents pays souffrent dans une mesure plus ou moins grande du chômage qu’ils ont intérêt à voir se développer les mouvements migratoires. Au cours de sa récente visite en Amérique latine, il a été heureux de constater l’intérêt que cette question soulève dans ces pays.

Il se rallie entièrement à la proposition de la Commission des migrations qui tend à la convocation d’une Conférence, après consultation préalable des Gouvernements. Il ne s’oppose pas non plus à la constitution d’un comité d’experts, si ce comité peut apporter une aide utile aux travaux du Bureau, mais il estime que, dans ce cas également, il serait opportun de consulter d’abord les Gouvernements intéressés pour savoir s’ils approuvent la constitution de ce comité, et s’ils sont disposés à collaborer tant avec le comité envisagé qu’avec le Bureau international du Travail.

Dans son opinion, lorsque le Bureau aborde l’étude d’un problème qui intéresse les Gouvernements de certains pays, il devrait en règle générale consulter ces Gouvernements qui sont les plus qualifiés pour donner des renseignements utiles pour l’œuvre de l’Organisation. Il est évident que les Gouvernements, avant de répondre à des questions posées par le Bureau international du Travail, consulteront des experts qualifiés. Si le Bureau devait constituer lui-même un comité d’experts, on peut se demander suivant quels principes il procéderait au choix de ces experts, alors que les Gouvernements possèdent tous les éléments d’appréciation pour ce choix. Aussi demande-t-il qu’avant d’instituer le comité, le Bureau se mette d’accord avec les Gouvernements intéressés.

La Commission de migrations suggère que le Directeur soit invité à préparer en temps utile, pour les débats de la Société des Nations, un mémoire qui exposera les principaux éléments d’information recueillis par le Bureau international du Travail. Il se rallie entièrement à cette suggestion, mais demande seulement que l’on soumette en temps utile ce rapport au Conseil d’administration, puisque tous les groupes sont intéressés à cette question.

En ce qui touche l’ordre du jour d’une conférence d’experts éventuelle, il est d’accord avec le Directeur pour estimer qu’il n’y aurait pas utile à y inscrire la question du recrutement, du placement et des conditions de travail (égalité de traitement) des travailleurs migrants, puisque la question doit être traitée par la Conférence internationale du Travail. Mais, si le Comité d’experts était institué, cette question ne devrait pas non plus être discutée par lui avant que l’on connaisse le résultat des débats au sein de la Conférence internationale du Travail.

Il espère s’être expliqué avec suffisamment de clarté pour que l’on comprenne que les employeurs sont d’accord pour que l’on fasse tout le possible en vue de développer les migrations qui constituent un élément de la plus haute valeur dans la situation sociale actuelle.

M. Serrarens a constaté avec grand plaisir l’accord complet qui existe entre les vues de M. Oersted et de M. Jouhaux. Toutefois, M. Oersted a dit qu’avant de désigner des experts il serait nécessaire que le Bureau consultât les Gouvernements. Il ne voit pas pourquoi il y aurait lieu d’imposer une telle restriction au Bureau. Il est possible que dans certains cas, si l’on constitue un comité de correspondance ou d’experts, il
whom they would send to certain countries requiring immigrants or additional labour a standard of social conditions equal to that enjoyed by the workers in the countries of immigration. That was a consideration to which he had drawn attention at the last session of the International Labour Conference and on several occasions in his own country. His attitude was governed by the condition of social legislation in France, and he would continue to put forward the same view at every opportunity. His point was that since the principle of community of interests between the different countries was recognised, it was essential that in the countries where there was superfluous labour, such labour should not be liable to compete unfairly with the labour of the countries to which it migrated.

Mr. Oersted said that he was glad to be in complete agreement with Mr. Jouhaux. He said this not only on behalf of himself, but on behalf of the whole employers' group.

The employers took the greatest interest in the question of migration, and agreed that it had a social aspect, which was perhaps the most important aspect at the present moment. It was because the various countries were suffering to a greater or lesser degree from unemployment that they were anxious to develop migration. During his recent visit to Latin America he had been glad to learn how much interest that question was arousing in those countries.

He was in complete agreement with the proposal of the Migration Committee for the holding of a Conference after the Governments had been consulted. Neither was he opposed to the setting up of a Committee of Experts, if it could assist the work of the Office, but he thought that in this instance also the Governments concerned should first be consulted in order to ascertain whether they approved of the proposal to set up the Committee, and whether they were prepared to collaborate with it and with the International Labour Office.

In his opinion, when the Office took up the study of a problem which concerned the Governments of certain countries, it should as a general rule consult those Governments, since they were in the best position to provide information to assist the work of the Organisation. It was obvious that the Governments, before replying to any question put by the International Labour Office, would consult qualified experts. If the Office itself were to set up a Committee of Experts, it was difficult to see what principles it would follow in selecting the experts, whereas the Governments had all the necessary facilities for making such a choice. He therefore proposed that the Office should reach an agreement with the Governments concerned before the Committee was set up.

The Migration Committee also suggested that the Director should be invited to prepare in good time for the discussions at the League of Nations a memorandum which would contain the principal items of information collected by the International Labour Office. He was in complete agreement with that suggestion, but he merely requested that in due course this report should be submitted to the Governing Body, since all the groups were interested in the question.

With regard to the agenda of a possible Conference of Experts, he agreed with the Director that no useful purpose would be served by including the question of recruiting, placing and conditions of labour (equality of treatment) of migrant workers, since that question would be considered by the International Labour Conference. If, however, the Committee of Experts were set up, the question should not be discussed by that body either until the results of the discussions at the International Labour Conference were known.

He hoped that it would be clearly understood that the employers agreed that everything possible should be done in order to develop migration, which was one of the most valuable elements in the present social situation.

Mr. Serrarens said that he had noted with great pleasure the complete agreement between the views held by Mr. Oersted and Mr. Jouhaux. Mr. Oersted had, however, said that before experts were appointed the Office should consult the Governments. He did not see why it should be necessary to place that restriction on the Office. It might happen in certain cases that when a Correspondence Committee or a Committee
soit utile de faire appel à des experts qui n’auraient pas été proposés par des Gouvernements. Il lui paraît inutile de limiter ainsi par avance le choix des experts.

M. Oersted tient à préciser qu’il a seulement voulu dire qu’il serait nécessaire de demander l’avis des Gouvernements sur l’opportunité ou l’utilité de constituer un tel comité. Si les Gouvernements sont en faveur de cette constitution, ils désigneront éventuellement des experts. En tout cas, le Directeur tiendra certainement, selon la procédure habituelle, à consulter les Gouvernements intéressés à l’égard des désignations envisagées.

M. Kitaoka demande au Bureau, au nom du Gouvernement japonais, de faire tout ce qui lui est possible pour donner suite aux résolutions adoptées par la Commission des migrations. Il est également entièrement d’accord avec M. Oersted pour estimer que le Bureau devrait d’abord consulter les Gouvernements au sujet de la désignation des experts.

M. Komarnicki est heureux de constater l’unanimité qui se manifeste au sein du Conseil d’administration en ce qui touche le problème de l’émigration et l’importance de ce problème. Toutefois, il croit utile de préciser le caractère de la question traitée, qui est le problème des migrations colonisatrices. Certains orateurs ont abordé cette question d’un point de vue trop industriel. Dans son opinion, c’est une erreur que l’on commet trop souvent de lier la question du chômage à celle des mouvements migratoires colonisateurs. Ces mouvements ne peuvent résorber le chômage que dans une très faible mesure. Il s’agit là de problèmes indépendants ; le problème des migrations des colons agricoles doit être traité en lui-même.

Aucun pays ne peut résoudre ses difficultés intérieures exclusivement à l’aide de l’émigration. En effet, il y a lieu de tenir compte de l’industrialisation du pays et de l’émigration intérieure. L’émigration extérieure peut résoudre seulement en partie les difficultés intérieures des pays qui ont un excédent de population ; ce que le Conseil d’administration doit s’efforcer de faire, c’est d’accorder les intérêts des pays d’immigration et des pays d’émigration. Le Conseil constitue un terrain d’entente, et il ne devrait pas y avoir de difficultés à parvenir à cette entente si l’on tient compte de tous les éléments de la question.

M. Picquenard déclare que M. Delauney, qui préside la réunion de la Commission des migrations, l’a chargé de présenter au Conseil, le rapport de la Commission.

Il se contentera de prendre l’une après l’autre les résolutions adoptées par la Commission afin de permettre au Conseil de prendre une décision à leur égard. La première résolution est conçue comme suit :

« La Commission des migrations exprime le vœu qu’une préparation minutieuse de plans de mise en valeur de certaines régions de pays de l’Amérique latine, en vue d’une colonisation, soit réalisée par les Gouvernements intéressés, et que les services du Bureau international du Travail soient mis à la disposition des Gouvernements qui le désireraient pour procéder sur place aux études propres à déterminer une collaboration internationale. »

La première partie de cette résolution s’adresse aux Gouvernements. Le Conseil pourrait prier le Bureau de transmettre ce vœu de la Commission aux Gouvernements intéressés.

Le Directeur estime que le débat qui vient de se dérouler a permis d’éclaircir la situation quant aux possibilités d’action du Bureau et de l’Organisation.

M. Komarnicki a rappelé que la souveraineté nationale est à la base de l’ensemble de la question et c’est précisément parce que l’Organisation n’est pas un super-État qu’elle s’est heurtée dans le passé à des difficultés lorsqu’elle a abordé ce problème.
of Experts was set up, it might be desirable to have recourse to experts who had not been proposed by Governments. He did not see why the choice of experts should be limited in advance.

Mr. Oersted explained that he had only suggested that it was necessary to ask the views of the Governments as to the desirability and utility of setting up the proposed Committee. If the Governments were in favour of that proposal, they would if necessary nominate experts. In any case the Director would certainly follow the usual practice, and consult the Governments in regard to the nomination of experts.

Mr. Kitaoka requested the Office, on behalf of the Japanese Government, to do everything possible to give effect to the resolutions adopted by the Migration Committee. He also entirely agreed with Mr. Oersted that the Office should first consult the Governments in regard to the appointment of experts.

Mr. Konuzvnicki said that he was glad to note the unanimous view of the Governing Body as regards the principle of migration and the importance of the problem. It might, however, be useful to define more closely the character of the question, which was that of migration with a view to settlement. Certain speakers had treated the question from too industrial a standpoint. In his opinion it was a mistake which was too often made to connect the question of unemployment with that of migratory movements with a view to settlement. Such movements could only absorb unemployed persons to a very small extent. The problems were independent of one another, and the problem of the migration of agricultural settlers should be considered by itself.

No country could relieve its internal difficulties exclusively by means of emigration. Account had to be taken of the industrialisation of the country and of interior migration. Exterior emigration could only partly solve the interior difficulties of countries which had a surplus population. What the Governing Body had do was to endeavour to reconcile the interests of the countries of immigration and the countries of emigration. The Governing Body was a suitable place for reaching an agreement, and there should be no difficulty in doing so if all the elements of the problem were borne in mind.

Mr. Picquenard said that Mr. Delauney, who had been Chairman of the meeting of the Migration Committee, had requested him to submit the report of the Committee to the Governing Body on his behalf.

He would deal with each of the resolutions adopted by the Committee in turn in order that the Governing Body might take a decision upon them. The first resolution was as follows:

"(1) The Migration Committee expresses the wish that a careful preparation of development plans in certain districts of countries of Latin America with a view to settlement be carried out by the Governments concerned and that the International Labour Office place its services at the disposal of the Governments which desire it to proceed on the spot to studies capable of bringing about an international co-operation."

The first part of this resolution was addressed to the Governments. The Governing Body might request the Office to transmit the suggestion of the Committee to the Governments concerned.

The Director said that the debate which had just taken place had helped to clarify the situation in regard to the possibilities of action which the Office and the Organisation had before them.

Mr. Komarnicki had pointed out that national sovereignty was at the basis of the whole question, and it was precisely because the Organisation was not a super-State that it had encountered difficulties in dealing with the problem in the past.
Il regrette l’absence de M. de Michelis, qui a toujours porté un intérêt particulièrement actif à cette question et qui a fait peut-être plus qu’aucun autre membre du Conseil pour la signaler à l’attention du Conseil. Il est bien convaincu que M. de Michelis reconnaîtrait que ce n’est pas faute d’efforts de la part de l’Organisation que cette dernière n’a pu arriver jusqu’à présent à obtenir des résultats plus positifs. Ainsi que l’a indiqué M. Komarnicki, il s’agit de trouver un terrain d’entente et c’est dans ce domaine que le Bureau devra faire tous ses efforts pour jouer un rôle utile.

De son côté, M. Pardo a rappelé que le Bureau avait pour devoir de traiter les aspects techniques plutôt que les aspects politiques du problème, et M. Komarnicki a semblé se rallier à cette opinion. Il serait évidemment hors du champ d’activité du Bureau de tenter de surmonter les divergences de caractère politique qui ont pu surgir dans le passé ou qui pourraient se produire à l’avenir au regard du problème des migrations. Cependant, il est tout à fait possible que certaines de ces difficultés soient considérablement réduites si l’on procédait à une préparation technique plus adéquate. C’est pour ce motif que la proposition de convoquer des experts venant d’un nombre limité de pays particulièrement intéressés à la question paraît constituer le moyen le plus pratique d’aboutir à des résultats.

La Commission a soumis trois suggestions relatives au programme même des travaux à entreprendre. En premier lieu, elle a émis le vœu que le Bureau mette ses services à la disposition des pays de l’Amérique latine en vue d’assurer la préparation de plans de colonisation. Cette proposition est la conséquence logique des résolutions adoptées à Santiago et, ultérieurement, à Buenos-Ayres, sur ce sujet.

La deuxième résolution propose la constitution d’un comité de correspondance, mais il semble y avoir eu certains doutes sur la procédure à suivre pour la désignation des experts qui feraient partie d’un tel comité. Le Bureau pourrait suivre, à cet égard, la procédure habituelle, et consulter les Gouvernements en vue de soumettre, en temps opportun, une liste de noms, pour approbation, au Conseil d’administration. Cette procédure n’empêcherait d’ailleurs pas le Bureau de suggérer au Conseil le nom de personnes qualifiées qui n’auraient pas été directement proposées par des Gouvernements. Il peut exister, en effet, des experts de haute valeur auxquels les Gouvernements ne songeraient pas, mais qu’il pourrait y avoir intérêt à faire figurer sur la liste soumise au Conseil.

La troisième résolution demande d’abord que le Bureau prépare pour les débats de la prochaine Assemblée un mémoire exposant les principaux éléments d’information recueillis par lui sur les problèmes d’émigration et d’immigration que soulèvent les besoins démographiques et économiques de certains pays. Le Bureau a entrepris cette étude, mais il est douteux qu’il soit possible de la soumettre au Conseil d’administration avant la prochaine Assemblée. Il s’agit d’un travail de longue haleine, qui ne pourrait guère être achevé avant le mois de juillet. Aussi espère-t-il que M. Oersted n’insistera pas pour demander que ce mémoire soit soumis au Conseil avant d’être présenté à l’Assemblée. Ce sera d’ailleurs seulement un document d’information et qui ne contiendra ni conclusions, ni propositions.

Enfin, vient l’importante question d’une réunion d’experts. Il a été heureux de constater au sein du Conseil un complet accord de principe et il ne pense pas que la consultation des Gouvernements les plus susceptibles d’être intéressés présente de grandes difficultés. Toutefois, il espère que l’on ne demandera pas au Bureau de consulter les Gouvernements de tous les États Membres de l’Organisation. S’il fallait, en effet, attendre des réponses d’une soixantaine de pays, la réunion de cette conférence risquerait sans doute d’être retardée. Dans ces conditions, il espère que le Conseil acceptera la proposition faite par le Bureau dans sa note et tendant à limiter la consultation aux pays les plus susceptibles d’être intéressés à la question. Si l’on autorise le Bureau à faire cette démarche auprès des gouvernements intéressés, il est permis d’espérer que la conférence d’experts pourra être convoquée au cours de 1937. Il est bien entendu, naturellement, qu’avant qu’aucune décision soit prise, le Bureau soumettra un rapport au Conseil d’administration sur les résultats de cette consultation.

Il espère que le Conseil voudra bien approuver les résolutions dans le sens qui vient d’être indiqué.
He regretted that Mr. de Michelis was not present, since he had always taken a very active interest in this question, and had perhaps done more than any other member of the Governing Body in bringing it forward. Mr. de Michelis, he felt sure, would agree that it was due to no lack of effort by the Organisation that more concrete results had not been hitherto obtained. As Mr. Komarnicki had said, it was a question of finding a common ground of understanding, and it was in that field that the Office should make every effort to be of assistance.

Mr. Pardo had said that it was the duty of the Office to deal with technical rather than the political aspects of the question, and Mr. Komarnicki had appeared to agree with that view. It would, of course, be entirely beyond the sphere of the Office to attempt to overcome some of the political differences which had arisen in the past or might arise in the future in connection with the problem of migration, but it was quite possible that some of those difficulties might be considerably diminished if a more adequate technical preparation could be made. For that reason the proposal to bring together experts from a few countries particularly interested in the question seemed to be the most practical means of making progress.

The Committee had made three suggestions in regard to the actual programme of work. The first was that the Office should place its services at the disposal of countries in Latin America for the purpose of studying plans for settlement. That was the logical sequel to the resolutions adopted at Santiago and subsequently at Buenos Aires on the subject.

The second resolution proposed the setting up of a Correspondence Committee, and there appeared to be some uncertainty as to the method of appointing the experts on that Committee. The Office might follow the usual procedure and consult the Governments, so that a list of names could be submitted for the Governing Body's approval in due course. That, however, did not debar the Office from suggesting the names of qualified experts who might not be directly proposed by Governments. There might be admirable experts whose names might not occur to Governments, but whom it might be desirable to include in the list submitted to the Governing Body.

The third resolution, in the first place, proposed that the Office should prepare a memorandum for the next session of the Assembly containing the principal items of information collected by the Office on the problems of emigration and immigration raised by the demographic and economic needs of certain countries. Such a study was being undertaken by the Office, but it was doubtful whether it would be possible to submit it to the Governing Body before the Assembly. It was necessarily a difficult and somewhat lengthy study and it would be difficult to prepare it before July. He hoped, therefore, that Mr. Oersted would not press his request that it should be laid before the Governing Body before it was transmitted to the Assembly. It would only be a document of an informatory character and it would contain no conclusions or proposals.

Finally, there was the important question of the meeting of experts. He was glad to note that there was complete agreement on the principle, and he did not think that there should be much difficulty in consulting the Governments most likely to be interested. He hoped, however, that the Office would not be expected to consult the Governments of all the States Members of the Organisation. If it was necessary to wait until replies had been received from some sixty countries, the meeting would probably be delayed. He hoped, therefore, that the Governing Body would agree to the proposal contained in the Office note that the enquiry should be confined to the countries most likely to be interested. If the Office were given discretion to approach those Governments, there seemed a good prospect of being able to call the meeting during 1937. It was, of course, clearly understood that before any decision was taken, the Office would submit a report to the Governing Body on the result of its enquiries.

He hoped that the Governing Body would approve the resolutions on the lines which he had indicated.
M. Oersted regrette que le Directeur n'ait pas estimé possible de lui donner satisfaction sur un des points qu'il a soulevés. Il ne comprend pas très bien pourquoi le Directeur ne pourrait pas consulter les Gouvernements intéressés quant à l'opportunité d'instituer un comité d'experts.

Il comprend les difficultés que le Directeur éprouverait à soumettre au Conseil le mémoire qu'il doit préparer pour l'Assemblée de la Société des Nations. Par conséquent, il retire sa proposition sur ce point. Mais il demande que ce mémoire soit communiqué aux membres du Conseil aussitôt qu'il sera prêt. Ils en auront ainsi connaissance avant la réunion de l'Assemblée.

Le Directeur ne voit pas très bien la portée de la suggestion faite par M. Oersted au sujet de la constitution du comité de correspondance dont la Commission des migrations a préconisé la création. Cette proposition a sans aucun doute été faite parce que le Bureau est appelé à étudier le problème des migrations sous tous ses aspects et qu'il a même été accusé, dans le passé, d'avoir été trop théorique dans ses études. On a estimé qu'un comité d'experts dont la plupart des membres, sinon tous, seraient proposés par les Gouvernements comme des personnalités compétentes en matière de migrations, pourrait apporter au Bureau un concours de la plus haute valeur. Il a des doutes quant à la nécessité de consulter les Gouvernements sur une question qui lui paraît relever uniquement du Conseil. D'ailleurs la grande majorité des Gouvernements intéressés sont représentés au sein du Conseil. Il ne voit pas exactement comment on pourrait procéder à une telle consultation et il se demande, pour sa part, si elle présenterait une réelle utilité.

Il remercie vivement M. Oersted de ne pas insister pour que le mémoire soit soumis au Conseil d'administration avant d'être présenté à l'Assemblée. Le Bureau ne manquera naturellement de le communiquer, dès sa publication, à tous les membres du Conseil.

Le Président invite le Conseil à approuver les diverses résolutions soumises dans le rapport de la Commission des migrations. La première résolution est conçue comme suit :

« 1. La Commission des migrations exprime le vœu qu'une préparation minutieuse de plans de mise en valeur de certaines régions de pays de l'Amérique latine, en vue d'une colonisation, soit réalisée par les Gouvernements intéressés, et que les services du Bureau international du Travail soient mis à la disposition des Gouvernements qui le désireraient pour procéder sur place aux études propres à déterminer une collaboration internationale. »

Le Conseil d'administration approuve cette résolution.

M. Picquetard fait connaître que la deuxième résolution, tendant à l'institution d'un comité de correspondance pour les migrations, est conçue comme suit :

« 2. La Commission des migrations est d'avis qu'il y a lieu de constituer un Comité de correspondance pour les migrations, qui permettrait au Bureau de solliciter les avis écrits d'experts des principaux pays pratiquement intéressés aux problèmes envisagés, soit comme pays d'établissement, soit comme pays d'émigration, soit à d'autres titres. Les avis de ces experts seraient rapportés par le Bureau devant la Commission des migrations qui, éventuellement, pourrait convoquer certains d'entre eux, selon les nécessités. »

Il appartiendra au Conseil d'approuver les désignations qui lui seront présentées par la Direction dans les conditions qu'il a indiquées.

Le Conseil d'administration approuve cette résolution.

M. Picquetard donne lecture de la première partie de la troisième résolution, conçue comme suit :

« 3. La Commission permanente des migrations prie le Conseil d'administration d'inviter le Directeur :

1) A préparer en temps utile pour les débats de la Société des Nations un mémoire qui exposera les principaux éléments d'information recueillis par le
Mr. Oersted said that he was sorry that the Director did not appear to be able to give him satisfaction on one point which he had raised. He could not understand why the Director could not ask the Governments concerned whether they considered it desirable to set up a Committee of Experts.

He understood the Director's difficulties in submitting to the Governing Body the memorandum which he was to prepare for the Assembly of the League of Nations, and he therefore withdrew his proposal on that point. He would ask, however, that the memorandum should be communicated to members of the Governing Body as soon as it was ready. They would thus be aware of its terms before the meeting of the Assembly.

The Director said that he did not fully understand the meaning of Mr. Oersted's suggestion as regards the constitution of the Correspondence Committee which the Migration Committee had proposed should be set up. That proposal had doubtless been made because the Office was called upon to study migration in all its aspects, and had even been accused of being too theoretical in the past. It was thought that a Committee of Experts, most of whom, if not all, would be proposed by the Governments as persons competent in matters of migration, would be of very considerable assistance to the Office. He doubted whether it was necessary to consult the Governments on a question which seemed to him a matter for the Governing Body alone. Incidentally the great majority of the Governments interested were represented on the Governing Body. He did not see exactly how such a consultation could be made, and he doubted whether it would be of any great utility.

He was very grateful to Mr. Oersted for not insisting upon the memorandum being submitted to the Governing Body before it was circulated to the Assembly. The Office would not fail to communicate the report to all members of the Governing Body as soon as it was issued.

The Chairman said that he would ask the Governing Body to approve the various resolutions submitted in the report of the Migration Committee. The first resolution was as follows:

"1. The Migration Committee expresses the wish that a careful preparation of development plans in certain districts of countries of Latin America, with a view to settlement, be carried out by the Governments concerned and that the International Labour Office place its services at the disposal of the Governments which desire it to proceed on the spot to studies capable of bringing about an international co-operation."

The Governing Body approved that resolution.

Mr. Picquenard said that the second resolution, which proposed to set up a Correspondence Committee on Migration, was as follows:

"2. The Migration Committee proposes that a Correspondence Committee on Migration should be set up which would enable the Office to obtain opinions in writing from experts in the chief countries having a practical interest in the problem, either as countries of settlement, as emigration countries or for other reasons. These opinions would be referred by the Office to the Migration Committee, which might convene any of the experts concerned as need arose."

It would be for the Governing Body to approve the nominations which the Director would submit in the conditions which he had indicated.

The Governing Body approved that resolution.

Mr. Picquenard said that the first part of the third resolution was as follows:

"The Permanent Migration Committee asks the Governing Body to invite the Director:

1. To prepare in good time for the discussions at the League of Nations a memorandum which will contain the principal items of information collected by
Bureau international du Travail sur les problèmes d’émigration et d’immigration que soulèvent les besoins démographiques et économiques de certains pays.

Le Directeur a fait connaître les conditions dans lesquelles il serait en mesure de donner suite à cette partie de la résolution.

Le Conseil d’administration approuve la première partie de la résolution.

M. Picquenard donne lecture de la seconde partie de la résolution, conçue comme suit :

« 2) À consulter sans délai les Membres de l’Organisation sur l’intérêt qu’ils attacheraient à la réunion d’une Conférence d’experts en matière de migrations colonisatrices et à convoquer cette Conférence aussitôt que des Membres, en nombre suffisant pour aboutir à des résultats utiles, en auront exprimé le désir. 

Sur ce point, une note supplémentaire a été soumise par le Bureau. Le Directeur y propose de se mettre en rapport avec les États Membres susceptibles d’être intéressés par ce projet de conférence d’experts et de faire rapport au Conseil d’administration dès que les chances d’obtenir une réunion vraiment utile se seront suffisamment précisées.

Le Conseil d’administration approuve la deuxième partie de la résolution.

M. Picquenard donne lecture de la quatrième résolution :

« La Commission permanente des migrations émet le vœu que le Bureau international du Travail examine l’opportunité de soumettre pour étude au Comité de correspondance sur les migrations, s’il est créé, ou pour discussion à la Conférence d’experts, si elle est convoquée, la question du traitement juste et équitable des immigrants.

Il rappelle que le Conseil vient de décider d’inscrire à l’ordre du jour de la Conférence de 1938 la question suivante : recrutement, placement et conditions d’emploi (égalité de traitement) des travailleurs migrants. Par conséquent, il ne lui semble pas qu’il y ait lieu de mettre aux voix cette proposition.

La dernière résolution de la Commission est conçue comme suit :

« Considérant que les formalités de visas de passeports entraînent pour les travailleurs migrants des difficultés considérables,

« Considérant que des résolutions pour la simplification des visas de passeports ont été adoptées par les Conférences internationales d’immigration et d’émigration, tenues à Rome en 1924 et à La Havane en 1928 ;

« La Commission permanente des migrations invite le Bureau international du Travail à étudier ce problème et à prendre les mesures nécessaires dans l’intérêt des travailleurs migrants. »

Le Conseil d’administration approuve cette résolution.

La séance est levée à 12 h. 55.

Jaromír Nečas.
the International Labour Office on the problems of emigration and immigration raised by the demographic and economic needs of certain countries."

The Director had already informed the Governing Body of the conditions under which he would be in a position to give effect to this part of the resolution.

*The Governing Body approved Part 1 of the resolution.*

*Mr. Picquenard* said that the second part of the resolution was as follows:

"2. To consult without delay the Members of the Organisation on the interest they would attach to a meeting of a conference of experts on the subject of migration with a view to settlement, and to convene this conference as soon as a number of Members sufficient to achieve useful results have expressed a desire for it."

A supplementary note on this point had been submitted by the Office, in which the Director proposed to get into touch with the States Members which might be interested in the proposed Conference of Experts, and to make a report to the Governing Body as soon as there was a prospect of holding a useful meeting.

*The Governing Body approved Part 2 of the resolution.*

*Mr. Picquenard* said that the fourth resolution was as follows:

1. "The Permanent Migration Committee recommends that the International Labour Office should consider the desirability of having the question of fair and equitable treatment of immigrants studied by the Correspondence Committee on Migration, if appointed, or discussed by the Conference of Experts, if convened."

The Governing Body had just decided to place on the agenda of the 1938 Session of the Conference the question of recruiting, placing and conditions of labour (equality of treatment) of migrant workers. It therefore did not seem necessary to submit this resolution to the Governing Body for approval.

The last resolution was as follows:

"Considering that the formalities of visas of passports are considerable burdens on migrant workers;

"Considering that resolutions for the simplification of the visas of passports have been adopted by the International Conferences on Emigration and Immigration, held in Rome in 1924 and in Havana in 1928;

"The Permanent Migration Committee requests the International Labour Office to study this problem and to take the necessary steps for the benefit of the migrant workers."

*The Governing Body approved that resolution.*

The sitting closed at 12.55 p.m.

JAROMIR NECÁS.
PROCÈS-VERBAL DE LA HUITIÈME SÉANCE.

(Samedi 6 février 1937 — 15 heures 15.)


Absents : M. MARKUS, M. de MICHELIS.

TREIZIÈME QUESTION À L’ORDRE DU JOUR.

Rapport du Directeur (suite).

Deuxième rapport supplémentaire du Directeur.

Organisation intérieure.

Le Directeur expose que la première partie de ce rapport a trait aux départs de M. Maurette et de M. Fuss. Sans doute, la plupart des membres du Conseil ont-ils déjà connaissance de ces départs.

Le moment où l’on perd la collaboration d’hommes qui pendant de longues années ont rendu de si grands services au Bureau, est toujours pénible. Heureusement, dans le cas de M. Maurette, il s’agit non d’un départ définitif, mais d’un mode de collaboration différent. Il est convaincu, pour sa part, que, comme directeur du Bureau de Paris, M. Maurette continuera à rendre au Bureau les services inappréciables qu’il lui a rendus pendant douze ans. Néanmoins, il est persuadé que le Conseil d’administration regrettera vivement cette perte, même partielle.

Quant à M. Fuss, il quitte le Bureau pour entrer au service du Gouvernement belge, et il ne peut que féliciter le Gouvernement belge du choix qu’il a ainsi fait.

M. OERSTED tient, au nom de tous les membres employeurs du Conseil, à dire à M. Maurette le regret qu’ils éprouvent à le voir quitter Genève. Ils ont toujours eu avec M. Maurette les rapports les plus amicaux et les plus agréables. A plusieurs reprises, il a personnellement pu féliciter M. Maurette pour les grands services qu’il avait rendus au Bureau. Tout comme le Directeur, il se réjouit du fait que M. Maurette, s’il quitte Genève, ne quitte pas entièrement le Bureau. Il espère que M. Maurette restera longtemps à la direction du bureau de correspondance de Paris et qu’il trouvera là un domaine d’activité qui lui donnera satisfaction et où il pourra exercer en faveur du Bureau international du Travail ses grandes qualités.

Il regrette également le départ de M. Fuss et s’associe entièrement aux paroles prononcées par le Directeur à son égard.

M. SCHÜRCH s’associe aux regrets ainsi qu’aux félicitations qui viennent d’être exprimés à l’occasion du départ de M. Maurette.

Le groupe des travailleurs ressent tout particulièrement le départ de M. Fuss, qui a rendu des services éminents dans la lutte contre le chômage, pour laquelle il a apporté les suggestions les plus utiles. M. Fuss concevait le problème du chômage dans toute son ampleur, et si l’on peut féliciter le Gouvernement belge d’avoir fait appel à ce collaborateur, le groupe des travailleurs ne peut que regretter qu’il ait quitté le Bureau où il aurait pu rendre encore d’excellents services à la tête de la Section du chômage.
MINUTES OF THE EIGHTH SITTING.

(Saturday, 6 February 1937—3.15 p.m.)

The Governing Body was composed as follows: Mr. Nečas, Chairman; Mr. Andersson, Mr. Curčín, Mr. Duffy, Mr. Fabra Ribas, Mr. Goodrich, Mr. Hayday, Mr. Jouhaux, Mr. Kirkaldy, Mr. Kitaoka, Mr. Knob, Mr. Komarnicki, Mr. Lambert-Ribot, Mr. Li Ping-Heng, Mr. Mannio, Mr. Mertens, Mr. Muniz, Mr. Němecék, Mr. Norman, Mr. Oersted, Mr. Pardo, Mr. Picquenard, Mr. Rau, Mr. Riddell, Mr. Schürch, Mr. Sherrard, Mr. Tzaut, Mr. Vaněk, Mr. Villa Michel, Mr. Yonekubo.

Absent: Mr. Markus, Mr. De Michelis.

THIRTEENTH ITEM ON THE AGENDA.

The Director's Report (continued).

Second Supplementary Report of the Director.

Internal organisation.

The Director said that the first part of this Report related to the departure from the Office of Mr. Maurette and Mr. Fuss. Most members of the Governing Body were no doubt already aware that these two officials were leaving.

Great regret must always be felt at losing the collaboration of persons who had for many years rendered great services to the Office. He was glad to state that Mr. Maurette was not actually leaving the service of the Office, but would merely be working for it in a different capacity. He was certain that as Director of the Paris Office Mr. Maurette would continue to give the same admirable service as during the past twelve years. The Governing Body would, however, greatly regret his loss, even though it was only a partial loss.

Mr. Fuss had left the Office to enter the service of the Belgian Government. The Belgian Government could be congratulated on the choice which it had made.

Mr. Oersted, speaking on behalf of all the employers' members of the Governing Body, expressed the regret which they felt at Mr. Maurette's departure from Geneva. They had always had most friendly and pleasant relations with Mr. Maurette. He himself had often had an opportunity of congratulating Mr. Maurette on the great services which he had rendered to the Office. Like the Director, he was glad that Mr. Maurette was merely leaving Geneva and not leaving the service of the Office. He hoped that Mr. Maurette would long remain at the head of the Paris Branch Office, and would find there a field of activity where he could continue to devote his great abilities to the service of the International Labour Office.

Mr. Schürch also expressed his regret at the departure of Mr. Maurette and joined in the congratulations addressed to him.

The workers' group would particularly feel the loss of Mr. Fuss, who had rendered great services in the prevention of unemployment and had put forward extremely valuable suggestions on that subject. Mr. Fuss took a broad view of the whole problem of unemployment; and although the Belgian Government could be congratulated on having secured his services, the workers' group could not help being sorry that he had left the Office, where he might still have done excellent work as head of the Unemployment Section.
Le Président tient à associer le Conseil d'administration tout entier aux remerciements qui viennent, de divers côtés, d'être adressés à M. Maurette. Le Conseil connaît la valeur exceptionnelle des services rendus par M. Maurette à l'Organisation internationale du Travail. Au cours de longues années, et dans une période très difficile pour la vie du Bureau, M. Maurette a assumé, d'abord sous la direction d'Albert Thomas, puis sous celle de M. Harold Butler, la responsabilité du travail scientifique du Bureau.

Le Conseil est heureux de savoir que, dans ses nouvelles fonctions, M. Maurette continuera à mettre à la disposition du Bureau sa grande expérience et les ressources exceptionnelles de son savoir.

Le Conseil tient également à s'associer à l'hommage rendu par le Directeur à M. Fuss pour les services éminents qu'il a rendus au Bureau. Les nombreux travaux accomplis en matière de chômage, de placement et de migrations, par la Section jusqu'alors dirigée par M. Fuss, témoignent de la compétence et du dévouement de ce collaborateur.

M. Maurette, directeur du Bureau de Paris, remercie le Directeur pour ses paroles et pour la manière dont il a annoncé son départ au Conseil, et a été très touché de la façon dont le Conseil a accueilli cette nouvelle.

Il ne peut se défendre d'une émotion profonde en prenant congé du Conseil d'administration. L'un des motifs de reconnaissance qu'il avait à l'égard d'Albert Thomas pour l'avoir appelé à Genève était de lui avoir permis d'entrer en relation avec toutes les personnalités distinguées, venant de tous les points du monde, qui constituent le Conseil d'administration. Grâce aux deux directeurs successifs du Bureau, il a, pour sa part, eu avec le Conseil d'administration des relations de collaboration active et compréhensive. Au surplus, le caractère sympathique de ces relations lui a permis de comprendre que, non seulement il servait l'Organisation internationale du Travail de toutes ses forces, mais qu'il pouvait croire qu'il le faisait correctement, dans l'esprit de l'Institution.

Son sentiment de regret se trouve cependant compensé par le fait que, résidant à l'avenir à Paris, il peut espérer rencontrer un grand nombre des membres du Conseil d'administration, lorsqu'ils s'arrêtent dans cette ville.

Étant donné qu'il a eu le privilège d'avoir comme collaborateur, dès son arrivée au Bureau, M. Fuss, et que celui-ci n'assiste pas à la séance du Conseil, il se permet de remercier en son nom le Directeur et le Conseil d'administration des témoignages de sympathie et de regret qui lui ont été adressés.

Comité d'experts pour l'alimentation des travailleurs.

Le Directeur demande au Conseil l'autorisation de convoquer ce comité pour le vendredi 9 avril 1937.

Le Conseil approuve cette suggestion.

Composition des commissions.

Commission d'experts pour l'application des conventions.

Le Conseil désigne comme membre de la Commission d'experts pour l'application des conventions M. Yoshisakci pour occuper l'un des deux sièges récemment créés d'experts appartenant à des pays extra-européens.

Commission d'experts en matière de travail indigène.

Le Conseil désigne comme membre de la Commission d'experts en matière de travail indigène M. Deladrier, secrétaire général du Comité national de Kivu et membre du Conseil colonial de Belgique, en remplacement de M. Gohr.

Comité de correspondance pour les assurances sociales.

Le Conseil désigne comme membres du Comité de correspondance pour les assurances sociales les personnalités suivantes :

M. le Dr Langelez (Belge), chef du Service médical du Travail au ministère du Travail et de la Prévoyance sociale de Belgique, en remplacement de M. le Dr Glibert.
The Chairman said that the Governing Body as a whole would associate itself with the thanks which various speakers had addressed to Mr. Maurette. The Governing Body was aware of the exceptional value of his services to the International Labour Organisation. For many years Mr. Maurette had, during a very difficult period in the life of the Office, been responsible for the research work of the Office, first of all under the direction of Albert Thomas and subsequently under that of Mr. Harold Butler.

The Governing Body was glad to learn that Mr. Maurette would continue in his new post to place his great experience and exceptional knowledge at the disposal of the Office.

The Governing Body also associated itself with the Director's tribute to Mr. Fuss for the excellent work which he had done for the Office. The numerous studies carried out on unemployment, placing and migration by the section of which Mr. Fuss had been head, bore witness to his ability and devotion.

Mr. Maurette, Director of the Paris Office, thanked the Director for the way in which he had informed the Governing Body of his departure. He had been greatly touched by the way in which the Governing Body had received that announcement.

He could not help feeling moved on the occasion of his taking leave of the Governing Body. One of the reasons why he had been grateful to Albert Thomas for having urged him to come to Geneva was that this had enabled him to enter into relations with the distinguished personalities from all parts of the world who constituted the Governing Body. Thanks to the two successive Directors of the Office, his collaboration with the Governing Body had been both active and cordial. The excellent relations which he had always enjoyed with the Governing Body had shown that not only was he serving the International Labour Organisation to the best of his ability but that he could feel he was doing so in a satisfactory way and in the spirit of the institution.

Some compensation for the regret which he felt was provided by the fact that he would in future be living in Paris and would have an opportunity of meeting many of the members of the Governing Body when they passed through that city.

As he had had the privilege of working with Mr. Fuss ever since he had first come to the Office, and as Mr. Fuss was not present, he would venture in Mr. Fuss' name to thank the Director and the Governing Body for the expressions of appreciation and regret which they had addressed to him.

Committee of Experts on Workers' Nutrition.

The Director asked the Governing Body for authorisation to call a meeting of this Committee on Friday, 9 April 1937.

The Governing Body approved this suggestion.

Composition of Committees.

Committee of Experts on the Application of Conventions.

The Governing Body appointed Mr. Yosihisaka as a member of the Committee of Experts on the Application of Conventions to fill one of the two seats recently established for experts belonging to extra-European countries.

Committee of Experts on Native Labour.

The Director appointed Mr. Deladrier, Secretary-General of the National Committee of Kivu, and member of the Belgian Colonial Council, as a member of the Committee of Experts on Native Labour in place of Mr. Gohr.

Correspondence Committee on Social Insurance.

The Governing Body appointed the following persons as members of the Correspondence Committee on Social Insurance:

Dr. Langelez (Belgian), Chief of the Section for Medical Labour Questions in the Belgian Ministry of Labour and Social Welfare, in place of Dr. Glibert.
M. Frank Bane (Etats-Unis), directeur au « Social Security Board ».

M. W. L. Williamson (Etats-Unis), actuaire au « Social Security Board ».

M. le Dr Edwin Witte (Etats-Unis), professeur d'économie politique à l'Université du Wisconsin.

Commission permanente agricole.

Le Conseil désigne comme membres de la Commission permanente agricole les experts suivants :

Pour occuper des sièges au sein de la 4ème catégorie du groupe des membres réguliers de la Commission :

M. P. Alexandrescu-Roman (Roumain), secrétaire général du ministère de l'Agriculture de Roumanie.

M. Henri Queuille (Français), ancien ministre de l'Agriculture et de la Santé publique de France, président de la Fédération nationale de la mutualité et de la coopération agricole, ainsi que du Comité national d'entente et d'action agricole, en remplacement de M. Jules Gautier, décédé.

M. le Dr Ferenc Krudy (Hongrois), président de la Société nationale d'agriculteurs « Le Village ».

Le Conseil décide de créer un 15ème siège au sein de la quatrième catégorie du groupe des membres réguliers de la Commission et désigne pour occuper ce siège :

M. le professeur Tsou Ping-Wen (Chinois), recteur du Collège agricole de l'ancienne Université du sud-est de la Chine, à Nankin, et directeur adjoint du Bureau agricole récemment institué par le Gouvernement chinois.

Renouvellement du mandat de membres de commissions.

Le Conseil renouvelle pour une période de 3 ans les mandats venus à expiration des experts suivants :

Comité de correspondance pour les assurances sociales :

M. Paavilainen (Finlandais).

Comité d'experts statisticiens :

M. J. F. Gennings (Inde).

M. Isador Lubin (Etats-Unis).

Reunion tripartite concernant les mines de charbon.

Le Directeur rappelle qu'à sa 77ème session, le Conseil l'avait chargé de se mettre en rapport avec les parties intéressées afin de déterminer quelles étaient exactement les possibilités de convocation et les chances de succès d'une réunion technique au sujet de la durée du travail dans les mines de charbon. Depuis lors a eu lieu, à Bruxelles, les 14 et 15 janvier 1937, une réunion du Comité exécutif de la Fédération internationale des mineurs, qui a adopté une résolution communiquée au Conseil d'administration.

Le Directeur est convaincu que tous les membres du Conseil, connaissant l'histoire de la question de la durée du travail dans les mines de charbon, partageront le sentiment de regret exprimé dans cette résolution et jugeront qu'il y a urgence à trouver une solution en la matière.

Il tient à souligner que le Bureau international du Travail ne saurait en aucune mesure être rendu responsable de l'échec subi jusqu'à présent par les tentatives faites pour résoudre le problème. Il souhaite vivement dissiper l'impression que l'échec subi serait imputable au Bureau, impression qui d'après M. Hayday serait courante dans les milieux des mineurs. Il est persuadé que M. Hayday lui-même ne partage pas cet avis. Mais sans doute n'est-il pas inutile de retracer l'histoire de tout le problème depuis 1929, époque à laquelle la question de la durée du travail dans l'industrie minière a été soulevée par le Gouvernement britannique à l'Assemblée.
Mr. Frank Bane (United States of America), Executive Director of the Social Security Board.

Mr. W. I. Williamson (United States of America), Actuary of the Social Security Board.

Dr. Edwin Witte (United States of America), Professor of Economics, University of Wisconsin.

Permanent Agricultural Committee.

The Governing Body appointed the following experts as members of the Permanent Agricultural Committee:

To fill the seats in the fourth sub-group of regular members of the Committee:

Mr. P. Alexandrescu-Roman (Rumanian), Secretary-General of the Rumanian Ministry of Agriculture.

Mr. Henri Queuille (French), former French Minister of Agriculture and Public Health, and President of the National Federation of Agricultural, Mutual and Co-operative Societies and of the Comité national d’Entente et d’Action agricoles, in place of the late Mr. Jules Gautier.

Dr. Ferenc Krudy (Hungarian), President of “The Village” National Society of Agriculturists.

The Governing Body decided to establish a fifteenth seat in the fourth sub-group of regular members of the Committee, and appointed the following person to fill it:

Professor Tsou Ping-Wen (China), Dean of the College of Agriculture of the former South-Eastern University, Nanking, and Assistant Manager of the Agricultural Foundation Bureau newly established by the Chinese Government.

Re-appointment of members of Committees.

The Governing Body re-appointed for a further period of three years the following experts whose term of office had expired:

Correspondence Committee on Social Insurance:

Mr. Paavilainen (Finnish).

Committee of Statistical Experts:

Mr. J. F. Gennings (India);

Mr. Isador Lubin (United States).

Tripartite meeting on coal mines.

The Director said that the Governing Body had at its Seventy-seventh Session instructed him to get in touch with the parties concerned in order to find out what were the possibilities and prospects of holding a technical meeting on hours of work in coal mines. In the meantime the Executive Committee of the Miners’ International Federation had held a meeting at Brussels on 14 and 15 January 1937 and had adopted a resolution which had been communicated to the Governing Body. The Director felt sure that all members of the Governing Body who were familiar with the history of the question of hours of work in coal mines would share the feeling of regret expressed in this resolution and would consider that it was an urgent matter to find a solution.

The International Labour Office could not be held responsible in any degree for the failure of all the attempts hitherto made to settle the problem. He was particularly anxious to dispel the impression that the failure was due to the Office, since it appeared from what Mr. Hayday had said that that impression was current among the miners. He was sure that Mr. Hayday himself did not share that view. It might, however, be useful to retrace the history of the question since 1929, when the question of hours of work in coal mines had been raised by the British Government at the Assembly of the League of Nations.
A la suite du vœu exprimé par l'Assemblée, le Bureau a convoqué, au mois de janvier 1930, une réunion préparatoire concernant la durée du travail dans les mines de charbon. La question a figuré ensuite à l'ordre du jour de la Conférence internationale du Travail à sa session de 1930, sans qu'il ait été possible d'aboutir à l'adoption d'un projet de convention.

La Conférence a repris la question à sa session de 1931 et ses travaux ont abouti à une convention fixant la durée du travail dans les mines à 46 heures et demie par semaine. En dépit de tous les efforts déployés par le Bureau pour obtenir la ratification de cette convention, celle-ci n'a été ratifiée que par un seul pays, l'Espagne. En 1932 et en 1933 ont eu lieu des réunions officieuses des représentants des Gouvernements principalement intéressés pour essayer d'aboutir à une ratification simultanée. Au cours de ces réunions, on a relevé diverses difficultés techniques provenant, en partie, de la rédaction de la convention, dont on a demandé la révision. A la suite d'une nouvelle réunion tripartite, tenue en 1934, un accord s'est fait en vue de la révision de la convention. Cette révision a été opérée par la Conférence à sa session de 1935. Il semblait que, dès lors, toutes les difficultés empêchant la ratification se trouvaient écartées. Néanmoins, les Gouvernements des pays principalement intéressés se sont abstenus de procéder à la ratification.

A la même session, la Conférence a procédé, en première discussion, à l'examen d'une autre convention fixant la durée du travail dans les mines de charbon à 38 heures 3/4 par semaine. Cette convention n'a pu obtenir, à la session de 1936, la majorité des deux tiers et la Conférence a dû se borner à adopter la résolution qui est à la base des débats actuels du Conseil d'administration et qui suggère la convocation d'une nouvelle réunion tripartite en vue d'examiner la situation dans son ensemble dès que le moment paraîtrait opportun.

Comme il l'a déjà rappelé, le Conseil avait chargé le Bureau de se mettre en rapport avec les diverses parties intéressées pour connaître leur avis au sujet des perspectives de succès d'une telle réunion. Les organisations des mineurs sont, quant à elles, très désireuses de voir enfin aboutir les efforts poursuivis sans résultat depuis plus de six ans. Quant aux Gouvernements, ils n'ont pu, jusqu'à présent, obtenir de réponse précise que de deux d'entre eux. Le Gouvernement belge a fait connaître que si le Conseil décide la convocation d'une Conférence tripartite, il prendra part aux travaux de cette Conférence. Le Gouvernement des Pays-Bas, par contre, a fait connaître qu'à son avis, une telle Conférence ne pourrait aboutir à aucun résultat utile si l'Allemagne ne participait pas à ses travaux. De l'avis du Gouvernement des Pays-Bas, l'insuccès auquel s'est heurtée jusqu'à présent la convention provient principalement de l'absence de l'Allemagne des discussions qui ont eu lieu au cours des dernières années, et la situation ne paraît guère devoir changer tant que l'Allemagne ne sera pas disposée à participer aux réunions envisagées.

