INTERNATIONAL LABOUR OFFICE

MINUTES

OF THE

SEVENTY-NINTH SESSION

OF

The Governing Body

GENEVA—6-8 MAY 1937
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Conseil d'Administration
du Bureau International du Travail

PROCÈS-VERBAUX DE LA SOIXANTE-DIX-NEUVIÈME SESSION.

La soixante-dix-neuvième session du Conseil d'administration du Bureau international du Travail s'est tenue au Bureau international du Travail, à Genève, du jeudi 6 au samedi 8 mai 1937.

Le Conseil d'administration était composé comme suit :

M. ANDERSSON.
M. ČURČIN.
M. FABELA.
M. FABRA-RIBAS.
M. GEMMILL.
M. GÉRARD.
M. Justin GODART.
M. GOODRICH.
M. HAYDAY.
M. JENSEN.
M. JOUHAUX.
M. KIRKALDY.
M. KITAOKA.
M. KOMARNICKI.
M. KUPERS.
M. Li PING-HENG.
M. MANNIO.
M. MARKUS.
M. MEERTENS.
M. MUNIZ.
M. NĚMEČEK.
M. NORMAN.
M. OERSTED.
M. RIDDELL.
M. Ruiz GuñAzú.
M. SCHÜRCH.
M. TAKEUCHI.
M. TZAUT.
M. WALINE.
M. YEREMITCH.
M. ZAMAN.

Absent et non remplacé :

M. de MICHELS.
The Governing Body of the International Labour Office

MINUTES OF THE SEVENTY-NINTH SESSION.

The Seventy-ninth Session of the Governing Body of the International Labour Office was held at the International Labour Office, Geneva, from Thursday, 6 May to Saturday 8 May 1937.

The Governing Body was composed as follows:

Mr. Andersson.
Mr. Curčin.
Mr. Fabela.
Mr. Fabra-Ribas.
Mr. Gemmill.
Mr. Gérard.
Mr. Justin Godart.
Mr. Goodrich.
Mr. Hayday.
Mr. Jensen.
Mr. Jouhaux.
Mr. Kirkaldy.
Mr. Kitaoka.
Mr. Komarnicki.
Mr. Kupers.
Mr. Li Ping-Heng.
Mr. Mannio.
Mr. Markus.
Mr. Mertens.
Mr. Muniz.
Mr. Nemirček.
Mr. Norman.
Mr. Oersted.
Mr. Riddell.
Mr. Ruiz Guíñazú.
Mr. Schürch.
Mr. Takeuchi.
Mr. Tzaut.
Mr. Waline.
Mr. Yeremitch.
Mr. Zaman.

Absent but not replaced by a substitute:

Mr. de Michelis.
Absents :

M. ASANO.
M. CABALLERO.
M. DENNISON.
M. FORBES WATSON.
M. JOSHI.
M. LAMBERT-RIBOT.
M. LEGGETT.
M. MOORE.
M. NEČAS.
Sir Firozkhan NOON.
M. OLIVETTI.
M. YONEKUBO.

Les membres adjoints suivants ou leurs suppléants étaient présents :

M. BACKLUND.
M. CAMUZZI.
M. ERULKAR.
M. JUNOY AGUIAR.
M. KRIER.
M. LECOCQ.
M. MAHAIM.
M. SCHEVENELS.
M. SERRARENS.
M. VANĚK.

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. BERNARD, suppléant de M. Justin GODART.
M. DENNYs, accompagnant M. NORMAN.
M. James Alistair GEMMILL, accompagnant M. GEMMILL.
M. HURTADO, accompagnant M. FABRA-RIBAS.
M. MUTO, accompagnant M. KITAOKA.
M. Pao Hua-Kuo, suppléant de M. Li PING-HENG.
M. Pardo, suppléant de M. Ruiz GUiñAZÚ.
M. RENAUD, suppléant de M. Riddell.
M. TELLO, accompagnant M. FABELA.
M. THOMPSON, accompagnant M. Goodrich.
M. UZNANSKI, accompagnant M. Komarnicki.
M. YAMAGUCHI, accompagnant M. KITAOKA.
Absent:

- Mr. ASANO.
- Mr. CABALLERO.
- Mr. DENNISON.
- Mr. FORBES WATSON.
- Mr. JOSHI.
- Mr. LAMBERT-RIBOT.
- Mr. LEGGETT.
- Mr. MOORE.
- Mr. NEČAS.
- Sir Firozkhan NOON.
- Mr. OLIVETTI.
- Mr. YONEKUBO.

The following deputy members or their substitutes were present:

- Mr. BACKLUND.
- Mr. CAMUZZI.
- Mr. ERULKAR.
- Mr. JUNOY AGUIAR.
- Mr. KRIER.
- Mr. LECOCQ.
- Mr. MAHAIM.
- Mr. SCHEVENELS.
- Mr. SERRARENS.
- Mr. VANĚK.

There were also present:

- Mr. Harold BUTLER, Director of the International Labour Office.
- Mr. PHelan, Secretary of the Governing Body.
- Mr. PÔNE, Chef de Cabinet of the Director.
- Mr. LAFRANCE, Assistant Secretary of the Governing Body.

- Mr. BERNARD, substitute for Mr. Justin GODART.
- Mr. DENNYs, accompanying Mr. NORMAN.
- Mr. James Alistair GEMMILL, accompanying Mr. GEMMILL.
- Mr. HURTADO, accompanying Mr. FABRA-RIBAS.
- Mr. MUTO, accompanying Mr. KITAOKA.
- Mr. PAO HUA-KUO, substitute for Mr. LI PING-HENG.
- Mr. PARDO, substitute for Mr. RUIZ GUIÑAZÚ.
- Mr. RENAUD, substitute for Mr. RIDDELL.
- Mr. TELJO, accompanying Mr. FABELA.
- Mr. THOMPSON, accompanying Mr. GOODRICH.
- Mr. UZNANSKI, accompanying Mr. KOMARNICKI.
- Mr. YAMAGUCHI, accompanying Mr. KITAOKA.
PROCÈS-VERBAL DE LA PREMIÈRE SÉANCE.