Telles sont les seules réponses dont le Bureau ait officiellement connaissance. Sans doute, les Gouvernements représentés au Conseil d'administration tiendront-ils à faire connaître leurs vues au Conseil.

Pour sa part, le Bureau ne négligera aucune des occasions qui s'offriront pour essayer d'aboutir à un résultat pratique. D'un côté, le moment présent peut être considéré comme favorable, étant donné que deux pays producteurs de charbon importants ont, au cours de l'année écoulée, réduit la durée du travail dans les mines de charbon à un niveau inférieur à celui de 46 heures 1/2 fixé par le projet de convention de 1931. Par contre, il ignore dans quelle mesure les autres pays producteurs de charbon considèrent comme insurmontable la difficulté signalée par le Gouvernement des Pays-Bas.

Si le Bureau est prêt à faire les plus grands efforts pour essayer d'aboutir à un résultat, il n'envisagera pas sans appréhension la convocation d'une nouvelle réunion tripartite, à moins que celle-ci ne paraisse avoir de sérieuses perspectives de succès. Si l'on constatait qu'un nouvel échec est probable, il estime pour sa part qu'il vaudrait mieux ajourner encore la convocation d'une telle Conférence jusqu'au moment où les chances de succès seraient meilleures.

M. Hayday tient à dissiper l'impression qu'il aurait pu donner d'attribuer au Bureau le défaut de ratification de la convention concernant la durée du travail dans
As a result of the resolution adopted by the Assembly, the Office had called a preparatory meeting on hours of work in coal mines in January 1930. The question had been on the agenda of the International Labour Conference at its 1930 Session, but it did not prove possible to adopt a Draft Convention.

The Conference took the question up again at its 1931 Session, and adopted a Convention fixing hours of work in coal mines at 46 1/2 per week. In spite of all the efforts made to secure the ratification of this Convention, it was ratified by only one country—Spain.

Unofficial meetings of representatives of the Governments principally concerned were held in 1932 and 1933 to try to bring about simultaneous ratification. At those meetings various technical difficulties, partly due to the drafting of the Convention itself, were pointed out, and revision was proposed. In 1934 another tripartite meeting was held, and agreement was reached as regards the revision of the Convention. The Conference accordingly revised the Convention in 1935. It was then supposed that the difficulties in the way of ratification were removed. Nevertheless, the Governments of the countries principally concerned did not ratify the Convention.

At the same session the Conference undertook a first discussion at 38 3/4 per week. This Convention failed to obtain a two-thirds majority at the 1936 Session, and the Conference had to content itself with adopting the resolution out of which the present discussions of the Governing Body arose. This resolution suggested the holding of a further tripartite meeting to consider the whole situation at such time as might be found favourable.

As he had already pointed out, the Governing Body had instructed the Office to get in touch with the various parties concerned in order to ascertain their views concerning the prospects for the success of such a meeting. The miners' organisations were extremely anxious to obtain some concrete result from the efforts which had been made fruitlessly for more than six years past. As regards the Governments, he had so far obtained a definite reply from two of them only. The Belgian Government had stated that it would take part in the work of a tripartite conference if the Governing Body decided to hold one. The Netherlands Government, on the other hand, had stated that in its opinion such a conference would not serve any useful purpose unless Germany took part in it. In the view of that Government the failure to secure ratification of the Convention up to the present was mainly due to the fact that Germany had not taken part in the discussions in recent years, and this situation did not appear likely to change so long as Germany was not prepared to take part in the proposed meetings.

These were the only official replies which the Office had received. The Governments represented on the Governing Body would, however, no doubt explain their views.

The Office would utilise every possible opportunity of achieving practical results in this matter. The present time might be regarded as favourable in view of the fact that two important coal-producing countries had, during the past year, reduced hours of work in coal mines to a figure below that of 46 1/2 per week which was fixed by the 1931 Convention. On the other hand, he did not know how far the other coal-producing countries might regard the difficulty mentioned by the Netherlands Government as insuperable.

While the Office was prepared to make the utmost efforts in order to achieve some result, it would not contemplate the holding of another tripartite meeting without misgiving unless it had some real prospect of success. If it appeared likely that there would be another failure, he would himself think it much better to postpone the holding of the conference once more until the prospects of success were better.

Mr. Hayday said that he was anxious to remove any impression that he held the Office responsible for the fact that the Convention concerning hours of work in coal
les mines de charbon. Bien au contraire, il estime que le Directeur a fait l'impossible pour essayer d'aboutir dans cette matière et il s'est efforcé de convaincre de ce fait les mineurs de Grande-Bretagne. Il remercie le Directeur de l'historique qu'il vient de faire et qui permet à chacun de comprendre la déception qu'êprouvent les ouvriers mineurs en constatant qu'après tant d'années la question n'est pas encore réglée.

Il est évident que l'on peut toujours trouver un prétexte pour expliquer l'inertie lorsqu'on est décidé à prendre une telle attitude. Au début, on a invoqué la rédaction défectueuse de certaines dispositions de la convention. Même si, de divers côtés, on a estimé que cette difficulté ne constituait pas un empêchement absolu, il a été jugé nécessaire de l'éliminer et c'est pourquoi la convention a été revisitée. La difficulté invoquée à présent est d'un autre ordre : c'est l'absence de l'Allemagne à l'occasion des négociations tendant à la mise en vigueur de la convention. Cette difficulté ne lui paraît pas plus insurmontable que les précédentes. À son avis, le moment actuel est le meilleur pour aboutir à un accord et à la ratification simultanée de la convention. En effet, on constate de toutes parts une reprise économique. Les pays producteurs de charbon voient augmenter considérablement les demandes qui leur sont adressées. Enfin la réforme a déjà été introduite dans plusieurs pays importants.

Il ne voudrait pas que l'on interprète mal ses paroles, mais il ne peut s'empêcher de signaler que, lorsque les travailleurs subissent des conditions de travail qui leur rendent la vie intolérable, et constatent qu'au même moment l'industrie prend un essor nouveau, ils peuvent en arriver, en présence de l'échec d'une réforme que l'on s'accorde généralement à considérer comme nécessaire, à se décider à prendre, par leurs propres forces, ce qu'on leur refuse et ce qu'ont déjà obtenu leurs camarades d'autres pays.

Aux États-Unis, la durée du travail dans les mines de charbon ne dépasse pas 40 heures par semaine, et les mineurs réclament l'abaissement de ce chiffre à 30 heures par semaine. En France, la durée légale du travail dans les mines est de 38 heures 1/2 par semaine. En Belgique, des mesures vont être prises en vue d'une réduction de la durée du travail. La Pologne et l'U. R. S. S. ont, de leur côté, apporté des améliorations au régime du travail dans les mines. Les mineurs de ces pays représentent plus de la moitié du total des travailleurs occupés dans l'industrie minière. On peut en conclure que si plus de la moitié des mineurs ont, sans qu'une convention existe, obtenu la réforme qu'ils réclament, il n'y a aucune raison pour que le reste des travailleurs intéressés n'obtienne pas le bénéfice des mêmes mesures. À son avis, il conviendrait de faire l'impossible pour éviter que ces travailleurs ne soient amenés à recourir à des moyens inconstitutionnels pour obtenir ce qu'on leur refuse. Sans doute est-il vrai que, parmi les principaux pays producteurs de charbon, il s'en trouve un qui ne fait plus partie de l'Organisation. Il lui semble que les autres pays constituent un ensemble suffisamment puissant pour procéder simultanément à la ratification.

Dans ces conditions, estimant que la meilleure méthode pour aboutir à une solution serait la convocation d'une réunion tripartite, il propose formellement au Conseil de prendre les mesures nécessaires en vue de la convocation d'une telle réunion au cours de l'année 1937.

M. Jouhaux appuie entièrement les observations de M. Hayday au sujet de la nécessité et de l'opportunité de la convocation à bref délai d'une réunion tripartite au sujet de la durée du travail dans les mines de charbon.

On objecte l'absence de l'Allemagne dans les réunions tenues sous les auspices de l'Organisation. Il tient à faire observer qu'il n'est pas certain que le Gouvernement allemand se refuse à participer à une réunion de cette nature s'il y est invité. Il ne peut pas préjuger la question, mais considère en tout cas qu'il y aurait lieu de convoquer l'Allemagne à cette réunion, tout comme d'autres États ne faisant pas partie de l'Organisation ont, précédemment, été invités à participer à certaines réunions.

D'autre part, même si, en définitive, l'Allemagne ne prenait pas part à la réunion, cet argument ne lui paraîtrait pas décisif. Il y a, à cet égard, dans la résolution du Comité exécutif de la Fédération internationale des mineurs, des éléments sur lesquels il importe d'attirer l'attention du Conseil d'administration. En effet, il est dit, dans cette résolution, que « la Fédération internationale des mineurs tient à déclarer qu'elle désire qu'à la conférence tripartite participent les pays présentement non adhérents
mines had not been ratified. Far from thinking this, he considered that the Director had done all that was possible to achieve success, and he had endeavoured to convince the miners of Great Britain of that fact. He thanked the Director for having retraced the history of the question. This would enable all members of the Governing Body to understand the disappointment of the miners at the fact that the question still remained unsettled after so many years.

It was, of course, always possible to find reasons for doing nothing when it was desired to do so. At first, it had been said that certain provisions of the Convention were unsatisfactorily drafted. Although many people considered that this difficulty was not decisive, it had been thought necessary to remove it, and the Convention had accordingly been revised. The difficulty which was now brought forward was a different one—the fact that Germany had not taken part in the negotiations with a view to bringing the Convention into force. This difficulty also did not appear to him to be insuperable. The present was the best possible moment to reach an agreement on the simultaneous ratification of the Convention. There were signs everywhere of an economic recovery. The coal-producing countries were able to note a considerable increase in demand. In addition, a reduction of hours of work had already been introduced in several important countries.

He hoped that he would not be misunderstood, but he could not refrain from pointing out that when the workers were suffering from conditions of employment which made their life intolerable, and when they saw that at the same time industry was reviving, there might come a time when, faced with the failure to bring about a reform which was generally regarded as necessary, they would take matters into their own hands to secure what was refused to them though it had already been granted to their fellow-workers in other countries.

In the United States hours of work in coal mines were not more than 40 per week, and the miners were pressing for a reduction of the figure to 30 per week. In France the hours of work fixed by law for coal mines were 38 1/2 per week, while in Belgium measures were to be taken for a reduction of hours of work. Poland and the Union of Soviet Socialist Republics had also introduced improvements in conditions of work in coal mines. The miners of these countries represented more than half the total number of workers employed in the coal mining industry. It might be concluded from this that if, even in the absence of a Convention, more than half of the miners had secured the reform which they desired, there was no reason why the rest should not obtain the benefit of the same measures. Everything should be done to prevent these workers from being driven to unconstitutional measures to obtain the reform which was refused to them. It was true that one of the principal coal-producing countries was no longer a Member of the Organisation. In his view, however, there was sufficient strength among the remaining countries to enable them to ratify the Convention simultaneously.

Since he considered that the best means of securing progress would be to call a tripartite meeting, he definitely proposed that the Governing Body should take the necessary steps for the calling of such a meeting during 1937.

Mr. Jouhaux fully supported what Mr. Hayday had said concerning the necessity and expediency of calling a tripartite meeting on hours of work in coal mines as soon as possible.

Objections had been put forward on the ground that Germany was not taking part in meetings held under the auspices of the Organisation. It was, however, not certain that the German Government would refuse to take part in such a meeting if it were invited. He did not know whether this would be the case, but in any event Germany should be invited to the meeting just as other countries which were not Members of the Organisation had been invited to meetings in the past.

Even if Germany refused to take part in the meeting, this did not appear to him conclusive. In this connection he would draw the Governing Body's attention to one particular passage in the resolution of the Miners' International Federation. It was stated in the resolution that "the Miners' International Federation places on record that it would gladly see the proposed tripartite conference attended by coal-producing countries at present not affiliated to the International Labour Organi-
à l'Organisation internationale du Travail. Mais, en même temps, elle déclare aussi qu'elle promet son appui complet aux pays désireux de se protéger contre la concurrence illicite des pays producteurs de charbon qui tenteraient de se soustraire à une convention internationale ou d'entraver l'application de pareille convention. Le Comité exécutif de la Fédération internationale des mineurs entreprendra toutes démarches appropriées pour s'assurer l'appui des pays importateurs de charbon contre ceux des pays producteurs de charbon qui refuseraient de souscrire à un accord équitable sur la durée du travail dans les mines.

C'est là un engagement qui mérite de retenir l'attention du Conseil et de l'amener à donner satisfaction à la demande de la Fédération internationale des mineurs. A son avis, la déclaration de cette Fédération constitue l'un des premiers symptômes d'une attitude qui, si elle se généralise, et affecte d'autres industries que l'industrie minière, est susceptible d'avoir des répercussions considérables. En effet, si l'on admet le raisonnement du Gouvernement des Pays-Bas, lequel motive son abstention par l'absence de l'Allemagne, il n'y aurait plus pour l'Organisation internationale du Travail qu'à cesser toute activité. Si l'Allemagne ne fait plus partie de l'Organisation, elle continue évidemment à compter parmi les principaux pays industriels; dans ces conditions, si ces pays ne pouvaient se lier par une convention tant que l'Allemagne ne l'aurait pas ratifiée, il n'y aurait plus, en bonne logique, qu'à renoncer à toute activité commune.

Il est évident que le Conseil d'administration ne peut se ranger à cette manière de voir, d'autant plus que la présence des États-Unis au sein de l'Organisation compense largement l'absence de l'Allemagne. Lorsque l'Organisation a, pour la première fois, examiné la question de la durée du travail dans les mines de charbon, les États-Unis ne faisaient pas partie de l'institution; or, les États-Unis sont un pays producteur et exportateur de charbon et la concurrence entre eux et la Grande-Bretagne est beaucoup plus vive que celle qui règne entre la Grande-Bretagne et l'Allemagne. On se trouve par conséquent devant une situation qui n'est pas nouvelle, et l'on constate que, antérieurement, malgré l'absence, au sein de l'Organisation, d'un des principaux pays producteurs de charbon, le Conseil n'en a pas moins décidé la convocation de réunions au sujet de la durée du travail dans les mines.

Il rappelle d'ailleurs qu'il y a eu un moment où l'on a sérieusement envisagé la conclusion d'un accord économique international sur la production charbonnière: c'est à la Conférence monétaire et économique de Londres. Les négociations en vue de la conclusion de cet accord étaient sur le point d'aboutir et n'ont été interrompues qu'à la suite de la décision prise par le Gouvernement des États-Unis au sujet des problèmes monétaires, décision qui a entraîné l'arrêt des négociations. Ainsi donc, si les pays intéressés n'ont pu aboutir à l'accord qui paraissait proche, cela n'a été du qu'à des raisons extérieures et n'ayant rien à voir avec l'industrie charbonnière elle-même.

Il y a là un ensemble de considérations qui permettent d'espérer qu'une Conférence tripartite pourrait aboutir. D'ailleurs, même si les perspectives de succès étaient moins grandes, il serait profondément impolitique de s'abstenir de convoquer cette réunion, car il est évident qu'une telle décision négative produirait une très mauvaise impression dans les milieux miniers de tous les pays. Or, comme on le sait, les organisations des mineurs occupent, dans l'édifice social et économique de leurs pays, une place très importante.

D'ailleurs, certains pays ont pu introduire chez eux la réduction de la durée du travail dans l'industrie minière, même en l'absence de conventions internationales. Enfin, la question est relativement simple, étant donné que le marché mondial du charbon peut être aisément réglementé et l'est déjà en fait.

En conclusion, il exprime le vœu que le Conseil d'administration donne suite à la demande de la Fédération internationale des mineurs et décide la convocation d'une Conférence tripartite sur la durée du travail dans les mines.

*M. Picquenard* est chargé par le Gouvernement français d'insister auprès du Conseil d'administration pour que celui-ci décide la convocation d'une Conférence tripartite sur la durée du travail dans les mines, ainsi que la Conférence internationale du Travail l'a demandé lors de sa XXème session.

La résolution adoptée par le Comité exécutif de la Fédération internationale des
sation. At the same time, it pledges its full support to Governments desirous of protecting the coal industries of their own country against unfair competition from such coal-producing countries as might try to evade or obstruct such international agreement. The Executive Committee of the Federation will take all suitable steps to enlist support of all coal-consuming countries against those coal-producing countries which might refuse to subscribe to an equitable international agreement on hours in coal mines."

This was an undertaking which the Governing Body should bear in mind and which might lead it to accede to the request of the Miners' International Federation. In his view the statement made by the Federation was one of the first signs of an attitude which, if it became general and affected other industries besides the mining industry, might have important consequences. If the argument of the Netherlands Government based on the absence of Germany from the discussions were accepted, the International Labour Organisation would be forced to give up its work. Although Germany had ceased to be a Member of the Organisation it was, of course, still one of the principal industrial countries. If, therefore, the other countries could not ratify a Convention unless it was ratified by Germany, the only logical course was to give up all attempt at joint activity.

Clearly the Governing Body could not accept such a view, especially as the presence of the United States in the Organisation amply made up for the absence of Germany. When the organisation had first discussed the question of hours of work in coal mines, the United States was not yet a Member. The United States was, however, a coal-producing and exporting country, and its competition with Great Britain was much more important than the competition between Great Britain and Germany. Thus the existing position was not a new one, and it must be noted that on a previous occasion the Governing Body had, notwithstanding the absence of one of the principal coal-producing countries from the Organisation, decided to call meetings on hours of work in coal mines.

At one stage it had seriously been proposed to conclude an international economic agreement on coal production. This had been at the Monetary and Economic Conference held in London. Negotiations for the conclusion of this agreement had been on the point of achieving success, and had only been broken off as a result of the decisions taken by the United States Government on monetary problems. That decision had led to the stoppage of the negotiations. Thus the reason why the countries concerned had failed to reach an agreement which had seemed to be near at hand was to be found in external circumstances unconnected with the coal-mining industry itself.

There were thus a number of reasons for hoping that a tripartite conference might achieve success. Moreover, even if the prospects of success were not so good, it would be extremely unwise to refrain from calling the meeting, since a negative decision of this kind would produce a most unfortunate effect upon miners in all countries. Everyone knew that the miners' organisations occupied an extremely important place in the social and economic structure of their countries.

Some countries had found it possible to introduce reduced hours of work in the coal mining industry even in the absence of an international Convention. The question was a comparatively simple one, since the world coal market could easily be regulated, and was in fact already regulated in practice.

In conclusion, he expressed the hope that the Governing Body would accede to the request of the Miners' International Federation and decide to hold a tripartite conference on hours of work in coal mines.

Mr. Picquenard said that the French Government had instructed him to urge the Governing Body to decide in favour of holding a tripartite conference on hours of work in mines, as the International Labour Conference had suggested at its Twentieth Session.

The resolution of the Executive Committee of the Miner's International
mineurs, et que le Directeur a communiquée au Conseil, constitue la manifestation
d'une impatience assez compréhensible, puisque la question de la réduction de la
durée du travail dans l'industrie des mines reste sans solution depuis plus de cinq ans,
biен qu'elle ait été examinée au cours de multiples réunions.

En 1935, la Conférence internationale du Travail a adopté un projet de convention
posant le principe de la semaine de 40 heures, mais laissant à des conventions
particulières le soin de déterminer les modalités de l’application de ce principe aux
différentes industries. On a, du côté ouvrier, exprimé à plusieurs reprises la crainte
que cette procédure retardât la mise en application de la réforme. Il faut constater
qu’en France, où l’on a suivi une procédure analogue, on a abouti à des résultats
appréciables puisque, dès à présent, plus des trois quarts des travailleurs occupés
dans l’industrie en France bénéficient de la semaine de 40 heures et que, sans doute,
dans quelques mois, ce régime sera applicable à la très grande majorité, sinon la
totalité des travailleurs du commerce et de l’industrie.

Sur le terrain international, cette procédure n’a pas eu les mêmes résultats.
Jusqu’à présent, la Conférence internationale du Travail n’a pu adopter que deux
projets de convention fixant les modalités d’application de la semaine de 40 heures,
l’un dans les verreries à bouteilles, l’autre dans les travaux publics. Au surplus, cette
procédure déjà lente a été alourdie par l’institution de réunions préparatoires techniques
tripartites dont la consultation préalable a été jugée nécessaire avant la présentation
d’avant-projets de convention à la Conférence internationale du Travail.

Il reconnaît que les membres du Conseil qui ont préconisé l’institution de la
procédure des réunions préparatoires ont été mus par un souci légitime de disposer
de plus petite somme d’informations avant de prendre une décision. C’est, en fait,
principalement pour pouvoir examiner les faits économiques se rapportant à certaines
industries qu’on a réclamé la convocation de réunions préparatoires. Il ne veut point
médiocre des économistes ni de l’économie politique, mais il doit bien constater que
la science reste encore quelque peu conjecturale. Si elle est en mesure d’observer
les faits, elle est encore impuissante à les prévoir. En tout cas, les prévisions faites
dans le passé par certains économistes sur les conséquences que pourrait avoir la
réduction de la durée du travail ont été chaque fois mises en défaut. Lorsque, en France,
on a élaboré la loi du 30 mars 1900, qui limitait à 11 heures par jour la durée du travail,
des économistes ont prédit à l’envi que l’industrie française perdrait ses débouchés
et ne pourrait supporter la concurrence des pays étrangers. Les événements n’ont pas
justifié cette prévision. Il en a été de même lorsque, ultérieurement, la durée du travail
a été réduite à 10 heures et demie par jour. Après la guerre, lorsqu’on a introduit la
journée de 8 heures, la plupart des économistes ont fait les prévisions les plus pessimistes,
et il ne conteste pas en avoir été lui-même quelque peu impressionné. Or,
moins de dix ans après la généralisation de la journée de huit heures dans le monde,
au lieu d’une baisse de la production, c’est d’une crise de surproduction qu’a souffert
l’économie. Il est vrai que, de divers côtés, on a affirmé que la réduction de la durée du
travail à 8 heures par jour n’avait pas été sans influence dans les origines de la crise
par la manière dont elle avait excité les tendances à la rationalisation. En tout cas, en
l’état de la science économique, il ne faut pas trop faire dépendre une réforme d’ordre
social telle que la réduction de la durée du travail de considérations purement
économiques.

Il ne conclut pas cependant qu’il faille abandonner la procédure des réunions
tripartites qui, d’ailleurs, a été recommandée par la Conférence et appliquée à
plusieurs reprises par le Conseil d’administration. Il désirerait cependant que l’on ne
compromît pas inutilement le travail de ces réunions. Les premières réunions
techniques préparatoires ne portaient que sur la question de la réduction de la durée du
travail. On voudrait maintenant étendre leur champ d’activité. Pour la Conférence
du textile convoquée à Washington, il a été entendu qu’elle examinerait tous les
aspects de cette industrie qui peuvent avoir, directement ou indirectement, une
influence sur l’amélioration des conditions sociales dans cette industrie. Il croit que
cette Conférence ne pourra que difficilement mener à bien une tâche aussi vaste.

Il relève qu’en tous cas, le but assigné à la Conférence tripartite pour l’industrie
charbonnière doit être beaucoup plus restreint. En effet, dans la résolution qu’elle
a adoptée à ce sujet lors de sa XXIème session, la Conférence internationale du Travail
a décidé d’inviter le Conseil d’administration à examiner l’opportunité de la réunion
Federation, which the Director had communicated to the Governing Body, expressed an impatience which could readily be understood, since the question of the reduction of hours of work in coal mines had remained unsettled for more than five years past, although it had been discussed at a number of meetings.

In 1935 the International Labour Conference had adopted a Draft Convention laying down the principle of the 40-hour week, but leaving it to special Conventions to decide the method of applying the principle to the various industries. The workers had repeatedly expressed a fear that this procedure might delay the coming into force of the measure. It must, however, be admitted that in France, where a similar procedure had been followed, appreciable results had been achieved. At the present time, more than three-quarters of the workers employed in French industry had a 40-hour week, and it was probable that in a few months’ time this system would be applied to a very large majority, if not to all, workers in commerce and industry.

In the international sphere, the procedure had not achieved such good results. Up to the present, the International Labour Conference had only been able to adopt two Draft Conventions fixing the method of application of the 40-hour week in the bottle glass industry and in public works respectively. This procedure, slow as it was, had been still further retarded by the institution of preparatory technical tripartite meetings which it had been thought necessary to consult before drafts for Conventions were submitted to the International Labour Conference.

He realised that those members of the Governing Body who had been in favour of the holding of preparatory meetings were actuated by a justifiable desire to make more information available before a decision was taken. The main reason why preparatory meetings had been suggested was to provide an opportunity of considering the economic circumstances relating to certain industries. With all respect to economists and economic science, he could not help feeling that that science was still rather a matter of conjecture. It was able to observe facts, but it could not yet foresee them. In any case the forecasts which certain economists had in the past made concerning the possible consequences of the reduction of hours of work had proved mistaken every time. In France, when the Act of 30 March 1900 limiting hours of work to eleven per day had been drawn up, economists had said that French industry would lose its markets and would be unable to meet the competition of other countries. Events had not justified that prophecy. The same thing had happened subsequently when hours of work were reduced to ten-and-a-half per day. When the eight-hour day had been introduced after the war, most of the economists had made the most pessimistic prophecies, and he himself must admit that he had been somewhat impressed. Yet less than ten years after the general adoption of the eight-hour day throughout the world, the economic system had suffered, not from the falling off of production, but from over-production. It was true that some people had maintained that the reduction of hours of work to eight per day had had a certain effect at the beginning of the depression because it had encouraged the tendency towards rationalisation. In any case, in the present state of economic science, it would be undesirable to make a social reform such as the reduction of hours of work too dependent on purely economic considerations.

This did not, however, mean that the holding of tripartite meetings should be given up. The system had been recommended by the Conference and had several times been applied by the Governing Body. He hoped, however, that the work of such meetings would not be complicated unduly. The first preparatory technical meetings had discussed only the reduction of hours of work. It was now proposed that their scope of activity should be increased. It had been agreed that the Textile Conference to be held at Washington should examine all the aspects of the textile industry which might directly or indirectly affect the improvement of social conditions in that industry. In his view, it would be difficult for the Conference to carry out so large a task satisfactorily.

The object assigned to the tripartite conference on the coal mining industry should in any case be much more limited. In the resolution on this subject adopted at its Twentieth Session, the International Labour Conference had decided to request the Governing Body to consider the desirability of holding a tripartite conference of
d'une Conférence tripartite de gouvernements et de représentants des employeurs et des travailleurs de l'industrie charbonnière en vue de parvenir à un accord au sujet de la durée du travail dans cette industrie. C'est donc uniquement la question de la durée du travail qui doit figurer à l'ordre du jour de la réunion.

Si l'on objecte que le Bureau, en raison de la préparation de la Conférence du textile, ne pourrait que difficilement organiser une seconde Conférence tripartite, il répondra que la réunion concernant l'industrie charbonnière aurait un programme très limité et que, par conséquent, sa préparation ne nécessiterait qu'un effort beaucoup plus restreint.

Si l'on voulait néanmoins prendre en considération les faits économiques, il faudrait se borner aux répercussions que peut avoir sur la production la réduction de la durée du travail. Il importera en tout cas de limiter à l'étude des faits, c'est-à-dire aux répercussions qu'a pu avoir dans le passé la réduction de la durée du travail dans l'industrie charbonnière et aux résultats de l'expérience actuelle, notamment aux États-Unis d'Amérique, où la réduction de la durée du travail dans cette industrie est appliquée depuis un temps suffisant pour qu'on puisse tirer des conclusions de l'expérience. En Belgique, les mesures légales prises à cet effet viennent à peine d'entrer en vigueur. En Pologne, la législation est encore à l'état de projet. En France, la semaine de 40 heures n'est entrée en vigueur dans les mines que le 1er novembre 1936. Il est exact que la production charbonnière a, au mois de novembre 1936, sensiblement baissé par rapport au mois précédent : 3,537,000 tonnes en novembre contre 4,266,000 tonnes en octobre. Par contre, au mois de décembre, la production s'est de nouveau relevée à 3,924,000 tonnes contre 3,915,000 tonnes au mois de décembre 1935. On ne peut donc affirmer qu'en France, l'application de la semaine de 40 heures dans les mines ait eu pour conséquence une chute verticale de la production telle que l'avaient prédite les économistes.

Il considère qu'il serait très difficile de faire comprendre aux ouvriers mineurs qu'ils doivent encore attendre davantage pour l'aménagement de la durée de leur travail. D'une manière générale, les ouvriers mineurs ont toujours été les premiers à bénéficier de l'application de lois sociales. Par conséquent, ils accepteraient difficilement que l'on réduisit la durée du travail dans le bâtiment, dans l'industrie graphique, dans l'industrie chimique, dans l'industrie textile, et que l'on ne pût aboutir à des résultats dans la branche de l'activité qui les intéresse. Un retard dans l'application de la réforme à l'industrie minière bouleverserait toutes les traditions et causerait un mécontentement profond dans les milieux des mineurs.

Quant à l'objection tirée de l'absence de l'Allemagne aux délibérations, il se rallie entièrement aux observations de M. Jouhaux. Tout d'abord, on ne peut préjuger cette abstention ; d'autre part, il faut distinguer entre l'opportunité, que le Conseil d'administration est appelé à apprécier, de convoquer une Conférence tripartite, et l'opportunité, sur laquelle doivent se prononcer les Gouvernements, de participer à une telle réunion.

Il propose en terminant au Conseil d'administration de décider, en principe, la convocation de la Conférence tripartite pour les mines de charbon, de manière que le Directeur puisse pressentir d'une façon directe les États appelés à participer à cette réunion sur leurs intentions réelles.

_M. Norman_ ne saurait mieux répondre à la question qui a été posée par le Directeur aux Gouvernements des principaux pays producteurs de charbon qu'en rappelant les déclarations faites par M. Leggett lors de la 77ème session pour exposer l'attitude du Gouvernement britannique au sujet de la convocation d'une réunion tripartite concernant l'industrie charbonnière. Pour l'instant, il ne s'agit pas d'examiner le sort des diverses conventions sur la durée du travail dans les mines, ni d'examiner d'un point de vue critique l'activité de l'Organisation internationale du Travail dans ce domaine. Il s'agit de savoir s'il y a lieu ou non de convoquer une réunion tripartite concernant l'industrie charbonnière. Il lui semble que, depuis la 77ème session, le Conseil n'a eu connaissance d'aucun fait nouveau, si ce n'est les déclarations de deux Gouvernements dont le Directeur vient d'informer le Conseil. Il portera ces deux faits à la connaissance de son Gouvernement, ainsi que les déclarations qui viennent d'être faites devant le Conseil.

Il y a, d'autre part, un aspect de la question sur lequel il aimerait pouvoir
Governments and of representatives of employers and workers in the coal mining industry with a view to reaching agreement on hours of work in that industry. The question of hours of work should thus be the only one on the agenda of the meeting.

If it were objected that the preparatory work necessary for the Textile Conference would make it difficult for the Office to arrange for a second tripartite conference, he would reply that the meeting concerning the coal mining industry would have a very limited programme, and that consequently the preparatory work would not be nearly so heavy.

On the other hand, if economic circumstances were to be taken into account, the only ones which should be considered were the direct effects which the reduction of hours of work might produce on output. All that should be attempted was a study of the actual facts, namely, any effects which the reduction of hours of work might have produced in the coal mining industry in the past, and the results of the experiments now being tried, especially in the United States of America, where the reduction of hours of work had been applied to the coal mining industry long enough to allow conclusions to be drawn. In Belgium the legislation on the subject had only just come into force, while in Poland it had not yet been actually adopted. In France, the 40-hour week in coal mines had not come into force until 1 November 1936. It was true coal production in November 1936 had fallen considerably as compared with the previous month; 3,537,000 tons in November as compared with 4,266,000 tons in October. On the other hand, in December, output had risen again to 3,924,000 tons as compared with 3,915,000 in December 1935. It could therefore not be said that in France the application of the 40-hour week in coal mines had led to a catastrophic fall in output as predicted.

It would be very difficult to make the miners understand why they should have to wait still longer for a reduction of hours of work. Generally speaking, miners had always been the first to benefit by the application of social legislation. They would thus think it strange that hours of work should be reduced in building, printing, the chemical industry and the textile industry, while no result could be achieved as regards their own industry. To delay the application of the reform to the mining industry would be contrary to all tradition and cause profound discontent among the miners.

As regards the objection that Germany had not taken part in the discussions, he fully agreed with what Mr. Jouliaux had said. In the first place, it was not certain that Germany would refrain, and in the second place a distinction must be drawn between the expediency of calling a tripartite conference, which was a matter for the Governing Body to decide, and the expediency of participation in such a meeting, which was a matter for each individual Government.

He accordingly proposed that the Governing Body should decide in principle to call a tripartite conference on coal mines, so that the Director could directly approach the States which were to be invited and ask them what their actual intentions were.

Mr. Norman said that he could best reply to the question which the Director had addressed to the Governments of the principal coal-producing countries by drawing attention to what Mr. Leggett had said at the Seventy-seventh Session in explanation of the British Government’s attitude concerning the holding of a tripartite meeting on the coal mining industry. The Governing Body was not now considering the fate of the various Conventions on hours of work in coal mines or making an historical review of the activity of the International Labour Organisation in this sphere. The question was whether or not a tripartite meeting on the coal mining industry should be held. In his view, the Governing Body had not been informed since the Seventy-seventh Session of any new development except the statements of the two Governments which the Director had just mentioned. He would report those two statements to his Government, as well as the statements made in the Governing Body at the present meeting.

There was one other aspect of the question on which he would like to be able to
renseigner son Gouvernement. Si le Conseil d'administration envisageait la convocation
d'une réunion tripartite concernant l'industrie charbonnière au cours de cette année,
le Directeur estime-t-il que ses ressources en personnel soient suffisantes pour lui
permettre d'assurer une préparation convenable des travaux de cette réunion, et
considère-t-il que l'organisation de la réunion pose certaines questions d'ordre
budgétaire?

M. Lambert-Ribot se voit obligé de répondre brièvement à M. Picquenard pour
rectifier sur certains points le tableau qu'il a fait de la situation existant en France
to la suite de l'application de la semaine de 40 heures. Il n'est pas douteux en effet
que l'expérience française est loin d'être terminée et l'on ne peut, pour apprécier ses
résultats, oublier un certain nombre de faits.

Le premier est la réduction de la production. Les chiffres cités par M. Picquenard
ne lui paraissent pas tellement rassurants, étant donné qu'ils supposent la stabilité
de la demande alors qu'à l'heure actuelle celle-ci est en forte augmentation et que le
léger accroissement de la production indiqué par M. Picquenard est loin d'y donner
satisfaction. En réalité, on constate qu'actuellement la production ne parvient pas
tà faire face aux demandes, et que les industries françaises doivent chercher du coke
et du charbon, non seulement en Belgique et en Allemagne, mais encore en Grande-
Bretagne et en Pologne. Une telle situation peut évidemment avoir de graves
répercussions sur la balance commerciale.

Si l'on considère l'application de la semaine de 40 heures comme un moyen de
remédier au chômage, il faut bien constater que, dans les mines, branche de l'industrie
où sévissait un chômage important, on s'est trouvé en présence d'une insuffisance
de main-d'œuvre qualifiée. Il faut prévoir que, dans d'autres industries, cette
insuffisance se fera sentir encore davantage, à tel point qu'on sera amené à recourir
tlà main-d'œuvre étrangère. La situation est elle qu'un accord a dû être négocié
et sur le point d'être conclu entre les mineurs et le Comité des houillères pour faire
travailler une journée de plus par quinzaine, imputée sur les heures supplémentaires,
et pendant une durée d'un ou deux mois. Ces faits montrent que l'adaptation de
l'industrie au nouveau régime de durée du travail est loin d'être réalisée.

D'autre part, il faut bien tenir compte d'une autre considération, que M. Picquenard
n'a pas mentionnée et qui est la question des prix. A cet égard, l'expérience française
est riche d'enseignements : Avant la réforme, certains avaient pensé que la hausse des
prix serait minime ; d'autres, par contre, ont fait état de cette hausse pour dire que
l'expérience avait réussi. Sans prendre parti, on peut constater que, d'après
les statistiques disponibles, le coût de la vie s'est élevé de 15 % dans le pays. Certains
produits, notamment les produits courants de la sidérurgie, ont augmenté de 40 %,
tenant compte strictement des augmentations nécessitée par l'élévation du prix
des matières premières et par la hausse des salaires. Pour le charbon, la hausse est
plus élevée, de même que pour d'autres produits pour lesquels il faut tenir compte de
l'incorporation de matières étrangères dont le coût est affecté par la dévaluation du
franc. Ces résultats ne sont pas pour donner tort à ceux qui avaient prévu la hausse
des prix lors des réunions antérieures au cours desquelles on a examiné les répercussions
possibles de la réduction de la durée du travail.

Quant au pouvoir d'achat, il est obligé de noter qu'à l'heure actuelle il s'est élevé
dans des proportions nettement moindres que les prix. Il ne s'agit pas seulement du
pouvoir d'achat des classes moyennes, mais aussi de celui des travailleurs, qui est
egalement atteint depuis l'entrée en vigueur des 40 heures, et malgré l'augmentation
concomitante des salaires horaires, par la hausse générale des prix qui résulte de cette
réforme. Actuellement, on constate une tendance de la part des travailleurs à demander
une augmentation de leur pouvoir d'achat sous forme d'augmentation du salaire. Il
est impossible de soutenir que l'on arrivera à stabiliser le pouvoir d'achat du
travailleur au détriment de l'économie du pays.

Enfin, il faut se préoccuper de la situation financière de la France, qui est
particulièrement délicate. Il est évident que le budget supporterait difficilement une
élévation des traitements des fonctionnaires publics. D'autre part, le volume des
commandes faites par l'État subira nécessairement une réduction à la suite de la hausse
des prix. Il est inutile d'insister sur les conséquences qui peuvent en résulter sur la
trésorerie du pays. M. Lambert-Ribot se borne à rappeler ces quelques faits pour
inform his Government. If the Governing Body contemplated holding a tripartite meeting on the coal mining industry during the current year, he would like to know whether the Director felt that the resources of his staff were adequate to enable the work to be prepared satisfactorily, and whether there were any budget difficulties with regard to the holding of the meeting.

Mr. Lambert-Ribot said that he felt bound to reply to Mr. Picquenard by correcting in some respects the account which he had given of the situation existing in France as a result of the application of the 40-hour week. It was indisputable that the French experiment was far from being complete, and that certain facts must be borne in mind in estimating its results.

The first of these was the reduction of output. The figures which Mr. Picquenard had quoted did not seem to him to be extremely reassuring, as they presupposed the stability of demand, whereas at present demand was greatly increasing, and the slight increase in production which Mr. Picquenard had mentioned was far from being sufficient to meet it. In present circumstances production did not equal demand, and French industry was obliged to purchase coke and coal not only in Belgium and Germany, but also in Great Britain and Poland. This state of affairs might of course have a serious effect on the trade balance.

If the 40-hour week were regarded as a remedy for unemployment, it must be noted that although there had been a large amount of unemployment in coal mines, a lack of skilled labour had been experienced. This would be still more severely felt in other industries so that it would become necessary to have recourse to foreign labour. The situation was such that an agreement between the miners and the Coal Mines Committee had been negotiated, and was on the point of being concluded, with a view to working one extra day per fortnight, to be paid for at overtime rates, for a period of one or two months. This showed that the adaptation of industry to the new system of hours of work was far from being complete.

Another consideration which Mr. Picquenard had not mentioned was that of prices. In this respect the experience of France was most instructive. Before hours of work were reduced, some people had thought that prices would rise very little; others had pointed to the fact that they had risen as a proof that the experiment had succeeded. He would not express any opinion on this question but it would appear that, according to the available statistics, the cost of living had risen by 15 per cent. in France. Certain goods, such as those of iron and steel manufacture now cost 40 per cent. more; this represented solely the increases necessitated by the rise in the price of raw materials and the rise of wages. In the case of coal the increase was still greater, as also in the case of other commodities for which allowance had to be made for the cost of foreign materials, which was affected by the devaluation of the franc. These results did not tend to refute the views of those who had foretold a rise in prices at previous meetings when the possible effects of the reduction of hours of work had been discussed.

Purchasing power had at the present time increased considerably less than prices. This did not apply only to the purchasing power of the middle class, but also to that of the workers which was equally affected since the enforcement of the 40-hour week and in spite of a corresponding increase in hourly wage rates by the rise in prices which that measure had brought about. There was now a tendency among workers to demand an increase in their purchasing power in the form of increased wages. It was impossible to maintain that the purchasing power of the workers could be stabilised at the expense of the general economic life of the country.

Allowance must be made for the financial situation of France, which was extremely difficult. It was obvious that the budget could hardly bear a rise in the salaries of civil servants. Moreover, the amount of the orders placed by the State would obviously have to be reduced as a result of the rise in prices. He need hardly emphasise the consequences which this would produce on the finances of the country. Mr. Lambert-Ribot added that he would merely draw attention to these few facts
répondre aux observations de M. Picquenard. La discussion pourra être reprise à la Conférence à la lumière de l'expérience actuelle. De toute manière, il faut faire crédit à l'expérience, et c'est le temps et l'avenir qui départageront les partisans et les adversaires de la réduction de la durée du travail.

M. Duffy a été très impressionné par les déclarations du Directeur au sujet de la nécessité de hâter les mesures à prendre pour donner satisfaction aux ouvriers mineurs. Il est convaincu que ses mandants seront satisfaits des projets du Directeur dont il ne manquera pas de les informer.

M. Kirkaldy constate que le Gouvernement des Pays-Bas a très nettement posé le problème tel qu'il se présente par suite de l'absence de l'Allemagne. Devant un fait aussi important, il n'a rien à ajouter à l'histoire de la question faite par le Directeur. Il se bornera donc à rappeler au Conseil une fois de plus que la convention de 1931 sur la durée du travail dans les mines de charbon n'a jusqu'à présent, été ratifiée que par un seul pays, l'Espagne, et que la convention de 1935 n'a également obtenu qu'une seule ratification, celle de Cuba, si bien qu'aucune de ces deux conventions n'est entrée en vigueur. Dans ces conditions, il ne voit aucune perspective de succès pour une convention fixant une nouvelle réduction de la durée du travail et il demande au Conseil d'administration d'examiner la situation avec la plus grande attention avant de décider la convocation d'une nouvelle réunion tripartite.

M. Goodrich estime, comme M. Hayday, que les faits rappelés par le Directeur justifient l'impatience manifestée par les mineurs et démontrent que le Bureau n'encourt aucune responsabilité pour le retard subi.

Il regrette, à défaut d'instructions, de ne pouvoir donner au Directeur aucune indication sur la participation des États-Unis à la réunion envisagée. Toutefois, il est convaincu que le Gouvernement des États-Unis qui, comme le Gouvernement français, est favorable à la réduction de la durée du travail dans les diverses branches d'activité, serait heureux d'envoyer des représentants à une conférence pour autant que celle-ci ait des chances réelles de succès. Quant à l'époque à laquelle il conviendrait de réunir une telle conférence, il s'en remet pour la suggérer au Directeur et à ceux qui ont antérieurement pris part aux travaux concernant la durée du travail dans les mines de charbon des pays d'Europe.

M. Jouhaux ne peut laisser passer sans observations les affirmations apportées dans le débat par M. Lambert-Ribot.

Il est exact qu'au cours des première semaines qui ont suivi l'introduction de la réduction de la durée du travail, on a constaté une baisse de la production. On ne peut s'en étonner. Il est non moins évident que l'on constate actuellement une augmentation assez considérable de la production. Quant à la hausse des prix, M. Lambert-Ribot n'ignore pas que certaines commissions où siégeait M. Jouhaux se sont refusées dans certains cas à homologuer des augmentations demandées, parce qu'elles ne correspondaient nullement à la situation nouvelle. C'est le cas notamment pour l'augmentation de 40% signalée par M. Lambert-Ribot.

M. Lambert-Ribot précise qu'il n'a parlé d'augmentation de 40% que pour certains produits.

M. Jouhaux conclut que, de toute manière, il y a une grande différence entre les demandes d'augmentations de prix formulées et les augmentations accordées.

Quant à l'insuffisance de main-d'œuvre qualifiée signalée par M. Lambert-Ribot, il rappelle que lorsque les employeurs ont déclaré ne pas pouvoir trouver de metteurs au point, la Confédération générale du Travail en a présenté deux cents. Or, il n'y en a eu que quatre d'engagés. Il n'y avait donc aucunement manque de main-d'œuvre qualifiée.

Depuis, la production a augmenté considérablement comme l'ont attesté le ministre de la Guerre et le ministre de l'Air devant le Parlement. Il est certain qu'il y a une mise au point à opérer au sujet de l'organisation de la main-d'œuvre. Il l'a
in reply to Mr. Picquenard’s observations. The discussion could be resumed at the
Conference in the light of the experience now being acquired. In any case,
experience in the future would show whether the partisans or the opponents of the
reduction of hours of work were in the right.

Mr. Duffy said that he had been much impressed by what the Director had said
as regards the need for hastening action to give satisfaction to the miners. He felt
certain that those whom he represented would be satisfied with the Director’s plans,
which he would report to them.

Mr. Kirkaldy said that the Government of the Netherlands had explained the
position very well with regard to the absence of Germany. In view of so important
a fact, he had nothing to add to the Director’s account of the history of the question.
He would once more remind the Governing Body that the 1931 Convention concerning
hours of work in coal mines had so far been ratified only by Spain, and that the 1935
Convention had been ratified only by Cuba, so that neither of the two Conventions
had yet come into operation. In these circumstances he could not see any prospect
of success for a Convention providing for further reduction of hours of work in coal
mines, and he asked the Governing Body to consider very carefully before deciding
to convene a further tripartite meeting.

Mr. Goodrich agreed with Mr. Hayday that the history of the question which
the Director had given explained the natural impatience of the miners, and also made
it clear that the Office bore no responsibility for the delays which had been experienced.
He regretted that since he had no instructions he could not give the Director an
answer concerning the participation of the United States in the proposed meeting.
He was, however, convinced that the United States Government, which, like the
French Government, favoured the international reduction of hours of work in various
industries, would be glad to send representatives to such a conference as soon as there
was any real prospect of success. As regards the time when the conference should
be held, his judgment would largely be governed by that of the Director and those
who had participated in previous discussions concerning hours of work in coal mines
in European countries.

Mr. Jouhaux said that he felt bound to answer the statements made by
Mr. Lambert-Ribot.

It was true that in the first weeks following the introduction of shorter working
hours there had been a falling off in output. That was in no way surprising. It was
no less certain that there was now a fairly considerable increase in production. As
regards the rise in prices, Mr. Lambert-Ribot was aware that certain committees of
which Mr. Jouhaux was a member had in certain cases refused to endorse proposals
for increases because they did not correspond to the new situation. This applied,
for example, to the 40 per cent. increase which Mr. Lambert-Ribot had mentioned.

Mr. Lambert-Ribot said that he had not maintained that there had been a 40 per
cent. increase in prices except in the case of certain commodities.

Mr. Jouhaux said that in any case there was a great difference between the
requests for increases in prices which had been made and the increases which had
been allowed.

As regards what Mr. Lambert-Ribot had said about the shortage of skilled labour,
he would point out that when the employers had said that there was a shortage of
skilled mechanics, the General Confederation of Labour had provided 200 candidates.
Only four of these had been engaged. There was thus no lack of skilled labour.

Since that time, output had increased considerably; the Minister for War and the
Air Minister had recognised this fact in Parliament. It was true that the organisation
of labour needed revision. He had repeatedly asked for such measures long before
d'ailleurs réclamée à plusieurs reprises bien avant l'introduction de la semaine de 40 heures. En effet, la France ne peut pas être comparée à d'autres nations, car elle dispose plus que d'autres pays de main-d'œuvre étrangère et frontalière.

Quant aux difficultés qu'offre la situation financière, elles tiennent à de tout autres causes que les augmentations de salaires demandées par le personnel de l'État, et si l'on pouvait faire une enquête dans les banques étrangères sur certaines pratiques de citoyens français, on apercevrait les véritables origines de ces difficultés. Il est d'ailleurs exagéré de parler, comme l'a fait M. Lambert-Ribot, d'une situation financière difficile pour un pays comme la France dont la circulation fiduciaire est garantie par une encaisse dépassant 55%, soit 22% de plus que le niveau considéré comme la garantie normale d'une monnaie saine.

**Le Directeur** constate que les diverses déclarations qui viennent d'être faites au Conseil n'ont pas entièrement éclairci la situation. En effet, on sait à présent que le Gouvernement français et que le Gouvernement belge sont favorables à la réunion envisagée. La Pologne et la Tchécoslovaquie n'y seraient probablement pas opposées. Le Gouvernement des États-Unis n'a pas encore pris de décision, mais il y serait probablement favorable. Les Pays-Bas ont fait connaître leur opposition. Quant au Gouvernement britannique, d'après la déclaration de M. Norman, il s'en tient aux déclarations faites par son représentant lors de la soixante-dix-septième session. Il constate qu'à cette occasion, le représentant du Gouvernement britannique avait, en rappelant sa propre intervention à la XXème session de la Conférence, demandé que la réunion tripartite concernant l'industrie minière examinât non seulement la durée du travail dans cette industrie, mais également tous les autres éléments touchant à cette industrie, et notamment les salaires. D'autre part, lorsqu'il avait pris la parole au sujet du projet de résolution présenté à la Conférence, le représentant du Gouvernement britannique avait indiqué que son Gouvernement verrait quelque inconvénient à prendre part à une réunion tripartite concernant l'industrie minière dont les travaux seraient limités à la durée du travail dans cette industrie. Il conclut donc de l'observation de M. Norman qu'à l'heure actuelle, le Gouvernement britannique ne serait pas disposé à participer à une réunion tripartite sur l'industrie minière qui ne serait appelée à s'occuper que de la durée du travail. Il tiendrait à savoir s'il en est bien ainsi, car de l'attitude du Gouvernement britannique dépendra, dans le cas particulier, la réponse qu'il donnera lui-même à la question qui lui a été posée au sujet de la possibilité pour le Bureau de préparer une réunion tripartite. Si cette réunion ne doit examiner que la question de la réduction de la durée du travail, il peut répondre affirmativement. Si, au contraire, l'ordre du jour de la Conférence était étendu aux autres éléments de l'industrie minière tels que les salaires, les conditions de travail, etc., il devrait examiner attentivement la situation. De toute façon, il aimerait avoir des précisions au sujet des intentions du Gouvernement britannique.

**M. Norman** estime qu'il ressort clairement des observations faites par M. Leggett à la soixante-dix-septième session qu'il était favorable à l'extension de l'ordre du jour d'une réunion tripartite à d'autres éléments que la durée du travail. Si toutefois le Conseil d'administration ne pouvait donner suite à cette suggestion, il appartiendrait au Gouvernement britannique de décider s'il entend participer ou non à la réunion qui serait convoquée. Il ne peut, pour l'instant, se prononcer sur ce point, car le Gouvernement britannique devrait, avant d'adopter une décision, avoir connaissance des déclarations qui viennent d'être faites devant le Conseil.

**M. Hayday** tient à préciser que l'industrie charbonnière se place sur un tout autre plan que les autres industries. Elle a déjà fait l'objet de réunions gouvernementales; le nombre des Gouvernements intéressés est limité; d'autre part, la question que soulève M. Norman n'a pas été posée lors des réunions tripartites antérieures. Il est convaincu que le Gouvernement britannique tiendra compte de cette situation et considérera, en raison de l'historique même de la question, que rien ne l'empêche de participer à une réunion tripartite concernant cette industrie si elle était convoquée.
the 40-hour week was introduced. The position of France was not comparable with that of other countries, since France employed more foreign labour or labour from across its frontiers.

The difficulties of the financial situation were not due to the wage increases for which the employees of the State had asked. If it were possible to carry out an enquiry with regard to foreign banks, and certain practices of French nationals, the real origins of these difficulties would be seen. Moreover, Mr. Lambert-Ribot was going too far in speaking of the financial difficulties of a country such as France, which had a gold cover of over 55 per cent. for its currency, i.e. 22 per cent. more than what was considered the normal cover for a sound currency.

The Director said that the statements made in the Governing Body had not entirely cleared up the situation. It was now known that the French and Belgian Governments were in favour of the proposed meeting. Poland and Czechoslovakia were probably not unfavourable. The United States Government had not yet considered the question, but its decision would perhaps also be favourable. The Netherlands Government had stated that it was unfavourable; and according to Mr. Norman's statement, the British Government adhered to the attitude which its representative had taken up at the Seventy-seventh Session. The British Government representative had on that occasion referred to his own speech at the Twentieth Session of the Conference, and asked that the tripartite meeting on the coal mining industry should discuss not only hours of work but also other factors affecting the industry, including wages. When the British Government representative had spoken on the resolution when it was submitted to the Conference, he had said that his Government would find difficulty in attending a tripartite meeting concerning the coal mining industry which was to confine itself to defining hours of work alone. He therefore understood from what Mr. Norman had said that at present the British Government would not agree to attend a tripartite meeting on the coal mining industry which was confined to the question of hours of work. He would like to know whether this was in fact the case, as the attitude of the British Government on this point would determine the reply which he himself would give to Mr. Norman's question whether the Office would be ready. If, on the other hand, the agenda of the Conference were extended to cover other aspects of the mining industry, such as wages, conditions of work, etc., he would have to consider the position very carefully. In any case, he was anxious to know exactly what the intentions of the British Government were.

Mr. Norman said that it was clear from what Mr. Leggett had said at the Seventy-seventh Session that he was in favour of extending the agenda of the tripartite meeting to cover other questions besides hours of work. If the Governing Body felt unable to accept that suggestion, the British Government would have to decide whether or not it would take part in the meeting. He could not make any statement on that point at the moment, since the British Government would have to be informed of what had been said at the present session of the Governing Body before it came to a decision.

Mr. Hayday said that the position of the coal industry was quite different from that of other industries. It had already formed the subject of meetings of Governments; the number of Governments concerned was limited; and further, the question which Mr. Norman had mentioned had not been raised at previous tripartite meetings. He felt sure that the British Government would bear that situation in mind, and would consider that in view of the previous history of the question there was nothing to prevent it from attending a tripartite meeting on that industry if one were called.
M. Komarnicki est obligé, puisque le Directeur a demandé quelle était l'attitude du Gouvernement polonais, de faire à cet égard une déclaration analogue à celle de M. Norman. Il ne peut, pour l'instant, préjuger l'attitude du Gouvernement polonais. Sans être défavorable à la convocation d'une réunion préparatoire tripartite pour l'industrie charbonnière, le Gouvernement polonais croit qu'une telle mesure serait prématurée pour l'instant.

M. Norman assure M. Hayday qu'il n'a pas voulu dire que le Gouvernement britannique s'abstiendrait de participer à une réunion tripartite concernant l'industrie charbonnière si l'ordre du jour de cette réunion était limité à la réduction de la durée du travail. Il s'est borné à indiquer qu'il ne pouvait prendre d'engagement au nom de son Gouvernement quant à la participation de celui-ci à une réunion envisagée. Il doit d'abord faire connaître à son Gouvernement ce qui s'est passé au sein du Conseil d'administration, et c'est au représentant du Gouvernement britannique, au Conseil d'administration, lors de sa 79ème session, qu'il appartiendra de faire connaître l'attitude du Gouvernement britannique.

Le Directeur remercie M. Norman et M. Komarnicki pour les indications qu'ils viennent de donner. Le Conseil sait ainsi que, pour l'instant tout au moins, il y a trois pays, les Pays-Bas, la Grande-Bretagne et la Pologne, qui ne peuvent s'engager à prendre part à une réunion tripartite concernant l'industrie charbonnière.

Dans ces conditions, il lui paraît difficile pour le Conseil de se prononcer dès à présent. Il lui semble que la seule procédure qui pourrait être suivie maintenant consisterait à s'adresser aux sept pays producteurs de charbon d'Europe et qui ont pris part aux réunions antérieures au sujet de la durée du travail dans l'industrie charbonnière, ainsi qu'aux États-Unis, à l'U. R. S. S. et au Japon, afin de déterminer, avant la 79ème session du Conseil, si et dans quelles conditions ils seraient disposés à prendre part à une réunion tripartite concernant la durée du travail dans les mines de charbon. Saisi des réponses de ces divers Gouvernements, le Conseil d'administration serait en mesure de prendre une décision. De toute manière, une telle réunion ne pourrait avoir lieu avant la session de 1937 de la Conférence internationale du Travail, en raison des travaux dont le Bureau est dès à présent chargé. La réunion ne pourrait donc avoir lieu avant le mois d'octobre.

M. Hayday rappelle que, primitivement, il avait proposé que le Conseil décidât la convocation d'une réunion tripartite au cours de l'année 1937. Il serait prêt, toutefois, à accepter une solution transactionnelle, qui consiste à ce que le Bureau informe les Gouvernements principalement intéressés que le Conseil d'administration envisage la convocation, au mois d'octobre 1937, d'une réunion tripartite concernant la durée du travail dans les mines de charbon, en leur demandant leurs observations, de manière que le Conseil puisse être saisi d'un rapport sur les réponses des Gouvernements lors de sa 79ème session. Il ne s'agirait pas de demander aux Gouvernements les conditions qu'ils mettraient à leur participation à une telle réunion. Une telle demande ne serait qu'une source supplémentaire de difficultés et inciterait certains Gouvernements à essayer de retarder encore la solution du problème.

M. Picquenard appuie la proposition de M. Hayday. Naturellement, si le Directeur n'obtenait qu'un nombre insuffisant de réponses des Gouvernements intéressés, la Conférence pourrait ne pas avoir lieu. La décision de principe, toutefois, devrait être prise immédiatement.

M. Kirkaldy regrette de ne pouvoir accepter la proposition de M. Hayday. Il constate que, si le Conseil l'acceptait, il se prononcerait en faveur de la convocation d'une réunion tripartite, et c'est dans une décision de ce genre qu'il ne peut prendre aucune part de responsabilité. Il a déjà, antérieurement, exposé des objections à l'égard d'une réunion concernant l'industrie charbonnière, et s'il s'oppose à une telle mesure, c'est en raison du danger auquel on s'exposerait de courir au devant d'un échec.

M. Komarnicki déclare que la proposition de M. Hayday le met dans une situation très embarrassante, étant donné qu'il ignore quelle sera l'attitude du Gouvernement
Mr. Komarnicki said that since the Director had asked what was the attitude of the Polish Government, he was bound to make a statement similar to Mr. Norman's. He could not for the moment say what the attitude of the Polish Government would be. It was not unfavourable to the holding of a tripartite meeting on the coal mining industry, but it thought that such a measure would be premature at the moment.

Mr. Norman assured Mr. Hayday that he had not meant to imply that the British Government would refrain from taking part in a tripartite meeting on the coal mining industry if the agenda were limited to the reduction of hours of work. He had merely stated that he could not pledge his Government to take part in the meeting. He must first report to his Government what had been said in the Governing Body. The attitude of the British Government would be explained by the British Government representative at the Seventy-ninth Session.

The Director thanked Mr. Norman and Mr. Komarnicki for their statements. The Governing Body now knew that there were, for the moment at any rate, three countries, the Netherlands, Great Britain and Poland, which were not prepared to say that they would take part in a tripartite meeting on the coal mining industry.

In these circumstances he thought it difficult for the Governing Body to take a decision at once. The only thing which could be done now would be to approach the seven coal-producing countries in Europe which had taken part in the previous meetings on hours of work in the coal mining industry, together with the United States of America, the Union of Soviet Socialist Republics, and Japan, in order to ascertain whether and under what conditions they would be prepared to take part in a tripartite meeting on hours of work in the coal mining industry. When the Governing Body had received the replies of these Governments it would be able to take a decision. In any case such a meeting could not be held before the 1937 Session of the International Labour Conference owing to the amount of work which the Office already had to do. The meeting therefore could not take place before October.

Mr. Hayday said that he had originally moved that the Governing Body should call a tripartite meeting during 1937. He would, however, be prepared to accept a compromise proposal according to which the Governing Body would notify the Governments principally concerned that the Governing Body was contemplating the holding of a tripartite meeting on hours of work in the coal mining industry in October 1937, and would ask them for their observations so that a report on their replies could be submitted to the Governing Body at the Seventy-ninth Session. The Governments would not be asked under what conditions they would take part in such a meeting. To ask them that question would be to invite further difficulties, and might encourage certain Governments to try to delay the solution of the problem.

Mr. Picquenard supported Mr. Hayday's proposal. Naturally, if the Director did not obtain a sufficient number of favourable replies from the Governments concerned, the conference could not be held. The decision of principle should, however, be taken at once.

Mr. Kirkaldy regretted that he could not accept Mr. Hayday's proposal. If the Governing Body agreed to it, it would be deciding in favour of holding a tripartite meeting, and that was a decision to which he was not prepared to agree. He had at previous meetings already explained his objections to a meeting concerning the coal mining industry, and his reason for opposing such a meeting was the danger which it would present if it were held without prospects of success.

Mr. Komarnicki said that Mr. Hayday's proposal placed him in a very difficult position, as he did not know what the Polish Government's attitude would be. As he
polonais. Comme il l'a déjà dit, ce Gouvernement est favorable en principe à la convocation d'une réunion, mais il lui manque certains éléments pour prendre une décision quant à la date et aux modalités d'une telle réunion. À son avis, la seule proposition qui soit conforme aux usages et qui réponde à la situation est celle du Directeur. Si le Président demande au Conseil de se prononcer sur la proposition de M. Hayday, il devra s'abstenir.

M. Norman appuie l'observation de M. Komarnicki. S'il votait en faveur de la proposition de M. Hayday, ce vote pourrait être considéré comme un engagement du Gouvernement britannique de prendre part à une réunion tripartite concernant l'industrie charbonnière au mois d'octobre 1937, quel que soit l'ordre du jour de cette réunion. S'il vote contre, on pourra prétendre que le Gouvernement britannique se refuse à participer à aucune réunion concernant l'industrie charbonnière. Dans ces conditions, il ne peut que s'abstenir.

Le Président met aux voix la proposition de M. Hayday. D'après celle-ci, le Bureau fera connaître en leur demandant leurs observations aux Gouvernements des sept pays mentionnés dans la convention concernant la durée du travail dans les mines de charbon, ainsi qu'aux Gouvernements des États-Unis, de l'U. R. S. S. et du Japon que le Conseil se propose de convoquer, au mois d'octobre 1937, une réunion tripartite concernant la durée du travail dans les mines de charbon; le Conseil d'administration sera saisi, lors de sa 79ème session, d'un rapport sur les réponses reçues par le Bureau.

Par 13 voix contre 8, le Conseil d'administration adopte la proposition de M. Hayday.

M. Oersted prend place au fauteuil présidentiel.

Relations et activités diverses.

Questions intéressant le Bureau, examinées par le Conseil de la Société des Nations à sa session de janvier 1937.

Matières premières.

Le Directeur expose que, à sa session de janvier 1937, le Conseil de la Société des Nations a décidé de constituer une commission pour l'étude du problème des matières premières. Il apparaît probable que le Bureau soit invité à proposer le nom d'un expert devant faire partie de cette commission.

Il demande au Conseil de donner à son bureau le pouvoir de l'autoriser à désigner cet expert, si une demande dans ce sens lui était adressée.

Il en est ainsi décidé.


Le Conseil charge le Directeur d'arrêter les modalités des collaborations envisagées entre le Bureau et l'Organisation d'hygiène de la Société des Nations, d'accord avec le Secrétaire général de la Société et le Directeur de la Section d'hygiène. Les résultats des conversations engagées seront soumis au Conseil d'administration.

VINGTIÈME QUESTION A L'ORDRE DU JOUR.

Examen de la qualité de représentant des employeurs à la Conférence (interprétation de l'article 3, paragraphe 1, de la Constitution de l'Organisation).

Le Conseil d'administration ajourne à sa 79ème session l'examen de cette question.
had already said, the Government was in principle in favour of holding such a meeting, but certain further information was needed for a decision as regards the date and other conditions of the meeting. In his view the only proposal which was in accordance with the usual practice and met the needs of the position was the Director's. If the Chairman asked the Governing Body to vote on Mr. Hayday's proposal, he would be obliged to abstain.

Mr. Norman said that he agreed with Mr. Komarnicki. If he voted in favour of Mr. Hayday's proposal, it might be taken to mean that he was committing the British Government to take part in a tripartite meeting on the coal mining industry in October 1937, whatever its agenda might be. If he voted against it, it might be thought that the British Government refused to take part in any meeting concerning the coal mining industry. In these circumstances he felt bound to abstain.

The Chairman said that he would take a vote on Mr. Hayday's proposal. According to that proposal the Office would inform the Governments of the seven countries mentioned in the Convention concerning hours of work in coal mines, as well as the Governments of the United States of America, the Union of Soviet Socialist Republics and Japan, that the Governing Body proposed to call a tripartite meeting concerning hours of work in coal mines in October 1937, and would ask them for their observations. A report on the replies received by the Office would be laid before the Governing Body at its Seventy-ninth Session.

The Governing Body adopted Mr. Hayday's proposal by 13 votes to 8.

Mr. Oersted took the Chair.

Relations and various activities.

Questions concerning the International Labour Organisation discussed by the Council of the League of Nations at its session of January 1937.

Raw materials.

The Director said that at its session of January 1937 the Council of the League of Nations had decided to set up a Committee to study the problem of raw materials. It was probable that the Office would be invited to suggest the name of an expert for this Committee.

He asked the Governing Body to authorise its Officers to appoint the expert if an invitation were received.

The Governing Body adopted that suggestion.

Collaboration with the Health Organisation of the League of Nations.

The Governing Body instructed the Director to settle the method of collaboration between the Office and the Health Organisation of the League of Nations in agreement with the Secretary-General of the League and the Director of the Health Section. The conclusions reached in these negotiations would be submitted to the Governing Body.

Twentieth Item on the Agenda.

Examination of the qualifications of the employers' representatives at the Conference (interpretation of paragraph i of Article 3 of the Constitution of the Organisation).

The Governing Body adjourned this question until its Seventy-ninth Session.
TINGT ET UNIÈME QUESTION A L'ORDRE DU JOUR.

Rapport de la Commission du règlement.

M. Mahaim, président et rapporteur de la Commission du règlement, présente le rapport de la Commission.

1. Proposition tendant à assurer la constitution immédiate de la Commission pour l'application des conventions.

M. Mahaim souligne que les conclusions que soumet la Commission du règlement au Conseil au sujet des deux points qu'elle avait à examiner ont été adoptées à l'unanimité.

La Commission du règlement a examiné en premier lieu les propositions de M. Yoshisaka tendant à amender le règlement de la Conférence de manière à permettre la constitution de la Commission pour l'application des conventions dès l'ouverture de la session. Le texte proposé par M. Yoshisaka a donné lieu à certaines objections parce qu'il aurait entraîné la fixation dans le règlement du nombre des membres de cette Commission. La Commission du règlement a alors examiné un autre texte qu'il recommande au Conseil de soumettre à la Conférence lors de sa XXIIIème session. Ce texte est ainsi conçu :

« Introduire dans l'article 7 du règlement de la Conférence une nouvelle section E ainsi conçue :

E. Commission de l'application des conventions.

1. La Conférence constitue aussitôt que possible une Commission composée d'un nombre égal de délégués des Gouvernements, des employeurs et des travailleurs, aux fins d'examiner les mesures prises par les Membres pour mettre à exécution les conventions auxquelles ils ont adhéré.

2. La Commission présente un rapport à la Conférence.

Les sections E et F prennent les initiales F et G. »

Le Conseil décide de soumettre ce texte à la Conférence lors de sa XXIIIème session.

Il est entendu que le Conseil recommandera à la Conférence d'examiner dorénavant le plus tôt possible, au cours de sa session, le rapport de la Commission de l'application des conventions.

2. Procédure à suivre pour la présentation d'amendements à la Constitution de l'Organisation internationale du Travail.

M. Mahaim expose que la Commission du règlement a estimé qu'il serait sans doute désirable d'introduire dans le règlement une clause relative aux conditions dans lesquelles la Conférence peut adopter des amendements à la Constitution ; en effet, la seule règle prévue par la Constitution est celle de l'article 36, ayant trait à la majorité des deux tiers et on a jugé qu'il conviendrait sans doute que le règlement fixât une certaine procédure pour l'examen de ces amendements, en vue d'éviter que la Conférence n'adoptât un amendement à la Constitution sans avoir dûment envisagé toutes ses répercussions éventuelles. Le Bureau proposerait, pour éviter cet inconvénient, que les projets d'amendement à la Constitution fussent inscrits à l'ordre du jour de la Conférence au moins quatre mois avant l'ouverture de la session à laquelle la Conférence est appelée à les examiner. Le texte du Bureau a donné lieu à une certaine discussion, puisqu'il ne prévoyait pas le cas où la Conférence aurait elle-même inscrit une proposition d'amendement à la Constitution à l'ordre du jour de sa session suivante.

En conclusion, la Commission a préparé, en vue de son insertion dans le règlement de la Conférence, un texte ainsi conçu :

« Toute proposition d'amendement à la Constitution ne sera examinée par la Conférence que lorsque le Conseil d'administration aura, conformément à
TWENTY-FIRST ITEM ON THE AGENDA.


Mr. Mahaim, Chairman and Reporter of the Standing Orders Committee, submitted the report of the Committee.

1. Proposal to provide for the immediate constitution of the Committee on the Application of Conventions.

Mr. Mahaim said that the conclusions which the Standing Orders Committee submitted to the Governing Body on the two questions which it had had to consider had been adopted unanimously.

The Standing Orders Committee had first of all considered Mr. Yoshisaka's proposal to amend the Standing Orders of the Conference in such a way as to enable the Committee on the Application of Conventions to be set up immediately after the opening of the session of the Conference. The drafting proposed by Mr. Yoshisaka gave rise to certain objections because it would have involved fixing the number of members of the Committee in the Standing Orders. The Standing Orders Committee had therefore discussed another drafting which it recommended the Governing Body to submit to the Conference at its Twenty-third Session. This drafting was as follows:

"Insert the following new section E in Article 7 of the Standing Orders:

E. Committee on the Application of Conventions.

1. The Conference shall, as soon as possible, elect a Committee, composed of equal numbers of Government, Employers' and Workers' Delegates, to consider the measures taken by Members to give effect to the provisions of Conventions to which they are parties.

2. The Committee shall submit a report to the Conference.

The present paragraphs E and F become paragraphs F and G."

The Governing Body decided to submit this drafting to the Conference at its Twenty-third Session.

It was agreed that the Governing Body should recommend the Conference in future to discuss the report of the Committee on the Application of Conventions as early as possible during the session.

2. Procedure to be followed for proposing amendments to the Constitution of the International Labour Organisation.

Mr. Mahaim said that the Standing Orders Committee had considered that it would be desirable that some provision should be made in the Standing Orders of the Conference to govern the conditions under which amendments to the Constitution might be adopted by the Conference. The only rule laid down in the Constitution was that of Article 36 relating to the two-thirds majority. The Committee considered that the Standing Orders should perhaps lay down a procedure for the discussion of such amendments as a safeguard against the danger that the Conference might adopt an amendment to the Constitution without due consideration of all its possible repercussions. The Office had suggested that, in order to avoid this difficulty, proposals for the amendment of the Constitution should be placed on the agenda of the Conference at least four months before the opening of the session at which the Conference was to discuss them. The drafting proposed by the Office had given rise to some discussion since it did not provide for the case in which the Conference itself might decide to include a proposal to amend the Constitution in the agenda of its next session.

The Committee had finally drafted the following clause with a view to its introduction in the Standing Orders of the Conference:

"Any proposal for the amendment of the Constitution of the Organisation shall only be considered by the Conference if it has been included in the agenda
l'article 14 de la Constitution, inscrit la question à l'ordre du jour de la Conférence au moins quatre mois avant l'ouverture de la session à laquelle la Conférence sera appelée à l'examiner, ou lorsque la question aura été inscrite à l'ordre du jour par la Conférence à sa précédente session, conformément à l'article 16, paragraphe 3, de la Constitution. »

Le Conseil d'administration décide de recommander à la Conférence l'insertion de ce texte dans son règlement.

M. Mahaim expose que, tout en considérant que l'amendement qu'elle suggère d'apporter au règlement de la Conférence est la seule mesure concrète qui présenterait une certaine utilité dans les circonstances actuelles, la Commission a jugé désirable, en raison de l'idée discutée de divers côtés de voir détacher des traités de paix le Pacte de la Société des Nations, de rappeler dans son rapport certains principes qui ne prétendent pas à contestation et qui lui ont paru — et qui paraîtront sans doute au Conseil d'administration et à la Conférence — mettre hors de doute le fait que la Constitution de l'Organisation ne peut subir d'amendement que suivant la procédure prévue dans cet acte lui-même.

Il semble évident que les Parties à un ou plusieurs des Traités de Paix dans lesquels sont insérées les dispositions de la Constitution n'ont plus qualité pour modifier les clauses de cette Constitution : en effet, parmi les États entre lesquels ces clauses sont actuellement exécutoires, il s'en trouve vingt-huit qui ne sont Partie à aucun de ces Traités.

De même, il apparaît que la Constitution de l'Organisation, et notamment ses dispositions définissant les relations entre l'Organisation et la Société des Nations, ne peuvent être modifiées par cette dernière institution, car la méthode d'amendement de la Constitution prévue dans les Traités implique une décision de la Conférence internationale du Travail, et non de l'Assemblée.

Enfin, l'Organisation est une institution tripartite et sa Constitution, en prévoyant que les amendements que l'on envisage de lui apporter devront être adoptés par la Conférence internationale du Travail à la majorité des deux tiers, tend évidemment à attribuer aux employeurs et aux travailleurs un rôle déterminé dans l'examen et l'adoption des projets d'amendements. La Constitution de l'Organisation est un acte dont la nature juridique est aussi complexe qu'originale ; étant donné ses caractéristiques, et notamment la forme tripartite de l'Organisation, il y a lieu de considérer que l'article 36 de la Constitution détermine la seule procédure permettant de modifier ses dispositions.

La Commission approuve ces observations de la Commission du règlement.

**VINGT-DEUXIÈME QUESTION A L'ORDRE DU JOUR.**

*Rapport du bureau du Comité consultatif de correspondants pour les loisirs des travailleurs.*

Le Conseil d'administration ajourne à sa 79ème session l'examen de cette question. La session est déclarée close à 18 heures.

Jaromír NEČAS.
of the Conference by the Governing Body at least four months before the opening of the session at which it is to be considered in accordance with Article 14 of the Constitution, or has been included in the agenda of the Conference by the preceding session of the Conference in accordance with paragraph 3 of Article 16 of the Constitution.

The Governing Body decided to recommend the Conference to introduce this clause into its Standing Orders.

Mr. Mahaim said that whilst believing that the amendment to the Standing Orders of the Conference which it had suggested was the only concrete step which it would be useful to take at the present time, the Committee also thought it desirable, in view of the widespread discussion of the possibility of the Covenant being separated from the Treaties of Peace, that it should place on record in its report certain self-evident principles which appeared to it, and would doubtless appear to the Governing Body and to the Conference, to place it beyond doubt that the Constitution of the Organisation could only be amended by the procedure for which it itself provided.

Clearly the original parties to one or more of the Peace Treaties which included the Constitution among its terms were no longer entitled to modify the provisions of that Constitution since these were now in force between a group of States of which twenty-eight were not parties to any of those Treaties.

Equally clearly the Constitution of the Organisation, including the various provisions which it contained defining the relationship of the Organisation with the League of Nations, were not subject to amendment by the League, because the method of amendment of the Constitution prescribed by the original Treaties required action by the International Labour Conference and not by the Assembly.

In the third place, the Organisation was a tripartite institution and its Constitution, by requiring the adoption of proposed amendments by the International Labour Conference by a majority of two-thirds, obviously contemplated that employers and workers should take a definite part in the consideration and adoption of any proposals for its amendments. The Constitution of the Organisation was an instrument the legal character of which was as complex as it was novel, and in view of its special features, and particularly of the tripartite character of the Organisation, Article 36 must be regarded as defining the only procedure by which its provisions could be amended.

The Governing Body approved the above observations of the Standing Orders Committee.

TWENTY-SECOND ITEM ON THE AGENDA.

Report of the Executive Committee of the Advisory Committee of Correspondents on Workers’ Spare Time.

The Governing Body adjourned this question until its Seventy-ninth Session.

The session closed at 6 p.m.

JAROMIR NEČAS.
APPENDICES
APPENDIX I.

AGENDA.

1. Approval of the minutes of the Seventy-seventh Session.
2. Record of the Preparatory Technical Tripartite Meeting on printing and kindred trades.
3. Record of the Preparatory Technical Tripartite Meeting on the chemical industry.
5. Agenda of the 1938 Session of the Conference.
6. Examination of the representation made by the Madras Labour Union for Textile Workers concerning the application of the Unemployment Convention (1919) in British India.
7. Effect to be given to the resolutions adopted by the Conference at its Twenty-first Session (Maritime).
8. Questions arising out of the examination of the annual reports on the application of Conventions.
9. Record of the meeting of the Technical Committee on Glass Works.
13. The Director’s Report.
14. Date and place of the next session.
16. Record of the meeting of the Advisory Committee on Salaried Employees.
17. Record of the meeting of Experts on Social Insurance.
20. Examination of the qualifications of the employers’ representatives at the Conference (interpretation of paragraph 1 of Article 3 of the Constitution of the Organisation).
APPENDIX II.

SECOND ITEM ON THE AGENDA.

RECORD OF THE PREPARATORY TECHNICAL TRIPARTITE MEETING ON PRINTING AND KINDRED TRADES.

In accordance with the decision taken by the Governing Body at its Seventy-fifth Session (April 1936) the Preparatory Technical Tripartite Meeting on hours of work in printing and kindred trades met at Geneva from 30 November to 4 December 1936.

The report which the Meeting adopted is submitted to the Governing Body herewith 1.

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1 The report has not been printed here as it will appear in the report on the reduction of hours of work in printing and kindred trades, which will be submitted to the 1937 Session of the International Labour Conference.
APPENDIX III.

THIRD ITEM ON THE AGENDA.

 RECORD OF THE PREPARATORY TECHNICAL TRIPARTITE MEETING ON THE CHEMICAL INDUSTRY.

In accordance with the decision taken by the Governing Body at its Seventy-fifth Session (April 1936) the Preparatory Technical Tripartite Meeting on hours of work in the chemical industry met at Geneva from 7 to 11 December 1936.

The report which the Meeting adopted is submitted to the Governing Body herewith.¹

¹ The report has not been printed here as it will appear in the report on the reduction of hours of work in the chemical industry which will be submitted to the 1937 Session of the International Labour Conference.
FOURTH ITEM ON THE AGENDA.

REPORT OF THE COMMITTEE ON FREEDOM OF ASSOCIATION.

The Committee on Freedom of Association met on 1 February 1937 under the chairmanship of Mr. Kitaoka, representative of the Government group, in order to give further consideration to the question of freedom of association, in accordance with the decision taken by the Governing Body at its Seventy-seventh Session.

After a careful examination of the question, the Committee decided to retain the recognition and application of freedom of association as the basis of its discussions and to request the Governing Body to instruct the Office to submit to it, for consideration at its next meeting, a full report which, taking account of the various suggestions put forward by the members of the Committee, would in particular include a list of the practices which are considered contrary to the exercise of the right of association and which, on that ground, should be prohibited. It is clearly understood that, in accordance with previous decisions, the Committee will confine itself to studying the question of safeguarding the freedom of association of individual workers in the exercise of their right to associate.

If the Governing Body approves this procedure, the Committee will submit the result of its work to it at one of the next sessions of the Governing Body.
APPENDIX V.

FIFTH ITEM ON THE AGENDA.

AGENDA OF THE 1938 SESSION OF THE CONFERENCE.

At its Seventy-seventh Session, the Governing Body held a preliminary discussion on the questions which might be placed on the agenda of the 1938 Session of the Conference, and provisionally selected the following eight questions:

1. General principles for the organisation of systems of inspection to secure the enforcement of the laws and regulations for the protection of the workers.
2. Recruiting, placing and conditions of labour (equality of treatment) of migrant workers.
3. Technical education and apprenticeship.
4. Rights of performers as regards broadcasting, television and the mechanical reproduction of sounds.
5. Regulation of contracts of employment of indigenous workers.
7. Weekly rest in commercial establishments.
8. Regulation of hours of work and rest periods in road transport undertakings.

The Governing Body instructed the Office to submit to it at its Seventy-eighth Session statements on the law and practice as regards each of these questions, together with suggestions as regards the procedure which might be followed for their subsequent consideration.

The statements in question will be found herewith (Annex A)1. Their form and length vary according to whether or not each question has formed the subject of similar statements submitted to the Governing Body or studies published by the Office.

Thus, for example, in the case of the rights of performers as regards broadcasting, the regulation of the contracts of employment of indigenous workers and technical education and apprenticeship, the Office has not reproduced in the note now submitted to the Governing Body the statements which have already been published as appendices to the minutes of the Governing Body. As regards technical education and apprenticeship, however, there will be found herewith a brief statement concerning one aspect of the problem to which the Governing Body's attention was specially drawn when it first discussed the questions which might be placed on the agenda of the 1938 Session of the Conference, namely, the vocational retraining of the unemployed and vocational rehabilitation of workers injured in industrial accidents.

As regards the recruiting, placing and conditions of labour of migrant workers, the Office has prepared a brief note referring to the report submitted to the Conference at its Twentieth Session, which contains detailed information on the present position of the question.

As regards the other problems, namely, general principles for the organisation of systems of inspection to secure the enforcement of the laws and regulations for the protection of the workers, safety provisions for coal-mine workers, weekly rest in commercial establishments and regulation of hours of work and rest periods in road transport undertakings, brief statements of the law and practice are submitted to the Governing Body.

In each case the Office has, in accordance with the desire expressed by the Governing Body, indicated the procedure which, in accordance with the nature of the question, appears to be the most suitable to bring about the adoption of international regulations.

The Governing Body is now asked to select those of these eight questions which it desires definitely to place on the agenda of the 1938 Session of the Conference.

In order to enable the Governing Body to come to its decision in full knowledge of the facts, it may be desirable to remind it of the questions which are likely to appear on the agenda of the 1938 Session of the Conference for second discussion. In the first place, it is possible that the questions of the reduction of hours of work in printing and kindred trades and in the chemical

1 The statements on questions 2, 3, 5 and 8 have not been printed here as the questions have been placed on the agenda of the 1938 Session of the International Labour Conference and will therefore appear in the reports submitted to the Conference, which will include a full statement on the law and practice relative to these questions.
industry may come up for second discussion in 1938. It is also not impossible that the question of the planning of public works in relation to employment may also come up for second discussion in 1938, although the single discussion procedure has been suggested for this problem. Finally, the Governing Body decided at its Seventy-fourth Session to refer the question of statistics of wages and hours of work to a Conference of statistical experts to be held in 1937. It was decided that this question might possibly be placed on the agenda of the 1938 Session of the Conference.

In considering the statements on the law and practice and the suggestions of the Office as regards the procedure to be followed for each of the questions provisionally selected, members of the Governing Body will note that the position of each of the eight questions is not quite the same from the point of view of their inclusion in the agenda of the Conference. The preliminary discussions which took place at the last session of the Governing Body provide certain indications which may be of a nature to facilitate the selection of the Governing Body. The procedure proposed for some of the questions involves preliminary stages which could not be completed in sufficient time to allow them to be dealt with by the Conference in 1938. This applies to safety provisions for coal-mine workers, the general principles for the organisation of factory inspection, and the rights of performers as regards broadcasting, etc.

From the point of view of procedure, the other five questions would already appear to be sufficiently ripe to be placed before the Conference in 1938. If, however, the Governing Body feels it undesirable to select them all definitely, it will no doubt desire to make its choice on the basis of the immediate interest and urgency of each of the various problems.

From this point of view, there is one question which has long been before the Governing Body, and which last year was only eliminated at the last stage, namely, that of technical education and apprenticeship. Members of the Governing Body are aware that legislation on this subject has greatly developed and become widespread in recent years, and that whatever may be the economic system prevailing in the various countries, the question of the vocational training of skilled workers is of immediate importance everywhere. A study of the existing law and practice on the subject shows that the question is quite ripe for international treatment, and its inclusion in the agenda of the Conference would correspond to a desire which has repeatedly been manifested at various national or international meetings. The question aroused much sympathetic interest in the Governing Body last year, and it is thought that it might be definitely selected with a view to its being considered by the Conference under the double discussion procedure. In this case the Governing Body would have to define the scope of the problem and decide whether to place it on the agenda in a wide form or to regard it solely in relation to industry to the exclusion of other forms of work.

Another question which is at present attracting attention in nearly all countries is that of the regulation of hours of work and rest periods in road transport undertakings. This problem is increasing in scope and urgency every day, both from the point of view of the social protection of the workers concerned and from that of road safety in general. The workers' organisations concerned have repeatedly expressed the desire that the International Labour Organisation should take up the problem. It is possible to deduce from the national regulations at present in force standards which might form the basis of international regulations. These regulations would be definitely different in character from the regulations which have already been established on the question of hours of work. It is thought that the Governing Body would be doing useful work if it gave the Conference an opportunity of comparing experience in the various countries and formulating rules which might be generally applied, and thus facilitating the harmonious development of a rapidly growing industry which is definitely international in character.

A resolution adopted by the Conference at its Twentieth Session after the discussion of a special report submitted by the Office draws the particular attention of the Governing Body to the problem of the recruiting, placing and conditions of labour (equality of treatment) of migrant workers. At the present time, when economic activity shows signs of recovery, and when migration has already begun to reappear and seems likely to develop in the near future, it would seem particularly appropriate for the International Labour Conference to discuss the organisation of migration. The time now seems to have come, however, when the Organisation might make a practical contribution to the settlement of problems which are likely to arise in an increasingly acute form. The Santiago Conference, the Assembly of the League of Nations and the Pan-American Conference at Buenos Aires have during the past year drawn attention to the renewed importance of migration problems and the desirability of arriving at practical solutions. The Governing Body would thus be meeting an almost universal desire if it definitely selected this problem, which might be discussed by the Conference according to the normal double discussion procedure.

The two other questions are problems the settlement of which would usefully supplement the international labour legislation already adopted. The regulation of the contracts of employment of indigenous workers, which was proposed for the agenda by resolutions adopted by the Conference, is a problem on which the preliminary studies of the Office and its Committee of Experts on Native
Labour have reached an advance stage. Its settlement affects the living and working conditions of a considerable number of workers, and would constitute, with the native labour Conventions already adopted, a body of protective measures which is of special importance at a time when the employment of indigenous labour is developing very rapidly. If the Governing Body placed this question on the agenda, the Conference might discuss it according to the normal double discussion procedure.

Similarly, if the Governing Body selected the question of the weekly rest in commercial establishments with a view to the adoption of a Convention, it would complete the work begun in 1921 by the adoption of a Recommendation on the subject. Legislation on the subject has developed so much since 1921 that it now appears possible to contemplate the adoption of international regulations which would meet the desires of a very large class of workers who have sometimes felt that the International Labour Organisation was devoting less attention to their conditions of work than to those of industrial workers. In a subsequent passage, the Office explains why, if the Governing Body decided to place this question on the agenda, it would probably be better to apply the double discussion procedure rather than a single discussion procedure, even with a preliminary consultation of experts.

With regard to the three other questions which have been provisionally selected, the Office suggests preliminary procedures which would not make it possible to include them in the agenda of the 1938 Session of the Conference. This does not mean that some of these questions are less important or urgent than those mentioned above. It has, however, been thought that the adoption of appropriate procedures varying according to the nature of the questions might facilitate their subsequent consideration by the Conference.

In the case of the organisation of systems of factory inspection, it is suggested that an international conference of representatives of factory inspection services should be asked to consider the conditions in which a Convention could be drawn up on the basis of the principles embodied in the Recommendation adopted in 1923. Such a technical conference would enable the Office to complete the information which has already been collected in connection with the Regional Conference of 1935, and which will be furnished by the Regional Conference to be held in 1937. The time would seem to have come to contemplate embodying in a Draft Convention the international principles regarding the organisation of factory inspection laid down in the Recommendation of 1923. From the point of view of the application of Conventions, factory inspection plays so great a part that it appears extremely important for the regular working of international labour legislation to lay down the principles according to which such services should be organised with a view to securing greater uniformity in the factory inspection services of the various countries.

If the Governing Body accepts this view, concrete proposals for dealing with the question will be submitted at a later stage.

The question of safety provisions for coal-mine workers is also a question which appears ripe for international settlement. All the principal coal-mining countries have issued extremely detailed regulations with a view to ensuring the safety of workers employed in coal mines, and have set up inspection services to enforce these regulations. What the Conference might do would be to draw up draft model regulations codifying the safety measures which have proved the most effective. The Office suggests that these model regulations might be prepared according to a procedure similar to that followed as regards the safety of workers in the building industry; in other words, the Office would first of all secure the services of an expert who would visit the various countries concerned and would present a report which would be submitted to a special committee of experts. The preliminary draft regulations, after being revised by this committee, might be considered by a tripartite conference of all the principal coal-mining countries before the question was submitted to the International Labour Conference. After all these preliminary discussions, the Conference could then deal with it by way of a single discussion.

As regards the question of the rights of performers as regards broadcasting, television and the mechanical reproduction of sounds, which was provisionally selected for the agenda of the 1937 Session of the Conference, the Office considers that before the problem is laid before the International Labour Conference, it would be desirable to call upon experts to formulate the principles on which the decisions of the Conference should be based. Such a meeting of experts might be held during 1938, and if this were done the problem, which has been attracting the attention of the Office and of the Advisory Committee on Professional Workers for many years past, could no doubt be finally settled by a single discussion at the 1939 Session of the Conference.

The above are the considerations which the Office thought desirable to lay before the Governing Body in order to facilitate its choice among the questions which it provisionally selected for the agenda of the 1938 Session of the Conference. It is thought that the methods of preliminary discussion which have been suggested for some of these questions would make it possible to avoid overloading the agenda of the Conference, and at the same time facilitate and in the long run expedite the solution of the problems in question. By making a choice among the other questions, the Governing Body will be able to arrive at an agenda for the 1938 Session of the Conference which will be sufficiently substantial without being unduly heavy.
First Supplementary Note.

The Director has received the following letter, dated 23 December 1936, from Mr. H. T. Andrews, Accredited Representative of the Union of South Africa to the League of Nations:

"Geneva, 23rd December 1936.

"Sir,

"The Government of the Union of South Africa has been interested to observe that in addition to the steps already taken by the Governing Body of the International Labour Office in the sphere of native labour problems, a decision was reached provisionally at its 77th Session to select the subject of the ‘Regulation of Contracts of Indigenous Workers’ as one of the items which might be submitted to the International Labour Conference in 1938.

"In view of this, and in the knowledge that the International Labour Office has already devoted considerable preliminary study to the subject of native labour contracts, I have been directed to state that if the Governing Body would feel disposed to send a small delegation from among its members to inform themselves at first hand on native labour conditions in South Africa, the Union Government would be happy to extend a cordial invitation to them as their guests during their stay in the Union for that purpose.

"The delegation, it is suggested, might consist of a representative from each of the Government, Employers' and Workers' groups constituting the Governing Body, assisted in addition by one or two members of the International Labour Office connected with the work of the Committee of Experts on Native Labour.

"The most appropriate time for the visit and the period which the delegation might propose to remain in the Union are matters which the Union Government would be pleased to leave to the decision of the Governing Body.

"It will be appreciated if you will be so good as to advise me in due course of the Governing Body's consideration of the foregoing invitation.

"I have the honour to be, etc.

(Signed) H. T. ANDREWS,
Accredited Representative of the Union of South Africa to the League of Nations."

The Governing Body will certainly warmly appreciate the generous and cordial invitation extended by the Government of the Union of South Africa and will wish to give the matter its most careful and sympathetic consideration.

It is a further proof of the interest taken in the work of the Organisation by extra-European countries, and there is no doubt that a visit, of the kind suggested, by a delegation of the Governing Body would strengthen the bonds between the Union of South Africa and the International Labour Organisation, and would provide an opportunity for enlightening public opinion in the Union in the work of the International Labour Organisation.

If, as the Director hopes, the Governing Body decides to accept the invitation in principle, he would suggest that he should be instructed to inform Mr. Andrews accordingly and to request him to convey to the Government of the Union of South Africa the appreciation and thanks of the Governing Body for its kind offer of hospitality. At the same time, if the Governing Body agrees, the Director might ask the Union Government for suggestions as to the details of the visit, so that he would be in a position to make definite proposals to the Governing Body at a subsequent Session.

Second Supplementary Note.

One of the questions which the Governing Body, at its Seventy-seventh Session, provisionally selected for the agenda of the 1938 Session of the Conference was that of the regulation of hours of work and rest periods in road transport undertakings. In this connection the Office has been requested to communicate to the Governing Body the resolutions on this subject adopted at two recent congresses of workers' organisations, the International Conference of Motor Drivers, convened by the International Transport Workers' Federation, and the technical section of motor vehicle drivers of the International Federation of Christian Unions of Transport Workers.
The International Conference of Motor Drivers, convened by the International Transport Workers' Federation, was held at Antwerp on 18 and 19 November 1936. It adopted the following resolution:

"This Conference of Motor Drivers, convened by the International Transport Workers' Federation in Antwerp on 18 and 19 November 1936, for the purpose of discussing a new international programme, with special reference to the question of working hours:

Considers it necessary with a view to the public safety and that of highway traffic, that the hours of work and rest of the workers concerned should be determined by international regulations on the basis of the forty-hour week;

Requests the Secretariat of the I.T.F. to undertake the necessary steps to secure a solution of this question along the lines indicated, and to raise it at the earliest possible opportunity at a Session of the International Labour Conference; and

Appeals to motor drivers throughout the world to help to secure the realisation of the demands formulated by strengthening the trade unions nationally and the I.T.F. internationally."

The revised programme of motor drivers' demands adopted by the Conference was as follows:

A. Driving Licences, Training and Qualifications.

(1) No licence to drive a mechanically propelled vehicle of any kind to be granted to persons under 18 years of age; such licences not to be used professionally by persons under 21 years of age.

(2) Applicants for a licence to drive mechanically propelled vehicles to submit to sight and hearing tests and a general medical examination; no licence to be granted if the applicant suffers from any defect or infirmity calculated to make his driving of such a vehicle a danger to the public.

(3) Driving licences to bear an indication of the class or classes of vehicles for which they are valid.

(4) Issue of driving licences to be subject to the passing of a practical test and theoretical examination, to be held after applicant has presented a certificate showing that he has successfully followed a course of instruction in driving. Motor drivers' trade unions to have the right to a representative on the committee which decides as to the issue of driving licences. All motor driving schools to be under the supervision of public authorities.

(5) Withdrawal of driving licences not to take place without reference to committees including representatives of the motor drivers' trade union, or alternatively the authority empowered to withdraw licences should first hear the opinion of the representatives of the trade unions.

(6) Regulations relating to training of motor drivers, and minimum requirements for medical, theoretical and practical tests to be internationally uniform. All motor driving schools to be under the supervision of public authorities.

B. Working Conditions.

(1) Normal working hours (in conformity with the general demand of the labour movement) not to exceed forty a week. Normal working hours on any one day not to exceed eight, with a maximum spreadover of ten hours. Time on call to be counted as working time. At least twelve hours' uninterrupted rest to be given between two days' work.

(2) Adequate breaks to be given in the period of duty.

(3) The weekly period of rest to be uninterrupted, and to average at least 36 hours a week in a cycle of two weeks.

(4) Overtime only to be worked in cases of emergency, and to be paid for at enhanced rates or compensated by double time off.

(5) All motor drivers to have an annual holiday of not less than twelve working days, with pay.

(6) Full wages to be paid in case of enforced absence from work owing to illness, official formalities, etc.
Conditions of engagement and dismissal to be clearly defined by collective agreement, joint committees, legislation or terms of concessions.

Motor drivers to be paid at normal fixed rates of wages, subject to a guaranteed minimum, so that they may be independent of tips. All systems of payment by a share in the takings, or on a job, trip or mileage basis, to be abolished.

Living-in not to be obligatory for motor drivers.

When motor drivers are required to sleep away from home, employers to pay a fixed allowance for expenses, the amount of which shall be determined by collective agreement, joint committee or special agreement with the trade union.

Heavy motor lorries, motor buses or motor coaches engaged in long distance traffic, and all motor lorries by night, to be manned by at least two drivers.

Long distance road transport by night to be reduced to the absolute minimum.

Working hours for motor drivers travelling in foreign countries to be fixed by international convention.

The driver's place on motor vehicles to be adequately protected against weather and exhaust gases, comfortably upholstered, properly warmed and equipped with efficient draught-free ventilation.

Motor vehicles to be equipped with means for keeping the wind-screen free of snow and ice in winter. Windows of motor vehicles, particularly the wind-screens, to be of safety glass.

Motor vehicles shall not be used by the driver for purposes of sleep or rest.

Regulations to be laid down relating to the construction of garages and motor vehicles in such a manner as to avoid the danger of carbon monoxide poisoning; the observance of such regulations to be enforced by a proper official inspection service.

All motor vehicles to be provided with lighting equipment giving the highest possible degree of satisfaction.

All vehicles shall be subjected to a periodical official examination, particularly with regard to the steering gear, brakes, tyres and chassis.

Regulations to be laid down prohibiting the overloading of goods vehicles and the overcrowding of passenger vehicles.

Curves on country roads to be suitably banked and indicated.

All main traffic arteries to be adequately lighted and indicated by numerals or letters visible at night.

Level crossings to be abolished: pending this, proper precautions to be taken, including the provision of efficient signalling devices.

Subways or bridges for pedestrians (and if necessary cyclists) to be provided as far as possible at crossings where traffic is heavy.

Paths for cyclists to be provided wherever possible.

Motor drivers must not be excluded from the advantages of any general social legislation.

In consideration of the nature of their work, special arrangements should be made in respect of the old-age pensions of all professional motor drivers.

Motor vehicle owners to be obliged to take out all-risk insurance covering any damage or injury that may be done either by the vehicle or the driver, whether driving the vehicle or handling goods.

Transport advisory councils, on which the trade unions of motor drivers are adequately represented, to be set up in all countries.

Governments of all countries to publish regularly full statistics of traffic accidents and their causes, distinguishing between those in which motor vehicles, trams and other vehicles are involved.
The technical section of motor vehicle drivers of the International Federation of Christian Unions of Transport Workers held an International Conference at Strasbourg on 20 January 1937. It adopted the following resolution:

"The technical section of motor vehicle drivers of the International Federation of Christian Unions of Factory and Transport Workers, at the International Conference held at Strasbourg on 20 January 1937, noted with satisfaction that the Governing Body of the International Labour Office had provisionally selected the question of the international regulation of conditions of work in road transport undertakings for the agenda of the International Labour Conference in 1938.

Considering that this question is not a social one, but one of general interest to the community, the Conference expresses the confident hope that the Governing Body will, at its session in February 1937, definitely ratify this provisional decision.

With a view to the discussion of the question in the Governing Body and the International Labour Conference, the technical section has revised the demands which it drew up at its Amsterdam Conference in January 1926 and which were communicated to the International Labour Office on 17 June 1926.

The Conference notes from the reports of the representatives of the various countries that most of the demands put forward in Part II of its programme, especially those relating to the international regulation of road traffic, have to a large extent received satisfaction as a result of the discussions of the Committee on Communications and Transit of the League of Nations. It requests the Executive of the International Federation to express to the Secretary-General of the League of Nations the gratitude felt by the motor drivers belonging to the Christian Unions, and to request him, in connection with any possible revision of existing international agreements, to bear in mind those of the recommendations of the 1926 Conference which have not yet been put into effect, and when any further discussions of this question are held, to ask for the collaboration of representatives of motor vehicle drivers, who will not hesitate to place themselves at his disposal.

On the other hand, the social demands put forward in Part I of the 1926 programme have, in the absence of international regulations, been taken into account in a few countries only, and incompletely even in those countries. The technical section, confirming and in some respects modifying the decisions taken in 1926, requests the Executive of the International Federation to lay before the International Labour Office the following demands, which should be borne in mind when an international Convention is drawn up by the International Labour Conference.

(1) Contracts of Employment.

Motor vehicle drivers should always be engaged on the basis of a contract of employment which definitely fixes the character and duration of employment and which contains precise provisions concerning remuneration in cash and in kind. Short interruptions of work owing to illness, breakdown of vehicles, etc., should not suspend the driver's right to the remuneration agreed upon.

(2) Age of Admission.

No person other than a male person over the age of 18 should be allowed to become a professional motor vehicle driver. In the case of drivers of motor coaches, motor buses, heavy lorries, and lorries with trailers, the age of admission should be at least three years higher, i.e. 21 years.

(3) Hours of Work.

Normal hours of work should be fixed on the basis of the 8-hour day and the 40-hour week, allowance being made for the particular circumstances of the work of motor vehicle drivers. A maximum number of hours overtime should be fixed.

(4) Rest Periods.

An uninterrupted rest period of at least 12 hours per day should be observed without restriction. Adequate breaks should also be allowed for meals. The weekly rest should include at least 36 consecutive hours and should be granted on a Sunday regularly in the case of lorry drivers and as often as possible in the case of drivers of passenger vehicles.
(5) **Holidays with Pay.**

Every motor vehicle driver should be entitled to an annual holiday with pay, in fixing which account should be taken of age and length of service. The minimum holiday should be six days per year after not less than 12 months' service.

(6) **Right to a Pension.**

Motor vehicle drivers should be entitled to a pension after a minimum period of service of five years. The pension should be proportionate to actual length of service. If notice is given to a driver before the end of his contract of service, he should be entitled to a corresponding indemnity.

The Conference expresses the desire that the International Labour Office should also deal with the question of the regulation of the conditions of work of motor vehicle drivers in urban traffic."

ANNEX A.

I.


The Governing Body at its Seventy-seventh Session (November 1936) selected factory inspection as one of the questions which might be placed on the agenda of the 1938 Session of the Conference. It was agreed that the proposed question might be entitled:

General Principles for the Organisation of Systems of Inspection to secure the Enforcement of the Laws and Regulations for the Protection of the Workers.

In accordance with the Standing Orders, the Office was instructed to prepare for the next session of the Governing Body a report on the law and practice concerning the organisation of factory inspection in the different countries.

The Office has accordingly prepared the present statement, which is based upon a study of the organisation of factory inspection in some thirty-five countries for which fairly complete documentary information is available. No attempt has been made in it to present a minute analysis of the organisation of the various systems of factory inspection in existence, as such an analysis would seem to be more appropriate to the detailed study of the question which the Office will be required to prepare if and when the Governing Body definitely decides to place factory inspection on the agenda of the Conference. Neither has it been possible within the very short time available since the last session of the Governing Body to undertake an exhaustive international study of the organisation of factory inspection on a comparative basis.

The fundamental importance of factory inspection as a factor in the enforcement of labour law has been amply demonstrated by a century of experience in the more advanced industrial countries of the world. Moreover, the Constitution of the Organisation (Art. 41) lays special emphasis on its importance as one of the principal guarantees for the proper application of social legislation, national and international.

It was no doubt because of the recognition of this importance that as early as 1923 the Conference adopted a Recommendation on the principles for the organisation of factory inspection services. Judging by the information in the possession of the Office, it may be stated that few of the Recommendations adopted by the Conference would appear to have produced such valuable results as the 1923 Recommendation on labour inspection. In 1934, Mr. Horszowski (Government adviser, Poland), speaking in the plenary Conference, suggested that this Recommendation should be completed as soon as possible by a Draft Convention. The Committee of Experts and the Conference Committee on the Application of Conventions have pointed out that with the passage of time the centre of gravity in regard to the application of Conventions is gradually shifting from the question of harmony between national legislation and the Conventions to the question of the practical application of the national legislation, and have laid stress upon the importance of factory inspection as a factor in securing such practical application. The Regional Conference on Factory Inspection held at The Hague in the autumn of 1935 also laid emphasis on the importance of factory inspection as a factor in the enforcement of labour law, and recommended the Governing Body to consider the desirability of placing on the agenda of a session of the Conference the question of the duties, the powers and the organisation of factory inspection services with a view to the adoption of a Convention on the subject. Further, the Santiago Conference (January 1936) adopted a resolution regarding the desirability of making a preliminary enquiry with a view...
to placing on the agenda of an early session of the Conference a proposal that Members of the Organisation should take effective action to establish in each country the administrative, technical and research bodies (including autonomous inspection services with adequate powers) especially necessary for the proper application of the Conventions approved and of labour law in general. And more recently still, the General Conference at its Twentieth Session (June 1936) adopted a resolution requesting the Governing Body to consider the desirability of placing the question of factory inspection on the agenda of the 1938 Session of the Conference.

There has thus been a wide and insistent demand that the essential principles concerning the organisation of factory inspection should be embodied in a more binding international instrument than a Recommendation. In the opinion of the Office, a Convention dealing with the general principles for the organisation of factory inspection, if widely ratified and properly carried out, should do a great deal to strengthen confidence in the effectiveness of the legislative work of the Conference.

It is suggested, without prejudice to any decisions that the Conference may wish ultimately to take, that such a Convention might broadly cover the same ground as the 1923 Recommendation on factory inspection. This would seem to be the more clearly indicated as the Recommendation in question secured 105 votes in its favour with none against, so that it is thought that the principles embodied in it may suitably be taken as a widely accepted international standard. It may also be noted that over 20 Governments have officially intimated that the system of factory inspection in their respective countries is based upon principles which are in substantial agreement with those laid down in the above Recommendation1.

For the convenience of the members of the Governing Body, the principles embodied in this Recommendation are summarised below.

I. Administrative Organisation.

1. That, so far as possible, inspectors should be localised in the industrial districts, and the whole system of inspection should be centralised under the control of a properly qualified authority;

2. That the inspectorate should be placed under the direct and exclusive control of a State authority, and should not be under the control of or in any way responsible to any local authority in connection with the execution of its duties;

3. That competent experts should be employed to deal with special medical, engineering, electrical and other problems arising out of inspection.

II. Personnel.

1. That inspectors should be properly trained and qualified, that they should enjoy permanent status, that they should receive adequate remuneration, and that their freedom from external influences should be secured;

2. That the inspectorate should include women as well as men inspectors, and that the women inspectors should, subject to their having had the necessary training and experience, be placed on a footing of equality with their male colleagues.

III(a). Duties of Inspectors.

That the principal function of any system of labour inspection should be to secure the enforcement of the laws and regulations relating to the conditions of work and the protection of the workers while engaged in their work, and that any additional duties assigned to inspectors:

(a) Should not in any way interfere with the inspectors' principal duties;

(b) Should in themselves be closely related to the primary object of ensuring the protection of the health and safety of the workers; and

(c) Should not prejudice in any way the authority and impartiality of the inspectors.

III(b). Powers of Inspectors.

1. That inspectors should be empowered freely to visit industrial establishments and to obtain information from workers or other persons;

1 The countries in question are:

Union of South Africa, Australia (New South Wales, Queensland, Tasmania, Victoria, Western Australia, South Australia), Austria, Belgium, Canada, Czechoslovakia, Estonia, Finland, France, Great Britain, Hungary, India, Irish Free State, Italy, Japan, Luxembourg, Netherlands, Poland, Rumania, Spain, Sweden, Switzerland, Yugoslavia.
2. That inspectors should be empowered to take legal proceedings in respect of breaches of the laws;
3. That inspectors should have the right to make orders or have orders issued by a competent authority requiring any necessary alterations of plant or installation carried out.

(2) Safety.

1. That all accidents should be notified to the competent authorities, and that one of the essential duties of inspectors should be to investigate accidents and more especially those of a serious or recurring character, with a view to ascertaining by what measures they may be prevented;
2. That inspectors should inform and advise employers respecting the best standards of health and safety;
3. That inspectors should encourage the collaboration of employers, managing staff, and workers for the promotion of personal caution, safety methods, and the perfecting of safety equipment;
4. That inspectors should endeavour to promote the improvement and perfecting of measures of health and safety by the systematic study of technical methods for the internal equipment of undertakings, by special investigations into problems of health and safety, and by any other means;
5. That in countries where it is considered preferable to have a special organisation for accident insurance and prevention completely independent of the inspectorate, the special officers of such organisations should be guided by the foregoing principles.

III(c). Inspectors' Reports.

(1) That inspectors should regularly submit to their central authority reports framed on uniform lines dealing with their work and its results;
(2) That the central authorities should publish annual reports containing a general survey of the information furnished by the inspectors and adequate statistical information concerning such points as:
   (a) The strength and organisation of the staff of the inspectorate;
   (b) The number of establishments covered by the laws and regulations classified by industries and indicating the number of workers employed (men, women, young persons, children);
   (c) The number of visits of inspection made for each class of establishment and the number of establishments inspected more than once during the year;
   (d) The numbers and nature of contraventions noted and convictions secured;
   (e) The number, nature and causes of accidents and occupational diseases notified.

IV. Collaboration with Employers and Workers.

(1) That the workers and their representatives should be free to communicate with the inspectors, and that any complaints made by them should be treated confidentially by the inspectors;
(2) That the inspectors should maintain permanent contact with the employers' and workers' organisations.

The information available in the Office would seem to show that with one or two exceptions the situation as regards the organisation of factory inspection in the more important industrial countries is in general conformity with the above principles, and that therefore a Draft Convention based upon these principles is likely to be widely ratified and applied.

It is of course true that on a number of points the practice in various countries shows differences, sometimes even important differences.

Thus for example the methods of appointing inspectors, the qualifications which candidates are required to possess, and particularly the methods adopted for training them, appear to vary to some extent from country to country. As this is a matter of considerable interest to countries which are now engaged in organising or re-organising their factory inspection services, the embodiment in an international Convention of certain guiding principles, which experience has shown to have given the best results, cannot fail to be of valuable assistance to such countries.

The information available shows also that the position of women inspectors varies considerably from country to country. In some countries—Great Britain for example—very little, if any, distinction; exists between the status and duties of male and female inspectors respectively. In other countries, women inspectors are only employed, if at all, for the inspection of conditions affecting women's work. But here again no real conflict of principle seems to exist, although in
practice women inspectors are either not employed at all in certain countries or are employed for limited purposes only.

With regard to the duties and powers of inspectors, there appears to exist general conformity with the principles contained in the 1923 Recommendation, though there is considerable variation in the methods adopted. In particular the laws and customs of the various countries involve certain differences in the nature of the action to be taken by the inspection staff where conventions of the laws and regulations are noted or where unsatisfactory conditions in respect of the health and safety of the workers are reported in a particular undertaking. As the enforcement of the laws and regulations and the prevention of accidents and illness together represent the most essential part of the inspectors' duties, the adoption of a binding international instrument laying down the principles which experience has shown to be the most effective should prove to be a stimulus to a number of countries either to introduce those principles in their legislation for the first time or to adapt less satisfactory provisions in the national legislation to those which had received international assent.

In the opinion of the Office therefore the differences which undoubtedly exist in the practice of various countries do not seem to be of such fundamental importance as to be likely to vitiate the chances of success of a Convention prescribing the principles for the organisation of factory inspection along roughly the same lines as were followed in 1923.

On such a subject as factory inspection, however, the elaboration of the text of a Draft Convention is likely to be a matter of much greater difficulty than in the case of a Recommendation. The principles involved in such a Convention must be phrased with some degree of elasticity, yet without vagueness, for vagueness would seriously jeopardise the utility of the Convention. In this connection it seems relevant to recall the exact terms of the recommendation made by the first (The Hague) Regional Conference on factory inspection on this point:

"That the Governing Body should consider in the light of the results of the present Conference and of similar meetings to be held in the future, the desirability of placing on the agenda of a Session of the International Labour Conference the question of the duties, the powers and the organisation of factory inspection services with a view to the adoption of a draft Convention on the subject."

At the present moment the Governing Body has before it only the results of the Hague Conference. The results of the Second (Vienna) Regional Conference will not be available until June 1937. Neither of these Conferences will have included representatives from extra-European countries; and neither will have been specifically consulted upon the subjects that might be covered by a draft international Convention.

The Director therefore thinks that, as a preliminary step to the discussion of the subject by the Conference with a view to the adoption of a Draft Convention, an international Conference of representatives of factory inspection services should first be consulted as to the nature of the points that might be dealt with in such a Convention. This Conference might be held in 1938. It would be a Conference of a similar character to the regional Conferences held at The Hague in 1935 and at Vienna in 1937, but it would have a universal and not a regional character (thus enabling the experience of extra-European countries to be taken into account) and it would have the precise object of selecting the points and principles that would appear suitable matters for inclusion in a binding international Convention.

If the Governing Body is in principle in agreement with the proposal to hold a technical Conference on factory inspection in 1938 for the purpose indicated above, the Office will submit concrete proposals regarding its organisation and programme to a subsequent session of the Governing Body. In the meanwhile, it might be agreed that the Office shall proceed with the preparation of a grey report on factory inspection with a view to its submission in proof to the proposed technical conference.

II.

STATEMENT OF THE LAW AND PRACTICE CONCERNING THE RIGHTS OF PERFORMERS AS REGARDS BROADCASTING, TELEVISION AND THE MECHANICAL REPRODUCTION OF SOUNDS.

At its Seventy-third Session, the Governing Body provisionally selected the rights of performers as regards broadcasting, television and the mechanical reproduction of sounds as one of the questions which might be placed on the agenda of the 1937 Session of the Conference. When, however, the agenda of the Conference was finally fixed, the number of questions was so large that the Governing Body eliminated this subject. It will be remembered that this decision of the Governing Body aroused considerable disappointment among the Officers of the Advisory Committee on Professional Workers, and also at meetings of the international institutions which deal with professional rights. This feeling was expressed in resolutions in which the two bodies in question requested the Governing Body to consider the possibility of taking the question up again. At the Seventy-seventh Session of the Governing Body the Office, at the request of the Officers of the Advisory Committee on Professional Workers, submitted a memorandum containing the resolution of the international institutions dealing with professional rights. This resolution was
endorsed by the International Committee on Intellectual Co-operation and, by decision of the Council of the League of Nations, transmitted to the Office by the Secretary-General.

As the Governing Body, last year, provisionally selected the question of the rights of performers as one of those which might be placed on the agenda of the 1937 Session of the Conference, a statement of the law and practice with regard to this question was submitted to it at its Seventy-fourth Session (February 1936). As the situation has not materially altered since that time, members of the Governing Body are requested to refer to that statement, which appears in the Appendices to the Minutes of the Seventy-fourth Session, pp. 99-102.

The speeches made at the Seventy-seventh Session of the Governing Body (November 1936) would, however, seem to show that the Governing Body regarded the rights of performers as a problem of a special character with regard to which certain adjustments might still be necessary. A special procedure allowing of such adjustments is therefore proposed below.

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Procedure.

The Advisory Committee on Professional Workers discussed the problem of the rights of performers at three sessions held in 1929, 1931 and 1933. The Sub-Committee which was set up to study the question made a very thorough enquiry among the organisations concerned. The Committee itself heard statements from a certain number of experts selected by the employers and by performers. The conclusions of its discussions were embodied in a statement of the principles which might form the basis of international regulations on the rights of performers. It would not be without utility to have these principles, which are somewhat general in character, further considered and defined if the problem is to be laid before the Conference. If such a study were carried out by experts and representatives of the organisations most directly concerned, it would do much to facilitate the work of the Conference, and would make it possible to reach agreement on certain points of detail which may still give rise to some difference of opinion. It is therefore suggested that a meeting of experts should be called in 1938. It might consist of (1) representatives of the international institutions dealing with professional rights which have already collaborated with the International Labour Office in studying the rights of performers: International Institute of Intellectual Co-operation, Secretariat of the League of Nations, International Office for the Protection of Literary, Artistic and Industrial Property, and the International Institute for the Unification of Private Law; (2) four or five experts appointed by the Governing Body, in agreement with the organisations concerned, such as the various organisations of performers, the International Broadcasting Union, the International Federation of the Phonographic Industry, etc. This meeting would undertake a preliminary discussion which would make it easier for the International Labour Conference to deal with the problem by way of a single discussion at its 1939 Session.

If the Governing Body approves this procedure, the Office would at once get in touch with the institutions and organisations concerned, so that it could make definite proposals for the organisation of the proposed meeting.

III.

STATEMENT OF THE LAW AND PRACTICE AS REGARDS SAFETY PROVISIONS FOR COAL-MINE WORKERS.

Introduction.

The Office has long been impressed by the heavy toll of accidents in the coal-mining industry, and in the Industrial Safety Survey has devoted considerable space to analyses of accident causes and discussions of means of counteracting them. A close study of the annual reports of mines inspectorates, mining research institutes and other technical and safety literature, for a number of years, has led the Office to the conclusion that the efficiency of safety work, and indeed the general conditions of operation in coal mines varies not only from country to country, but from district to district and even from mine to mine. While some mines have excellent safety records, others apparently working in almost identical conditions have very bad ones.

The Office therefore feels that the time is ripe for some international action with the object of reducing the relatively high accident rates in coal mines.

The question of safety in coal mines has already received some consideration from organs of the International Labour Organisation other than the International Labour Office.

Acting on a resolution adopted by the Tenth Session of the Assembly of the League of Nations (September 1929) and approved by the Council of the League, the Governing Body convened a Preparatory Technical Conference on conditions of labour in coal mines which met at the Inter-
national Labour Office on 6 January 1930. Delegations were present from the Governments of Austria, Belgium, Czechoslovakia, France, Germany, Great Britain, the Netherlands, Poland and Spain.

The Conference adopted a resolution concerning the general conditions of labour in coal mines. Point 8 of this resolution dealt with accident prevention in mines and made recommendations concerning safety research, especially by experimental stations, in the coal-producing countries, the prevention of accidents due to coal dust, firedamp, and falls of cages, the co-option of coal mining safety experts on the Correspondence Committee for Accident Prevention, and the vocational training of mine workers.

This resolution was considered by the Governing Body at its Forty-seventh Session (February 1930). The Governing Body did not consider it necessary to take any special decision on it, since it simply drew the attention of the Office to certain points with a view to the continuance of the studies already in hand.

Recently the Office's conviction of the need for action has been strengthened by the receipt of resolutions concerning safety in coal mines from international federations of mine workers' unions.

In January 1935, for example, the Executive Committee of the Miners' International Federation instructed its secretary to seek the aid of the International Labour Office for the consideration and adoption of a standard code for safety and health in mines.

The International Congress of Christian Miners, held at Brussels in September 1936, passed a resolution demanding that the responsible institutions should pay increased attention to safety in mines, that safety supervision by the workers should be improved, safety regulations tightened up and bonuses abolished. This resolution was laid before the Seventy-seventh Session of the Governing Body.

A resolution calling for action by the International Labour Office with a view to framing a standard code of safety and health for mines was adopted by the 32nd International Congress of the Miners' International Federation at Prague in August 1936. This resolution reads as follows:

"Having regard to the diverse practices and inadequate provisions for the health and safety of mine workers in every country, this Congress calls on the International Labour Office to take immediate steps to achieve an improved and uniform code of health and safety regulations.

This would safeguard the health of the miners and reduce the appalling number of accidents and loss of life in the mining industry in every country."

In November 1936 the Office decided to propose to the Governing Body as one of the questions for consideration as an item of the agenda of the 1938 Session of the International Labour Conference, the question of safety provisions for coal-mine workers. At its Seventy-seventh Session the Governing Body included this question among those selected provisionally as items which might be submitted to this session of the Conference.

The aim of the present report on the law and practice in the different countries is rather to provide a general indication than a detailed analysis. Owing to the great diversity of coal mining conditions in different parts of the world and the considerable bulk, and at the same time the highly technical character, of coal mining regulations, it would be impracticable to go into detail in a report of this kind. Nevertheless, although the information is largely confined to selected examples, it may be taken that the examples are fairly representative and give a good idea of the general situation as regards the law and practice in the matter of safety in coal mines.

Note.—For the purposes of the present report coal has been taken to mean bituminous coal and anthracite, to the exclusion of lignite, for the safety problems in lignite mining are of quite a different order from those in hard-coal mining.

I. The Accident Risk in Coal Mining.

There is no doubt that mining is one of the most dangerous of the major industries. Statistics can be furnished to show that in some of the principal industrial countries the accident rates for mining are exceeded, if at all, only by those for lumbering. In the United States, for example, in 1934 the general frequency rate for all industries taken together was 15.29, while that for building construction was 31.45 and for lumbering 83.83. The corresponding severity rates were: all industries 0.70, building construction 4.32, mining 10.19 and lumbering 4.80.

The rates for the most serious accidents—fatal and permanent total invalidity cases—bring out even more clearly the relative dangerousness of the mining industry. For these classes of accident the frequency rates in 1934 were: all industries 0.17, construction 0.57, mining 1.23; and the severity rates, all industries 1.02, construction 3.41, mining 7.40.¹

In the U. S. S. R. in 1933 the accident frequency rate for coal mining was the highest of any industry with 291.6 accidents per thousand insured workers as against 192.1 for metal mining, 198.1 for metallurgical workers, and 173.9 for saw mills and ply wood. In Germany in 1932 the average number of accidents of all kinds per thousand full time workers for all industries taken together (except mining) was 60 (2.85 compensated and 0.33 fatal). The corresponding figures for building were 105.97, 6.47 and 0.71. In the mining industry in this year there were 175.02 accidents per thousand men employed (1.59 fatal). Similar figures could be quoted for other countries. The chief accident causes in coal mining are falls of ground (especially at the face), underground haulage and other miscellaneous underground causes. In the United States the first places among these miscellaneous causes were taken in 1933 by handling materials (coal, rock, props, rails, etc.) and hand tools (picks, axes, hammers, etc.). In a number of countries, another prominent cause under this head is mining machinery (cutters, loaders, etc.).

It may be said generally that from a half to two-thirds of all underground accidents are due to falls of ground and haulage. The Prussian figures for 1935 (all mines) may be quoted by way of example (chief causes only).

<table>
<thead>
<tr>
<th>Type of accident</th>
<th>Percentage of all underground accidents</th>
<th>Fatal accidents as percentage of all underground accidents</th>
</tr>
</thead>
<tbody>
<tr>
<td>Haulage and travel on level roads</td>
<td>31.8%</td>
<td>16.1%</td>
</tr>
<tr>
<td>Falls of ground</td>
<td>29.4%</td>
<td>45.7%</td>
</tr>
<tr>
<td>In coal getting</td>
<td>21.3%</td>
<td>3.7%</td>
</tr>
<tr>
<td>In small staples and dips</td>
<td>8.1%</td>
<td>13.2%</td>
</tr>
</tbody>
</table>

The statistics of all the chief coal-producing countries would confirm the statement that the two outstanding accident causes underground are falls of ground and haulage. To facilitate comparison between the different coal-producing countries themselves, a general table has been compiled (see pp. 98-99) to show the numbers employed and the frequency of fatal accidents in some of the most important of these countries.

II. Legislation.

In most countries the coal mining legislation constituted by the general mining laws, the detailed regulations issued under those laws and the various orders on specific matters issued by the mining authorities, is very voluminous. For the sake of conciseness, only the general mining laws and the regulations issued under them in the principal coal-producing countries have been taken into account. It should, however, be mentioned that several of the smaller coal-producing countries—Australia, Canada, New Zealand, South Africa, Spain, to name only some—have highly developed legislation more or less similar to that of the countries dealt with here.

Belgium.

Only parts of the Belgian mining legislation have been consolidated. A Royal Order of 15 September 1919 consolidated the text of the general mining laws, but the safety legislation is scattered over a number of Royal Orders. These Royal Orders deal with the keeping of mine plans and registers (April 28, 1884); means of access, shafts and the travel of workers in shafts (December 10, 1910); ventilation (April 28, 1884); flame lamps (August 9, 1904); portable electric lamps (May 10, 1919); explosives (April 24, 1920); precautions against inrushes of water (April 28, 1884); supervision and discipline of the workers (April 28, 1884); reporting and investigation of accidents, rescue work and first-aid (April 28, 1884 amended December 20, 1904); breaking apparatus (June 23, 1908); appointment of responsible officials (July 15, 1919); surface installations (September 15, 1919); hoisting appliances, engine planes and overhead ropeways (February 20, 1933); employment of steam apparatus in underground workings (May 30, 1919 amended September 29, 1930); internal combustion engines (January 21, 1899, November 14, 1899); internal combustion locomotives (April 30, 1920, amended September 29, 1930); compressed-air receivers (September 6, 1919); and electricity (September 15, 1919).

France.

In France the main body of safety provisions applying to coal mines is to be found in the general regulations for the operation of fuel mines, issued on 13 August 1911 and frequently amended subsequently. These regulations deal with surface installations; shafts and roadways leading to the open and staples (includes winding regulations); inclines; road haulage; machines and ropes; workplaces;
TABLE 1.—Coal-mine fatalities in some of the countries of the world
(Underground and Surface)

<table>
<thead>
<tr>
<th>Year</th>
<th>Belgium</th>
<th>France</th>
<th>Great Britain</th>
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</thead>
<tbody>
<tr>
<td></td>
<td>Workers</td>
<td>Fatal casualties</td>
<td>Deaths per 1,000 workers</td>
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<tr>
<td>1920</td>
<td>169,944</td>
<td>181</td>
<td>1.13</td>
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<tr>
<td>1921</td>
<td>164,140</td>
<td>146</td>
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<tr>
<td>1922</td>
<td>152,838</td>
<td>142</td>
<td>0.93</td>
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<tr>
<td>1923</td>
<td>160,003</td>
<td>175</td>
<td>1.09</td>
</tr>
<tr>
<td>1924</td>
<td>172,285</td>
<td>202</td>
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<tr>
<td>1925</td>
<td>160,383</td>
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<td>0.92</td>
</tr>
<tr>
<td>1926</td>
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<tr>
<td>1927</td>
<td>174,533</td>
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<tr>
<td>1928</td>
<td>163,281</td>
<td>170</td>
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<tr>
<td>1929</td>
<td>151,809</td>
<td>201</td>
<td>1.32</td>
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<tr>
<td>1930</td>
<td>155,397</td>
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<td>1931</td>
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<td>151</td>
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<tr>
<td>1932</td>
<td>138,316</td>
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</tr>
<tr>
<td>1933</td>
<td>134,933</td>
<td>129</td>
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</tr>
<tr>
<td>1934</td>
<td>125,705</td>
<td>177</td>
<td>1.41</td>
</tr>
<tr>
<td>1935</td>
<td>125</td>
<td>125</td>
<td>1.04</td>
</tr>
</tbody>
</table>

Belgium:
Source: Annales des Mines de Belgique.

France:

Great Britain:
Source: Annual Reports of H.M. Chief Inspector of Mines.
The figures for the numbers of workers relate to coal mines only, the figures for the fatal casualties and deaths per 1,000 workers relate to mines under the Coal Mines Act (mines of coal, shale fireclay and stratified ironstone). The mines were idle for a long period in 1921 owing to a strike; the fatal casualty rate is therefore calculated on the basis of only nine months.

1 The figures for Belgium 1935, Prussia 1934, United States 1934 and 1935 have been taken from the Annual Report.

(Various working rules); ventilation (general regulations and regulations for fiery mines); special measures against dusts; lighting (general regulations, use of safety lamps, and precautions with petrol); explosives (general regulations and regulations for fiery mines); underground fires and sudden outbursts of noxious gases; use of electricity in underground workings (electric haulage, electric shotfiring, special provisions for fiery or dusty mines, etc.); hygiene of workplaces; plans and registers; and miscellaneous provisions (procedure as regards exemptions from the regulations).

Germany.

Most of the German hard-coal mines are in Prussia. The Prussian legislation bearing on safety in mines consists essentially of: (1) the General Mines Act for the Prussian State, dated 24 June 1865 (with subsequent amendments); (2) mining regulations issued by the divisional mining offices under the General Mines Act; (3) Ministerial and State Police Orders on specific subjects, such as explosives, acetylene and mineral oils. One or two of the most important of these Orders have been included in the following outline.

The General Mines Act regulates the acquisition of mining rights, the operation and management of mines, and the organisation, powers and duties of the mining inspection authorities. Almost identical mining regulations were issued by all the divisional mining offices in 1935. Below is a brief analysis of those issued by the Dortmund Office on 1 May 1935 with effect as from 1 January 1936.

There are nineteen chapters.

Chapter 1 (General) lays down regulations to ensure the proper upkeep and use of equipment serving to maintain the safety of the undertaking and the safety of life and health.

Chapter 2 (Mine Workings) deals with means of access and egress, abandoned workings,
The most important coal-producing countries surface together

<table>
<thead>
<tr>
<th>Workers</th>
<th>Fatal casualties</th>
<th>Deaths per 1,000 workers</th>
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</table>

Owing to a strike the rate for 1926 is calculated on the basis of only four months. The number of workers relates to March. The figure for December was 943,605.

Netherlands:
Source: Jaarverslag van den Hoofdingenieur der Mijnen over het jaar.

Prussia:
The figures for the numbers of workers are those of full time workers, i.e. shifts worked + working days + technical officials.
The Saar is included as from 1935.

United States:

of the Chief Inspector of Mines of the Netherlands for 1935. (Jaarverslag van den Hoofdingenieur der Mijnen over het jaar 1935).

precautions against inrushes of water and outbursts of firedamp, protection against falls of ground and objects, and the sinking, installation and inspection of shafts.
Other chapters deal with mine supports, haulage, travel of workers, ventilation, stone dusting, underground lighting, explosives and ignition appliances, shotfiring, protection against mine fires, rescue work and first-aid, machines, surface installations, mine surveys and plans, protection of the workers (conditions of employment, protection of health, and protection against head and foot injuries), training (training and examination of hewers, etc.).
Chapter 18 (Supervision) specifies the duties of supervisory officials and chargemen hewers, requires workmen to obey instructions given under the regulations and provides for the keeping of mine registers and for the communication to the workers of regulations, notices and decisions of the mining authorities.
Regulations for man-winding in main shafts were issued by all the Prussian divisional mining offices in July 1927, and regulations concerning man-winding in staples in September 1927.
As regards electricity, the underground workings of mines are subject to the general regulations for the installation of heavy current plant with working pressures under 1,000 volts. The use of electricity in fiery mines is further regulated by a federal Order of 13 April 1934.

Great Britain.
The statutory provisions relating specifically to coal mines are embodied in the Coal Mines Act 1911, and the regulations issued under the Act.

I. Coal Mines Act 1911.

This Act applies to mines of coal, shale, stratified ironstone and fireclay. It is divided into eight parts and deals with the following main subjects: management; safety; health; accidents; issue of regulations; conditions of employment; and inspectors.
Part I on management deals with the appointment and duties of managers and managers' certificates of competency; the appointment and duties of firemen, examiners and deputies; inspections on behalf of workmen; returns, plans, notices and books; the separate workings of parts of a mine; abandonment of mines; provision of materials for supporting roof and sides; payment of mine officials; and penalties for certain offences under the Act.

The main divisions of Part II (Safety) are concerned with ventilation, safety lamps, shafts and winding, travelling roads and haulage, support of roof and sides, signalling machinery, electricity, explosives, prevention of coal dust, safety inspections, withdrawal of workmen in case of danger and miscellaneous matters. These last include procedure on approaching accumulations of water; storage of inflammable materials underground; barometers, thermometers and hygrometers; tampering with appliances; employment of inexperienced men as coal getters; and obedience to orders given to secure compliance with the Act.

Part V (Regulations) empowers the Secretary of State to make general regulations for the conduct and guidance of mine officials and workers with a view to preventing accidents, providing for the safety, health, convenience and proper discipline of the persons employed in or about mines, and for other purposes.

Section 87 allows a divisional inspector, mineowner or a majority of workmen in any mine to propose special regulations applicable to that mine.

Other sections in this part relate to the publication of an abstract of the Act and of regulations under it, and communication of copies to mine workers.

Part IV on employment governs the conditions of employment of women, boys and girls and includes provisions for the prevention of accidents to them.

II. Regulations under the Coal Mines Act.

The regulations issued under the Coal Mines Act 1911, consist of the Main Code of General Regulations and codes of special regulations for explosives, safety lamp mines, etc.

The Main Code of General Regulations is made up of five enactments: the general regulations of 10 July 1913 and 30 July 1920, and the regulations of 10 December 1928 (rescue), 11 February 1930 (first-aid) and 1 June 1934 (lighting).

The regulations of 1913 were originally in six parts, of which five now remain.

Part I specifies the duties of various classes of coal mine employees and officials.

Part II deals with air measurements, winding apparatus, capping of winding and hauling ropes, exemptions from the provision requiring two main intake airways, construction of stoppages and signalling (winding and hauling).

The remaining parts are concerned with electricity, surface installations and shaft sinking.

The general regulations of 30 July 1920 deal with precautions against coal dust and spontaneous combustion of coal and working under moss.

Other regulations deal with explosives, safety lamps and certificates for managers, under managers and surveyors.

An Order of 22 December 1906 regulates the reporting of dangerous occurrences.

At the present time a Royal Commission is sitting to enquire into the working of the Coal Mines Act as regards safety and health, and to make recommendations as to the desirability of amendments.

India.

For British India, the basic enactments governing safety in coal mines are the Indian Mines Act of 1923 and the Indian Mines Regulations 1926. Both have been amended on various occasions.

A. The Indian Mines Act 1923.

The Act includes chapters on inspectors, mining boards and committees, mining operations and the management of mines, safety and health, the issue of regulations, rules and by-laws.

B. Indian Coal Mines Regulations 1926.

The Regulations include chapters on the following matters: returns, notices and records; plans, mine officials (appointment of managers and other supervisory officials); certificates of competency, permits and authorisations (appointment and procedure of boards of examiners empowered to issue certificates of competency); raising and lowering of persons or materials; roads and working places (includes regulations on support of roofs and sides, safety inspections, approach of workings to water, fire prevention, etc.); haulage; explosives (includes shotfiring regulations); ventilation and lighting; fencings and gates.
Japan.

The principal Japanese enactments bearing on safety in coal mines are: (1) the Mines Act of 1905, amended in 1924; (2) the Mines Regulations of 1929; (3) Regulations concerning the prevention of explosions in coal mines, 1929.

I. Mines Act, 1905.

Chapter IV, relating to the State supervision of mines, defines the extent of this supervision and makes the mine owner responsible for the necessary safety measures.

II. Mines Regulations, 1929.

These regulations include provisions on the following matters: appointment, powers and duties of the technical manager and of the underground safety committee; supporting of roof and sides; shaft sinking; ventilation and ventilation equipment; measures against firedamp; lighting (safety lamps; appointment, powers and duties of the safety lamp committee); mineral and vegetable oils; smoking; explosives (supply and use; appointment, powers and duties of the explosives committee); shafts (maintenance; ladderways and signalling); underground haulage and travel; falls of objects and persons down inclines and shafts; fire prevention; machinery (guards; appointment, powers and duties of machinery committee); man-winding; surface plant; hygiene (appointment, powers and duties of hygiene committee); carbon-dioxide; temperature; prevention of coal dust; first-aid; checking workers in and out; means of egress; reporting of accidents; and posting up of regulations.

III. Regulations concerning the prevention of explosions in coal mines, 1929.

These regulations apply to mines with gassy or dusty seams. They deal with: ventilation and ventilation equipment; appointment, powers and duties of ventilation committee; measures against coal dust (watering, stone dusting, dedusting); explosives; appointment of shotfiring committee; safety lamps; searching of miners for prohibited articles; safety training of new men; supervision by the underground safety committee; and rescue organisation.

Netherlands.

The principal enactments relating to safety in coal mines are the Mines Act of 27 April 1904 and the Mine Regulations of 1906; both of these enactments have been amended. The Act, which is of a general character, provides for the issue of more detailed regulations. The regulations of 1906 are very detailed and include chapters on the following matters; general plan of operations, sinking: surface installations; underground travel and transport (includes winding regulations); ventilation; lighting; mine plans; abandoned mines; explosives (includes shotfiring regulations); machinery and tools; electrical installations; hygiene; accidents and accident risks (reporting and investigation of accidents; procedure in emergencies; rescue work; first-aid); employment regulations (includes provisions prohibiting employment of young persons on dangerous work); state inspection; workers' committees; workmen's inspectors; and appeals.

In addition to these two enactments there is also a series of orders having the force of law, issued by the Chief Mining Engineer for the regulation of various matters.

At the present time new mines regulations are in preparation.

Poland.

As far as the Office is aware the statutory regulations bearing on safety in coal mines are still based on the former Austrian, German and Russian legislation. There are, however, a number of general provisions concerning safety in the Polish Mining Code of 29 November 1930. For example, the Minister of Trade and Industry is empowered to issue regulations concerning the regulation and safe operation of mines, the acquisition and storage of explosives, the erection, transformation and use of buildings for technical purposes, and the erection, maintenance and alteration of technical installations (especially boilers, engines and electrical equipment).

A new Mines Act and regulations are now in preparation.

Union of Soviet Socialist Republics.

The main safety code for mines is furnished by the safety regulations for mining work approved by the People's Labour Commissariat and the Supreme Economic Council on 25 November 1924. These regulations have been repeatedly and extensively amended but have so far not been consolidated.

This code is supplemented by a large number of orders on various subjects such as explosives, shotfiring, haulage and winding, working clothes, rescue operations, and safety education. Owing to the amplitude of the safety provisions—they make up a large volume—only a few fundamental regulations have been mentioned here.
These regulations are divided into 22 parts, some of which have since been repealed and replaced by separate orders. The parts bearing on safety in coal mines are: I. General regulations; II. Construction of means of access; III. Timbering; IV. Travel of workers; V. Winding ropes; VI. Haulage; VII. Mining by excavations, ladderways, small shafts, etc.; VIII. Open workings; X. Open workings with mechanical excavators; XI. Ventilation; XII. Working of fiery or dusty seams (special regulations for mines liable to sudden outbursts of gas, precautions against coal dust, lighting); XIII. General lighting regulations; XV. Precautions against falls of persons or objects; XVI. Precautions against dangers from water or gases; XVII. Prevention and extinction of fires; XVIII. Explosives; XX. Hygiene; XXI. Electrical apparatus.

The general regulations (I) deal with medical examination of workers, reporting of dangers, inspections by overmen and workers, assignment of duties and relations between different classes of officials exercising safety supervision, checking in and out of workers, idle workings, working rules, etc.

Regulations of 18 August 1927 require the appointment of persons familiar with safety technique for supervisory purposes, and specify the method of appointment and the duties of such persons.

An Order of 9 March 1935 lays down that persons may not be employed as sectional overmen, chief ventilation engineers, sectional fitters, mine mechanics and electricians unless they have passed a Federal examination in matters of safety.

United States.

In the United States mining safety is not a matter for Federal but for State legislation. In all there are about 30 coal-producing States in the Union. For the purposes of the present report outlines have been prepared of the regulations of Illinois, New Mexico and Pennsylvania, which are among the most recent and at the same time most detailed in the Union. It will be observed that Pennsylvania has two sets of regulations; one for anthracite and the other for bituminous mines.

Illinois.

The Mining Law of 6 June 1911 (as amended to 5 July 1935) deals with inspection, examinations for mine managers, second-class mine managers, mine examiners, and hoisting engineers, maps and surveys, shaft sinking, means of egress, shaft equipment, winding of men, safety lamps, ventilation, haulage roads, explosives, powers and duties of mine managers, special rules (these are miscellaneous safety rules), and abandoned workings.

Other Acts regulate the appointment of shotfirers, fire fighting equipment in coal mines and rescue stations, permissible explosives, black powder, and electricity.

New Mexico.

The Mines Act of 16 March 1933 is in two parts: I, General, which relates to inspection, and II, Coal Mines, which contains the safety regulations proper.

Part II is arranged under the following heads: duties of mine operators, duties of mine employees, officials of underground coal mines (qualifications and appointment of mine foremen, assistant mine foremen, mine examiners and shotfiring), duties of mine foremen, assistant mine foremen, mine examiners, and shotfiring, escape ways, fire control, underground ladderways, underground haulage, hoisting equipment (includes winding regulations), explosives (includes shotfiring regulations), ventilation and gases, timbering, rock dust (stone dusting regulations for coal mines other than anthracite mines), electricity, general provisions concerning coal mines (includes rules respecting the wearing of goggles and hard hats, and supervision of inexperienced men), checking men in and out, and preparation of coal underground.

Pennsylvania.

A. Anthracite Mining Laws.

An Act of 2 June 1891 deals, inter alia, with inspection; maps and plans; shafts, slopes, openings and outlets; boilers and connections, machinery, etc.; certified mine foremen (qualifications, examination, and certificates); ventilation; props and timbers; safety rules (a Code of 58 rules).

Under an Act of 15 July 1897 no person may be employed in an anthracite coal mine without having obtained a certificate of competency from the miners' examining board of the district concerned.

An Act of 29 May 1901 regulates the provision of first-aid equipment and treatment.

An Act of 15 June 1911 requires underground buildings to be constructed in incombustible material.
B. Bituminous Mining Laws.

An Act of 9 June 1911 includes parts (articles) on: maps and plans; duties of mine superintendent, mine supplies; duties of mine foreman; duties of fire bosses; shafts, slopes, drifts, openings and outlets; sinking of shafts; signalling apparatus, safety catches, hoisting machinery, ropes, boilers, and connections (includes winding regulations); ventilation; approved electric lamps, locked safety lamps and open lights; electrical installations; powder and detonators; oil; boards to examine applicants for certificates of qualifications as mine foremen, assistant mine foremen and fire bosses; and special (duties of various classes of mine workers and a code of 58 miscellaneous safety rules).

The other regulations applying to bituminous mines are the same as those for anthracite mines.

III. Inspection.

While in some countries there is separate legislation concerning the inspection of mines, frequently the organisation, powers and duties of the inspectorate are regulated by various provisions scattered over the mining laws and regulations.

The essential features of the inspection systems obtaining in a few of the more important countries are mentioned below.

Belgium.

The functions of the Mines Inspectorate may be briefly outlined as follows:

The enforcement of the general regulations is verified by the mines inspectors with the help of the workmen's inspectors, the frequency of the inspections being in proportion to the size and relative dangerousness of the mines. Reports are made on all inspections, and if necessary, action is taken by the competent authorities to ensure a proper standard of safety.

If a non-imminent danger is detected, the chief inspector of the mining district reports to the Governor of the Province and proposes suitable measures for removing it.

In the case of imminent danger the chief inspector, at his discretion and under his responsibility, gives the necessary instructions to ensure the removal of the danger.

The workmen's inspectors are under the direction and supervision of the mines inspectors, whose instructions they must obey in the performance of their duties. In emergencies they must concert with the mine management and the competent inspection authority.

Czechoslovakia.

Under the Mines Inspection Act of 10 July 1934, the Mines Inspectorate is organised as follows: (a) a Central Mines Inspection Office attached to the Ministry of Public Works, and (b) mines inspection offices attached to the district mining offices.

The Act defines the functions of the Inspectorate in general terms and also regulates in detail the duties of the Central Mines Inspection Office. Other divisions of the Act are concerned with training courses for assistant worker-inspectors of mines, inspection of mining undertakings, service instructions for inspection officials and penalties for offences against the Act.

France.

(a) State inspection.

The powers of the inspectors (i.e. the Government mining engineers) are defined by the Mines Act of 21 April 1810, as subsequently amended, a Decree of 3 January 1813 and a Decree of 14 January 1909.

The Government mining engineers are only empowered to make proposals and exercise supervision. Although, however, they have no power to issue regulations they have the power of giving orders to the mineowners; if their orders are not obeyed they report to the prefect, or in certain cases, to the Minister.

The Government mining engineers carry out statutory inspections of the mines and they may also carry out inspections whenever they think fit. In the case of a serious accident, the rescue operations are directed by the engineers, and the local mining authorities assume direction of the operation of the mine.

(b) Workmen's inspectors.

In France there is also a system of inspection by workmen's inspectors. These were first provided for by an Act of 8 July 1890. Since then their duties have been considerably extended by a number of other Acts relating to hygiene, hours of work, employment of women and children, etc. The appointment, powers and duties of workmen's inspectors are now regulated by the Code of labour and social welfare, Book II, Part III, Chapter IV.

Germany.

Under the General Mines Act of 24 June 1865, as subsequently amended, the mining authorities concerned with inspection are: (1) the district inspection officials; (2) the divisional mining offices; (3) the Minister of Economic Affairs.
The Act defines the powers and duties and also the mutual relationship of these authorities. It may be noted that the divisional mining offices are empowered to issue regulations in matters of safety, and may do so either for the whole of the administrative division, or for parts of it. Such regulations when duly promulgated have the force of law; they contain general rules of law valid for all future cases to which they are relevant.

**Great Britain.**

The appointment, powers and duties of inspectors are regulated by Part VII of the Coal Mines Act 1911. The main work of the general body of inspectors is in connection with the safety and health of the workers at mines under the Coal Mines Act and it is only to a comparatively small extent that they deal with other matters at these mines, e.g. the statutory regulation of hours of employment.

At the present time the inspectorate comprises eight inspection divisions. The divisional inspectors are responsible for the efficient and uniform administration of the Acts relating to mines and quarries throughout their division.

Within each division the senior inspectors (usually two in number) have districts assigned to them and control and supervise the work of the junior inspectors, sub-inspectors and horse inspectors.

The work of the sub-inspectors who constitute a subordinate grade, is confined to routine inspection.

**Japan.**

As far as technical safety in coal mines is concerned the inspection authority is the Bureau of Mines in the Department of Commerce and Industry. The inspection of other conditions of employment is a matter for the Bureau of Social Affairs. For the enforcement of the mining regulations there are a number of special mines inspectors.

The inspection authority may require the mineowner to appoint an underground safety committee and is invested with certain powers in connection with the installation and operation of machinery and other power equipment.

**Netherlands.**

(a) **State inspection.**

The powers and duties of the Mines Inspectorate are defined in Chapter XIV of the Mine Regulations of 1906, as amended.

For any mine, and after consulting the mine management, the chief mining engineer may issue orders for the enforcement of the provisions of various sections of the Mines Regulations. It is the duty of the inspection officials to record offences against the Mines Regulations and to report on their activities to the competent Minister.

(b) **Workmen's inspectors.**

The Netherlands also has a system of workmen's inspectors; their duties include the regular inspection of the underground workings in respect of hygiene, safety and employment, and the investigation of underground accidents.

**Poland.**

The organisation, powers and duties of the Mines Inspectorate are defined in the Polish Mining Code of 29 November 1930.

Direct supervision over the technical operations of the mine and strict compliance with the mine regulations concerning these operations are matters for the district mining offices. These offices must have the mines in their district inspected as frequently as possible by their inspectors.

When a district mining office is notified of an imminent danger or of an accident, it must immediately send an official to the spot to direct the rescue operations or investigate the accident. In emergencies the office has power to order the cessation of work.

**Union of Soviet Socialist Republics.**

Provisions relating to the inspection of mines are to be found in a number of enactments containing:

A. General provisions which outline the general scope of inspectors' activities;
B. Regulations concerning the Technical Mines Inspectorate of the People's Labour Commissariat of the U. S. S. R.; these deal with the composition, powers and duties of the Technical Mines Inspectorate;

C. Regulations concerning the Technical Mines Inspectorates of the People's Labour Commissariats of the Confederated Republics.

United States.

Provisions concerning the inspection of coal mines are to be found in the Mines Acts and regulations of the coal-producing States. For the three States whose mining legislation has been mentioned in this report, the relevant provisions are as follows:

Illinois.

The appointment, powers and duties of inspectors are regulated by the Mining Law of 6 June 1911 (as amended to 5 July 1933).

New Mexico.

The appointment, powers and duties of inspectors are regulated by the Mines Act of 16 March 1933.

Pennsylvania.

For anthracite mines, the powers and duties of inspectors are defined in an Act of 2 June 1891. For bituminous coal mines, similar provisions are contained in an Act of 9 June 1911 amended to 1934.

By an Act of 14 April 1903, a Department of Mines was set up in Pennsylvania and the mining inspectors were placed under its authority.

IV. Safety Organisation in the Industry.

In many countries coal mine legislation and inspection are supplemented by safety activities of various kinds. These activities may be carried on by official or private bodies and relate either to the whole industry or to a particular mining undertaking.

Safety schemes devised by the mining undertakings themselves may include a safety committee, a safety engineer, bonuses, propaganda, education, training, etc., or combinations of these items.

The information at present available in the Office in this respect is mainly confined to Germany, Great Britain and the United States. A number of mines safety organisations have been described in some detail in the Industrial Safety Survey; it would take too long to summarise them here.

International.

As far as the Office is aware, the only official international agencies working for safety in coal mines are the periodic conferences of representatives of national research institutions and experimental stations. These conferences have been held at Buxton (1931), Montluçon (1933) and Dortmund (1935). The agenda has been largely concerned with coal dust and firedamp explosions, mining explosives, shotfiring, mine lighting and rescue apparatus.

Belgium.

In Belgium the National Institute of Mines is the leading official institution for the promotion of safety in coal mines.

The Institute has an experimental station at Pâturages. Its work includes tests or researches in connection with explosives, safety lamps, firedamp detectors, Diesel locomotives and flameproof electrical equipment.

It also conducts safety propaganda by means of demonstrations, notices, leaflets, etc.

Germany.

The principal official agency for the furtherance of safety in coal mines is the Mining Safety Office (Grubensicherheitsamt) in the Ministry of Economic Affairs. Its work includes the direction or conduct of research, experiment, etc., in matters such as mine supports, silicosis, psychotechnical testing of winding enginemen, and safety education and propaganda.

There is an experimental mine at Gelsenkirchen where experiments are carried on in connection with firedamp, coal dust, shotfiring, mine fires, winding installations, haulage and winding ropes and rescue operations.

1 See for example, Vol. X, No. 6, p. 176 (Great Britain); Vol. XI, No. 3, p. 90 (U.S.A.); Vol. XI, No. 4, p. 118 (U.S.A.); Vol. XII, No. 2, p. 57 (U.S.A.).
There are also experimental stations at Derne, near Dortmund and in Saxony and Silesia. Here work is carried on in connection with coal dust explosions, mining explosives, electrical equipment, safety lamps, etc.

By regulations of the Ministry of Economic Affairs dated 4 January 1936, advisory safety councils and safety committees were attached to the divisional mining offices. The councils are joint bodies consisting of employers’ and workers’ representatives in equal numbers. They must be consulted in the application of all important measures of a general character bearing on mine safety. From among the members of the council, safety committees may be set up for special purposes.

**Great Britain.**

The Safety in Mines Research Board was appointed in 1921, and its duty is to direct generally the work of research of the Mines Department into the causes of mining dangers and the means for preventing such dangers. The work is carried out at the Board’s large-scale experimental station at Buxton, its laboratories at Sheffield, and in the Mining Department of the Imperial College of Science and Technology in London; and grants are also made to certain of the Universities.

The Board has published nearly a hundred reports on its researches and also a series of safety pamphlets written especially for the working miner.

The Mines Department itself has also issued a series of safety pamphlets.

**United States.**

The United States Bureau of Mines, which is under the authority of the Department of the Interior, is the official agency for the promotion of mining safety in the United States. The Bureau has a statistical service for the compilation and analysis of mining accident statistics and a health and safety service engaged in work for the prevention of accidents and occupational diseases.

The Bureau has an experimental mine near Bruceton, Pennsylvania, and an experimental station at Pittsburgh.

**Voluntary Institutions.**

**France.**

The promotion of safety in coal mines is undertaken by the Central Committee of the French Coalowners (Comité Central des Houillères de France).

This body has an experimental station at Montluçon which conducts experiments and research in connection with explosions of coal dust and firedamp, and tests for explosive igniters, electrical equipment, etc.

**Great Britain.**

A number of bodies in the coal mine industry are carrying on safety work. Prominent among them are the national and local institutions of mining engineers, colliery managers, etc., which frequently hold meetings devoted to safety topics and conduct research and investigations.

The Miners’ Welfare Fund has also concerned itself with safety, more especially as regards the education of pit boys.

**Poland.**

The Institute for Social Problems (Instytut Spraw Spolecznych) has included mines in the scope of its safety activities. Special mention may be made of a series of lectures to miners on safety and hygiene, given in 1935.

**United States.**

The most important of the voluntary organisations of national scope working for safety in the mining industry is the Joseph A. Holmes Safety Association.

The general aim of the Association is to bring mining safety before the public and to stimulate the safety movement by the grant of suitable awards.

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1. ZBHS., January 1936, p. 468.
In all the important centres of the mining industry the Association has chapters which are engaged in various forms of safety work.

Other national organisations that devote a considerable part of their activities to the mining industry are the National Safety Council, the Coal Mining Institute of America, the American Institution of Mining and Metallurgical Engineers, the American Mining Congress and the Mine Inspectors' Institute of America. All these bodies regularly discuss safety problems at their meetings.

The American Standards Association has issued a series of mining standards which include various safety codes for coal mines.

Conclusions.

In all the countries for which statistics are available, coal mining (or mining generally) can be shown to have considerably higher accident rates than the general body of industry, and even building and civil engineering, notoriously one of the most dangerous of the big industries.

At the present time a great deal is being written about the toll of the road, but if the numbers of persons exposed to risk are taken into account, the toll of the mine is much higher. For example, in Great Britain in 1934, one person in about 200 was killed or injured in a road accident, while about one coal miner in 6 was killed or injured in a mine accident.

The position of coal mining at the top of the danger scale is largely due to two main groups of accident causes—falls of ground and underground haulage. It may seem strange at first sight that mine explosions, the cause of so many terrible disasters, make a very small contribution to the accident total. The fact is that these disasters—usually the only mining accidents to strike the public, owing to the publicity given them by the daily press—are comparatively rare occurrences, whereas hundreds of coal miners are killed and injured every day by falls of ground and haulage operations without much attention from the newspapers.

If, then, means could be found to substantially reduce the frequency of accidents due to falls of ground and haulage, a great deal would be done towards bringing the dangers of coal mining down to the level of the general body of industry.

Efforts towards greater safety should not, however, be strictly confined to these two all-important points; there are several other dangers and precautionary measures deserving of attention. For one thing, the use of electricity is steadily increasing in mines, bringing its own risks with it; and experience has shown that very great care must be taken with flame-proof enclosures and trailing cables. Again, more and more attention is being paid to personal protective equipment such as hard hats, goggles, gloves and shinguards, but there is still great room for further development in this respect. Improvements would also seem to be possible in other directions; here it will suffice to mention cutting and loading machines, ventilation and lighting.

Much has already been done to make coal mines safer workplaces—shaft accidents and explosions of firedamp and coal dust, for example, have been enormously reduced.

Thus, in Great Britain the average annual number of deaths from explosions was 263 in the decade 1873-1882, 147 in 1883-1892, and 104 in 1893-1902, and the figure for 1935 was only 37. Similarly, the deaths from shaft accidents have fallen from 130 a year in 1873-1882 to 79 in 1893-1902, 42 in 1923-1932 and 16 in 1935.

Again, in the United States bituminous coal mines there were 331 fatalities from gas or dust explosions in 1911, 62 in 1921, 68 in 1931 and 27 in 1933; taking the average for 1906-1910 as 100, the fatality rates in 1933 were 10.7 for gas and dust explosions, 34.6 for explosives and 30.5 for shafts accidents.

No such striking improvements have yet been effected in respect of falls of ground and underground haulage. In Great Britain the average annual number of deaths from falls of ground was 453 for the decade 1873-1882, 448 for 1883-1902, 607 for 1913-1922, 536 for 1923-1932 and the actual figure for 1935 was 458. Haulage accidents accounted for an annual average of 128 deaths in 1873-1882, 235 in 1903-1912 and 239 in 1923-1932, and the figure for 1935 was 186.

Similarly, in the United States, taking the average for 1906-1910 as 100, the fatality rate in 1933 for falls of roof and coal was 86.1 and for haulage 115.3.

It is quite clear then that in some respects coal mining safety has made enormous progress, and there is no obvious reason why the progress should not continue. In respect of falls of ground and underground haulage, however, there is little or no progress to report and it is here that the main effort is required. The mining authorities of some of the largest coal-producing countries in the world have expressed the view that at least something can be done in this direction and it now remains to show how the International Labour Organisation can get something done.

Safety in any industry may be said to depend in a large measure on the adequacy of the statutory regulations and their enforcement on the one hand, and the knowledge of the risks and...
the general "safety mindedness" of all those in the industry on the other. In other words, the necessary conditions of safety are:

(a) Adequate regulations;
(b) Efficient inspection;
(c) Technical safety training;
(d) General safety education and propaganda, and
(e) Elimination of the accident-prone.

It will have been seen that all the principal coal-producing countries have highly developed regulations relating to safety in coal mines, as well as inspectorates to supervise the enforcement of these regulations. In some at least of these countries there is in addition some sort of safety organisation in the industry as a whole and in individual undertakings. The adoption by the International Labour Organisation of a model safety code would not, therefore, involve any revolutionary changes in the operation or inspection of mines; it would merely tend to generalise the best practices now obtaining in one place or another.

The Office considers that the framing of such a code is both possible and desirable, but in view of the wide diversity of coal-mining conditions in various parts of the world, and even in adjacent districts, and further, the highly technical nature of coal mining operations, it might be well to handle the question in a manner that differs somewhat from the normal procedure for questions on the Conference agenda. If the Governing Body decides that the question of safety in coal mines should come before the Conference, then the Office would propose that the procedure should be as follows.

For the preliminary drafting of the model code, the Office should engage a coal mining expert who would visit some of the most important coal-producing countries and submit a report embodying his suggestions. It will be remembered that a similar procedure was followed in connection with the safety of building workers.

This preliminary draft could be submitted to a special committee of experts from the principal coal-producing countries. The Correspondence Committee on Accident Prevention includes hardly any coal mining experts, and it would not, therefore, be practicable to submit a draft code to this Committee. It would, however, be practicable to invite those members who come from coal-producing countries to appoint coal mining experts as their substitutes for a special meeting devoted to coal mine safety.

The next stage might be to submit the draft code drawn up by the technical experts to a tripartite conference of all the important coal-producing countries; the question could then be dealt with by the International Labour Conference itself in one session instead of the usual two.

As has already been indicated, the general problem of safety in coal mines is really the integration of a large number of separate problems, most of them of a highly technical character. The task of finding the best solutions to these problems is pre-eminently one for experts. It is for this reason that the Office has proposed the special procedure outlined above. It considers that under this procedure coal mining experts could, from first to last, play a greater part in the framing of the model code than would be the case if the draft code were submitted to two successive sessions of the Conference in the ordinary way.

IV.

STATEMENT OF THE LAW AND PRACTICE AS REGARDS WEEKLY REST IN COMMERCIAL ESTABLISHMENTS.

Introduction.

The Governing Body, at its Seventy-seventh Session (November 1936) took note of the suggestions of the Office set forth in the note on the agenda of the 1938 Session of the Conference, and provisionally selected the question of the weekly rest in commercial establishments. It accordingly instructed the Office to submit a note on the law and practice on the question in the various countries.

In submitting this note to the Governing Body, the Office does not feel it necessary to repeat the arguments put forward in support of its suggestion that the weekly rest in commercial establishments should be placed on the agenda. These arguments, which relate to the early date at which the question was raised internationally, the provisional settlement provided in 1921 by the adoption of a Recommendation, the considerable number of laws on weekly rest in commercial establishments, and the absence of any reason for leaving the staff of commercial
establishments any longer in a less favourable position than that which has existed for 15 years past in the case of workers in industrial undertakings, were felt to be of sufficient weight to induce the Governing Body to select the question provisionally. It now remains to consider whether, as the Office suggests, legislation has made sufficient progress since 1921 to allow the general principles of an international Convention to be deduced from it and to give such a Convention a good prospect of being adopted.

**Analysis of Existing Legislation.**

**Nature of Legislation.**

Legislation on the weekly rest in commercial establishments has given rise to a considerable number of executive measures in nearly all countries. It is abundant and varied in character, because it has to meet a number of different requirements and make allowance for a number of special cases.

Legal provisions concerning the weekly rest are to be found either in measures dealing specifically with weekly rest in commercial establishments, or in measures applying both to industrial and commercial establishments, or, again, in legislation relating to shop-closing, hours of work, or contracts of employment.

In some countries which have no legislation on the subject there are collective agreements or decisions of the public authorities laying down rules concerning the weekly rest.

The information collected by the Office shows that the following countries possess legislation which, in most cases, covers all commercial establishments:

Argentina, Australia (certain States), Austria, Belgium, Bolivia, Brazil, Bulgaria, Canada (Federal legislation and State legislation), Chile, Colombia, Costa Rica, Cuba, Czechoslovakia, Denmark, Danzig, Dominican Republic, Ecuador, Estonia, Finland, France, Germany, Great Britain, Greece, Guatemala, Haiti, Hungary, Irish Free State, Latvia, Lithuania, Luxembourg, Mexico, Netherlands, Norway, Panama, Paraguay, Peru, Poland, Portugal, Rumania, Salvador, South Africa (all States), Spain, Sweden, Switzerland, Union of Soviet Socialist Republics, United States (most States), Turkey, Uruguay, Venezuela and Yugoslavia.

The above list shows that legislation of a more or less far-reaching character exists in at least 50 States.

**Scope of Application.**

(a) Establishments covered.

As has been stated, most legislative measures apply to all commercial establishments. The measures of a general character specify very definitely the branches of activity and establishments which they cover or exclude. While there is not absolute uniformity in the interpretation of the term "commercial establishments" in the different countries, it may be said that, as a general rule, the following classes of establishment are covered: shops for the sale of goods to the public; wholesale trading establishments, warehouses, agencies and offices; banks, insurance companies, savings banks and similar undertakings; press and information agencies; undertakings for the forwarding of goods, travel agencies, hire agencies, transport and similar undertakings; offices of lawyers, notaries, etc.; public administrations; public or private institutions intended to promote education and instruction (schools, academies, museums, galleries, etc.).

Certain measures dealing with weekly rest also regard theatres, etc., hotels, restaurants and public houses, as well as establishments for the treatment or care of the sick, etc., as commercial establishments.

(b) Persons covered.

The persons covered by the legislation are usually the manual and non-manual workers of the undertaking, not including the employer and managing staff.

Some measures lay down different rules for adult men on the one hand and women and young persons on the other. Thus, in Germany, both classes are prohibited from working on Sunday, but the latter alone are covered by the Decree concerning hours of work, which forbids them to work on Saturdays after 5 p.m. and on the days preceding public holidays after 8 p.m. In France and Italy the rules relating to women and young persons are stricter than those relating to adult men, the former being exempted from certain possibilities of exception and being guaranteed the enjoyment of the full normal rest period.

Persons holding positions of management are defined more or less clearly in the different countries. For example, in Germany managing directors and other persons holding a post of management, and higher officials normally responsible for not less than 20 salaried employees or 50 wage earners are excluded, provided that their annual earnings exceed the maximum limit laid down by the legislation on the insurance of salaried employees. The Italian Act, on the
other hand, refers simply to persons responsible for the technical or administrative direction of an undertaking, and directly responsible for its satisfactory working. Several laws exclude not merely the employer but also the members of his family to the third degree of relationship.

Length of the weekly rest.

It would be difficult to explain, in a preliminary note such as the present, the provisions of all the numerous legislative measures which exist. The following note, therefore, does not deal with the special clauses relating to certain occupations, or the subsidiary regulations concerning shop closing or the stoppage of work on Saturday afternoon, which result in extending the length of the weekly rest.

The list given below accordingly shows the length of the weekly rest fixed in principle by the general legislation applying to commercial establishments. The list does not mention the legislation of federal countries such as South Africa, Australia and the United States, since it would have had to deal separately with the position in each of the federal States. It does, however, mention Canada and Switzerland, each of which has a federal Act. It should, however, be remembered that there is also legislation on the subject in the various Provinces of Canada.

The Union of Soviet Socialist Republics must be considered separately, as in that country the day of rest is the sixth and not the seventh, as elsewhere.

Subject to these various reservations, the general measures existing in the various States may be classified as follows according to the minimum weekly rest period which they lay down.

Countries the legislation of which provides for weekly rest on Sunday.

- Germany, Austria, Belgium, Costa Rica, Denmark, Honduras, Lithuania, Great Britain, Greece, Nicaragua, New Zealand, Panama, Netherlands, Peru, Poland, Portugal, Salvador, Venezuela.

Countries the legislation of which fixes the weekly rest at a minimum of one day per week.

- Mexico.

Countries the legislation of which fixes the weekly rest at a minimum of 24 consecutive hours per week.

- Bolivia, Brazil, Canada (federal legislation), Cuba, Dominican Republic, Spain, France, Guatemala, Italy, Luxemburg, Paraguay, Rumania, Switzerland, Turkey.

Countries the legislation of which fixes a higher minimum for the weekly rest than 24 consecutive hours.

- Czechoslovakia (32 hours), Chile (33 hours) Argentina (35 hours), Ecuador, Uruguay, Yugoslavia (36 hours), Finland (38 hours), Latvia (42 hours).

It will be seen from the above list that the weekly rest fixed by the legislation applying to commercial establishments is at least 24 hours, and that in a certain number of countries the minimum period laid down is considerably higher than 24 hours.

According to the great majority of legislative measures, the weekly rest must fall on a Sunday. In Moslem countries, however, the general rule is to do no work on Friday; whereas Jewish communities do no work on Saturday. Various legislations have established systems of weekly rest which make allowance for these special cases.

Exceptions.

(a) Permanent exceptions.

All the laws provide for exceptions to the general provisions relating to the weekly rest. Some of them grant total exemption to certain establishments or occupations, while others grant them permanent exceptions for the whole or part of the year. There are certain establishments and activities which, owing to their nature, cannot be suspended for one whole day in the week. This applies in particular, in commerce, to hotels and restaurants, theatres, etc., hospitals and similar institutions, and shops for the sale of perishable goods of prime necessity.

The establishments and activities for which exceptions of this kind are necessary would appear to be as follows:

Hotels and restaurants.

Hotels, restaurants, public houses, inns, bars and station buffets.
Pastrycooks' shops, creameries, tea-rooms.
Theatres, entertainments, cultural institutions:

Theatres, concerts, cinemas, fixed and travelling circuses, fairs.
Casinos, clubs, billiard rooms, public dancing halls, and other places of recreation.
Culture parks.
Sports grounds and halls, race courses, offices of bookmakers and totalisators, lotteries.
Museums, picture galleries, libraries, exhibitions of all kinds.
Professional, intellectual and artistic work of all kinds and its immediate auxiliary work in connection with instructional and educational undertakings or institutions.

Hospitals and homes.

Hospitals, homes, nursing homes, asylums, alms houses, dispensaries.
Chemists’ shops.
Sale of surgical and orthopaedic appliances.

Public offices, administrations and services.

Police offices.
Telegraph and telephone offices.
Hire of means of transport (boats, cars, aeroplanes, railways).
Foreign exchange offices in railway stations.
Forwarding undertakings and shipping agencies.
Hire of chairs.
Undertakers’ establishments.

Supply of food and articles for immediate consumption.

Sale of bread and pastry.
Sale of fresh milk and cream.
Sale of fresh or smoked meat and fresh or smoked fish.
Sale of fresh fruit.
Sale of cooling drinks (iced drinks, mineral waters, etc.).
Sale of ices.
Sale or distribution of water.
Sale of tobacco.
Sale of flowers and plants; sale of wreaths and funeral decorations.
Sale of solid, liquid or gaseous fuel, petrol, oil and other lubricants, or compressed air (especially for motor cars).
Sale and distribution of newspapers in the streets.
Hairdressers’ establishments.

Sale of miscellaneous articles.

Sale of toys (especially in the streets).
Sale of stationery and typewriters.
Sale of agricultural tools.

The exceptions allowed for small localities are often more numerous and more elastic than those for important centres. Allowances has to be made for rural customs and for the need of supplying the requirements of the agricultural population, which is often obliged to make long journeys with difficult means of communication in order to make purchases. It is, moreover, a frequent practice to hold fairs and markets on Sundays.

In addition, small localities are sometimes health or holiday resorts, watering places, spas or places of pilgrimage. Special exceptions for localities of this kind are found in numerous legislations. Exceptions are often allowed for certain periods of the year. Characteristic examples may be found in Belgian legislation, where Royal Decrees regularly allow exceptions for retail shops and hairdressers’ establishments in watering places. Examples may also be found in Hungary, where there is a Decree laying down special rules for shops selling foodstuffs, bathing requirements and souvenirs, in the watering places and summer resorts of Lake Balaton.

Another class of permanent exceptions is that applying to work or services which must necessarily be carried out on Sundays. This applies mainly to the work of watchmen, as well as the work of cleaning and upkeep, which cannot be carried out during the regular working of the undertaking. As will be seen, these exceptions apply either to occupations of an intermittent character or to preparatory and supplementary work.

The permanent exceptions allowed by legislation involve either the partial suppression of the weekly rest or its distribution among all the members of the staff of the undertaking by a system of rotation.
(b) **Temporary exceptions.**

Various circumstances may compel undertakings to suspend the weekly rest of their staff for the time being. The most frequent cases are the following:

1. Cases of *force majeure*, such as work intended to prevent the destruction of property or human life in the case of actual or threatened accident or disaster.
2. Repairs to premises and plant which cannot be done on working days without interfering with the normal working of the undertaking.
3. Work which is necessary in the public interest, e.g. in the case of widespread disasters, mobilisation or war.
5. Urgent work necessitated by extraordinary pressure of business (e.g. dispatch of goods in forwarding undertakings).

Exceptions of this kind are allowed by the legislation of all countries. There is sometimes a limit on the hours of work which may be allowed on Sundays, and there are sometimes provisions requiring the employer to allow the workers the time necessary to carry out their religious duties.

Persons who do work of this kind generally receive either a compensatory rest period or additional pay.

(c) **Procedure for authorisation.**

Permanent exceptions generally apply automatically unless there are decrees or executive orders authorising their use from time to time in cases where the exception is only valid for a certain part of the year. For the grant of temporary exceptions certain preliminary formalities are usually necessary.

**Measures of application.**

The enforcement of the laws and regulations relating to the weekly rest in commercial establishments is often difficult for various reasons, such as the large number of laws and regulations to be applied and the special systems which have to be taken into account. Difficulties are also caused by the large number of establishments covered.

For these reasons, though the factory inspection authorities are in principle responsible for enforcement, assistance is generally given by the civil administration or the police authorities, or special boards responsible for supervision, or joint committees, or even the organisations of employers and workers concerned.

The legislation on the weekly rest contains a large number of provisions relating to enforcement.

**Conclusions.**

The necessarily brief statement of legislation given above enables certain general conclusions to be drawn.

Legislation on the weekly rest in commercial establishments has become practically universal except in the case of the Asiatic countries, China, India and Japan. Few international Conventions which have been drawn up will have been based on such wide legislative experience. It should moreover be noted that in many countries the legislation applies both to industrial and to commercial establishments, which shows that there is no reason to give less attention to the latter than the former. There is, however, no legislation on the subject in China, India and Japan. In India the practice varies considerably according to district and religion. In Japan a considerable number of the larger commercial establishments practise the weekly rest.

The general principle to be deduced from the whole body of legislation is that a weekly rest of not less than 24 hours is allowed to the workers in question. This rest period is lower than that laid down as a minimum by a certain number of legislations.

In most countries the weekly rest must fall on a Sunday. This rule, of course, does not apply in certain parts of the world where different customs prevail.

In all countries exceptions are allowed to the general rule that the weekly rest should be granted on the day of general collective rest. Such exceptions may be either permanent or temporary.

Exceptions are permanent in the case of a number of workers employed in undertakings which have to continue their work on the weekly rest day, whereas as a general rule the observation of the general rest day means that the establishment in which the workers are employed is closed. There would not appear to be any special difficulty in defining the characteristics to be possessed by the classes of establishment for which such exceptions are allowed, since the measures of application taken under national legislation present many points in common.
Temporary exceptions are allowed for a certain number of undertakings which have to meet temporary requirements resulting either from a disturbance in the normal working of the establishment (accidental causes, seasonal pressure of work, e.g. the holiday periods at the end of the year).

It is not necessary at the present stage to deal at length with the provisions relating to measures of application and supervision. These, however, are of special importance in the case of weekly rest legislation, which is often difficult to apply on account of the exceptions which have to be authorised.

The final conclusion to be drawn is that the national laws and regulations on the weekly rest in commercial establishments present a solid basis on which it would be possible to construct international regulations embodying a well-established principle which is founded on long experience.

The Office feels it desirable to submit suggestions to the Governing Body as regards the terms in which the question should be framed.

The laws and regulations on the weekly rest in commercial establishments apply not only to commercial establishments in the strict sense, but also to establishments such as offices of lawyers and notaries, and various institutions intended to promote education and instruction, etc. There seems little doubt that when international regulations are drawn up, the inclusion of such undertakings will be contemplated. The terms of the question as provisionally selected might, however, give rise to a difference of opinion as to whether the Conference was entitled to deal with this point. It would therefore appear better to modify the terms of the question so as to make it clear that the whole problem is before the Conference. The Office accordingly proposes a drafting similar to that adopted in 1930 for the Convention concerning the regulation of hours of work in commerce and offices, which was in a sense a complement to the Convention of 1919 concerning hours of work in industrial undertakings. The question could therefore be placed on the agenda in the following terms:

Weekly rest in commerce and offices.

If the Governing Body adopts this suggestion, there will be, in addition to the 1921 Convention concerning the application of the weekly rest in industrial undertakings, a corresponding Convention concerning the weekly rest in commerce and offices.

Procedure.

At this stage of its discussions the Governing Body will also have to consider whether it desires to retain the double discussion procedure as regards the question of weekly rest, or whether it wishes to enable the Conference, if it so desires, to adopt an urgent procedure, under which it can at once take a final decision as regards the adoption of a Draft Convention. The Office does not see any special reason necessitating the latter procedure. The question of the weekly rest in commercial establishments is one which has existed for some time past, and the double discussion procedure would enable it to be settled within a reasonable period. Moreover, all States are equally interested in finding a solution for the problem. If it were decided to adopt an urgent procedure, the Governing Body would no doubt organise a consultation of experts, at which a comparatively small number of States would be represented, before the question came before the Conference. In view of the diversity of the matters which would have to be taken into account (local, regional or national customs) for the drawing up of international regulations on the weekly rest, such a method would probably present more disadvantages than advantages in this case. The Office therefore considers that the double discussion procedure would be the most suitable for the preparation of international regulations on the weekly rest in commerce and offices.
APPENDIX VI.

SIXTH ITEM ON THE AGENDA.

EXAMINATION OF THE REPRESENTATION MADE BY THE MADRAS LABOUR UNION FOR TEXTILE WORKERS CONCERNING THE APPLICATION OF THE UNEMPLOYMENT CONVENTION (1919) IN BRITISH INDIA.

The Governing Body adjourned the consideration of this item until the following session. The relative documents will be printed as an appendix to the minutes of the Seventy-ninth Session (May 1937).
SEVENTH ITEM ON THE AGENDA.

EFFECT TO BE GIVEN TO THE RESOLUTIONS ADOPTED BY THE CONFERENCE AT ITS TWENTY-FIRST SESSION (MARITIME).

The International Labour Conference adopted a number of resolutions at its Twenty-first Session, and the Governing Body is asked to consider what effect should be given to them.

The resolutions may be classified as follows:

I. Resolutions proposing questions for the agenda of the Conference.

1. Resolution concerning compensation for accidents and unemployment insurance, submitted by Mr. Horiuchi, Japanese workers' delegate.

2. Resolution concerning equality of treatment for national and foreign seamen, submitted by Mr. Chao Pan-Fu, Chinese workers' delegate.

II. Resolutions requesting the Governing Body to take action.

1. Resolution concerning the calling of Economic Conferences, submitted by Mr. Horiuchi, Japanese workers' delegate.

2. Resolution concerning the "Contractor System", submitted by Mr. Chao Pan-Fu, Chinese workers' delegate.

3. Resolution concerning accommodation of crews on board cargo vessels, submitted by Mr. Spence, British workers' delegate.

III. Resolution proposing a question for study by the International Labour Office.


I. Resolutions proposing questions for the agenda of the Conference.

1. Resolution concerning compensation for accidents and unemployment insurance submitted by Mr. Horiuchi, Japanese workers' delegate.

This resolution is as follows:

"Whereas the General Conference of the International Labour Organisation at previous sessions has adopted a series of Conventions for the protection of workers in industry, commerce and agriculture against the risks of accidents, sickness, old age, invalidity, death and unemployment;

Whereas seamen were excluded from the scope of these Conventions on the understanding that special Conventions adapted to their living and working conditions would be prepared for their protection;

Whereas the agenda of the present session of the Conference includes an item embracing two questions, namely, the individual liability of the shipowner towards sick or injured seamen, and sickness insurance for seamen, with a view to the adoption of international regulations:

Whereas it is urgently necessary to prepare international Conventions for the protection of seamen against other risks;

The Conference invites the Governing Body to consider the desirability of placing on the agenda of the next Maritime Session of the Conference the following questions:

1. The provision of compensation for accidents to seamen;

2. The provision of benefit or allowances for seamen involuntarily unemployed."

1. In paragraph (1) of this resolution, the Conference invites the Governing Body to consider the desirability of placing on the agenda of the next Maritime Session of the Conference the question of the provision of compensation for accidents to seamen.
The protection of seamen in case of sickness or accident is provided for, on the one hand, by the obligations of the shipowners and on the other hand by sickness insurance or by workmen's compensation. At its Twenty-first Session the Conference adopted two Draft Conventions concerning the liability of the shipowner in case of sickness, injury or death of seamen (No. 55) and concerning sickness insurance for seamen (No. 56). There is undoubtedly something missing in the international regulations laid down by these two Draft Conventions with regard to the protection of seamen in the case of accident when the shipowners' obligations expire. On the other hand, it must be remembered that the Workmen's Compensation (Accidents) Convention of 1925 (No. 17) lays down in Article 3 that the Convention shall not apply to "seamen and fishermen, for whom provision shall be made by a later Convention." Under these conditions it would appear necessary to complete the existing international regulation by a Convention concerning compensation for accidents to seamen.

The Office proposes to continue its studies on this question so as to be in a position to submit proposals on the subject when the Governing Body has decided to convene a further Session of the Conference to deal with maritime questions, and is called upon to fix the agenda of that session.

2. The Office also proposes to continue its researches in regard to the second question which the resolution suggests should be placed on the agenda of the Conference, namely, the provision of benefit or allowances for seamen involuntarily unemployed.

(2) Resolution concerning equality of treatment for national and foreign seamen submitted by Mr. Chao Pan-Fu, Chinese workers' delegate.

This resolution is as follows:

"Whereas the Twentieth Session of the International Labour Conference has by resolution agreed that the question of recruiting and placing of migrant workers shall be placed on the agenda of an early Session of the International Labour Conference, if possible, in 1938;

Whereas in the discussions on the said question, the Report of the International Labour Conference has laid special emphasis on the equal treatment of foreign and national workers in the interests of humanity and social justice;

Whereas, since the work of seamen is bound up with the security of life and property, is closely concerned with public interests, entails greater hardships than that of ordinary workers and makes no distinction between either nationality or race, it has been the earnest hope of all seamen for the last sixteen years that equality of treatment should be regulated by an international Convention;

Whereas, from the economic point of view, the absence of an international Convention regulating equality of treatment allows employers in countries where a higher standard of treatment exists to resort to employing workers from countries where a lower standard of treatment exists in order thereby to derive benefit from international competition;

Whereas the International Labour Conference at its Thirteenth Session has by a resolution expressed the hope that the question of equality of treatment of Asiatic seamen should be placed on the agenda in the near future and that the International Labour Office should be requested to make a study of the matter;

The Conference requests the Governing Body to consider the desirability of placing the question of equality of treatment for national and foreign seamen on the agenda of the next Maritime Session of the Conference with a view to the adoption of a Draft Convention on the subject."

As in the case of the preceding resolution, which also concerned the placing of an item on the agenda of the next Maritime Session of the Conference, the Office will not lose sight of the question of equality of treatment for national and foreign seamen, and will not fail to submit it to the Governing Body when the agenda of the next Maritime Session of the Conference is being fixed.

II. Resolutions requesting the Governing Body to take action.

(1) Resolution concerning the calling of Economic Conferences submitted by Mr. Horiuchi, Japanese workers' delegate.

This resolution is as follows:

"Whereas the existence of trade restrictions in their various forms is preventing economic recovery and constitutes a special handicap to the shipping industry, with consequential adverse effects on the employment of seamen; and

Whereas the International Labour Conference at its Twentieth Session adopted a resolution proposing to convene an Economic Conference or Conferences for the purpose as far as possible of removing these restrictions;
The present session of the International Labour Conference, dealing specially with maritime labour questions, wishes to express its support of the above resolution, and accordingly invites the Governing Body of the International Labour Office to use its best endeavours to facilitate the desired Economic Conference or Conferences under the auspices of the League of Nations."

This resolution was submitted in support of the resolution which was adopted by the Conference at its Twentieth Session (June 1936), on the proposal of Mr. Jouhaux, French workers' delegate, and of Mr. Kono, Japanese workers' delegate. For the convenience of members of the Governing Body, the text of that resolution is given as an appendix to this note in Annex A.

At its Seventy-seventh Session (November 1936) the Governing Body considered the effect to be given to the resolution submitted by Mr. Jouhaux and Mr. Kono, and after a long discussion, instructed the Office to draw up a list of subjects for consideration at a future Economic Conference, to submit it to one of the two next sessions of the Governing Body, and to study the manner in which the International Labour Organisation might be represented at a future Economic Conference.

In accordance with that decision, the Office will submit to the Governing Body at its Seventy-ninth Session (May 1937) a report in which the various questions which might be submitted to an Economic Conference will be reviewed, as well as the conditions in which the International Labour Organisation might be represented at such a Conference. The Office consequently suggests that the Governing Body should adjourn its consideration of the resolution submitted by Mr. Horiiuchi to its Seventy-ninth Session.

(2) Resolution concerning the "Contractor System" submitted by Mr. Chao Pan-Fu, Chinese workers' delegate.

This resolution is as follows:

"Whereas the "Contractor System" of employment is the most inhuman device whereby workers' interests are imperilled;

Whereas the Conference at its Second and Ninth Sessions in 1920 and 1926 adopted the Draft Convention concerning the placing of seamen and the Draft Convention concerning seamen's articles of agreement, the object of which was to protect the interests of seamen during their employment and to ensure that they should not be the victims of profit-making or be exposed to undue influence by employment agencies or other organisations whether private or otherwise;

Whereas in spite of the strict measures enforced by the Chinese Government in prohibiting the "Contractor System", the greatest difficulty has been experienced with regard to the foreign shipping companies—especially those in China—which persist in employing Chinese seamen through contractors under very inhuman conditions of employment, giving the employed seaman no voice whatever in the choice of ships and other conditions of employment, while the illegal contractor receives special remuneration from the employer besides exacting heavy fees from the employed;

Whereas by means of the "Contractor System" the employers can easily obtain workers whom they can by indirect methods force to reimburse the fees paid to the contractors and whereas the workers, in fear of unemployment, have to submit to this dual oppression, which reduces them to a level at which they can barely exist and leads to frequent cases of suicide, which is a disgrace to humanity and social justice and must cause serious regret to the Conference;

Whereas under the "Contractor System" the Chinese seamen in the employment of the foreign shipping companies are required to pay a heavy "deposit of employment" to the company, which the distressed seamen have to raise by means of loans at a high rate of interest to be paid out of their meagre wages;

The Conference requests the Governing Body to consider the desirability of investigating and reporting to the Conference on the matter at the earliest date with a view to the abolition of the "Contractor System" of employment."

This resolution deals with an important and delicate question, since it seriously affects the vital interests of large numbers of workers who are deprived of the means of effective defence, and since it is principally concerned with the activities of foreign undertakings in certain countries in the Far East. Although the objections to the "Contractor System" referred to in the resolution are well known, only very incomplete information appears to be available at the present moment in regard to the actual working of the system, the exact classes of workers to which it applies, and the districts in which it is in operation.

In the circumstances it would seem preferable for the Governing Body, before formally deciding that an enquiry should be undertaken into the question of the "Contractor System" with a view to submitting a report to the Conference, to instruct the Office to make certain preliminary researches on the question at issue. If the Governing Body shares that view, the Office will submit to it at a subsequent session detailed suggestions as to the scope of the study asked for in the resolution.
(3) Resolution concerning accommodation of crews on board cargo vessels submitted by Mr. Spence, British workers' delegate.

This resolution is as follows:

"The Conference,

Having regard to the fact that the International Convention for the Safety of Life at Sea does not apply to cargo vessels so far as the provisions regarding construction and life-saving appliances are concerned;

Considering that such provisions as well as legal stipulations concerning the accommodation of the crew on board ship are items of paramount importance to the life and the health of the seamen;

Requests the Governing Body of the International Labour Office to consider the advisability of:

(a) Undertaking a study of the accommodation of the crews on board;

(b) Examining whether international regulations can be introduced and reciprocal agreements concluded between the different countries;

(c) Inviting the Joint Maritime Commission to deal with these questions at a forthcoming session."

The accommodation of crews on board ship, which not infrequently compares unfavourably with housing conditions for workers on shore, is one of the fundamental factors in the conditions of employment of seamen. Seamen's organisations in various countries have for a long time been emphasising that conditions in this field require considerable improvement, and increasing attention has been given to this point during recent years by certain Governments and other bodies in the modernisation of their shipping. Apart from its intrinsic merits, the question is also very closely bound up with the problem of the regulation of hours of work on board ship and manning, as was clearly demonstrated during the discussions at the recent Maritime Conference.

It is therefore not unnatural, now that the question of hours and manning has been regulated, that the seamen's organisations should ask the Office to give special attention to the question of the accommodation of crews. It is noteworthy, moreover, that in their replies to the questionnaire on hours of work and manning in 1936, certain Governments announced that they were in favour of some preliminary steps being taken internationally on this matter.

The Office has already, in the ordinary course of its work, collected a considerable amount of information on the subject. It considers that it should now endeavour to systematise and complete this information for as many countries as possible. On this basis, the Office consequently proposes, as a first step towards giving effect to the resolution, that it should prepare a report on the question of the accommodation of crews on board cargo vessels for submission to the next meeting of the Joint Maritime Commission, which is hardly likely to take place, in any case, before 1938. The Joint Maritime Commission would then be able to advise the Office as to the lines on which the study should be further pursued and developed.

III. Resolution proposing a question for study by the International Labour Office.

(2) Resolution concerning seamen's wages submitted by the Government delegates of the United States of America.

This resolution is as follows:

"Whereas the preservation of equitable competitive conditions in international shipping requires comprehensive current information on wages paid to seamen on vessels engaged in international trade; and

Whereas, the International Labour Office has made an excellent beginning in the collection and publication of such information, notably in the Maritime Statistical Handbook, printed for the use of this Conference;

Therefore, the Conference requests the Governing Body to consider the advisability of directing the International Labour Office to continue and to extend its work in this direction by the periodic collection and compilation of information on the wages of seamen currently employed on sea-going merchant vessels of the principal maritime countries of the world and all other matters relating to competitive conditions."

This resolution requests that the Office should from time to time collect and publish information as to (a) wages of seamen currently employed on sea-going merchant vessels of the principal countries of the world, and (b) "other matters relating to competitive conditions" in the shipping industry.
(a) In so far as wages are concerned, it has been the regular practice of the Office for some years to collect and publish information on current developments in relation to the salary and wage rates and conditions of merchant marine officers and other ratings. Notes on these developments are published from time to time in Industrial and Labour Information and in the Year-Book. This practice still continues.

In 1936, for the first time, the Office published a comprehensive survey of the salary and wage rates and conditions in a large number of countries in the Maritime Statistical Handbook, which is due to appear at any moment. Proofs of this Handbook in English were distributed to the delegations attending the recent Maritime Conference. The part of it dealing with wages runs to some 100 pages, and shows the rates in force in the summer of 1936 or as near that date as possible.

It is hardly likely or perhaps necessary that a new edition of this Handbook should be issued for another year or two. Meanwhile, however, the Office proposes to continue its practice of noting new developments in its regular publications referred to above. An intensification of this practice, with fuller notes than it has been the custom to publish in the past, would give effect to the resolution for the time being. Subsequently, if the situation warranted such a course, a new edition of the Handbook might be considered.

(b) The phrase "other matters relating to competitive conditions" in the shipping industry clearly covers a very wide field. It serves, however, to draw the attention of the Office to the economic aspects of shipping, and is intended, perhaps, to refer more particularly to such matters as trade reservations, subsidies, and flag discriminations. Certainly, these are questions which have very much come to the fore in recent years and which are the subject of much discussion in shipping and Government circles in a number of countries. They also have considerable direct effect on the volume of employment of seamen and on the standards of their working conditions, and for this reason alone, apart from any others, come well within the range of studies which the Office is competent to carry out.

So far the Office, while it has by no means disinterested itself in these questions, and has collected a certain amount of information on them, has not made any special effort to go into them. It is thought, however, that the Office should now definitely add them to its programme of studies on maritime questions, with a view to collecting as full information on them as possible, and in due course undertaking a special international study of them. As far as the Office is aware, no such study already exists, and it would doubtless be useful to Governments, shipowners and seamen if the Office were to make such a study. A work of that nature would obviously require some considerable time. On the other hand, it would undoubtedly be desirable to consult the Joint Maritime Commission as to the outline and plan of this international study, which the Office considers might be limited to the questions referred to above, namely, trade reservations, subsidies in their various forms, and flag discrimination. Since the Joint Maritime Commission will probably not meet before 1938, the competent services of the Office will have sufficient time to make preliminary researches, and the Commission could thus be consulted on the basis of the information which had been collected.

ANNEX A.

Text of the resolution adopted by the Conference at its Twentieth Session concerning the calling of Economic Conferences.

"Whereas the economic depression, with its disastrous effect upon the workers to which the Conference has frequently called attention, unquestionably remains one of the chief causes of the political instability of the world and of the threats to peace which result therefrom;

Whereas, as the Conference pointed out at its Eighteenth Session in 1934, the Monetary and Economic Conference arrived at no agreement on the measures proposed by the International Labour Conference in the resolution which it addressed to the said Monetary and Economic Conference, namely: the restoration of stable monetary conditions; the establishment of the system of international co-operation best calculated to prevent future disastrous fluctuations of the price level; the cessation of economic warfare between nations by the concerted elimination of restrictions on international exchanges; the increase in the purchasing power of the community; the restoration to circulation of the capital lying idle by all appropriate means, notably by the adoption of a public works policy;

Whereas certain local improvements have been obtained in some countries through Government and national initiative but without any co-ordination between them, and whereas, so long as that situation continues, there will be the risk that such national efforts will one day conflict and increase the dangers to which universal prosperity, harmony and peace are exposed instead of strengthening and consolidating them;

Whereas, since the last Session of the Assembly of the League of Nations in 1935, it has been suggested by persons in authority and subsequently in definite proposals put forward
by Governments that the economic and demographic problems which threaten the peace of
the world should be discussed internationally and an attempt to solve them made at
international conferences;

The Conference expresses the hope:

1. That the Governing Body will consider what steps might appropriately be taken
to facilitate, after adequate preparation, the convocation, under the auspices of the
League of Nations and with the close collaboration of the International Labour
Organisation, of one or several conferences in which the representatives of workers' organisations shall participate, to discuss all the problems concerning currency, production, trade, settlement of populations and colonisation, on which the peace and prosperity of the world depend;

2. That in the examination of all these problems and in the solutions which may be proposed for them, the interests of the workers both in the mother countries and in the colonies shall always be borne in mind;

3. That with that end in view arrangements should be made for qualified representatives to define and uphold those interests at the meetings advocated above."
APPENDIX VIII.

EIGHTH ITEM ON THE AGENDA.

QUESTIONS ARISING OUT OF THE EXAMINATION OF THE ANNUAL REPORTS ON THE APPLICATION OF CONVENTIONS.

This question was adjourned by the Governing Body at its Seventy-seventh Session. The note prepared by the Office for consideration at that session is attached hereto for the convenience of the members.¹

¹ See appendices to the minutes of the Seventy-seventh Session, pp. 208-210.
APPENDIX IX.

NINTH ITEM ON THE AGENDA.

RECORD OF THE MEETING OF THE TECHNICAL COMMITTEE ON GLASS WORKS.

The Governing Body adjourned its consideration of the record of the meeting of the Technical Committee on Glass Works at the Seventy-seventh Session. A copy of that record is attached hereto for the convenience of members.¹

¹ See appendices to the minutes of the Seventy-seventh Session, pp. 217-220.
APPENDIX X.

TENTH ITEM ON THE AGENDA.

REPORT OF THE MIGRATION COMMITTEE.

The Migration Committee held its third session at Geneva on 16 and 17 November 1936. The following members were present:

**Government group.**
- Mr. Delauney (France), substitute for Mr. Picquenard.
- Mr. Kitaoka (Japan).
- Mr. Komarnicki (Poland).
- Mr. Pardo (Argentina), substitute for Mr. Ruiz Guiñazú.

There were also present: Mr. Muniz (Brazil), Mr. Pao Hua-Kuo (China).

**Employers' group.**
- Mr. Erulkar (India), replaced during the course of the session by Mr. Junoy Rabat (Spain).
- Mr. Gerard (Belgium).
- Mr. Lecocq, substitute for Mr. Olivetti (Italy).
- Mr. Ćurčin (Yugoslavia), substitute for Mr. Lambert-Ribot (France).

**Workers' group.**
- Mr. Hayday (Great Britain).
- Mr. Moore (Canada).
- Mr. Schürch (Switzerland), substitute for Mr. Zulawski (Poland).
- Mr. Serrarens (Netherlands), substitute for Mr. Jouhaux (France).

**Permanent Experts.**
- Mrs. Vignat and Dr. Fritz Rager (of the International Conference of Private Organisations for the Protection of Migrants).

The agenda of the session included the two following questions:

1. International migration with a view to settlement;
2. The simplification of passports and visas for migrants.

On the proposal of Mr. Komarnicki, seconded by Mr. Pardo, the Committee elected Mr. Delauney as Chairman.

I. Examination of the reports of the Office on international migration with a view to settlement.

At its previous session the Committee had requested the Office to submit a general report based on monographs to enable it to decide on proposals for submission to the Governing Body. Moreover, the International Labour Conference, at its Twentieth Session, expressed the hope that the work of the Committee (on the question of the settlement of colonists and other independent workers in countries other than their own, more especially overseas) would lead as soon as possible to conclusions which could be laid before it.

Accordingly, the Office submitted to the Committee, in addition to a series of monographs,\(^1\)

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\(^1\) Published in the *International Labour Review*:
- "Openings for Settlers in Argentina", by Dr. Enrique Siewers (October 1934).
- "Jewish Colonisation in Palestine", by M. Bernstein (November and December 1934).
- "Proposals for a Policy of Migration within the British Empire", (January 1935).
- "Land Settlement in Brazil", by Dr. R. Paula Lopes (February 1936).
- "The Levant States under French Mandate and Problems of Emigration and Immigration", by M. Bernstein (May 1936).
- "Migration and Settlement in Australia, New Zealand and Canada", by D. Christie Tait (July 1936).
- "Japanese Emigration", by T. Ogishima (November 1936).
two reports, one of which was a documentary report of a general character (C.M.III./1.1936: Report on International Migration with a view to Settlement), while the other dealt more especially with migration with a view to settlement in certain American countries (C.M.III.1.c, 1936 : Report on the Problems of Immigration and Settlement in Brazil, Argentina and Uruguay).

The Committee proceeded, first of all, to a general discussion in the light of this documentation; then, taking the conclusions of Report C.M.III.1 as a basis, it adopted four resolutions. Below, in italic, will be found the text of the resolutions drawn up by the Committee for submission to the Governing Body, and it is on these resolutions that the Governing Body is called upon to give a decision.

1. “The Migration Committee expresses the wish that a careful preparation of development plans in certain districts of countries of Latin America with a view to settlement be carried out by the Governments concerned and that the International Labour Office place its services at the disposal of the Governments which desire it to proceed on the spot to studies capable of bringing about an international co-operation.”

The representative of the Director said that other studies might be undertaken by the Office in Latin America as a continuation of Report C.M.III.1.c., thus completing the enquiry which has already been started. In his view the Office could not prepare plans in regard to settlement for the Governments concerned, but it could study the plans which had already been prepared from the point of view of the conditions offered to the settlers. Mr. Pardo remarked that the above-mentioned report needed completing by further studies on the possibilities of settlement, and Mr. Muniz declared that the countries of South America would be glad if new enquiries were undertaken by the Office in their territories as this might facilitate the conclusion of bilateral agreements at a later date.

After these expressions of opinion, the above text drawn up by Mr. Lecocq was adopted unanimously, Mrs. Vignat having withdrawn the draft resolution that she had submitted with the same object.

2. “The Migration Committee proposes that a Correspondence Committee on Migration should be set up which would enable the Office to obtain opinions in writing from experts in the chief countries having a practical interest in the problem, either as countries of settlement, as emigration countries, or for other reasons. These opinions would be referred by the Office to the Migration Committee, which might convene any of the experts concerned as need arose.”

The Polish representative expressed some apprehension concerning the slowness of the procedure of a correspondence committee, in view of the urgency of migration problems. The representative of the Director explained that as these problems were both urgent and of permanent character the correspondence committee would have its own special utility in following regularly the development of migration problems, and this would in no way conflict with the speedy meeting, when need arose, of a conference of experts to undertake some definite action. The above text was then unanimously adopted.

3. “Considering that the general world economic conditions are becoming more favourable to a resumption of migration movements;

that the problems of migration should be studied more and more thoroughly with the close collaboration of the countries concerned;

that the preparatory work asked for by the International Labour Conference of Santiago de Chile and already commenced by the International Labour Office, with a view to seeking concrete solutions, has become all the more urgent since the League of Nations has placed the question of emigration on the agenda of the next ordinary session of the Assembly;

The Permanent Migration Committee asks the Governing Body to invite the Director:

(1) to prepare in good time for the discussions at the League of Nations a memorandum which will contain the principal items of information collected by the International Labour Office on the problems of emigration and immigration raised by the demographic and economic needs of certain countries;

(2) to consult without delay the Members of the Organisation on the interest they would attach to a meeting of a conference of experts on the subject of migration with a view to settlement, and to convene this conference as soon as a number of Members sufficient to achieve useful results have expressed a desire for it.”

Before adopting this text the following draft resolution was submitted to the Committee by the Polish Delegate:

“Considering that the general world economic conditions are becoming more favourable to a resumption of migration movements;

that the problems of migration should be studied more carefully with the close collaboration of the countries concerned;

This last report will appear shortly in the International Labour Review, and offprints will be issued.
that preparatory work with a view to seeking concrete solutions has become all the more urgent in that the League of Nations has placed the question of emigration on the agenda of the next ordinary session of the Assembly.

The Permanent Migration Committee asks the Governing Body to convene shortly, and in any case before the end of next May, a Conference of Experts of all the countries concerned in the problems of migration with a view to submitting to the competent international bodies all necessary proposals relating to:

1. the demographic and economic needs of the countries of emigration and immigration;
2. the possibilities of finance both from the point of view of the establishment of settlers and of transport facilities.

The Governing Body is also invited to consider the possibility of associating in the work of this Conference the settlement institutions which have acquired a certain experience with regard to the establishment and transport of settlers;

The Government which send representatives to this Conference are invited to consider in the composition of their delegations the need for the equitable representation of all the factors involved (finance, agriculture, transport undertakings, national undertakings concerned with settlement questions).

This draft resolution was accompanied by the following draft recommendation:

"Considering that the research work done hitherto by the International Labour Office on the subject of migration already constitutes a sufficient basis to enable investigations to be made in co-operation with the Governments concerned with a view to arriving at concrete, practical and rapid solutions,

The Permanent Migration Committee expresses the wish that the International Labour Office should proceed to an adaptation of its internal organisation to the new and urgent needs in respect of demographic and migration questions by re-establishing the special Migration Section."

In support of his draft resolution Mr. Komarnicki asked the Committee to give practical effect to the studies already undertaken by taking swift action to provide a concrete basis for discussion by the League of Nations Assembly and to facilitate the conclusion of bilateral agreements between the countries concerned.

A lengthy discussion then took place in the Committee on the subject of the possibility of giving effect to this proposal, the majority of the members being of opinion that it was very difficult to consider convening a conference of experts within the time stipulated. As regards the agenda of the suggested conference, Mr. Kitaoka submitted an amendment proposing to add to the two points of Mr. Komarnicki's draft resolution a third point as follows:

"The possibility of guaranteeing fair and equitable treatment to settlers without distinction and nationality."

This draft amendment was seconded by Mr. Pao Hua-Kuo. On the other hand, Mr. Serrarens feared, as did other members, that the programme suggested for the conference in question was too vast and too indefinite, and Mr. Schürch considered that it did not take sufficiently into account the social aspects of the problem (conditions of work, etc.). Finally, as regards the suggestions contained in the draft resolution relating to the composition of this conference, apprehension was expressed by Mr. Moore and Mr. Rager concerning the part which would be played by representatives of transport and other undertakings with a commercial aim.

In the light of these considerations the Committee requested the Office to furnish a new text likely to be acceptable to all the members of the Committee. When presenting the text the representative of the Director explained that while the memorandum to be drawn up for discussion by the League of Nations was to cover migration in all its various forms, the conference of experts, which is proposed in the last paragraph, was to limit its deliberations to migration with a view to settlement. This conference might be convened even if it were to be composed of only a small yet adequate number of States having a practical interest in the problem.

The Polish representative was afraid that the text prepared by the Office did not go as far as was desired by the Assembly of the League of Nations at its last session, and that the procedure contemplated would not allow of sufficiently swift or sufficiently effective action being taken.

Other members of the Committee, on the other hand, explained why they were in favour of the Office text. Mr. Pardo, for instance, declared that, not having been able to ask for instructions from his Government with regard to convening a migration conference, he could agree only to the Office text; Mr. Muniz also approved the text. Mr. Gérard considered that the conference of experts would not be able to arrive at really useful results unless it was convened after the Governments had been consulted.

Mr. Kitaoka then withdrew the amendment he had submitted to Mr. Komarnicki's proposal and agreed to the Office text, and Mr. Komarnicki withdrew both his draft resolution and his

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1 With regard to migration of wage earners, it may be remembered that the Governing Body will be called upon under a separate item of the agenda of the present session to consider placing on the agenda of the International Labour Conference the problems arising out of the movement of wage earners from the point of view of recruiting, placing and conditions of labour.
draft recommendation. At the conclusion of the discussion the text prepared by the Office (quoted at the head of this section 3) was adopted without opposition.

4. "Considering that the question of equality of treatment is already under consideration by the Governing Body for the agenda of the International Labour Conference of 1938 in connection with the recruiting and placing of migrant workers,

The Permanent Migration Committee recommends that the International Labour Office should consider the desirability of having the question of fair and equitable treatment of immigrants studied by the Correspondence Committee on Migration, if appointed, or discussed by the Conference of Experts if convened."

The above proposal, presented by Mr. Kitaoka, and supported by Mr. Muniz and Mr. Pardo, was unanimously adopted.

II. Examination of the report of the Office on the Simplification of Passports and Visas for Migrants,

"Considering that the formalities of visas of passports are considerable burdens on migrant workers;

Considering that resolutions for the simplification of the visas of passports have been adopted by the International Conferences on Emigration and Immigration, held in Rome in 1924 and in Havana in 1928;

The Permanent Migration Committee requests the International Labour Office to study this problem and to take the necessary steps for the benefit of the migrant workers."

The above resolution, presented by Mr. Kitaoka, was unanimously adopted without discussion.

Note by the Office.

In the report of the Migration Committee, which has already been circulated to members of the Governing Body, there is a proposal "to consult without delay the Members of the Organisation on the interest they would attach to a meeting of a conference of experts on the subject of migration with a view to settlement, and to convene this conference as soon as a number of Members sufficient to achieve useful results have expressed a desire for it."

It seems desirable to give the Governing Body some information on the way in which the Office proposes to proceed on this question, in the event of the resolution of the Migration Committee being accepted by the Governing Body.

It is clear that if the Office has to consult Members of the Organisation on the interest they would attach to a meeting of a conference of experts, it is necessary that proposals should be made at the same time with regard to the question or questions which might be discussed by this conference. In considering a possible agenda the Office has taken note of the fact that two questions were mentioned during the meeting of the Migration Committee itself. One is the fair and equitable treatment of immigrants which, the Committee suggested (see page 8 of its report), might be studied either by the Correspondence Committee or by the conference of experts. The other question is the financing of settlement both from the point of view of the establishment of the settlers and of transport facilities.

Both these questions are extremely interesting and complex, and no satisfactory solution can be expected unless they are given the most careful consideration. It does not, however, seem possible to place them both on the agenda of the suggested conference of experts at a single session, for each of them is sufficiently important to occupy the whole time of such a session. The Governing Body has before it a proposal to place on the agenda of the 1938 Session of the International Labour Conference the recruiting, placing and conditions of labour (equality of treatment) of migrant workers. Should this be agreed to, it would include a consideration of the fair and equitable treatment of immigrants so far as the migration of wage earners is concerned.

The Office considers that it would not be a good plan for this subject to be studied on parallel lines both by the International Labour Conference and by a specially convened conference of experts at about the same time. It therefore suggests that the Office should continue its own investigations on the subject and should consider at a later date what aspects of it might usefully be submitted to the conference of experts or to the Correspondence Committee which it is proposed should be set up.

The problem on which a conference of experts seems likely to make its most useful contribution at the present time is that of the financing of settlement, this being one of the problems which are hindering the revival of migration with a view to settlement, even between countries of emigration and immigration both of which have declared their desire for increased migration. In the report submitted to the Migration Committee on "International Migration with a View to Settlement" (Document C.M.III/1.1936), the Office devoted considerable attention to the financial aspect of settlement problems and recognised that this aspect was of predominant importance. In addition, it is essentially a problem, the solution of which may be greatly aided by international co-operation.

In the report above-mentioned the Office wrote: "... it may well be said that credit operations
to promote settlement schemes tend more and more to go beyond the frontiers of individual countries and to assume an international character. At a time when the whole world longs for a renewal of international relations, it cannot be denied that a revival of settlement schemes, by bringing back into circulation large amounts of idle capital, would contribute towards the development of population movements, and is therefore an important factor in world economic reconstruction.

This question has, in addition, certain social aspects to which the attention of the Conference might be called. Reference may be made by way of example to such matters as the guarantees which should be provided for settlers in connection with the purchase of land, compensation for improvements on the land in case either of death or of failure to make good before the purchase price has been fully paid, the provision of credit for settlers on reasonable terms, etc.

If the Governing Body agrees to the idea of submitting the problem of the financing of settlement to a conference of experts, it will be necessary to ascertain what countries are sufficiently interested in the question to desire to take part in such a meeting. It need not necessarily be of large dimensions. A meeting of experts from a few representative countries of emigration and immigration would probably produce valuable work. The Office would get into touch with all Member States likely to be interested and would report to the Governing Body as soon as there was a prospect of holding a useful meeting.
APPENDIX XI.

ELEVENTH ITEM ON THE AGENDA.

REPORT OF THE FINANCE COMMITTEE.

The Report of the Finance Committee, which was considered by the Governing Body in private, is printed separately as an appendix to the minutes of the Fourth Sitting.
In accordance with the decision taken by the Governing Body at its Seventy-seventh Session, the Office addressed a letter of convocation for the Technical Tripartite Conference on the Textile industry to all the States Members of the Organisation, leaving it to each State to decide whether textile production forms an important part of its national economy. In accordance with the Governing Body’s decision a special letter was addressed to the German Government inviting it to participate in this Conference owing to the importance of textile production in Germany.

In view of the time required to make the necessary arrangements for participating in the Conference, the number of States which have replied officially to the letter of convocation is still relatively small, but the Office has ascertained unofficially that the great majority of the States possessing an important textile industry will take part in the Conference, and that steps are being taken or considered at the present moment with a view to drawing up the lists of delegations.

Since the last session of the Governing Body the Office has been in constant touch with the Government of the United States of America in regard to the organisation of the Conference. The Government Auditorium, adjoining the Department of Labor, at Washington, will be placed at the disposal of the Conference, as well as the necessary accommodation for the secretariat in the Department of Labor itself. All necessary steps have already been taken or planned in regard to the material arrangements. Thanks to the collaboration of the United States Government, the Conference will thus be able to open under the best possible material conditions.

The preparation of the report which is to serve as the basis of the discussions has been actively pursued since the last session of the Governing Body. The report is at present being printed and the Office hopes that the English edition will be ready by the end of February and the French text during the first week in March.

The financial arrangements in regard to the organisation of the Conference are being referred to the Finance Committee, which will submit a report to the Governing Body.
APPENDIX XIII.

THIRTEENTH ITEM ON THE AGENDA.

THE DIRECTOR'S REPORT.

Composition of the Governing Body.

The Office was informed by a letter dated 9 December 1936 that Mr. Juitsu Kitaoka had been officially appointed by the Japanese Government to represent it on the Governing Body in place of Mr. Yoshisaka. Members of the Governing Body will be glad to hear that Mr. Kitaoka, who has taken part in the work of the Organisation for some time past, will be continuing his collaboration in a more permanent way.

Obituaries.

Members of the Governing Body will have heard with deep regret of the death of Mr. Jules Gautier, who was personally known to most of them.

Mr. Jules Gautier was French Government representative at all the sessions of the International Labour Conference from 1921 onwards, with the exception of the last maritime session, and was Chairman or Reporter of a number of Committees of the Conference. He was also Reporter and subsequently Chairman of the Committee of Experts on the Application of Conventions.

As Chairman of the National Federation of Agricultural Associations of France, Vice-Chairman of the International Commission of Agriculture, and Vice-Chairman of the Economic Committee of the International Institute of Agriculture at Rome, he was an ardent defender of agricultural interests within the International Labour Organisation. He was technical adviser and afterwards substitute delegate of France at the Assembly of the League of Nations, and he took an active part in the work of the international economic conferences and the various economic committees to which he was appointed as an agricultural expert.

The death of Mr. Jules Gautier is an irreparable loss to the International Labour Organisation. His personal charm, his wide culture, his keen human sympathy and his deep wisdom will always be remembered by those who had the privilege to know him. The Governing Body will undoubtedly wish to convey an expression of its deep sympathy to his family and to the French Government.

The Governing Body will also learn with great regret of the death of Professor E. H. Kettle, Professor of Pathology in the British Post Graduate Medical School. Professor Kettle, who was an eminent pathologist, was a member of the Correspondence Committee on Industrial Hygiene, and was also appointed to the Sub-Committee on Diseases due to Dust which has recently been set up. He played an important part in the International Conference on Silicosis held at Johannesburg in 1930. His death deprives the Office of a collaborator of great scientific attainments who was keenly interested in its work for industrial health.

International labour legislation.

The following is the official information concerning the ratification of Conventions which has come to the knowledge of the Office since the Seventy-seventh Session of the Governing Body.

<table>
<thead>
<tr>
<th>Country</th>
<th>Convention</th>
<th>Date of adoption of Convention</th>
<th>Date of registration by the Secretariat of the League of Nations</th>
</tr>
</thead>
<tbody>
<tr>
<td>China</td>
<td>Minimum Age (Sea) (No. 7)</td>
<td>1920</td>
<td>2/12/36</td>
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<tr>
<td></td>
<td>Minimum Age (Trimmers and Stokers) (No. 15)</td>
<td>1921</td>
<td>—</td>
</tr>
<tr>
<td></td>
<td>Medical Examination of Young Persons (Sea) (No.16)</td>
<td>1921</td>
<td>—</td>
</tr>
<tr>
<td></td>
<td>Seamen's Articles of Agreement (No. 22)</td>
<td>1926</td>
<td>—</td>
</tr>
<tr>
<td></td>
<td>Repatriation of Seamen (No. 23)</td>
<td>1926</td>
<td>—</td>
</tr>
<tr>
<td></td>
<td>Underground Work (Women) (No. 45)</td>
<td>1935</td>
<td>—</td>
</tr>
<tr>
<td>Cuba</td>
<td>Workmen's Compensation (Occupational Diseases) (Revised) (No. 42)</td>
<td>1934</td>
<td>22/10/36</td>
</tr>
<tr>
<td>Hungary</td>
<td>Night Work (Women) (Revised) (No. 41)</td>
<td>1934</td>
<td>18/12/36</td>
</tr>
<tr>
<td>Netherlands</td>
<td>Minimum Wage-fixing Machinery (No. 26)</td>
<td>1928</td>
<td>10/11/36</td>
</tr>
</tbody>
</table>

The number of ratifications registered is now 732.

1 As a result of this ratification Hungary has denounced its ratification of the Night Work (Women) Convention 1919 (No. 4). This denunciation was registered by the Secretariat of the League of Nations on 18 December 1936.
Ratifications authorised.

By a letter dated 9 November 1936 the Government of the Irish Free State informed the Office that it intended to ratify the Night Work (Bakeries) Convention 1925 (No. 20). The Government will proceed to ratification when the Night Work (Bakeries) Act, which became law on 14 August 1936, comes into operation as prescribed by its section 11.

In the Netherlands the Act approving the Underground Work (Women) Convention, 1935 (No. 43), and an Act reserving to the Crown the right to ratify the Maintenance of Migrants' Pension Rights Convention, 1935 (No. 48), were promulgated on 21 November 1936.

Ratifications recommended.

By a letter dated 18 December 1936 the Minister of Social Administration of Austria stated that the Council of Ministers at its meeting of 24 June 1936 has decided to set in motion the procedure laid down by the Constitution in order to introduce federal legislation concerning the prohibition of the employment of women on underground work in mines, which will bring national legislation into harmony with the provisions of the Underground Work (Women) Convention, 1935 (No. 45). When this legislation has been promulgated, ratification of the Convention will be proposed to the President of the Confederation.

In a report submitted to Congress on 27 October 1936, the Minister of Labour of Brazil stated that existing legislation gave effect to the Underground Work (Women) Convention, 1935 (No. 45), and expressed himself in favour of ratification of this Convention.

The French Senate, at its meeting of 18 December 1936, adopted the Bill for the ratification of the Forced Labour Convention, 1930 (No. 29) which had been laid before it on 10 March 1936. This Bill lays down that ratification will, in accordance with Article 35 of the Constitution of the International Labour Organisation, and Article 26 of the Convention, be accompanied by a declaration stating that the application of the Convention will be subject to certain modifications.

Other measures.

The Federal Political Department of Switzerland informed the Office by a letter of 31 October 1936 that the Argentine Government had notified the Swiss Federal Council on 16 October 1936, in accordance with Article 5 of the international Convention of 26 September 1906 concerning the prohibition of the use of white phosphorus in the match industry, that the Argentine Republic adhered to this Convention.

The Minister of Social Administration of Austria stated in a letter dated 18 December 1936 that the Council of Ministers had, at its meeting of 4 December 1936, taken the following decisions with regard to Conventions Nos. 46, 47, 48 and 49 adopted by the Conference at its Nineteenth Session in 1935.

The Federal Government had decided not to set in motion the procedure laid down by the Constitution with a view to the ratification of the Hours of Work (Coal Mines) (Revised) Convention (No. 46). As a result of the present unfavourable trade situation, the Austrian coal mining industry would not be able to bear the economic burden resulting from a decrease of hours of work as required by the Convention.

The Federal Government decided that it would not for the present set in motion the procedure laid down by the Constitution with a view to the ratification of the Forty-Hour Week Convention (No. 47). In the present economic situation it could not contemplate accepting a Convention which would bind Austria permanently to the principle of the 40-hour week. Moreover, the question of the 40-hour week gave rise to so much controversy, and the views of the various States Members of the Organisation on the subject were so divided, that Austria, a country whose economic life was still feeling the effects of the War and the depression, would appear bound to maintain the greatest reserve on the subject.

The Federal Government decided that it would not for the present set in motion the procedure laid down by the Constitution with a view to the ratification of the Maintenance of Migrants' Pension Rights Convention (No. 48). Austria was not in any way opposed to the establishment of international Conventions on social insurance, and had even set an example by concluding reciprocity treaties on this subject with Germany, Czechoslovakia and Yugoslavia. Before ratification was undertaken, however, it would appear desirable to adapt the treaties concluded with these countries to the terms of the Convention, and to wait until the countries of immigration which were of importance from the point of view of Austria had declared their attitude on the question.

The Federal Government also decided that it would not for the present set in motion the procedure laid down by the Constitution for the ratification of the Reduction of Hours of Work (Glass Bottle Works) Convention (No. 49), as this Convention was based on the principle of the 40-hour week. So long as Austria adopted a waiting attitude with regard to the problem of the 40-hour week as a whole, the question of ratifying this Convention could not be further considered.

In China the Legislative Yuan decided on 2 October 1936 to postpone ratification of the Unemployment Indemnity (Shipwreck) Convention, 1920 (No. 8), the Placing of Seamen Convention 1926 (No. 21), until the necessary legislation had been promulgated.

By letter of 9 November 1936 the Secretary of State for India informed the International Labour Office that it had been decided that the Workmen's Compensation (Occupational Diseases) (Revised) Convention, 1924 (No. 42), should not be ratified by India.
The Government of India nevertheless intends to add to Schedule III of the Workmen’s Compensation Act certain of the occupational diseases included in the revised Convention. It issued a notification on 28 September 1936 announcing its intention of adding to the Schedule arsenical poisoning or its sequelae; pathological manifestations due to (a) radium and other radio-active substances and (b) X-rays; and primary epitheliomatous cancer of the skin, together with the corresponding employments and processes.

On 30 November 1936 the Netherlands Government addressed a note to the Second Chamber of the States General by which it submitted the Hours of Work (Coal Mines) (Revised) Convention 1935 (No. 46), the Forty-Hour Week Convention 1935 (No. 47), and the Reduction of Hours of Work (Glass Bottle Works) Convention 1935 (No. 49), and gave the following account of the reasons for which it did not feel able to submit to the States General Bills for the approval of these Conventions or Bills, reserving to the Crown the right to ratify them.

Apart from the objections to which certain provisions of the Hours of Work (Coal Mines) (Revised) Convention give rise, the Government points out that the discussion of the question of hours of work in coal mines by the Conference is not yet completed, as the latter adopted at its Twentieth Session a resolution of calling a technical tripartite conference of Governments and representative of employers and workers in the coal mining industry with a view to reaching an agreement on the question. In these circumstances the Government confines itself to laying the Convention before the States General.

The Government explains the legal and general objections to which a Convention of principle drawn up in the form of the Forty-Hour Week Convention gives rise. Apart from these considerations, the introduction of the 40-hour week would in the Government’s view give rise to serious difficulties, especially in view of the fact that the principle which it embodies is bound up with the condition that the standard of living of the workers is not to be lowered. The Government accordingly feels unable to submit proposals with regard to this Convention.

The ratification of the Reduction of Hours of Work (Glass Bottle Works) Convention gives rise to the same objections of principle as the reduction of weekly hours of work in general. Moreover, if the Convention were ratified by the Netherlands, the only works which would be affected would be the glass works of Schiedam and Delft (Vereenigde Glasfabrieken) which employ about 250 workers. The Convention is thus of very limited interest to the Netherlands.

Conference.

Preparation of the Twenty-third Session (1937).

The Office is actively engaged on preparatory work for the Twenty-third Session of the Conference. The “grey” part of the grey-blue report on the planning of public works in relation to employment was submitted to the Governing Body at its last session. The “grey” parts of the grey-blue reports on the reduction of hours of work in the printing and kindred trades and in the chemical industry will be circulated to members of the Governing Body shortly in proof form for their observations. The “blue” parts of these reports, as well as the blue reports on the other items on the agenda of the Conference (safety provisions for workers in building construction with reference to scaffolding and hoisting machinery, reduction of hours of work in the textile industry, and partial revision of the Minimum Age (Industry), and Minimum Age (Non-Industrial Employment) Conventions are being prepared.

Meetings proposed.

Regional Conference of representatives of factory inspection services in Eastern European countries.

In accordance with the decision taken by the Governing Body at its Seventy-seventh Session, this Conference will open at Vienna on 24 May 1937. Letters of convocation have been sent to the fourteen Governments which it was decided to invite to participate.

Conference of Statisticians.

The Governing Body, at its Seventy-seventh Session, instructed the Office to consult the Governments concerned with the view to proposing at the Seventy-eighth Session a suitable date for the meeting of the Conference of Statisticians which it had been decided to hold. This consultation has been carried out, and the most suitable date appears to be Monday, 27 September 1937. The Conference will probably last four or five days.

It is proposed that the agenda of the Conference should be confined, as the Committee of Statistical Experts suggested, to the preparation of a proposed Draft Convention on Statistics of Wages and Hours of Labour, and that the subject of unemployment statistics for young persons should be dealt with at a further conference of statisticians on the statistics of employment and unemployment to be held at some later date.1

1 See also the passage concerning a proposed meeting of the Committee of Statistical Experts, p. 134 below.
Committees.

Committees which have met since the last session or are already authorised.

Meetings of the Migration Committee, the Advisory Committee on Salaried Employees, and a certain number of experts on social insurance were held immediately after the Seventy-seventh Session of the Governing Body, and the Executive Committee of the Advisory Committee of Correspondents on Workers' Spare Time and the Committee on Freedom of Association are meeting immediately before the Seventy-eighth Session. The records of these meetings will be submitted to the Governing Body at its present session.

The Governing Body, at its Seventy-seventh Session, also authorised the Office to call a meeting of the Committee of Experts on Native Labour. It is not yet possible to fix the date of this meeting.

Committee on Social Charges.—The Governing Body, at its Seventy-fifth Session (April 1936) authorised the Office to call a meeting of the Committee on Social Charges in connection with its session in January 1937, to consider a "report on the desirability and possibility of continuing in the future the studies on social services."

Volume II of the publication dealing with social services in 1933 did not, however, appear until the end of November 1936 in the case of the French edition, and the beginning of December in the case of the English edition. Consequently, several months must pass before it will be possible to prepare a report setting forth the observations, suggestions or criticisms which the Office receives in connection with the second edition of the publication on social services.

It is therefore suggested that the meeting of the Committee on Social Charges which the Governing Body authorised should be adjourned, and held in connection with the Seventy-ninth Session. This would enable the Office to form a more complete idea of the desirability and possibility of continuing this publication in the future.

Proposed meetings of Committees.

Correspondence Committees on Accident Prevention.—It is suggested that the Governing Body should authorise the Office to call a meeting of this Committee in 1937. In order to facilitate the attendance of extra-European experts, it is suggested that the Committee should meet at Geneva in connection with the International Labour Conference.

The agenda might be as follows:

1. Discussion of a draft monograph on safety in the use of ladders (Reporter, Mr. Verwilst, Brussels).
2. Discussion of a draft monograph on the safe handling of corrosive liquids (Reports, Mr. Morley, Toronto, and Mr. Kjaer, Washington).
3. Discussion of a draft monograph on the protection of the hands and feet of workers employed in metal works and iron foundries (Reporter, Mr. Van de Weyer, Brussels).
4. Discussion of a draft monograph on protective screens (Reporter, Mr. Van de Weyer, Brussels).
5. Miscellaneous.

Advisory Committee on Professional Workers.—The fifth session of the Advisory Committee on Professional Workers took place in November 1935, and it is suggested that the Governing Body should authorise the Office to call the sixth session in May 1937, in connection with the Seventy-ninth Session of the Governing Body. In accordance with the proposals made by the Officers of the Committee in their report, which was approved by the Governing Body at its Seventy-sixth Session (June 1936), the agenda of the Committee would be as follows:

1. Protection of titles and professional organisation for chartered accountants.
2. Moral right of professional workers in receipt of a salary over their creations in the sphere of applied arts. (Preliminary study.)
3. Compensation for professional workers whose posts are abolished, after long service, owing to the reorganisation of an undertaking.
4. Study of the application to professional workers of the protective measures laid down in the Conventions adopted by the International Labour Conference.
5. Miscellaneous.

Advisory Committee on Management.—The Governing Body is asked to authorise the Director to convene a meeting of the Advisory Committee on Management in May 1937 in connection with the Seventy-ninth Session. The purpose of this meeting would be to examine the reports prepared by the Office on various subjects proposed by the Committee at its first meeting on 27 April 1936, as well as to discuss the report on the use of office machinery adopted by the meeting of the Advisory
Committee on Salaried Employees, held on 18 October 1936. The agenda proposed for the meeting is:

1. Terminology of management.
2. Concerted action to eliminate or to preserve "surplus" undertakings and machinery.
3. The relation of technical progress to unemployment and employment.
4. The use of office machinery and its influence on conditions of work of staff.

Committee of Experts on the application of Conventions.—It is suggested that the Committee of Experts appointed to examine the annual reports submitted under Article 22 of the Constitution should meet on Monday, 5 April 1937. This will give the Office time to translate or summarise the reports received from the Governments before the meeting takes place. The Governing Body is requested to authorise the Office, in accordance with the usual practice, to have the Committee's report printed with an indication that it has not yet been approved by the Governing Body, and it can then be circulated together with the Summary of Annual Reports to the Governments.

The report of the Committee of Experts will of course be submitted to the Governing Body before it is laid before the Conference.

Committee of Statistical Experts.—It is suggested that the Governing Body should authorise the Office to call a meeting of the Committee of Statistical Experts immediately after the Conference of Statisticians, if the Governing Body agrees that, as was suggested in a previous passage of the present Report, the latter Conference should meet for four or five days, opening on 27 September 1937. The presence of many members of the Committee at the Conference of Statisticians would facilitate the holding of this meeting and result in considerable financial economies for the Office. Its agenda would consist of a continuation of the question of statistics of working-class rents, in accordance with the decision of its previous meeting; any questions concerning family budgets and nutrition which may be referred to it by the Office's Committee on Nutrition; and the question of the collection and presentation of data on wages by occupation. It is also suggested that the Committee might have a discussion on the work of any further Conferences of Labour Statisticians which may be held, with particular reference to the Conference on the statistics of employment and unemployment which, as is suggested in a previous passage of the present Report, might be held at a later date.

Committee on the periodical reports.—It is suggested that a meeting of this Committee should be held in connection with the Seventy-ninth Session of the Governing Body (May 1937).

The Committee will be asked to consider the periodical reports on the following Conventions:

Convention No. 20: Night Work in Bakeries.
Convention No. 22: Seamen's Articles of Agreement.
Convention No. 23: Repatriation of Seamen.
Convention No. 24: Sickness Insurance (Industry, etc.).
Convention No. 25: Sickness Insurance (Agriculture).

Composition of Committees.

Replacement of Mr. Yoshisaka on the Committees of which he was a member.—The Government group is asked to submit nominations for the replacement of Mr. Yoshisaka on the various Committees of which he was a regular or substitute member.

Mr. Yoshisaka was a member of the following Committees:

Regular member:

Finance Committee.
Committee on Social Charges.
Committee on Conditions of Work in the Iron and Steel Industry.
Committee on Conditions of Work in the Textile Industry.
Executive Committee of the Advisory Committee of Correspondents on Workers' Spare Time.
Migration Committee.
Committee of Experts on Nutrition.

Substitute:

Unemployment Committee.
Committee on Freedom of Association.
Committee on the Periodical Reports.
Committee on Automatic Coupling.
Technical Committee on Glass Works.
Representation of the Governing Body on the Technical Tripartite Conference on the Textile Industry.—It will be remembered that at the Seventy-seventh Session, the Governing Body decided to be represented at this Conference by two members from each group. The three groups are accordingly requested to submit nominations for two representatives per group.

Permanent Agricultural Committee.—It will be remembered that the Permanent Agricultural Committee which the Governing Body set up at its Seventy-seventh Session (November 1936) includes six seats allocated to representatives of the Governing Body. As it was not possible to appoint these representatives at that time, the Governing Body is now requested to appoint its six representatives on the Committee, as well as a certain number of substitutes. According to the Governing Body's decision concerning all the substitutes on the Permanent Agricultural Committee, the substitutes must be appointed by the Governing Body itself.

In order to facilitate the nominations to be made by the groups, it may be desirable to recall that at its Seventy-seventh Session the Governing Body took a decision concerning the relations between the Permanent Agricultural Committee and the existing Committee on Agricultural Work. It was decided that the Committee on Agricultural Work should be maintained in its present form so that it could advise the Governing Body on all agricultural labour questions. Consequently, as the Governing Body noted at its Seventy-seventh Session, it would be desirable that the members of the Committee on Agricultural Work should be the same persons as the representatives of the Governing Body on the Permanent Agricultural Committee.

The Committee on Agricultural Work is at present composed as follows:

Government group: Mr. Picquenard, Mr. Ruiz Guiflazú.
Substitutes: Mr. de Michelis, Mr. Riddell.

Employers' group: Mr. Oersted, Mr. Vaněk.
Substitutes: Mr. Čurčin, Mr. Olivetti.

Workers' group: Mr. Caballero, Mr. Schürch.
Substitutes: Mr. Jensen, Mr. Němecék.

The three groups are accordingly requested at this session, bearing in mind the circumstances mentioned above, to nominate two regular representatives and also substitutes (of whom there might be two per group) for the Permanent Agricultural Committee.

The Governing Body will also remember that not all the seats allocated to experts on the Committee have yet been filled. The Director hopes to submit suggestions in this connection in a Supplementary Report.

Correspondence Committee on Social Insurance.—In view of certain changes which have taken place in the staff of the French administration, various proposals concerning the composition of the Correspondence Committee on Social Insurance are submitted to the Governing Body. It will be remembered that at its Seventy-seventh Session (November 1936) the Governing Body, at the suggestion of the Office, appointed Mr. Marcel Bernard, who had recently become Director-General of Social Insurance and Mutual Insurance in the French Ministry of Labour, as a member of this Committee; since that time, however, Mr. Bernard has been transferred to another post not connected with social insurance, and it would therefore seem desirable to regard his appointment to the Committee as null and void.

Mr. Jacques Ferdinand-Dreyfus, who was already a member of the Committee as an expert on actuarial questions connected with social insurance, and whom the Governing Body reappointed in that capacity at its Seventy-seventh Session, has just been appointed Director-General of Social Insurance in France, and should therefore now be regarded, from the point of view of the Committee's work, as an expert on questions connected with Government departments for legislation and enforcement.

As, however, it is desirable that the Committee should include a French expert on actuarial questions, it is suggested, in agreement with the French Government, that Mr. Paul Henry, Chief Actuary in the French Ministry of Labour, should be appointed as a member of the Correspondence Committee on Social Insurance.

It is suggested, in agreement with the Hungarian Government, that the Governing Body should appoint Dr. Ervin Lengyel, Ministerial Counsellor, Chief of the Social Insurance Section in the Ministry of the Interior of Hungary, as a member of the Correspondence Committee on Social Insurance as an expert on questions of Government services for social insurance legislation and supervision, in place of Mr. Geza Pap, whose term of office has expired and who has ceased to exercise the functions on account of which the Governing Body appointed him as a member of the Committee.

Correspondence Committee on Women's Work.—Miss Mary A. Dingman has resigned from this Committee as her work as President of the Peace and Disarmament Committee of the Women's International Organisations precludes her continuing to be the Secretary of the Social and Industrial
Section of the World’s Y.W.C.A. She has been succeeded in the latter post by Mrs. C. Beresford Fox, whom the Governing Body is requested to appoint in her place, as a member of the Correspondence Committee on Women’s Work.

**Correspondence Committee on Industrial Hygiene.**—Dr. Kranenburg, who is a member of the Correspondence Committee on Industrial Hygiene, has recently retired from his post as Medical Adviser to the Netherlands Factory Inspectorate. In order to ensure that the Committee shall still include a member who is actively engaged on medical questions relating to factory inspection, the Director suggests, in agreement with the Netherlands Government, that the Governing Body should appoint Mr. P. A. van Luyt, who has succeeded Dr. Kranenburg as Medical Adviser to the Netherlands Factory Inspectorate, as a member of the Correspondence Committee on Industrial Hygiene.

Dr. Kranenburg’s term of office as a member of the Committee expires on 19 January 1937; in view of his personal competence and the valuable services which he has rendered to the Committee, it is thought that the Governing Body would do well to renew his appointment. His name has therefore been included in the list of members of Committees whose appointment it is suggested that the Governing Body should renew for a further period of three years.

**Renewal of appointment of members of Committees whose term of office has expired.**

It is suggested that the Governing Body should reappoint for a further period of three years the following members of Committees whose term of office has come to an end.

<table>
<thead>
<tr>
<th>Committee on Accident Prevention</th>
<th>Date of appointment</th>
<th>Date of expiry</th>
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<tbody>
<tr>
<td>Mr. Cyril Ainsworth (United States)</td>
<td>24.I.34</td>
<td>24.I.37</td>
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<tr>
<td>Mr. Kjaer (United States)</td>
<td>24.I.34</td>
<td>24.I.37</td>
</tr>
<tr>
<td>Mr. Vitaliano Colombo (Italian)</td>
<td>24.I.34</td>
<td>24.I.37</td>
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<thead>
<tr>
<th>Committee on Social Insurance</th>
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<tbody>
<tr>
<td>Mr. Bégault (Belgian)</td>
<td>11.I.30</td>
<td>11.I.36</td>
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<tr>
<td>Mr. Kovrig (Hungarian)</td>
<td>11.I.30</td>
<td>11.I.36</td>
</tr>
<tr>
<td>Mr. Päßterer (Hungarian)</td>
<td>11.I.30</td>
<td>11.I.36</td>
</tr>
<tr>
<td>Mr. Delvaux (Belgian)</td>
<td>31.I.31</td>
<td>31.I.37</td>
</tr>
<tr>
<td>Mr. Demeur (Belgian)</td>
<td>31.I.31</td>
<td>31.I.37</td>
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<tr>
<td>Mr. Dewandre (Belgian)</td>
<td>31.I.31</td>
<td>31.I.37</td>
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<tr>
<td>Canon Eeckhout (Belgian)</td>
<td>31.I.31</td>
<td>31.I.37</td>
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<tr>
<td>Mr. Jauniaux (Belgian)</td>
<td>31.I.31</td>
<td>31.I.37</td>
</tr>
<tr>
<td>Mr. Saccasyn (Belgian)</td>
<td>31.I.31</td>
<td>31.I.37</td>
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<th>Committee on Industrial Hygiene</th>
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<th>Date of expiry</th>
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<tr>
<td>Dr. Gilbert (Belgian)</td>
<td>19.I.22</td>
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<tr>
<td>Dr. Alice Hamilton (United States)</td>
<td>19.I.22</td>
<td>19.I.37</td>
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<tr>
<td>Dr. Jinnosuke Hoshiai (Japanese)</td>
<td>19.I.22</td>
<td>19.I.37</td>
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<tr>
<td>Dr. Kranenburg (Netherlands)</td>
<td>19.I.22</td>
<td>19.I.37</td>
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<tr>
<td>Dr. Loriga (Italian)</td>
<td>19.I.22</td>
<td>19.I.37</td>
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<tr>
<td>Dr. Madsen (Danish)</td>
<td>19.I.22</td>
<td>19.I.37</td>
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<tr>
<td>Dr. Pieraccini (Italian)</td>
<td>19.I.22</td>
<td>19.I.37</td>
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<tr>
<td>Dr. Rajchman (Health Organisation of League of Nations)</td>
<td>19.I.22</td>
<td>19.I.37</td>
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<tr>
<td>Dr. Wirgin (Swedish)</td>
<td>19.I.22</td>
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<tr>
<td>Dr. Chajes (Palestine)</td>
<td>19.I.22</td>
<td>19.I.37</td>
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<tr>
<td>Dr. Leroy U. Gardner (United States)</td>
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<tr>
<td>Dr. Sayers (United States)</td>
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<tr>
<td>Dr. Irvine (Union of South Africa)</td>
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<td>31.I.37</td>
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<tr>
<td>Dr. Mavrogordato (Union of South Africa)</td>
<td>31.I.31</td>
<td>31.I.37</td>
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<tr>
<td>Dr. Orenstein (Union of South Africa)</td>
<td>31.I.31</td>
<td>31.I.37</td>
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<tr>
<td>Mr. Lee (United States)—Industrial Fatigue</td>
<td>10.I.25</td>
<td>10.I.37</td>
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<tr>
<td>Mr. Myers (British)—Industrial Fatigue</td>
<td>10.I.25</td>
<td>10.I.37</td>
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<tr>
<th>Committee of Experts on Native Labour</th>
<th>Date of appointment</th>
<th>Date of expiry</th>
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</thead>
<tbody>
<tr>
<td>Mr. Cayen (Belgian)</td>
<td>31.I.31</td>
<td>31.I.37</td>
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**Commissions of Enquiry.**

The Secretary of State for India has informed the Director that Sir Bhupendra Nath Mitra has resigned from his appointment as a person of independent standing representing India on the panel from which the members of Commissions of Enquiry provided for under Article 26 of the
Constitution are drawn, and that the Government of India has nominated Sir Atul Chatterjee to serve in his place. The Governing Body is requested to approve this appointment.

Recommendations of the Inter-American Conference for the Promotion of Peace.

The Inter-American Conference for the Promotion of Peace, which has recently been held at Buenos Aires, adopted several recommendations, two of which are of direct concern to the International Labour Organisation.

The first is a resolution dealing with the problems of migration. Recalling that the Labour Conference of American States Members of the International Labour Organisation, held in January 1936 in Santiago, requested the Governing Body of the International Labour Office to undertake special studies of emigration from Europe to America, in which account would be taken of all the aspects of that problem, the Buenos Aires resolution stresses the desirability of supplementing the International Labour Office studies by others to be undertaken by the Pan-American Union, with special reference to the extent of the immigration possibilities within the frontiers of each State belonging to the Union.

To this end it recommends that States Members of the Pan-American Union undertake, at the earliest possible moment, studies of openings for immigration in their respective territories, and communicate the results to the Pan-American Union to be brought to the notice of the other American nations. This, the resolution adds, should be done without prejudice to the data and information on this subject collected by the International Labour Office in accordance with the Santiago resolution.

These studies would supplement the information collected at Geneva and would be used for drawing up Draft Conventions or Recommendations to serve as a basis for bilateral social treaties between such European and American States as might wish to conclude them. The treaties should make as clear a distinction as possible between spontaneous and organised immigration.

The other text referring to the work of the International Labour Office is a recommendation urging that the Governments represented at the Buenos Aires Conference should undertake, as soon as possible, a careful enquiry into the standard of living and the various factors of the economic situation in different parts of their respective countries.

The recommendation provides that the Pan-American Union shall lay down the general principles to be followed in those enquiries, and shall co-ordinate the data obtained in such a way that they will lend themselves, in so far as possible, to comparative studies. Such studies will be carried out without prejudice to those undertaken by the International Labour Office and will be supplementary to the International Labour Office studies.

Mission of Mr. Lorwin to the United States of America.

During his mission to the United States of America, Mr. Lewis L. Lorwin, Economic Adviser, represented the Office at the Sixth Triennial Conference of the Institute of Pacific Relations which met at Yosemite National Park, California, from August 15-19. Mr. Lorwin also represented the Office at the Third World Power Conference which was held in Washington from September 7-12.

First Supplementary Report of the Director.

Report of Mr. Maurette on his mission to Brazil (July 1936).

Members of the Governing Body will remember that Mr. Maurette's brief report on his mission to South America, which was submitted to the Governing Body at its Seventy-seventh Session, stated that a report on the social aspects of the present and future development of economic life would be communicated to the Governing Body at its February Session.

Mr. Maurette's report is accordingly communicated to members of the Governing Body herewith. It will undoubtedly be read with the interest which it deserves.

Second Supplementary Report of the Director.

Internal Organisation.

Before the next meeting of the Governing Body an important change in the staff of the Office will have occurred. Mr. Maurette, after twelve years' devoted service to the Office, is resigning his position as Assistant Director in order to take up the post of Director of the Paris Office. As Mr. Maurette would shortly have reached the age of retirement, the Office may congratulate itself on being able to retain his services for a longer period than would otherwise have been possible, but members of the Governing Body will regret almost as keenly as the Director his departure from Geneva. It is unnecessary to emphasise his qualities of tact and judgment or to dilate on his

1 The Report has not been printed here as it will be published separately. (See Studies and Reports, Series B, No. 25.)
exceptional intellectual attainments. Under his guidance, first as Chief of the Research Division and subsequently as Assistant Director, the scientific work of the Office has continually progressed towards a higher level. It is largely due to his wide knowledge of social and economic questions and to his critical spirit that the scientific publications of the office have acquired their reputation for accuracy and thoroughness.

The Governing Body will also learn with regret of the resignation of Mr. Henri Fuss, Chief of the Unemployment and Migration Section, in order to take up the post of Royal Commissioner for Unemployment under the Belgian Government. The development of the work of the Office in connection with both the subjects with which his Section is concerned owes much to the energy and enthusiasm of Mr. Fuss, whose meritorious services to the Office deserve to be placed on record.

International Labour Legislation.

Since the Director's Report was circulated to members of the Governing Body, the following information concerning the ratification of Conventions has been received:

Ratifications registered.

<table>
<thead>
<tr>
<th>Country</th>
<th>Convention</th>
<th>Date of adoption of Convention</th>
<th>Date of registration by the Secretariat of the League of Nations</th>
</tr>
</thead>
<tbody>
<tr>
<td>Great Britain</td>
<td>Night Work (Women) (Revised) (No. 41)*</td>
<td>1934</td>
<td>25/1/37</td>
</tr>
<tr>
<td></td>
<td>Sheet-Glass Works (No. 43)</td>
<td></td>
<td>13/1/37</td>
</tr>
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</table>

The number of ratifications registered is now 734.

Ratifications authorised.

In Poland the Senate on 15 January 1937 approved Bills for the ratification of Convention No. 17, Workmen's Compensation (Accidents), 1925, and Convention No. 18, Workmen's Compensation (Occupational Diseases), 1925. These Bills had already been adopted by the Chamber in March 1936.

Ratifications recommended.

By letter of 30 December 1936 the Minister of Labour of Cuba stated that the President of the Republic had submitted the following Conventions to the Senate for approval: No. 44, Unemployment Provision, 1934, No. 47, Forty-hour Week, 1935, No. 48, Maintenance of Migrants' Pensions Rights, 1935, and No. 49, Reduction of Hours of Work (Glass-Bottle Works) 1935.

By a letter of 7 January 1937 the Hungarian Delegation attached to the League of Nations stated that the Minister of the Interior had submitted to the Chamber of Deputies on 18 December 1936 a Bill to transform Convention No. 48, Maintenance of Migrants' Pensions Rights, 1935, into an Act.

By a telegram dated 15 January 1937 the Minister of Foreign Affairs of the Turkish Republic stated that the National Assembly had been recommended to ratify Convention No. 45, Underground Work (Women), 1935.

Other measures.

In Belgium an Act establishing the four-shift system in automatic sheet-glass works was promulgated on 22 December 1936. The adoption of this measure will enable Belgium at a later date to ratify Convention No. 43, Sheet-Glass Works, 1934.

By a letter of 11 January 1937 the Chinese Government representative on the Governing Body stated that the Ministry of Industry considered that the terms of Convention No. 29, Forced Labour, 1930, were incompatible with the conditions existing in China and had submitted it through the Executive Council to the Legislative Council for final decision.

By a letter of 3 December 1936 the State Councillor for Foreign Affairs of Siam informed the International Labour Office that the competent authorities of His Majesty's Government did not consider that the application of the Conventions adopted by the Nineteenth (1935) Session of the Conference was as yet necessary in Siam, under the existing conditions of labour in the country, and that consequently they did not feel it appropriate to take any action in the matter at the present time.

By letters of 5 and 23 December 1936 the Secretary for Labour and Social Welfare of the Union of South Africa informed the International Labour Office of the following decisions taken by the Executive Council as regards the Conventions adopted by the Twentieth (1936) Session of the Conference.

On 10 November 1936 the Executive Council decided against the ratification of Convention No. 50, Recruiting of Indigenous Workers, 1936, on the ground that the Union does not see its

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* As a result of this ratification Great Britain has denounced its ratification of Convention No. 4, Night Work (Women) 1919. This denunciation was registered by the Secretariat of the League of Nations on 25 January 1937.
way to altering the existing practice in such a manner as to obtain compliance with the provision in Article 20 of the Convention which renders the employer responsible for the expenses of the journey of recruited workers to the place of employment.

Moreover, it is not the general practice to provide for the annual leave to increase with the length of service of the employee. The Union is not therefore in compliance with the provisions of the Convention, nor would the time appear to be ripe for the enactment of the legislation required to bring it into compliance.

Committees.

Proposed Meetings of Committees.

Committee of Experts on Workers' Nutrition.—At its last session, the Governing Body authorised the Director to call a further meeting of the Committee of Experts on Workers' Nutrition. For practical reasons, the intention was to call this meeting in connection with the next session of the Mixed Committee on the Problem of Nutrition to be held at the Secretariat of the League of Nations. The Director understands that this Committee will probably meet on Monday, 12 April, and he therefore intends to convene the Committee of Experts on Workers' Nutrition on Friday, 9 April, if this date suits the members.

Composition of Committees.

Committee of Experts on the Application of Conventions.—There are several vacancies on this Committee concerning which the Office is not as yet in a position to submit proposals to the Governing Body. It is, however, suggested that the Governing Body might at once appoint Mr. Yoshisaka as one of the two extra-European experts whom it was recently decided to add to the Committee. Mr. Yoshisaka's long and close connection with the International Labour Organisation, and intimate knowledge of its working, will make him a particularly valuable member of the Committee, and all members of the Governing Body will undoubtedly welcome this opportunity of securing his continued collaboration.

Committee of Experts on Native Labour.—As the Governing Body was informed at its Seventy-fifth Session (April 1936), Mr. Goehr, former Secretary-General of the Belgian Ministry for the Colonies, who was a member of the Committee of Experts on Native Labour, died in April 1936. A seat thus became vacant on the Committee.

In agreement with the Belgian Government, it is suggested that the Governing Body should appoint Mr. Deladrier, Secretary-General of the National Committee of Kivu, and member of the Belgian Colonial Council, to fill this seat in the Committee of Experts on Native Labour.

Correspondence Committee on Social Insurance.—The term of office of several Belgian members of the Correspondence Committee on Social Insurance expires on 31 January 1937. It will be seen from the passage in the first Report of the Director dealing with the renewal of the appointment of members of Committees whose term of office has expired that the Director is suggesting that six of these experts should be reappointed.

As regards Dr. Gilbert, Honorary Inspector-General in the Belgian Ministry of Labour, who was a member of the Committee as an expert on medical questions connected with social insurance, the Belgian Government has suggested, after consulting Dr. Gilbert, that it might be desirable to appoint an official who has now charge of the medical labour questions, namely, Dr. Langelez, as a member of the Committee. It is accordingly suggested that the Governing Body should appoint Dr. Langelez as a member of the Correspondence Committee on Social Insurance in place of Dr. Gilbert for a period of three years.

Permanent Agricultural Committee.—A careful examination of the composition of the Permanent Agricultural Committee, as approved by the Governing Body at its last session, shows that this Committee is still not so fully representative of world agriculture as is desirable. The Committee, as at present composed, does not include an agricultural expert from one of the biggest agricultural countries in the world, namely China. The Director feels sure that the Governing Body will agree that this omission should be remedied. He therefore suggests that the membership of the fourth sub-group of the group of regular members of the Committee (composed of persons competent on social agricultural questions and belonging, in principle, to nationalities other than those represented in the sub-groups of agricultural employers and workers) should be raised from 14 to 15. It is proposed, in agreement with the Chinese Government, to allocate the new seat to Professor
Tsou Ping-Wen, Dean of the College of Agriculture of the former South-Eastern University, Nanking, and Assistant Manager of the Agricultural Foundation Bureau newly established by the Chinese Government.

The Governing Body decided that a seat should be reserved for an expert in social questions in Rumanian agriculture. After having consulted the Rumanian Government, the Director proposes that the Governing Body should appoint Mr. P. Alexandrescu-Roman, Secretary-General of the Ministry of Labour, as a member of the Permanent Agricultural Committee.

The Governing Body is aware that Mr. Jules Gautier died a few days after his appointment as a regular member of the Permanent Agricultural Committee. The Director suggests that the seat thus left vacant should be allotted to Mr. Henri Queuille, former French Minister of Agriculture and Public Health, and President of the National Federation of Agricultural Mutual and Co-operative Societies and of the Comité national d'Entente et d'Action agricoles.

The Director suggests the name of Mr. Queuille after consultation with the French authorities and agricultural organisation interested.

Re-appointment of members of Committees.

It is suggested that the Governing Body should reappoint the following expert, whose term of office has come to an end:

Correspondence Committee on Social Insurance.

<table>
<thead>
<tr>
<th>Date of appointment</th>
<th>Date of expiry of term of office</th>
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<td>31.1.31</td>
<td>31.1.37</td>
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This suggestion is made in agreement with the Finnish Government.

Preparatory Technical Tripartite Meeting on Coal Mines.

At its Seventy-seventh Session the Governing Body considered the series of resolutions adopted by the International Labour Conference in June 1936 concerning the holding of preparatory technical tripartite conferences on the reduction of hours of work in various industries: buildings and civil engineering, iron and steel, and coal mines.

Several members of the Governing Body urged in particular that the meeting on the coal mining industry should be held as soon as possible. The Governing Body reserved its decision until the present session, on the understanding that in the meantime the Director would get in touch with the Governments and the parties concerned. Accordingly, the Director consulted the Governments of some of the principal coal-producing countries unofficially. It is, in addition, probable that the representatives on the Governing Body of several important coal-producing countries will be able, in the course of the discussion, to supply direct information concerning the attitude of their respective Governments on this question.

In the meantime, the Executive Committee of the Miners' International Federation, meeting at Brussels on 14 and 15 January 1937, discussed the present position of the question of the reduction of hours of work in coal mines, and adopted the following resolution which Mr. E. Edwards, Secretary of the Federation, communicated to the Director of the International Labour Office on 27 January 1937:

The Committee examined the present situation with regard to a reduction of working hours in coal mines. It congratulates the French miners on their success in obtaining a shorter working week of 38 hours, 40 minutes, and hopes that the miners of Belgium and Poland, where negotiations for a reduction of working hours are now proceeding, will be successful in their efforts.

The Committee notes with satisfaction that a shorter working week is being worked, or under consideration, in the following coal-producing countries: France, the United States of America, the Union of Soviet Socialist Republics, Belgium and Poland.

The application of the shorter working week in a limited number only of coal-producing countries prompts the Executive Committee of the Miners' International Federation to recall the fact that, according to the terms of the Peace Treaty, "the failure of any nation to adopt humane conditions of labour is an obstacle in the way of other nations which desire to improve the conditions of their own country."

This provision of the Peace Treaty shows that the reason for the foundation of the International Labour Organisation was to protect workers in countries with advanced social legislation against unfair competition of backward countries.

The Executive Committee of the Miners' International Federation considers that the present situation in the mining industry fully justifies an urgent appeal to the International Labour Office to prevent the undermining of the recent achievements in the field of reduced hours of work.
At all events, the Miners' International Federation is firmly determined to protect, with all the means at its disposal, the improvements obtained by miners in countries where the working hours have been, or in the near future will be, reduced.

The Miners' International Federation prefers to use the international machinery available in order to obtain its objectives, and again appeals most urgently to the International Labour Organisation, which has not succeeded yet, after six years of discussion and consideration, in arriving at any definite results in the question of an international regulation of hours in the mining industry.

The Executive Committee requests the Governing Body of the International Labour Office to convene the tripartite conference on hours in mines at the earliest possible moment, in order to arrive at an international labour Convention, if need be by the calling of a special Session of the International Labour Conference.

The Executive Committee of the Miners' International Federation at the same time instructs all affiliated organisations to commence immediately a campaign in favour of the reduction of hours of work, for which the present moment is exceedingly opportune.

The Miners' International Federation places on record that it would gladly see the proposed tripartite conference attended by coal-producing countries at present not affiliated to the International Labour Organisation.

At the same time, it pledges its full support to Governments desirous of protecting the coal industries of their own country against unfair competition from such coal-producing countries as might try to evade or obstruct such international agreement.

The Executive Committee of the Federation will take all suitable steps to enlist support of all coal-consuming countries against those coal-producing countries which might refuse to subscribe to an equitable international agreement on hours in coal mines.

It will also be remembered that the Governing Body had before it at its last session a series of resolutions adopted by the International Congress of Christian Miners (Brussels, 5-6 September 1936) (see Director's Report to that session, G.B. 77/11/126, p. 40), which included a resolution on hours of work and holidays with pay containing the following passage:

"It (the Congress) urgently appeals to the International Labour Organisation not to delay in convening the tripartite conference which was decided upon by the International Labour Conference, and hopes that the discussions of such a Conference will render applicable in all countries a reform which is becoming increasingly urgent both from the social and the economic point of view."

It is for the Governing Body to judge whether a meeting of this kind in the near future is likely to lead to practical results, and accordingly, whether it is desirable to decide at once that it is to be held.

Relations and Various Activities.

Questions concerning the International Labour Organisation discussed by the Council of the League of Nations at its session of January 1937.

Raw Materials.

When the decisions on economic and financial questions adopted by the Assembly of the League of Nations were communicated to the Governing Body at its Seventy-seventh Session (November 1936), it was stated that the Office would carefully follow the development of the general economic situation and would report to the Governing Body, at a subsequent session, on any developments which might concern the International Labour Organisation. It is accordingly thought desirable to inform the Governing Body of the decisions taken by the Council of the League of Nations at its recent session on the question of raw materials.

The Polish representative on the Council of the League, in his report on this question, drew attention to the resolution submitted by the delegation of the United Kingdom and adopted by the 1936 Assembly. He pointed out that the problem of the supply of raw materials, mixed up and confused as it had been in turn with colonial questions, migration questions, trade and monetary problems and considerations of defence and national prestige, had given rise and still gave rise to keen controversy. In conclusion, he suggested that it was of importance that an impartial and qualified body should be able to proceed without delay to carry out in the economic field the enquiry which was requested by the last Assembly, and that it was desirable that the Council should proceed immediately to the appointment of the Committee referred to in the resolution mentioned above.

In submitting his proposals concerning the composition of this Committee, the Reporter

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1 League Document C 66, 1937, II B.
2 This resolution stated that "the time has now arrived when discussion of and enquiry into the question of equal commercial access for all nations to certain raw materials might usefully be undertaken " and requested the Council "when it thinks fit, to appoint a Committee composed in suitable proportions of members of the Economic and Financial Committees of the League of Nations, together with other qualified persons, irrespective of nationality, to undertake the study of this question and report thereon."
3 List of members of the Committee for the Study of Raw Materials.

Members of the Economic Committee: Sir F. W. Leith-Ross (British); M. Y. Shudo (Japanese); M. W. Stucki (Swiss); M. B. Rosenblum (U.S.S.R.); Mr. H. F. Grady (U.S.A.). Members of the Financial Committee: Sir H. Strakosch (South African); Dr. V. Pospíšil (Czechoslovak). Other qualified persons: M. Max Léo-Gérard, former Finance Minister (Belgian); Dr. João Carlos Muniz, Consul-General of Brazil at Geneva, Member of the Governing Body of the International Labour Office (Brazilian); Prof. Ch. Rist, Director of the Scientific Institute of Economic and Social Research (French); M. Gonzalo Robles, Expert on economic questions
said that he had endeavoured to take into account the Assembly's instructions and the necessity of including nationals of the principal countries which were differently situated in relation to the problem in question—producers or consumers, provided or unprovided with colonial territories supplying certain important raw materials, hampered or unhampered by special difficulties in the purchase of these materials abroad, etc. If the Committee was to do useful work it should not be too large. It should be regarded as a central body whose chief task would be to bring out the main features of the problem and discuss them thoroughly. Later it would no doubt have to study separately various individual aspects of the problem, and in that case it might be necessary to associate a larger number of persons with the Committee's work. The Reporter mentioned the possibility of appointing still other persons, e.g. an expert of Canadian, Italian or German nationality, and proposed that it should be left to the Secretary-General, in agreement with the Reporter on Economic Questions, to fix the date of the first session and to collect the necessary preparatory documentation for the Committee.

The representative of France, Mr. Yvon Delbos, pointed out that the International Labour Office had been very actively concerned with this question since its institution in 1919 at the Washington Conference, and proposed that the International Labour Organisation should be directly associated with the work of the Committee. The Reporter said that he was glad to be able to give his full support to the proposal of the French representative as regards the participation of representatives of the International Labour Organisation in the Committee's work.

The Council adopted the conclusions of the report as well as the proposal of the French representative, which the Reporter had accepted.

Calendar reform.

The Secretariat of the League of Nations submitted a document to the Council reproducing the resolution adopted at the last session of the International Labour Conference, that adopted at the Seventy-seventh Session of the Governing Body (November 1936) and the letter of the Office communicating these resolutions.

The Reporter, Mr. Litvinoff, gave an account of the position as regards calendar reform in his report. He pointed out that the Fourth General Conference on Communications and Transit in 1933 had carefully considered the question in the light of the numerous reports of the national committees of enquiry. The Conference had recognised that calendar reform would be desirable, but the great majority of the delegations nevertheless considered that the time was not favourable, taking into account the state of opinion, for proceeding with the modification of the Gregorian Calendar. The Reporter drew attention to the difficulties which still existed in this sphere, and in particular the absence of unanimity among the religious authorities on the question of stabilising movable feasts and the opposition to calendar reform manifested in various quarters. The arguments advanced for and against reform continued to be invoked.

In conclusion, the Reporter suggested that "in view of the interest displayed by the International Labour Conference in a reform of the calendar, the Council should recommend the Committee's resolution to the attention of the Advisory and Technical Committee for Communications and Transit."

Mr. Edwards, representative of Chile, submitted a Draft Convention to the Council and expressed the hope that a favourable decision could be taken before 1 January 1939. He proposed that the Secretary-General should be instructed to carry out an inquiry among Governments with a view to facilitating the meeting of a diplomatic conference to draft a Convention on calendar reform.

The Reporter proposed that the Draft Convention submitted by the delegate of Chile should be referred to the Advisory Committee for Communications and Transit and brought to the notice of Governments.

The Reporter's conclusions were adopted.

Collaboration with the Health Organisation of the League of Nations.

During the last few months, the Health Organisation of the League of Nations has been considering its programme of work for some years to come, and has decided to ask for the collaboration of the International Labour Organisation on various questions. The questions in connection with which collaboration is proposed are briefly indicated below.

1) Studies of urban and rural housing.

A resolution of the 1936 Assembly of the League of Nations states that the Health Organisation should develop its studies of urban and rural housing in collaboration with the Economic Committee, the Financial Committee, the Health Committee and the International Labour Office, with a view to submitting a general report to the next ordinary Assembly. The Council of the League of Nations, at its session of October 1936, instructed the Secretary-General to ask for the collaboration of the various bodies mentioned in the Assembly resolution.

(Mexican), Prof. J. van Gelderen, of the Colonial Ministry (Netherlands); M. Rose, Under-Secretary of State at the Ministry of Industry and Commerce, and Chairman of the Polish Interministerial Commission on Raw Materials (Polish); Lieutenant-Colonel Thomaz Fernandes (Portuguese); M. Ivar Högbom, Professor of Economic Geography at the Stockholm Higher Commercial Institute (Swedish).

1 League Document C 76, 1937, VIII.
(2) *International Rural Housing Exhibition, Paris 1937.*

The Health Organisation intends to illustrate the conclusions reached in its studies of rural housing by organising an International Rural Housing Exhibition in Paris in 1937, in connection with the International Exhibition of Arts and Technique in Modern Life.

The Bureau of the Health Committee, at its meeting of October 1936, decided that the International Labour Office should be asked to assist in the organisation of the International Rural Housing Exhibition.

(3) *Rural Hygiene Conference for the East.*

The Health Organisation of the League of Nations is organising a Rural Hygiene Conference for the East. The agenda includes the main problems connected with the improvement of conditions in the countryside: the provisions of medical care, rural reconstruction, prevention of malaria, and nutrition in the Far East.

The Council of the League of Nations, at its session of October 1936, authorised the Secretary-General to convene the Conference officially at Bandoeng on 3 August 1937, and the Secretary-General has invited the International Labour Office to be represented at the Conference.

(4) *Rural Hygiene Conference for American Countries.*

At its session of September 1936, the Assembly, following a proposal submitted by a number of delegations from American countries, adopted a resolution in favour of the holding of a Rural Hygiene Conference for American Countries. The resolution requested the Council of the League to examine with the assistance of the competent technical organisations and of the International Labour Office the possibility of giving effect to the proposal at a date which would allow of the Conference being adequately prepared.

The Bureau of the Health Committee, at its session of October 1936, approved the proposal and suggested that the preparation of the Conference should be in the hands of the Director of the Health Section, assisted by a committee of three or four members, one of whom might be appointed by the International Labour Office.

The suggestion of the Bureau of the Health Committee was approved by the Council of the League of Nations at its session of January 1937.

(5) *European Conference on Rural Life.*

The Bureau of the Health Committee, at its session of October 1936, recommended the Council to consider the expediency of convening a European Conference on Rural Life, and entrusting the preparatory work to the competent international organisations, including the Health Committee, the Economic and Financial Organisation, the International Labour Office, the Institute of Intellectual Co-operation and the International Institute of Agriculture.

The Council of the League approved the proposals of the Bureau of the Health Committee at its session of January 1937.

(6) *Other questions concerning which the Health Organisation proposes collaboration with the International Labour Office.*

The Bureau of the Health Committee, at its session of October 1936, stated that the Health Organisation should continue or undertake studies on housing, physical fitness, the rational employment of leisure, nutrition, maternity and child welfare. The Bureau of the Health Committee stated in its report that co-operation with the International Labour Office was essential in these matters. It recommended to the Council of the League of Nations that this co-operation should be secured, and entrusted the Director with the study of how best to give effect to this co-operation.

In his report on the work of the Bureau of the Health Committee dated 4 January 1937, the representative of New Zealand said that “it would seem that the Council cannot but regard with favour the close co-operation of our technical organisations with the International Labour Office.”

The conclusions of the report were approved by the Council of the League of Nations at its session of January 1937.

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The Governing Body will undoubtedly agree that collaboration with the Health Organisation of the League of Nations in the spheres mentioned above, all of which, to a greater or lesser extent, concern the International Labour Office, is highly desirable.

It is suggested that the Governing Body should instruct the Director to settle the method of collaboration in agreement with the Secretary-General of the League of Nations and the Director of the Health Section. When the conversations which it is proposed to undertake have been completed, the conclusions reached will be submitted to the Governing Body.
Resolution concerning wage-fixing machinery, adopted by the Nineteenth (1935) Session of the Conference.

The Nineteenth (1935) Session of the Conference adopted a resolution requesting the Governing Body to consider the desirability of instructing the Office to correspond with the States Members and request them to constitute immediately wage-fixing machinery in their respective countries (where it does not exist already) in pursuance of the Minimum Wage-Fixing Machinery Convention, 1928 (No. 26).

At its Seventy-third Session (October 1935) the Governing Body considered this resolution and instructed the Office to communicate it to States Members and to report to the Governing Body on the results of the action taken.

The Office accordingly sent a letter, on 19 December 1935, to those States Members which had not at that date ratified Convention No. 26, drawing their attention to the resolution and to the desirability of ratifying the Convention.

The Convention had been ratified at that date by Australia, Bulgaria, Canada, Chile, China, Colombia, France, Germany, Great Britain, Hungary, Irish Free State, Italy, Mexico, Nicaragua, Norway, South Africa, Spain and Uruguay. It has since been ratified by Cuba (26 February 1936) and the Netherlands (10 November 1936).

The replies received from Governments can be summarised as follows.

Afghanistan.

No steps have been taken in Afghanistan prejudicial to the interests of the working classes and in consequence their wages and well-being have been in no way affected. The question of the ratification of the Convention is under the consideration of the Afghan Government.

United States of America.

It has not yet been possible to consider action on any Conventions or Recommendations adopted before the United States became a Member of the Organisation. The question is, however, receiving the consideration of the departments concerned.

Austria.

Austria already has special machinery for the fixing of compulsory minimum wages in the form of the central and local Home Works Boards set up under the Act to regulate conditions of employment and wages in home work. Moreover, the Federal Ministry for Social Welfare is at present revising the regulations governing conciliation and arbitration procedure and has drafted a Bill providing that conditions of employment and wages in industry and mining, in handicrafts, trade and transport, banking, insurance and the liberal professions may be fixed by a binding arbitration award having the legal force of a collective agreement. If this Bill becomes law, it will be possible where necessary to fix conditions of employment and wages by a binding official award, not only in home work, but also in all the other branches of employment covered by the Convention. The condition for the application of the Convention—namely, that no arrangements exist for the effective regulation of wages—will therefore no longer be present in Austria when this Act comes into force and it would serve no useful purpose for Austria to ratify the Convention.

Belgium.

A Bill for the approval of the Convention was submitted by the Government to the Senate on 25 July 1934.

Bolivia.

The country is suffering from a shortage of labour and wages are higher than in most neighbouring countries. The Government has taken the necessary steps to control the prices of articles of prime necessity.

Brazil.

The principle of a sufficient minimum wage is laid down in the Constitution promulgated on 16 July 1934.

An Act of 14 January 1936 also lays down the same principle and provides for the creation of minimum wage committees on which employers' and workers' organisations are to receive equal representation. Draft regulation for the application of the Act have been prepared by a Committee appointed by the Minister of Labour, Industry and Commerce and will be submitted in due course to the President of the Republic for his approval.

Ecuador.

The Government is examining the Conventions adopted by the Conference at its various sessions, taking into account the national interest and the possibility of bringing existing legislation into harmony with the Conventions.
Guatemala.

The Government has taken note of the Office's communication.

India.

The Royal Commission on Labour in India recommended in 1931 in its report that steps should be taken towards the setting-up of minimum wage-fixing machinery in the Assam plantations, if practicable, and that a survey of conditions in other selected industries should be undertaken with a view to ascertaining the need and the practicability of instituting such machinery. The Commission's recommendations were forwarded to the local Governments for such action as they might consider necessary.

The Office's letter has also been forwarded to local Governments and Administration. Part IV of the Fourth Report, showing the action taken by the Central and Provincial Governments on the recommendations made by the Royal Commission, shows how far the consideration of the recommendations of the Labour Commission on the subject has progressed.

Luxemburg.

A Grand-Ducal Decree of 23 January 1936 set up a National Labour Council, and a Ministerial Decree of 13 February 1936 laid down the procedure to be followed before this Council.

The work of the Council was directed during the first three months of its existence to readjusting wages in the chief industrial undertakings, which employ more than half the industrial workers in the country; it succeeded in raising wages to an appreciable extent, particularly the lower wages, in the undertakings concerned.

New Zealand.

The Industrial Conciliation and Arbitration Act, 1925, provides machinery which may be regarded as equivalent to the requirements of the Convention. In these circumstances it may be said that legislative measures are already giving effect to the terms of the resolution.

Portugal.

The Government cannot give effect to the resolution because the fixing of wages in the Portuguese corporative system has to be regulated by collective agreement, apart from exceptional cases in which wages may be fixed by the State.

Siam.

Conditions in Siam differ in many ways from those existing elsewhere. Consequently the Government does not feel that in Siam action in the sense proposed is appropriate at the present time.

U.S.S.R.

The question as presented does not arise in the U.S.S.R., where the situation from the point of view of general economic tendencies as well as from the point of view of wages is the reverse of that contemplated by the resolution.
FOURTEENTH ITEM ON THE AGENDA.

DATE AND PLACE OF THE NEXT SESSION.

It is usual for the second session which the Governing Body holds during the year to take place in April. In 1937, however, it will be impossible to follow this practice owing to the Technical Tripartite Conference on the textile industry, which the Governing Body has decided to convene at Washington on 2 April. The Conference may be expected to continue in session until 17 April, so that the Governing Body will not be able to meet until the beginning of May.

In the circumstances, the Office proposes that the Governing Body should decide that its Seventy-ninth Session should open on Thursday, 6 May: the beginning part of the week between 3 and 8 May would be reserved for meetings of Committees.

The session will as usual be held in Geneva.
APPENDIX XV.

FIFTEENTH ITEM ON THE AGENDA.

REPORT OF THE OFFICE ON THE QUESTION OF COLLECTIVE AGREEMENTS.

The Governing Body decided at its Seventy-seventh Session (November 1936) to place the question of collective agreements on the agenda of its Seventy-eighth Session, and to instruct the Office to submit a report on the question as a basis for discussion.

In view of the complex nature of the question of collective agreements, the Office has not yet been able to complete this report. It will, however, be circulated to members of the Governing Body as soon as it is ready.
APPENDIX XVI.

SIXTEENTH ITEM ON THE AGENDA.

The Advisory Committee on Salaried Employees held its fourth session at the International Labour Office on 18 and 19 November 1936, under the chairmanship of Mr. Nilo A. Mannio.

The following persons were present:

Representatives of the Governing Body:
Mr. N. A. Mannio.
Mr. Ch. Schürch.

Members representing salaried employees:
Mr. M. L. Christophe, Mr. J. Hallsworth, Mr. F. Horand, Mr. R. Klein, Mr. J. A. Lundgren, Mr. J. Nauta, Mr. J. Portalier, Mr. H. Raabe, Mr. W. G. Spiekman, Mr. Bunji Suzuki, Mr. G. Tessier.

No employers' members sat on the Committee, as the employers' group of the Governing Body has not appointed its representatives.

The agenda fixed by the Governing Body was as follows:

1. Termination of contracts of employment of salaried employees and technicians (period of notice and indemnity on discharge).
3. Use of office machines and its effect on the conditions of employment of the staff.
4. Regulation of health conditions in shops and offices.

The members of the Committee undertook a discussion on each of these questions, in the course of which they endeavoured to arrive at the rules which might be recommended on the basis of existing legislation and practice in the various countries. The recommendations which the Committee desired to submit to the Governing Body were adopted unanimously in the form of resolutions.

I. Period of notice and indemnity on discharge.

All the salaried employees' representatives laid stress on the importance which their organisations attach to a stricter regulation of the period of notice and indemnities on discharge.

They pointed out that a large number of countries have already included provisions in their legislation intended to protect the salaried employee against unjustified dismissal. They observed that, in order to meet the economic and social consequences involved by collective dismissals during the depression, certain countries have found it necessary to revise the regulations relating to the period of notice so as to give the worker much more far-reaching protection than in the past. In some cases, measures have been adopted which consist in making the employer's right to dismiss staff subordinate in certain cases to strict supervision and the previous authorisation of representatives of the public authorities.

The Committee discussed the principles which should be applied with regard to the observance of the period of notice, the form, length and starting point of the period of notice, exceptions to the period of notice, the conditions to which the right to an indemnity is subject, the calculation of indemnities and the settlement of disputes.

The view was expressed that the worker should be free to leave his employment, during the period of notice, as soon as he found a new post. With regard to the length of notice, all the salaried employees' representatives agreed that the period should be shorter when notice is given by the employee than when it is given by the employer. Attention was called to the need for protecting employees, especially those in subordinate positions, by fixing a longer period of notice for those who are discharged because the employer finds it necessary to reduce his staff, either on account of the depression or for some other reason. It was pointed out that it was inadmissable that employees who had worked for 20, 25 or 30 years or even longer with the same firm should be discharged at a week's notice, without indemnity, sometimes in order to be replaced by younger and consequently less highly paid employees. Attention was also drawn to the position of employees who are discharged because they have reached a certain age. With regard to indemnities on discharge, all the salaried employees' members agreed in considering that they should be
additional to a period of notice and should increase in proportion to length of service. It was, however, agreed that the resolution to be submitted to the Governing Body should confine itself to laying down the most important principles and should not attempt to deal with all the problems which may arise with regard to the period of notice and indemnities on dismissal.

Resolution.

"Whereas the practice of giving notice of the termination of a contract of employment at all times affords both employers and employees a very substantial safeguard against the effects of sudden breach;

Whereas this practice may do much, particularly in a period of economic depression, to assist in reducing unemployment by making individual and collective dismissals subject to a certain number of conditions;

The Advisory Committee on Salaried Employees, after considering the regulations in force in certain countries;

Expresses the wish that in countries where formal rules are not yet in existence they should be introduced by legislation or collective agreements, with a view to securing all desirable safeguards in regard to, among other things, the form of notice, the date from which it starts and the period of notice, exceptions, the conditions under which compensation is granted, and the protection of the right to notice in the event of the transfer, closing down or bankruptcy of the undertaking or in the event of death.

In order to facilitate the framing of these national regulations, the Committee requests the International Labour Office to collect all the material necessary and to keep it at the disposal of the persons concerned.

It also asks the Office to follow closely the developments of the question, with a view to determining, as soon as possible, what principles may serve as a basis for international regulations.

Such regulations should provide:

(a) a minimum period of notice of one month to be given by the employer, which should be increased in accordance with the importance of the work performed or the remuneration therefor;

(b) the notice to be given by the employee should always be less than that to be given by the employer;

(c) the notice should be in writing;

(d) if the employment is terminated by the employer, the employee should receive a leaving grant based on the importance of the work performed and on length of service."

II. Statistics of non-manual workers.

This study is one which had never previously been undertaken. It aroused, great interest on the part of all members of the Committee; at the same time they recognised the difficulties of international comparisons on this subject, in view of the fact that in most countries there is no legal definition of the term "salaried employee". It was pointed out in this connection that in Great Britain the term "worker" does not necessarily mean a manual worker (ouvrier in French), but applies to any person, whether a manual or a non-manual worker, who works for his living. A large number of persons employed in distributive undertakings, which employ two million persons, are wage earners and do not come under the definition of salaried employees. Wage earners receive their wages weekly and salaried employees monthly. A shop assistant is regarded as a non-manual worker, whereas a similar employee in a warehouse is regarded as a manual worker. In the United States, salaried employees may be regarded either as manual or as non-manual workers. The only distinction made in the statistics of this country is that of "white collar workers". This distinction is obviously quite arbitrary.

In these circumstances, it was not thought possible to adopt the suggestion which was put forward in the course of the discussion, namely, to improve the statistical tables prepared by the Office by giving the number of salaried employees and technicians in each industry and making a distinction between the various classes of workers.

The view was, however, expressed that it would be desirable to induce the various national administrations to standardise their statistical methods. For this purpose it would be desirable to indicate which are the best methods of classification. It would be necessary to investigate the bases on which the classification of salaried employees should be undertaken. The proper basis would appear to be not the method of payment nor the length of the period of notice, but rather the functions of the worker. A distinction should also be made between private employees and those in the public service, and the percentage of each in the various countries should be ascertained.

It was also suggested that, in addition to trying to bring about the necessary reforms in the collection of national statistics, the Office should periodically publish tables brought up to date by means of the population censuses which are generally carried out every ten years.
These various proposals formed the subject of a discussion which concluded by the adoption of the following resolution:

Resolution.

"The Advisory Committee on Salaried Employees has taken note with great interest of the statistical survey of non-manual workers made by the International Labour Office. As this is the first international comparative survey that has been published on this subject, it is of special importance to organisations of employees.

The Committee notes the general tendencies indicated by this survey to the effect that the proportion of non-manual workers to manual workers has increased considerably since before the War and forms in some modern industrial countries from 20 per cent. to 30 per cent. of the employed population, and also that the proportion is higher in more industrialised countries than in those industrially less advanced. The proportion of females amongst non-manual workers has also considerably risen since before the War, although in certain countries this tendency has been reversed in recent years.

The Committee regards these facts as confirmation of the growing importance of the category of non-manual workers and considers that they should be taken into account in all social and economic measures which may in any way affect them.

The Committee recommends that the International Labour Office should continue its studies of non-manual workers and should take steps to develop the statistics in collaboration with interested organisations and the national statistical authorities. It is in its view desirable that statistics should be compiled on uniform lines in different countries by the adoption of common definitions and schemes of classifications, particularly as regards sex, age, and occupational category, and that in future greater attention should be paid in social statistics of family budgets, cost of living, fluctuations in employment, and remuneration, to the particular problems of non-manual workers."

III. Use of office machines and its effect on the conditions of employment of the staff.

The Committee noted that the use of machines in offices is increasing in all countries where there are large modern undertakings. It was mentioned, by way of example, that in Japan the sale of calculating machines reached a sum of 3,790,000 yen in 1934.

All members of the Committee agreed that this change in methods of work gives rise to a number of problems which directly concern the staff. The increased mechanisation of office work simplifies the work of the employees. Thus, a calculating machine makes the work of the employee responsible for bookkeeping much easier. On the other hand, the use of such machines involves dangers as regards prospects of employment. Firms which use them reduce their staff. Moreover, the growth of mechanisation affects the position of the persons who have to use the machines. They cease to be employees, and yet they are not manual workers. They form a special class of employees who are often called "machinistes" in France. It is essential that their position should be clearly defined in their contract of engagement so that no dispute may arise subsequently, especially with regard to their participation in social insurance.

In certain countries, such as Czechoslovakia, it has been thought that certain public measures should be taken to offset the effects of increased mechanisation. In particular it is thought that authorisation should be required for the introduction of office machines and that the undertakings which use them should be required to pay a rationalisation tax, the product of which would be paid into a pension scheme.

As regards the physical and mental effects of the use of machines on the employee, it was pointed out that this depends partly on the measures taken to prevent noise, to ensure adequate lighting, etc. These questions arise not only in offices where machines are employed but in all offices and, from this point of view, there is a close relation between working conditions in offices of both kinds. There are, nevertheless, certain social phenomena which may be regarded as relating specifically to the use of machines and their effects on the conditions of work of the staff.

The Committee adopted the following resolution on this subject:

Resolution.

"The Advisory Committee on Salaried Employees, having taken note of the documentary material submitted to it by the International Labour Office, finds that the development of mechanisation in offices has involved very appreciable changes in the conditions of employment of office employees.

While considering that technical progress should be encouraged, the Committee is of opinion that steps should be taken to improve the standing of office employees and to protect them against some of the effects of mechanisation. To this end it suggests the following
measures in particular: selection of office employees with a view to employing them on work for which they are naturally fitted; study of the best methods of performing the work; introduction of variety into the duties of employees in charge of machines; application of motive power to the operation of most machines; elimination of noise and vibration; any measures which will tend to prevent overstrain, and above all, the reduction and better arrangement of hours of work.

The Committee considers that these measures should be applied by means of legal regulations or through the general extension of the system of collective agreements to office employees."

IV. Regulation of Health Conditions in Shops and Offices.

The members of the Committee noted that health conditions in shops and offices leave much to be desired. In certain countries, particularly Great Britain, important progress is, however, being made. In 1934 the previous position was changed by the introduction of an Act fixing the conditions to be observed as regards all shop assistants. In 1936 the whole of the legislation on public health applying to all England and Wales, except the London district, was codified and amended. The legislation relating to London was simply codified. It was, however, laid down that in future the term "workplace" should apply to any place in which persons are employed, except in the case of domestic servants, whose work is done at the place of residence of their employers. When the Act comes into force on 1 October, 1937, all workers in shops and offices will thus enjoy new and important safeguards. There will be no further doubt that offices come under the scope of the application of the Act and must fulfill all the conditions laid down as regards cleanliness, sanitary equipment, ventilation, lighting, etc.

The Committee concentrated its attention on one special aspect of the problem—namely, those cases where old buildings, formerly used as dwelling houses, are turned into offices. In such cases the necessary hygienic measures are not always taken. Moreover, where the local authorities are responsible for enforcing the legislation concerning shops and offices, they do not always have a sufficiently qualified and sufficiently independent inspection staff.

The Committee's attention was also drawn to the position of certain employees who do not work inside shops, but outside in stalls set up in the street with a view to attracting the attention of the public. This work, which is carried out regardless of the weather, has already been specially regulated in certain countries. Such regulations should, however, be adopted everywhere. Young persons should be prohibited from working outside the shop, and special protection should be afforded to women assistants both from the health and the moral point of view.

The discussion showed that as regards the application of health regulations it is necessary to secure in all countries an exact definition of the term "workplace". This question is, however, connected with factory inspection problems, and the Committee on Salaried Employees was not called upon to deal with it. It was also pointed out that the Correspondence Committee on Industrial Hygiene at its last meeting instructed one of its members to collect all possible suggestions and submit to it at its next meeting a final report on the health measures to be applied in offices.

The views of the Committee on all questions relating to health in shops and offices were set out in the following resolution:

 Resolution.

"Whereas in many shops and offices, including warehouses and the premises of forwarding agents, the conditions of work of the staff are still very unsatisfactory from the point of view of health, comfort and safety;

Whereas it would everywhere be of the greatest interest to take the necessary measures for protecting all employees, whether in private establishments or in public administration, in regard to these matters;

Whereas, further, such measures would contribute to better output and form an important factor in social progress;

The Advisory Committee on Salaried Employees thanks the International Labour Office for having drawn attention to the methods that should be used for bringing about the necessary improvements in existing working premises and for securing satisfactory working conditions in new buildings.

The Committee is further of opinion that all necessary measures should be proposed for protecting staff employed in stalls outside shops, and in kiosks and similar places of sale.

Pending the possibility of considering the adoption of international regulations, the Committee expresses the wish that the widest possible publicity should be given to the 'standards' of labour hygiene set out in the two reports submitted to the Committee at this its fourth (1936) session as soon as they have received the final approval of the competent bodies of the International Labour Office."
Finally, the Committee urges that all necessary steps should be taken in the various countries to ensure that the protective regulations are properly enforced and accordingly that the inspectorate staffs for this purpose are adequate in strength and quality.

With regard to the period of notice and indemnities on dismissal, the Office will consider later whether these questions are sufficiently ripe to be proposed to the Governing Body with a view to their being placed on the agenda of a session of the International Labour Conference. In the meantime, the Governing Body will no doubt agree that the Office should place the information which has already been compiled at the disposal of those interested, and that it should endeavour to keep this information up to date in accordance with the desire expressed by the Committee.

As regards a statistical study of the number of non-manual workers, the Governing Body will no doubt agree, as the Committee on Salaried Employees suggests, to instruct the Office to continue its researches in collaboration with the organisation concerned and the national statistical offices.

As regards the use of office machinery and its effects on the conditions of work of the staff, the Office requests the Governing Body to authorise it to lay this question before the Advisory Committee on Management. The studies of this subject which have been begun will be continued, so that the fullest possible information may be submitted to the Advisory Committee on Management. The recommendations formulated by the Committee on Salaried Employees will be communicated to the Committee on Management at the same time.

As regards the regulation of health conditions in shops and offices, the widest possible publicity will be given to the "standards of labour hygiene", as is suggested in the resolution of the Committee on Salaried Employees. These standards, which apply to shops, were submitted to the Governing Body in October 1932 and published in the series of Studies and Reports.

The resolution of the Committee on Salaried Employees will be communicated to the Correspondence Committee on Industrial Hygiene so that it may be aware of the measures which the Committee on Salaried Employees considers necessary to ensure that office employees enjoy satisfactory conditions of health, comfort and safety, and so that account may be taken of them, if necessary, in the draft standards of hygiene in offices which are at present under consideration.
APPENDIX XVII.

SEVENTEENTH ITEM ON THE AGENDA.

RECORD OF THE MEETING OF EXPERTS ON SOCIAL INSURANCE.

Evaluation of Permanent incapacity under workmen's compensation, accident insurance and invalidity insurance schemes.

Introduction.

The problems arising out of the assessment of what is known as "permanent" incapacity in connection with the allocation of insurance benefits or workmen's compensation for industrial accidents, as well as with invalidity insurance, are both numerous and difficult. In recent years the International Labour Office has received a great many requests for information on this subject from national insurance administrations or institutions. These questions related more particularly to the definition of incapacity, the methods of assessment, scales of incapacity, and the function of doctors and that of insured persons and employers in the bodies responsible for assessing incapacity, etc.

The large number of requests for information or advice which were received showed that it was necessary to organise an exchange of national experience. The Office therefore decided to undertake, with the collaboration of certain members of its Committee of Experts on Social Insurance, a study of the principal problems relating to the assessment of what is known as "permanent" incapacity in social insurance.

In the first place, the Office undertook a consultation of experts by correspondence on the basis of a preliminary report and a questionnaire which were sent to the experts consulted in July 1934.

The preliminary report, which was prepared solely with a view to defining the meaning of the questions asked, confined itself to drawing attention to the principal problems which arise in the assessment of permanent incapacity and the solutions provided by national legislation.

The questionnaire, which was prepared in accordance with the same scheme as the preliminary report, contained the various questions to which the International Labour Office desired to obtain a reply.

Between October 1934 and August 1935 the Office received a large number of full and interesting replies from the experts whom it had consulted. It accordingly decided, with the approval of the Governing Body, to continue the study of the question and to call a meeting of experts at Geneva.

The meeting took place on 16, 17, 18, and 20 November, 1936. The subject with which it had to deal was as follows:

"Establishment of guiding principles for the assessment of permanent incapacity in workmen's compensation and invalidity insurance."

In order to facilitate the work of the experts, the Office had prepared a scheme for discussion based partly on the solutions laid down in national legislation and partly on the opinions expressed by the experts in the consultation by correspondence.

In the case of certain problems, the Office was able to deduce from existing legislation and the opinions of the experts certain conclusions on which the Meeting of Experts was asked to state its opinion.

In the case of other problems, the Office found it necessary, in view of the divergency of national legislation and of the opinions expressed, to confine itself to studying the various possible solutions and indicating their advantages and disadvantages.

The Meeting of Experts was asked to examine the scheme of discussion and, if possible, to formulate conclusions.

The scheme was not intended to deal with all the problems arising out of the assessment of incapacity, but merely the most important of those problems. Thus, it did not deal with the evaluation of incapacity in the case of persons suffering from more than one injury or the influence of the state of the labour market on the conception of loss of earning capacity. These are extremely important and complex problems, each of which would require special study. Similarly, no account was taken of the special questions arising out of the assessment of incapacity resulting from occupational diseases. As regards invalidity insurance, the scheme dealt solely with the assessment of incapacity of compulsorily insured persons, and not with that of voluntarily insured persons and widows.
On 16, 17 and 18 November 1936, the experts formulated their observations and suggestions on the various chapters of the scheme of discussion.

On 19 November a Drafting Committee was set up to revise the text submitted by the Office in view of the observations and suggestions put forward on the three preceding days.

On 20 November the Meeting of Experts discussed and adopted the text submitted by the Drafting Committee.

The following sections of the present report include:

I. A list of the members of the Governing Body and the experts who took part in the work;
II. The text of the conclusion adopted by the Meeting of Experts;
III. A brief summary of the discussions which took place both in the plenary meetings and the Drafting Committee.

If the Governing Body authorises it to do so, the Office proposes to communicate the text of the conclusions to the national administrations concerned, on the understanding that the conclusions are communicated for information, and that the Governing Body does not accept responsibility for them.

The Office also proposes to publish in 1937, in the series of Studies and Reports, a technical study on the evaluation of permanent incapacity in social insurance¹, and to include as an appendix the text of the conclusions adopted by the Meeting of Experts.

ANNEX A.

List of persons attending the meeting of experts.

(1) Representatives of the Governing Body on the Correspondence Committee on Social Insurance:

Government member:

Mr. Niilo A. Mannio, Secretary-General to the Ministry of Social Affairs, Helsinki (Finland).

Employers' member:

Mr. H. C. Oersted, Vice-Chairman of the Governing Body of the International Labour Office, Director, Bureau of Employers' Federations of the Northern Countries (Denmark).

Workers' member:

Mr. Tom Moore, Member of the Employment and Social Insurance Commission (Canada).

(2) Members of the Correspondence Committee on Social Insurance:

Dr. A. Bohren, Director of the Swiss National Accident Insurance Fund, Lucern (Switzerland).

Dr. Tadeusz Dyboski, Director of the Social Insurance Department in the Ministry of Social Assistance, Warsaw (Poland).

Mr. Mihail Enesco, Director-General of the Central Social Insurance Fund, Bucarest (Rumania).

Mr. Jan Gallas, Director, General Pension Institution for Employees, Prague (Czechoslovakia).

Mr. Povl Holck, Chairman of the Invalidity Insurance Court, Copenhagen (Denmark).

Mr. Arthur Jauniaux, Chairman of the Social Insurance Section in the National Welfare Council, Brussels (Belgium).

Dr. Armand Kayser, Government Counsellor, Chairman of the Central Committee of Sickness Insurance Funds, Luxemburg.

Dr. Robert Kerber, former Minister, Chief of Section in the Federal Ministry of Social Administration, Vienna (Austria).

Dr. Béla Kovrig, Director in the Central Institute of Social Insurance, Budapest (Hungary).

Mr. Lange, Director of the Autonomous Miners' Fund, Paris (France).

Mr. J. F. Malherbe, Workmen's Compensation Commissioner, Department of Labour and Social Welfare, Union Buildings, Pretoria (Union of South Africa).

Mr. Tsunezo Nagase, Engineer, Bureau of Social Affairs, Tokyo (Japan).

Mr. Clodoveu d'Oliveira, Chairman of the Actuarial Council, Ministry of Labour, Industry and Commerce, Rio de Janeiro (Brazil).

¹ The conclusions have not been printed here as they will be published as an appendix to "Studies and Documents". Series M. 14.
Dr. P. W. L. Penris, Medical Examining Officer, State Insurance Bank, Amsterdam (Netherlands).
Mr. Perez-Lavin, Director of the Industrial Accident Section, National Savings Fund, Santiago de Chile (Chile).

Certain other members of the Correspondence Committee on Social Insurance had also been invited to attend the meeting, namely,

Mr. Robert Reid Bannatyne, C.B., Assistant Secretary, Home Office, London (Great Britain),
Dr. Giulio Calamani, Director-General of the Fascist National Institute for industrial accident insurance, Rome (Italy),
Mr. A. G. Clow, C.I.E., I.C.S., Officiating Secretary to the Government of India, Department of Industries and Labour, Simla (India),
Mr. H. L. Lamond, LL.B., Registrar, Workers' Compensation Commission of New South Wales, Sydney (Australia),
Mr. Karl Levinson, Director-General of the Pensions Office, Stockholm (Sweden),
Mr. Verne A. Zimmer, Director, Division of Labor Standards, Department of Labor, Washington (United States of America).

These experts were unable to accept the invitation of the Office because their duties prevented them from leaving their countries at the time fixed for the meeting; in some cases there were to be meetings of Parliamentary Committees to which they had to submit draft legislation; in others there were meetings of the general assembly or managing board of a central insurance institution at which they had to take the Chair or which they had to attend.

The reasons given in most cases would appear to show that in future it would be better to send out the invitations for meetings of committees of experts at least six months in advance (especially in the case of experts from extra-European countries), and to hold meetings not earlier than the second half of July and not later than the second half of September.

2. Medical specialists on questions of the assessment of incapacity.

Dr. Fernand Decourt, Secretary-General of the International Medical Association, Paris.
Dr. René Piédelièvre, Professor to the Faculty of Medicine, Medical Expert to the Tribunal of the Seine, Paris.

Chairman.

The Committee unanimously elected Dr. Dyboski as its Chairman.
APPENDIX XVIII.

EIGHTEENTH ITEM ON THE AGENDA.

REPORT OF THE OFFICE ON THE ENLARGEMENT OF THE JOINT MARITIME COMMISSION.

Members of the Governing Body will remember that when the employers' and workers' groups at the Twenty-first Session of the Conference elected the shipowners' and seamen's members of the Joint Maritime Commission, they expressed a desire that the Commission should be enlarged, and nominated a larger number of regular and deputy members than were required to fill the seats at present provided for on the Commission.

When the Governing Body considered the matter at its Seventy-seventh Session, it approved the principle of enlarging the Joint Maritime Commission, but instructed the Office to submit to it at its Seventy-eighth Session a report on the manner in which the enlargement of the Commission could be carried out and the effects which it would produce.

In view of the very heavy agenda with which the Governing Body has to deal at the present session, it is suggested that it might be better to defer consideration of this question until the April Session. This course would present certain advantages, as many of the most important questions to be considered in relation to the proposal are financial ones, and the Governing Body will be considering the budget in April. There would be no objection to the postponement, as there is no intention of calling a meeting of the Joint Maritime Commission in the near future.

If the Governing Body agrees, the Office will accordingly submit a full report on the question of the enlargement of the Joint Maritime Commission at the Seventy-ninth Session.
The Governing Body, at its Seventy-seventh Session (November 1936) considered the effect to be given to a resolution adopted by the Conference at its Twentieth Session, on the proposal of Mr. Fulay, Indian workers' delegate, and Mr. Kono, Japanese workers' delegate, concerning the improvement of conditions of work in Asiatic countries. The resolution proposed the holding of an Advisory Tripartite Conference of Asiatic Countries, as had already been recommended by the Conference in 1931, and also suggested that a Committee of Asiatic Countries should be set up in connection with the International Labour Conference.

After a preliminary discussion, the members of the Governing Body who were particularly interested in the question held a discussion on the effect to be given to this resolution. The conclusions to which the discussion led were submitted to the Governing Body and approved by it. The Office was accordingly instructed to submit to the Governing Body at its Seventy-eighth Session a report on the organisation of an Advisory Tripartite Conference of Asiatic Countries. The report was to deal in particular with the agenda of the proposed Conference, the States to be invited, and the financial aspects of the problem.

It was agreed that before the Governing Body discussed the report it should form the subject of preliminary consideration by the Asiatic members of the Governing Body at the session. Below will be found indications and suggestions concerning the various points with which the report has to deal. A meeting of the members of the Governing Body concerned has been arranged for Friday 5 February. The conclusions reached by that meeting can therefore be considered by the Governing Body at the same time as the present report.

I. Agenda of the proposed Conference.

Various suggestions concerning the agenda of the proposed Conference were put forward during the discussion which took place at the Seventy-seventh Session. These suggestions have been carefully considered by the Office, which has also taken into account the programme drawn up in similar circumstances for the Santiago Conference, to which the resolution adopted by the Conference also referred.

It was thought in the first place that the principal object of the Conference should be to make a general survey of the position of the Asiatic countries as regards conditions of labour in relation to the work of the International Labour Organisation. It is true that the sessions of the International Labour Conference provide the countries of Asia with an opportunity of giving at any rate a partial account of the development of conditions of labour on their territory in relation to the Draft Conventions and Recommendations adopted by the Conference. A thorough examination of the situation could, however, only be undertaken at a regional Conference. A discussion of this kind, in which the Government, employers' and workers' representatives of all the countries concerned could take part, would be of the greatest value, both for the development of the collaboration of the Asiatic countries in the work of the Organisation, and for the improvement of conditions of labour in those countries.

In the second place it was thought that the Conference should be given an opportunity of dealing with certain problems which are of special interest to the Asiatic countries. The problems of this kind which are attracting most attention at the present time are undoubtedly those which refer to the social consequences of the industrial development and the demographic situation of Asia. In recent years there has been, especially in the principal Asiatic countries, a rapid process of industrialisation comparable to that which took place in the countries of Europe in the nineteenth century. This development has been accompanied by important migratory movements, and these also have had social effects which might be discussed at the proposed Conference.

There is also a third question mentioned in the resolution of the International Labour Conference and, as a result of the preliminary discussion held by the members of the Governing Body mainly concerned, the Governing Body contemplated the possibility of placing this question also on the agenda of the proposed Conference. This question is that of the creation of a Permanent Committee of Asiatic Countries.
The problems mentioned above would, it is thought, constitute a full programme for the proposed Conference and would be likely to lead to very valuable conclusions.

If the members of the Governing Body principally concerned and the Governing Body as a whole agree with these suggestions, which are based both on the discussions which have already taken place and the resolutions adopted by the International Labour Conference, as well as the experience acquired at the Santiago Conference, the agenda of the proposed Asiatic Conference might be as follows:

1. General survey of the participation of Asiatic countries in the work of the International Labour Organisation.
2. Social consequences of industrial development and of demographic conditions in Asia, with special reference to migration problems.
3. Establishment of a Permanent Asiatic Committee.

II. Composition of the Conference.

At the preliminary discussion which took place at the Seventy-seventh Session, the members of the Governing Body came to the conclusion that, in addition to the Asiatic States Members of the Organisation, the holding of the proposed Conference was also of interest to those countries to which territories situated in Asia (colonies, protectorates or dependencies) are attached.

It would therefore appear that an opportunity of taking part in the Asiatic Conference should be given not only to the Asiatic States Members of the Organisation (Afghanistan, China, India, Iran, Iraq, Japan and Siam), but also those States which have colonies, protectorates or dependencies in Asia. The three questions suggested for the agenda are clearly of interest to both these classes of countries. This applies in particular to the question of demographic conditions in relation to migration, on account of the exchanges of labour which take place between Asiatic States Members and territories belonging to other States Members.

It is accordingly thought that the invitation to take part in the work of the Asiatic Conference should be sent both to the States Members specified above, and to the following countries to which are attached colonies, protectorates or dependencies in Asia: France, Great Britain, Netherlands, Portugal, and the United States of America.

The participating States might be invited to be represented by three delegates representing respectively the Governments, employers and workers. The delegates might be accompanied by advisers.

III. Financial Questions.

After the experience of the Santiago Conference, it is comparatively easy to form a fairly clear idea of the expenditure of holding an Asiatic Conference. In this connection three series of problems must be considered:

A. Expenses relating to the participation of the States invited to the Conference.
B. General expenses of organisation (premises, equipment, staff, possible representation of the Governing Body).
C. Methods to be contemplated for meeting the general expenses.

A. Participation of the States invited to the Conference.

With regard to the expenditure involved by the participation of national delegations at the Conference, there would not seem to be any reason for considering any other method than that always followed both for the International Labour Conference and for the Tripartite Conferences organised by the Office. The expenses of the national delegations would thus be borne by their respective Governments.

B. General Expenses.

The general expenses would vary very considerably according to the place where the proposed Conference was held.

Attached will be found two estimates corresponding respectively to the possibility of the Conference meeting in Japan and the possibility of the Conference meeting in India.

These estimates were established on the assumption that the actual length of the Conference would be two weeks; that the Governing Body would be represented by two members from each group; and that the Secretariat would be constituted in the same way as that of the Santiago Conference. There is reason to suppose that if the Governing Body adopts the above suggestions as regards the list of States to be invited, the attendance at the Conference will be much the same as at the Santiago Conference, and that accordingly the size of the Secretariat would be the same.
C. Method of meeting the general expenses.

The estimates attached to the present report show that the organisation of the proposed Conference will involve somewhat high expenditure, even if the experience acquired at the Santiago Conference enables the Office to keep it down to a strict minimum.

It will be remembered that the holding of the Santiago Conference, which was the first regional conference organised under the auspices of the International Labour Office, was made possible by the generous action of the Chilean Government in undertaking to pay the greater part of the expenses of the Conference. The budget of the Office would not have allowed it to meet the whole expense of the Conference itself. The situation is generally similar as regards the proposed Asiatic Conference. It would moreover be difficult to increase the budget estimates of the Organisation, even for a single year, by making provision in them for the whole cost of a conference of this kind.

It does not appear possible at the present stage to deal in any detail with the methods by which the cost of organising an Asiatic Conference could be met. In theory the necessary funds could be derived from three sources:

1. The budget of the International Labour Organisation;
2. An act of generosity similar to that of the Chilean Government;
3. Contributions from the States taking part.

These three elements, or some of them, might be combined in a proportion which cannot be determined in advance. It is, however, thought that the method which would consist in dividing the whole or part of the expenses of organising the Conference between the participating States deserves to be studied with a view to practical application. The expenses might be distributed in proportion to the contributions of the States concerned to the budget of the Organisation, though there might be certain adjustments in the case of those States which were taking part in the Conference solely in respect of their colonies, protectorates or dependencies in Asia.

* * *

The above are the general lines on which the organisation of a Labour Conference of Asiatic States might be contemplated.

It will be first for the members of the Governing Body principally concerned, and then for the Governing Body itself, to consider the present report. If the Governing Body is in general agreement with the suggestions made, the report could be communicated, with any modifications or additions necessary as a result of the discussion, to the Governments concerned. These Governments would then, as was contemplated at the Seventy-seventh Session, be invited to give instructions to their delegates to the Twenty-third Session of the Conference with a view to a discussion of the scheme for an Asiatic Conference at an unofficial meeting of those delegates to be held during the session. It might be desirable, in order to supply the Governments with all the necessary information, to attach to the report a copy of the Note submitted to the Governing Body at its Seventy-seventh Session concerning the effect to be given to the resolution adopted by the Conference at its Twentieth Session concerning the improvement of conditions of labour in Asiatic countries.

ANNEX A.

ESTIMATES OF THE COST OF ORGANISING A CONFERENCE OF ASIATIC COUNTRIES.

Below will be found two estimates of the cost of organising an Advisory Tripartite Conference of Asiatic Countries. The estimates have been prepared, by way of example, on the assumption of the place selected for the Conference being either Tokyo or Bombay. In the case of Tokyo, there are two possible routes for the representatives of the Governing Body and the staff of the Conference—by land (Trans-Siberian Railway) or by sea. As the total cost is nearly the same whichever route is followed, only one set of figures has been given for a Conference at Tokyo.

These estimates must of course be regarded as approximate and strictly provisional.

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APPENDIX XX.

TWENTIETH ITEM ON THE AGENDA.

EXAMINATION OF THE QUALIFICATIONS OF THE EMPLOYERS' REPRESENTATIVES AT THE CONFERENCE.

(Interpretation of Paragraph 1 of Article 3 of the Constitution of the Organisation.)

The International Labour Conference is an assembly of a character which has no precedent in international law. It is composed of four representatives from each State Member of the International Labour Organisation, two of whom are Government delegates, whereas the other two represent the employers and workers respectively. The novelty of this composition necessarily gives rise to certain problems of a practical nature. Indeed, the qualifications of the delegates appointed to represent the workers of their countries have already given rise to frequent protests during the different sessions of the Conference. Similar protests against the appointment of delegates representing the employers have also been made, but much less frequently.

In this connection a particular case arose during the Twenty-first Session of the International Labour Conference. That session dealt entirely with maritime questions, and the Union of Soviet Socialist Republics, in its capacity as a Member of the Organisation, was represented by a Government delegate, an employers' delegate and a workers' delegate. Without making any formal protest against the appointment of Mr. Kaouline, the employers' delegate from the Union of Soviet Socialist Republics, the employers' group at the Conference raised the question whether that appointment had been made in accordance with the principles of the Constitution of the International Labour Organisation. When this question came before the Officers of the Conference they decided to refer it to the Governing Body of the International Labour Office.1

On 14 November 1936 the Governing Body placed the question on the agenda of its Seventy-eighth Session and instructed the Office to prepare a report on the constitutional aspects of the problem. The object of this note is to give effect to that decision.

* * *

Article 3 of the Constitution of the International Labour Organisation provides for the special composition of the Conference. Paragraph 1 of this article lays down that the Conference "shall be composed of four Representatives of each of the Members, of whom two shall be Government Delegates and the other two shall be Delegates representing respectively the employers and the workpeople of each of the Members".

It should also be noted that paragraph 3 of Article 3 of the Constitution lays down that the non-Government delegates must be nominated "in agreement with the industrial organisations, if such organisations exist, which are most representative of employers or workpeople, as the case may be, in their respective countries"; but this last provision does not appear to be relevant in regard to the particular case to which this note refers. It is not suggested that there should have been a preliminary consultation of the industrial organisations before the employers' delegate of the Union of Soviet Socialist Republics was nominated. Such consultation is only required by Article 3 of the Constitution in cases where such organisations exist. But the constitutional structure of the Union of Soviet Socialist Republics does not, as far as the Office is aware, include industrial organisations of employers.

Consequently, the only provision which governs the question is paragraph 1 of Article 3. That provision merely requires, as has already been pointed out, that one of the delegates shall represent the employers and that he is thereby distinct from the other delegates who represent either the Government or the workers. How the distinction between the three classes of delegates is to be made is a practical question in regard to which the Constitution itself has laid down no definite rule.

In the letter in which the employers' group called the attention of the President of the Twenty-first Session of the Conference to the question, various arguments were put forward by which the authors appeared to call in question the qualifications of the representative of the employers of the Union of Soviet Socialist Republics. They pointed out that the other delegates representing the employers had the function "of managing commercial enterprises".

1 The correspondence on this subject was given in an appendix to the Fourth Supplementary Report of the Director to the Seventy-seventh Session of the Governing Body. (Cf. Appendices to the minutes of the Seventy-Seventh Session, pp. 204-205.)
“under an individualist system”. The employers’ delegate from the Union of Soviet Socialist Republics, however, appeared to them to have been appointed under quite different conditions, which should really have qualified him as a Government delegate. “Should it be the case,” they argued, “that Mr. Kaouline’s functions are in fact those of a Government official, it will be apparent that the whole balance of voting in the Conference is upset. Nominations of this character would vitiate the tripartite nature of the Conference and would give an undue preponderance of votes to certain Governments.”

The question at issue is thus to define what constitutes the qualification of “employer” referred to in paragraph 1 of Article 3 of the Constitution of the Organisation, with a view to making a distinction between the elements of the tripartite representation provided for by that provision.

As was pointed out at the beginning of this note, the participation of non-Government elements in the Conference is a characteristic feature of the working of the International Labour Organisation. The object of the Organisation is the international protection of the workers through the improvement of conditions of work. It is therefore normal that the workers should be represented. Conditions of work, however, do not only affect workers. In a general way and under another form they concern the employers, and it is for that reason that the Constitution has provided for an identical representation of the employers and of the workers.

The balance between the employers’ and workers’ elements was considered essential by the Constitution of the Organisation itself, which lays down in Article 4 that if a Member has not nominated one of the non-Government delegates whom it is entitled to nominate, the other is not entitled to vote.

Although it may have appeared normal to consider the interests of the workers and of the employers as opposed the one to the other at the time when the International Labour Organisation was set up, it by no means follows that such opposition is a rule laid down by the Constitution. Such opposition was perhaps general at the time of the establishment of the Organisation and has remained normal. But that surely does not mean that it has the force of a permanent rule and that it constitutes a basic principle. In any case the Office does not take that view. In its opinion the object of the separate representation of the employers and the workers and that of the Governments is not to express systematically opposite interests, but to co-ordinate points of view which are by reason of their very origin distinct.

The representation of employers and workers should not be considered as an expression of inevitable opposition between them but rather as a means of ensuring the necessary adaptation of their interests. This conception is in the opinion of the Office correct in all cases and particularly when the labour régime takes a socialist form or is otherwise brought under State control.

There is nothing in the basic principles of the Constitution of the International Labour Organisation which would seem to require that the employers for whose co-operation it provides should be considered as a “class”. The social function of the employer may be carried out by a collective body (notably by the State) just as well as by individuals. It can hardly be questioned that this function exists under a socialist as under a liberal system to the worker, from the very fact that he works, almost always has an employer; and that employer—whether a collectivity or an individual—has as such the right to participate in the working of the International Labour Organisation under the Constitution.

In the opinion of the Office there is only one condition which must be fulfilled in such a case: the competent authorities of the State must be sufficiently distinguishable to enable a distinction to be made between the Government and the State. Those two notions are in fact different, and if they are sometimes confused in common parlance, legal writers have long since drawn a clear distinction between them.

The terminology of the Constitution of the International Labour Organisation is consistent with this principle: while each Member (that is to say, each State) is represented at the Conference by four delegates, only two represent the “Government”. The two others represent the workers and the employers, and it is of no great importance for the application of the Constitution and its principles to make a distinction between the State and the employers or workers.

A distinction must be made between the Government and the State. In any political community the Government is the expression of the interest of the community and represents the whole of the community, whereas the State is made up of the different public services and, while including the Government as such, also includes other organs which vary considerably from country to country. It may be that in a socialist State, or a State of analogous tendency, the distinction between the Government and the State is of special importance, but in a lesser degree it is found in all modern systems of public law.

At the present day, for example, it is the State which, in very many countries, controls the railways, insurance institutions, navigation and numerous industries which need not be referred to here. These State undertakings employ countless workers whose employer is the State and in regard to whom the competence of the International Labour Organisation is unquestionable and in fact unquestioned.

To give a concrete example of the foregoing arguments, it could easily be imagined that an International Labour Conference had but one single question on its agenda, namely, the regulation of work on railways. It is obvious that in such a case the Members of the Organisation whose railways were directly exploited by the State could nominate as employers’ delegates the directors of the railway companies or any other persons in a similar position. It could not possibly be argued
that such employers' delegates would have the same qualifications as the Government delegates. They would be acting within the limits of their own competence, with a view to representing a definite interest of which the Constitution of the Organisation takes account, no matter what may be its status under national law.

The truth of the matter is that the notion of the State comprises—to an ever-increasing extent, it would appear—different elements. The State possesses competences of a complex character. It always expresses the general interest and it often expresses special interests. It is the Government as such which represents the general interest and it is the various services of the State which represent the different special interests for which the State is responsible. And when the workers are employed in the service of the State, it is an official of the State who can and must represent the employers, for in that case the notion of the State and the notion of the employer are one and the same.

* * *

The foregoing considerations are of an absolutely general character. But they are illustrated and confirmed by the circumstances of the special case which arose in regard to the appointment of the employers' delegate of the Union of Soviet Socialist Republics at the Twenty-first Session of the Conference.

It appears that under Soviet law the economic activities of the State comprise on the one hand the regulatory function, which is entrusted with drawing up the plan, and on the other hand, the executive function which is responsible for carrying it out. Whilst the former of these two functions is of Governmental character, the second would appear to be a form of machinery set up in the service of one of the State's functions, provided for special interests. It would therefore appear to correspond to the State services referred to above, which, it has been shown, are different from the function of Government as such. Without entering into a study of the terminology employed by Soviet law, it will be sufficient to point out that the principle of the State control of means of production governs in a general way the economic system of the Union of Soviet Socialist Republics. In particular it can be stated that maritime questions, of which the agenda of the Twenty-first Session of the Conference was composed, all fall within a sphere which is entirely State-controlled in the Union of Soviet Socialist Republics. Article 6 of the new Constitution of the Union of Soviet Socialist Republics lays down that "transport undertakings by water . . . are the property of the State; that is to say, the property of the people as a whole".

It was therefore normal and natural that the employers' delegate of the Union of Soviet Socialist Republics should be an official of the State. In fact, the person appointed was Mr. Alfred I. Kaouline, Chief of the Central Shipping Department of the People's Water Transport Commissariat of the Union of Soviet Socialist Republics. It is necessary to give some details as to the part which this body played, with a view to making Mr. Kaouline's position clear. The activities of the People's Water Transport Commissariat are governed by an Order of the Central Executive Committee and of the Council of the People's Commissars of the Union of Soviet Socialist Republics, dated 27 January 1932. Article 1 of that Order provides that "The People's Water Transport Commissariat . . . is responsible for the direction of river and maritime transport in the Union of Soviet Socialist Republics" and that it has under its direction "all navigable waterways in the Union of Soviet Socialist Republics, the ports and the mercantile fleet of the State of the Union of Soviet Socialist Republics, subject to any exceptions specially provided for in the laws."

The Central Department of Maritime Navigation, of which Mr. Kaouline is the head, was set up by a Decree of the Central Executive Committee and of the Council of People's Commissaries of the Union of Soviet Socialist Republics of 15 March 1934, concerning the reorganisation of the bodies which supervised water transport.

The rôle of the People's Water Transport Commissariat as employer is well illustrated by the fact that it was the Commissariat which concluded the collective agreements with the trade union organisations with a view to regulating conditions of work in water transport. As regards maritime transport, the latest collective agreement of which the Office is aware is the "General agreement between the People's Water Transport Commissariat of the Union of Soviet Socialist Republics and the Central Committee of the Industrial Trade Union of Water Transport Workers of the Union of Soviet Socialist Republics," concluded for the period from 1 June 1935 to 1 January 1937. This agreement was signed on the one hand by the People's Water Transport Commissar, Mr. Pachumov, and, on the other hand, by the President of the Central Committee of the Maritime Transport Workers' Union, Mr. I. Kamenet, who represented the workers of the Union of Soviet Socialist Republics at the Twenty-first Session of the International Labour Conference. It may be added that Appendix V of this collective agreement, which was entitled "Classification of the Work of Loading and Unloading in accordance with the Degree of Qualification", was signed by Mr. Kaouline himself, who, in the circumstances, was obviously exercising the duties which attach to the social function of the employer-State.

A review of the facts thus appears to confirm the conclusion that the attribution of the qualification of employers' delegate of the Union of Soviet Socialist Republics to Mr. Kaouline was a proper application of Article 3 of the Constitution of the International Labour Organisation.

* * *

The question at present before the Governing Body is even more important for the general consequences which it entails than it is for the particular consequences of the case at issue.
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In this connection, the character of the International Labour Organisation, which is referred to as "permanent" by the Treaties, must be borne in mind. This term shows that its activities are required to adapt themselves to all possible forms of the life of the nations, and cannot be hedged round with rigid and abstract formulae. The fact that the particular social organisation of a State brings a new element into the working of the Conference does not in itself run counter to any principle of the Constitution. One of the authors of the Constitution of the International Labour Organisation, Professor Mahaim, when submitting the report of the Credentials Committee to the Conference in 1923, used in this connection words which appear to be singularly pertinent:

"Furthermore, I would not draw this conclusion: since the authors of the Treaty did not think of this form of organisation, the latter should therefore be definitely excluded. Everyone is aware that the texts of laws are drawn up when they are actually drafted in such a way as to cover all possible phenomena which might be included in their framework. Where should we be if the Civil Code could not be invoked in regard to a series of phenomena which were entirely unknown in 1804?"

Those words, spoken in 1925, are still absolutely applicable to the special problem raised by the case of the appointment of the employer of the Union of Soviet Socialist Republics at the Twenty-first Session of the Conference.

The qualifications which govern the choice of an employers' delegate may vary at different times and in different places. They are inevitably dependent upon the form of the social régime which exists in any given country. The worker who benefits by the activities of the International Labour Organisation has almost always an employer. No provision requires that this employer should be a private individual. The State may undertake that duty, and there seems to be no question that in such a case it is the State which should appoint the employer for whose collaboration the Constitution of the International Labour Organisation has formally provided.

In the light of these considerations it seems obvious that the appointment of an employer of the Union of Soviet Socialist Republics in the person of Mr. Kaouline was a proper application both of general principles and of the text of the Constitution. It must be added that in the opinion of the Office that appointment was far from being an infraction of the Constitution of the International Labour Organisation. On the contrary, it appears to the Office to have been a proof of the desire of the Union of Soviet Socialist Republics to give its collaboration a character which was completely and absolutely in conformity with the rules laid down in the Constitution.
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APPENDIX XXI.

TWENTY-FIRST ITEM ON THE AGENDA.

REPORT OF THE STANDING ORDERS COMMITTEE SUBMITTED BY MR. MAHAIM.

The Standing Orders Committee met on Tuesday, 2 February 1937. The following items were on the agenda:

1. Proposal to provide for the immediate constitution of the Committee on the application of Conventions.

2. Procedure to be followed for proposing amendments to the Constitution of the International Labour Organisation.

1. Proposal to provide for the immediate constitution of the Committee on the application of Conventions:

It will be remembered that as the result of a resolution adopted by the Governing Body at its Seventy-fifth Session (April 1936) the question of providing for the immediate constitution of the Committee on the application of Conventions set up by the Conference at each session was submitted by the Governing Body to the Conference at its Twentieth Session in 1936.

When the question was discussed by the Committee on Standing Orders to which the Conference had referred it, Mr. Yoshisaka, Japanese Government delegate, submitted the following amendment:

"Insert the following new section E in Article 7 of the Standing Orders:

E. Committee on the application of Conventions:

1. The Conference shall elect at the earliest possible moment a Committee consisting of five Government members, five Employers' members and five Workers' members, whose names shall be proposed to the Conference by the Committee of Selection, to examine the summary of annual reports on the application of Conventions submitted to the Conference under Article 22 of the Constitution of the International Labour Organisation.

2. The Committee shall submit a report to the Conference.

The existing sections E and F become sections F and G."

During the discussion which ensued it was suggested that it would not be desirable to fix the number of members of the Committee since the number of members of the Conference desiring to take part in the work of the Committee might vary from session to session, and that as the number of ratifications increased it might be necessary to enlarge the Committee. On the other hand, it was pointed out that unless the number of members of the Committee was fixed by the Standing Orders, it would be impossible to set up the Committee more quickly than had been done in the past, since the groups and the Committees of Selection would have to consider the number of members and the lists of names in the usual way.

In the circumstances, the Committee on Standing Orders of the Conference felt that it would be difficult for it to make any immediate recommendation, and the Conference, on its advice, requested the Governing Body to study the question with a view to finding a means of enabling the Committee on the application of Conventions to begin its work as soon as possible and of calling attention to the great importance which the Conference attaches to the work of that Committee.

The matter was submitted to the Governing Body at its Seventy-seventh Session, and the Governing Body referred the question to its Standing Orders Committee.

The Committee shared the views expressed in the Committee on Standing Orders of the Conference as to the disadvantages of fixing a definite number of members to sit on the Committee on the application of Conventions and as to the impossibility of constituting that Committee more quickly unless the numbers were so fixed.

In the note which the Office had submitted to the Committee it was pointed out that at the Twentieth Session of the Conference, the Committee on the application of Conventions was set up in the ordinary way and had actually held its first sitting on the morning of the third day of the Conference.

The Office had also suggested that the Committee might think it desirable to adopt a suggestion which had been made by certain members of the Committee on Standing Orders of the Conference
that, with a view to calling attention to the great importance which the Conference attaches to
the Committee in question, special provisions should be inserted in the Standing Orders of the
Conference with regard to the appointment and functions of the Committee, similar to the provisions
of Article 7E concerning the Committee on Resolutions. The Office had accordingly proposed that
the following addition should be made to the Standing Orders of the Conference:

Article 7.

E. Committee on the application of Conventions.

1. The Conference shall, as soon as possible, elect a Committee, composed of equal numbers
of Government, Employers' and Workers' Delegates, to consider the measures taken by
Members to give effect to the provisions of Conventions to which they are parties.

2. The Committee shall submit a report to the Conference.

The present paragraphs E and F become paragraphs F and G.

The Committee unanimously adopted that proposal and suggests that the Governing Body
should submit it to the Conference at its Twenty-third Session.

The Office had also called attention to the desirability of ensuring that the delegations to the
Conference should include persons who were in a position to devote all the necessary time to the
work of the Committee on the application of Conventions and had pointed out that a passage to
that effect was regularly inserted in the letter of convocation for each session of the Conference.

The Committee also felt that in view of the importance of the work of the Committee on the
application of Conventions, it was desirable in future that the report of that Committee should be
dealt with by the Conference at an earlier stage in its proceedings than had frequently been the
case in the past, when the report had only been considered at the very end of the session. The
Committee accordingly suggests that the Governing Body should make a recommendation to this effect
when submitting to the Conference its proposals as regards the Committee on the application
of Conventions.

2. Procedure to be followed for proposing amendments to the Constitution of the International Labour
Organisation.

At its Seventy-seventh Session (November 1936) the Governing Body referred to the Standing
Orders Committee for consideration the question of the procedure to be followed for proposing
amendments to the Constitution of the International Labour Organisation.

In the note which the Office submitted to the Committee, it was suggested that it would be
desirable that some provision should be made in the Standing Orders of the Conference to govern
the conditions under which amendments might be adopted by the Conference. The only rule
contained in the Constitution in Article 36 is that a two-thirds majority is required, but the Office
felt that the Standing Orders should contain some provision intended as a safeguard against
the danger that an amendment might be adopted without due consideration of all its possible
repercussions.

The Office had suggested that the most appropriate provision would appear to be a rule to
the effect that amendments should only be considered by the Conference after inclusion in its
agenda by the Governing Body at least four months before the opening of the session of the
Conference. Such a rule would ensure that proposals for the amendment of the Constitution
would receive the same serious attention as was given to proposals for the adoption of Draft
Conventions and Recommendations and would moreover afford an opportunity not only for the
proper consideration of the possible implications of proposed amendments by the Governing Body
but also for adequate study of such proposals by Governments.

The Office had accordingly proposed that an article in the following form should be included
in the Standing Orders of the Conference:

Any proposal for the amendment of the Constitution of the Organisation shall only be
considered by the Conference if it has been included in the agenda of the Conference by the
Governing Body at least four months before the opening of the session at which it is to be
considered.

During the discussion which took place in the Committee, it was suggested that the clause
proposed by the Office was too restrictive, since it made no provision for the case in which the
Conference itself might decide, by a two-thirds majority in accordance with paragraph 3 of Article 16
of the Constitution, to include in the agenda of its next session an item concerning a proposal to
amend the Constitution.

It was also pointed out that whilst it was most desirable that sufficient time should be given
for the proper consideration of so important a question as an amendment to the Constitution, there
was actually nothing in the Constitution to prevent the Conference from dealing with such
a proposal at the very session at which it might have been put forward. In reply to this argument
it was indicated that on the only occasion on which an amendment to the Constitution had been
dealt with, the question had not only been considered by the Governing Body but also by two
sessions of the Conference before a decision had been reached. It was accordingly suggested that
it was unlikely that the Conference would, at any future time, take so important a step as to adopt an amendment to the Constitution unless the question had been adequately prepared and that it was still more unlikely that it would do so if, on the recommendation of the Governing Body, it had inserted a clause in its Standing Orders to provide for a procedure whereby such a question would be formally placed on its agenda.

The Committee agreed that it would be desirable to insert a provision in the Standing Orders of the Conference, and several amendments were submitted to the Office proposal. The object of all these amendments was to provide not only for the case in which the Governing Body might place an item concerning a proposal to amend the Constitution on the agenda of the Conference but also for the possibility of the Conference itself deciding to place such a question on the agenda of its next session, in accordance with paragraph 3 of Article 16 of the Constitution.

Finally the various amendments were withdrawn in favour of the following amendment which the Committee unanimously adopted:

Any proposal for the amendment of the Constitution of the Organisation shall only be considered by the Conference if it has been included in the agenda of the Conference by the Governing Body at least four months before the opening of the session at which it is to be considered in accordance with Article 14 of the Constitution or has been included in the agenda of the Conference by the preceding session of the Conference in accordance with paragraph 3 of Article 16 of the Constitution.

The Committee accordingly proposes that the Governing Body should recommend the Conference to insert that provision in its Standing Orders.

Whilst believing that the amendment to the Standing Orders of the Conference which it has suggested is the only concrete step which it would be useful to take at the present time, the Committee also thought it desirable, in view of the widespread discussion of the possibility of the Covenant being separated from the Treaties of Peace, that it should place on record in its report certain self evident principles which appear to it, and will doubtless appear to the Governing Body and to the Conference, to place it beyond doubt that the Constitution of the Organisation can only be amended by the procedure for which it itself provides in Article 36. Clearly the original parties to one or more of the Peace Treaties which included the Constitution among its terms are no longer entitled to modify the provisions of that Constitution since these are now in force between a group of States of which 28 are not parties to any of those Treaties. Equally clearly the Constitution of the Organisation, including the various provisions which it contains defining the relationship of the Organisation with the League of Nations, are not subject to amendment by the League, because the method of amendment of the Constitution prescribed by the original Treaties requires action by the International Labour Conference and not by the Assembly. In the third place, the Organisation is a tripartite institution and its Constitution, by requiring the adoption of proposed amendments by the International Labour Conference by a majority of two-thirds, obviously contemplates that employers and workers shall take a definite part in the consideration and adoption of any proposals for its amendment. The Constitution of the Organisation is an instrument the legal character of which is as complex as it is novel, and in view of its special features, and particularly of the tripartite character of the Organisation, Article 36 must be regarded as defining the only procedure by which its provisions can be amended.
APPENDIX XXII.

TWENTY-SECOND ITEM ON THE AGENDA.

REPORT OF THE EXECUTIVE COMMITTEE OF THE ADVISORY COMMITTEE OF CORRESPONDENTS ON WORKERS’ SPARE TIME.

In accordance with the decision taken in November 1936 by the Governing Body (Seventy-seventh Session), the Executive Committee of the Advisory Committee of Correspondents on Workers’ Spare Time, which was set up by the Governing Body on 24 April 1936, held a second meeting on 1 February 1937, with Mr. Kitaoka in the Chair.

I. The Executive Committee considered Document C.L.T. bur. II/2.1937, which contained suggestions made by the International Labour Office with a view to drawing up a list of correspondents to be submitted to the Governing Body for approval. After having made supplementary suggestions and reserved consideration of certain classes of correspondents until further information is received, the Executive Committee decided to submit the appended list (Annex A) to the Governing Body.

II. At its Seventy-seventh Session, the Governing Body also authorised the Executive Committee to make suggestions as to the questions that might be studied. After having considered the document prepared by the International Labour Office (C.L.T. bur. II/1.1937), the Executive Committee decided to submit to the Governing Body a detailed list of the questions that might possibly be selected for study (Annex B).

Among the questions mentioned in this list the Executive Committee of the Advisory Committee of Correspondents on Workers’ Spare Time request the Governing Body to consider in particular the following two, which appear to be of immediate practical interest:

1. —Facilities for workers’ holidays during their holidays with pay. (No. 18.)

The International Labour Office has already received requests for information on this subject. The studies begun by the Office suggest that interesting material could be collected. Moreover, it is certain that the question will shortly acquire considerable importance in view of the probable extension of the practice of granting paid holidays in different countries.

2. —Holiday camps for young workers. (No. 14.)

The reasons in favour of studying this problem are the same as those given above in regard to subject No. 1. The Executive Committee would remind the Governing Body that the following resolution was adopted by the Santiago Conference:

“The Conference invites the Governing Body of the International Labour Office, at such time as it thinks fit, to place on the agenda of a session of the International Labour Conference the question of studying the means to be adopted and the conditions to be fulfilled for the establishment of holiday camps for working children.”

During the discussion on the general list of questions suitable for study by the Advisory Committee of Correspondents on Workers’ Spare Time, certain members of the Executive Committee drew attention to the questions in Group No. 6: Workers’ and adult education. The Executive Committee came to the conclusion that these questions, which are already being studied by the International Labour Office, should be taken into consideration for the subsequent work of the Advisory Committee.

1 At its Seventy-seventh Session (November 1936) the Governing Body had authorised the Director to ask the persons already on the list which was to be submitted to the Governing Body whether they would agree to sit on the Committee should the Governing Body approve their appointment. All their replies have not yet been received. Those given in the affirmative are indicated by a cross (+) at the right of the names in question in the list.
ANNEX A.

LIST OF PERSONS WHO IT IS PROPOSED SHOULD PARTICIPATE IN THE WORK OF THE COMMITTEE OF CORRESPONDENTS ON WORKERS' SPARE TIME FOR APPROVAL BY THE GOVERNING BODY.

A. Representation of Spare Time Organisations set up by the Workers.

(a) Workers' Education Centres:

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<td>M. Vermeulen, Centrale d'Éducation populaire (Belgique).</td>
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<td>M. Humphrey Mitchell, Labour Educational Association of Ontario (Canada).</td>
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<tr>
<td>Lu. Ching-Se, Centrale syndicale de Shanghai (Chine).</td>
<td></td>
</tr>
<tr>
<td>M. Christiansen, Centrale d'Éducation ouvrière (Danemark).</td>
<td></td>
</tr>
<tr>
<td>M. Spencer Miller, Workers' Education Bureau (United States).</td>
<td></td>
</tr>
<tr>
<td>M. Raïlo, Union culturelle des ouvriers (Finlande).</td>
<td></td>
</tr>
<tr>
<td>M. G. Lefranc, Institut supérieur ouvrier (France).</td>
<td></td>
</tr>
<tr>
<td>M. J. V. Wray, Education Department T.U.C. (Great Britain).</td>
<td>+</td>
</tr>
<tr>
<td>M. A. Szakasics, Conseil des Syndicats socialistes (Hongrie).</td>
<td>+</td>
</tr>
<tr>
<td>M. V. Nagaoka, Union centrale pour l'éducation des travailleurs (Japon).</td>
<td></td>
</tr>
<tr>
<td>M. K. Nordahl, Arbejdernes Oplysningsforbund (Norvège).</td>
<td>+</td>
</tr>
<tr>
<td>M. H. Brugmans, Instituut voor Arbeiders Ontwikkeling (Pays-Bas).</td>
<td></td>
</tr>
<tr>
<td>M. A. C. De Bruijn, Président de la Confédération des travailleurs catholiques (Pays-Bas).</td>
<td></td>
</tr>
<tr>
<td>M. J. Schipper, Secrétaire de la Confédération des syndicats protestants (Pays-Bas).</td>
<td></td>
</tr>
<tr>
<td>M. R. Froelich, Commission centrale des Syndicats (Pologne).</td>
<td>+</td>
</tr>
<tr>
<td>M. Miresco, Directeur de l'Institut ouvrier d'éducation et de sport (Italie).</td>
<td></td>
</tr>
<tr>
<td>M. Gunnar Hirdman, Arbetarnes Bildningsförbund (Suède).</td>
<td>+</td>
</tr>
<tr>
<td>M. Hans Neumann, Schweizerische Bildungszentrale (Suisse).</td>
<td>+</td>
</tr>
<tr>
<td>M. J. Scherrer, Président des lignes ouvrières chrétiennes (Suisse).</td>
<td>+</td>
</tr>
<tr>
<td>M. K. Pacovsky, Internationale Kulturliga (Tchécoslovaquie).</td>
<td></td>
</tr>
<tr>
<td>Mme M. Topalovitch, Centralna za Radnicko Vaspitanje (Yougoslavie).</td>
<td>+</td>
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</table>

(b) Broadcasting.

<table>
<thead>
<tr>
<th>Name</th>
<th>Observations</th>
</tr>
</thead>
<tbody>
<tr>
<td>M. Viktor Matejka, Conseiller pour l'éducation ouvrière (Autriche).</td>
<td></td>
</tr>
<tr>
<td>M. Knud Jensen, Arbejdernes Radioforbund (Danemark).</td>
<td></td>
</tr>
<tr>
<td>M. A. Pleysier, Arbeiter Radio Internationale (Pays-Bas).</td>
<td>+</td>
</tr>
<tr>
<td>M. R. Bittner, Chef du service radiophonique des syndicats chrétiens (Tchécoslovaquie).</td>
<td></td>
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</table>

(c) Housing and Allotments.

<table>
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<th>Name</th>
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(d) Sport.

<table>
<thead>
<tr>
<th>Name</th>
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</tr>
</thead>
<tbody>
<tr>
<td>M. Otto Troidl (Autriche).</td>
<td>+</td>
</tr>
<tr>
<td>M. Thibaudeau, Fédération gymnastique et sportive des Patronages de France.</td>
<td></td>
</tr>
<tr>
<td>M. H. Elvin, Workers' Sport Association T.U.C. (Great Britain).</td>
<td>+</td>
</tr>
<tr>
<td>M. Rudolf Silaba, Sozialistische Arbeitersport Internationale (Tchécoslovaquie).</td>
<td></td>
</tr>
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(e) Travel.

<table>
<thead>
<tr>
<th>Name</th>
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<tbody>
<tr>
<td>M. A. Appel, Président de l'Association touristique des travailleurs chrétiens (Autriche).</td>
<td></td>
</tr>
<tr>
<td>Mme Hugueny (France).</td>
<td></td>
</tr>
<tr>
<td>M. E. W. Wimble, Workers' Travel Association (Great Britain).</td>
<td>+</td>
</tr>
<tr>
<td>Mme Medzinska, Inspectrice du Travail (Pologne).</td>
<td>+</td>
</tr>
</tbody>
</table>
### B. Representation of Employers' Organisations.

<table>
<thead>
<tr>
<th>Name</th>
<th>Observations</th>
</tr>
</thead>
<tbody>
<tr>
<td>M. Guy L. Shipps, Dow Chemical Company (United States).</td>
<td>+</td>
</tr>
<tr>
<td>M. A. Hachsel, Directeur de la Confédération patronale (Finlande).</td>
<td>+</td>
</tr>
<tr>
<td>M. H. Flament, Ingénieur des Chemins de fer (France).</td>
<td>+</td>
</tr>
<tr>
<td>M. Guelfo Gobbi, Chef du Bureau de l’Assistance sociale de la Conf. fasciste des Industriels (Italie).</td>
<td>+</td>
</tr>
<tr>
<td>M. T. Gamo, Société d’entente entre le capital et le travail (Kyōcho-Kai) (Japon).</td>
<td>+</td>
</tr>
<tr>
<td>M. G. F. Evelein, Chef van de Sociaal-Econ. Afdeeling der N. V. Philips’ Gloeilampenfabrieken (Pays-Bas).</td>
<td>+</td>
</tr>
<tr>
<td>M. Charles Kuntschen, Secrétaire de l’Union centrale des Associations patronales (Suisse).</td>
<td>+</td>
</tr>
<tr>
<td>M. Bohumil Sottner, Secrétaire de la Conf. des Organisations patronales (Tchécoslovaquie).</td>
<td>±</td>
</tr>
<tr>
<td>M. Jaros. Stepánek, Maison Bat’a (Tchécoslovaquie).</td>
<td>±</td>
</tr>
<tr>
<td>M. Knob, Union de l’industrie hongroise (Hongrie).</td>
<td>±</td>
</tr>
<tr>
<td>M. Adolf Golia, Secrétaire de la Fédération des Industriels, banovine de la Drave (Yougoslavie).</td>
<td>±</td>
</tr>
</tbody>
</table>

### C. Representation of Official Organisations.

<table>
<thead>
<tr>
<th>Name</th>
<th>Observations</th>
</tr>
</thead>
<tbody>
<tr>
<td>M. Rudolf Henz, Aktion “Neues Leben” (Autriche).</td>
<td>±</td>
</tr>
<tr>
<td>M. Lester F. Scott, Chairman of the National Education-Recreation Council (United States).</td>
<td>±</td>
</tr>
<tr>
<td>Miss Hilda Smith, Works Progress Administration (United States).</td>
<td>±</td>
</tr>
<tr>
<td>M. Etienne Czakó, Secrétaire au Ministère de l’Instruction publique (Hongrie).</td>
<td>±</td>
</tr>
<tr>
<td>M. Taku Iwahara, Département de l’Education (Japon).</td>
<td>±</td>
</tr>
<tr>
<td>M. Cunesco, Directeur général du Travail (Roumanie).</td>
<td>±</td>
</tr>
<tr>
<td>M. Jonas Paukstis, Conseiller d’Instruction et de Culture à la Chambre de Travail (Lithuanie).</td>
<td>±</td>
</tr>
<tr>
<td>Rev. J. Dito, Directeur du Bureau catholique de Radiodiffusion (Pays-Bas).</td>
<td>±</td>
</tr>
<tr>
<td>M. Y. Hugo, Directeur des Conférences de l’Aktiebolaget Radiojänst (Suède).</td>
<td>±</td>
</tr>
<tr>
<td>M. Maurice Rambert, Président de l’Union internationale de radiodiffusion (Suisse).</td>
<td>±</td>
</tr>
</tbody>
</table>

### D. Representation of Organisations of a General Nature.

#### (a) Broadcasting.

<table>
<thead>
<tr>
<th>Name</th>
<th>Observations</th>
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<tbody>
<tr>
<td>M. J. Rosenkjaer, Radiophonie d’Etat (Danemark).</td>
<td>±</td>
</tr>
<tr>
<td>M. Morienval, Conseil de gérance de Paris P.T.T. (France).</td>
<td>±</td>
</tr>
<tr>
<td>M. Wilson, (British Broadcasting Corporation) (Great Britain).</td>
<td>±</td>
</tr>
<tr>
<td>M. H. Obi, Association de radiodiffusion (Japon).</td>
<td>±</td>
</tr>
<tr>
<td>M. Jonas Paukstis, Conseiller d’Instruction et de Culture à la Chambre de Travail (Lithuanie).</td>
<td>±</td>
</tr>
<tr>
<td>Rev. J. Dito, Directeur du Bureau catholique de Radiodiffusion (Pays-Bas).</td>
<td>±</td>
</tr>
<tr>
<td>M. Y. Hugo, Directeur des Conférences de l’Aktiebolaget Radiojänst (Suède).</td>
<td>±</td>
</tr>
<tr>
<td>M. Maurice Rambert, Président de l’Union internationale de radiodiffusion (Suisse).</td>
<td>±</td>
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</table>

#### (b) Youth Hostels.

<table>
<thead>
<tr>
<th>Name</th>
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<tbody>
<tr>
<td>M. Nihon, Ligue des Auberges de Jeunesse (Belgique).</td>
<td>±</td>
</tr>
<tr>
<td>M. Monroe Smith, American Youth Hostels Association (United States).</td>
<td>±</td>
</tr>
<tr>
<td>M. E. S. Catchpool (Great Britain).</td>
<td>±</td>
</tr>
<tr>
<td>M. J. P. Muller (Luxembourg).</td>
<td>±</td>
</tr>
<tr>
<td>M. M. Orlowicz, Ministerstwo Komunikacjó (Pologne).</td>
<td>±</td>
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#### (c) Recreation centres.

<table>
<thead>
<tr>
<th>Name</th>
<th>Observations</th>
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<tbody>
<tr>
<td>M. George D. Butler, National Recreation Association (United States).</td>
<td>±</td>
</tr>
<tr>
<td>M. Justin Godart, Président du Comité national des Loisirs (France).</td>
<td>±</td>
</tr>
</tbody>
</table>
(d) Allotments.

M. Jos. Goemaere, Président de l'Office international du Coin de terre et des jardins ouvriers (Belgique).
M. Thomas Shaw, Irish Plotholders' Union (Irish Free State).

E. Representation of Religious Movements.

M. Valsecchi, Chef du Secrétariat économique et social de l'Action catholique (Argentine).
M. W. F. Woodcraft, Y.M.C.A. Secrétaire national (Australie).
Mlle de Lalieu, Ouvrages sociales féminines chrétiennes (Belgique).
M. Julien Walgrafe, Jeunesse ouvrière chrétienne (Belgique).
Dr. E. M. Best, Y.M.C.A. Secrétaire national (Canada).
M. Bouxom, Jeunesse ouvrière chrétienne (France).
M. R. M. Brasted, Y.M.C.A., Secrétaire national (New Zealand).

F. Miscellaneous.

Mlle C. Gorchs, Sociedad Damas Protectoras del Obrero (Argentine).
Rev. A. Jeffcott, Director, Apostolatus Maris Work (Australia).
Mme Emmy Freundlich, Présidente de la Guilde internationale des Coopératrices (Autriche).
Mme Ivanova, Section féminine de l'Union des coopératives (Bulgarie).
M. de Rougé, Ligue des Sociétés de la Croix-Rouge.
Mr. Hyde, Industrial Welfare Society (Great Britain).
M. H. T. Kemball Cook, Deputy Chairman of the Seafarers' Education Service (Great Britain).
Mme J. E. Vajkai, Directrice du Save the Children Fund (Hongrie).
M. N. G. Ranga, Peasants' Institute (India).
M. K. Sumiya, Société de secours mutuel des marins (Japon).
M. Janis Baltais, Chef de l'Administration du travail (Lettonie).
Mme Andersen, Section féminine de l'Union des coopératives (Norvège).
M. C. B. Smith, U.S. Department of Agriculture (United States).
M. V. Bajkic, Economiste (Yougoslavie).
M. Otto Franges, Ancien Ministre, Expert problèmes agricoles (Yougoslavie).

ANNEX B.

LIST OF QUESTIONS SUITABLE FOR STUDY BY THE ADVISORY COMMITTEE OF CORRESPONDENTS ON WORKERS' SPARE TIME.

1. Distribution of spare time:
   (a) Daily spare time;
   (b) Weekly rest;
   (c) Annual holidays.

2. The economic importance of certain forms of utilisation of spare time and their influence on family budgets:
   - Theatrical entertainments; radio, travelling; sport; reading, etc.

3. Part played by collective action in regard to the utilisation of spare time:
   (a) By official bodies;
   (b) By trade unions or co-operative societies;
   (c) By private institutions (not run for profit).

4. Co-ordination of spare-time institutions:
   (a) National bodies (official and non-official);
   (b) Local spare-time centres;
   (c) Day-to-day activity of such institutions;
   (d) Special activities (festivals).

5. International action:
   Existing institutions in regard to:
   (a) Workers' (and adult) education;
   (b) Sport;
   (c) Popular drama;
   (d) The cinema (educational or amateur);
   (e) Gardening, poultry breeding, etc.;
   (f) Broadcasting.
Special Problems.

6. Workers' and adult education.
   (a) Teaching methods in workers' colleges;
   (b) Development of international instruction (proposals for international labour universities);
   (c) Training of social assistants for workers' education;
   (d) Education from the point of view of the utilisation of spare time.

   (a) International information (international repertories of popular music);
   (b) International relations (international competitions).


9. Drama:
   (a) Facilities for admission to entertainments for persons of small means;
   (b) Prospects of developing amateur drama.

10. The cinematograph:
    (a) The educational cinema;
    (b) The amateur cinema (amateur safety films).

11. Reading:
    (a) Public libraries (in particular, circulating libraries);
    (b) Periodicals (in particular, the trade union press and factory newspapers).

12. Gardening, poultry breeding, etc.:
    The stabilisation of loans of land to gardening societies.

13. Sport:
    (a) Physical education (in particular corrective exercises for breaks during work);
    (b) Competitions (in particular, international relations);
    (c) Sports grounds, etc.

14. Travelling:
    (a) Facilities for travelling (reduced fares);
    (b) Extension of tourist seasons;
    (c) Holiday camps;
    (d) Youth hostels.

15. Housing:
    (a) Distance between the dwelling and the place of work;
    (b) Distance between the dwelling and the spare-time centre;
    (c) Arrangement of the dwelling (especially in connection with the housewife's spare time).

16. Popular arts:
    (a) National costumes;
    (b) Folk dancing;
    (c) Festivals (local, national, centenaries, etc.).

17. Technical improvements:
    Small inventors.

18. Facilities for workers' holidays during their holidays with pay.
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