(Jeudi 6 mai 1937 — 10 heures 30.)


Absents : M. MARKUS, M. de MICHEUS.

Ouverture de la session.

Le Président (M. OERSTED) présente au Conseil les excuses et les regrets du Président du Conseil d’administration, M. Néčas, qui se trouve dans l’impossibilité de venir diriger les travaux de la présente session. M. Néčas, qui était l’un des membres de la délégation du Conseil d’administration à la Conférence de l’industrie textile à Washington, a dû abandonner pendant plus de cinq semaines l’exercice de ses fonctions de Ministre de la Prévoyance sociale de la République tchécoslovaque. Les devoirs de sa charge l’ont rappelé à Prague dès la clôture de la Conférence de Washington et l’ont empêché de s’absenter de nouveau pendant plusieurs jours pour participer à la session du Conseil à Genève. Tous les membres du Conseil regretteront de se voir privés temporairement de la présence de leur distingué président.

La 79ème session du Conseil sera, conformément à l’article 2 du Règlement du Conseil, présidée tour à tour par les vice-présidents.

Nécrologie.


Composition du Conseil.

Le Président souhaite la bienvenue, au nom du Conseil d’administration, au nouveau représentant du Gouvernement français, M. Justin Godart, que la plupart des membres du Conseil connaissent déjà en raison de sa participation à de nombreuses sessions de la Conférence internationale du Travail. Il est certain en même temps d’exprimer la pensée de tous les membres du Conseil en rendant hommage à l’œuvre considérable accomplie par M. Picquenard, qui vient de prendre sa retraite, au cours des longues années pendant lesquelles il a participé aux travaux du Conseil d’administration.

Il souhaite également la bienvenue au nouveau représentant du Gouvernement mexicain, M. Isidro Fabelo, qui succède à M. Villa Michel, appelé à d’autres fonctions. Les membres du Conseil conserveront le meilleur souvenir de la collaboration de M. Villa Michel qui, par sa courtoisie et sa compétence, s’était acquis toutes les sympathies.

Le Conseil décide de suspendre sa séance publique à 10 h. 45 et de siéger en séance privée.
MINUTES OF THE FIRST SITTING.

(Thursday, 6 May 1937—10.30 a.m.)

The Governing Body was composed as follows: Mr. Oersted, Chairman; Mr. Andersson, Mr. Curcin, Mr. Fabel, Mr. Fabra-Ribas, Mr. Gemmill, Mr. Gerard, Mr. Justin Godart, Mr. Goodrich, Mr. Hayday, Mr. Jensen, Mr. Jouhaux, Mr. Kirkaldy, Mr. Kitaoka, Mr. Komarnicki, Mr. Kupers, Mr. Li Ping-Heng, Mr. Mannio, Mr. Mertens, Mr. Muniz, Mr. Nemec, Mr. Norman, Mr. Riddell, Mr. Ruiz Guinazu, Mr. Schurck, Mr. Takeuchi, Mr. Tzaut, Mr. Waline, Mr. Veremitch, Mr. Zaman.

Absent: Mr. Markus, Mr. de Michelis.

Opening of the Session.

The Chairman (Mr. Oersted) conveyed to the Governing Body the excuses and regret of the Chairman of the Governing Body, Mr. Necas, who was unable to preside at this session. Mr. Necas had been one of the members of the Governing Body delegation to the Conference on the textile industry at Washington, and had thus had to be absent from his post as Minister of Social Welfare in Czechoslovakia for five weeks. His duties had made it necessary for him to return to Prague after the close of the Washington Conference, and he could not leave again to take part in the session of the Governing Body in Geneva. All the members of the Governing Body would regret that they were temporarily deprived of the presence of their distinguished Chairman.

The Vice-Chairman would preside alternately over the sittings of the Seventy-ninth Session of the Governing Body, in accordance with Article 2 of the Standing Orders of the Governing Body.

Obituary.

The Chairman said that all members of the Governing Body would have learned with deep regret of the death since the last session of Sir Bhupendra Nath Mitra, who had been the representative of the Government of India on the Governing Body. Everyone had appreciated the high intellectual qualities of Sir Bhupendra Nath Mitra, his legal knowledge, his great administrative experience and the zeal and conscientiousness with which he performed his various duties. The Governing Body would doubtless wish to convey its sincere condolences to Sir Bhupendra Nath Mitra's family, and also to the Government of India.

Composition of the Governing Body.

The Chairman, on behalf of the Governing Body, extended a welcome to the new representative of the French Government, Mr. Justin Godart, who was well known to most members of the Governing Body, since he had participated in numerous sessions of the International Labour Conference. He felt sure that he was expressing the opinion of all members of the Governing Body in paying tribute to the admirable work carried out by Mr. Picquenard, who had just retired, during the many years in which he had participated in the work of the Governing Body.

He also welcomed the new representative of the Mexican Government, Mr. Isidro Fabela, who had succeeded Mr. Villa Michel, to whom other duties had been entrusted. All members of the Governing Body would retain pleasant memories of Mr. Villa Michel, whose courtesy and efficiency had been universally appreciated.

The Governing Body suspended its public sitting at 10.45 a.m. and went into private sitting.
Le Conseil se réunit à nouveau en séance publique à 11 h. 40.

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

**Approbation des procès-verbaux de la 78ème session.**

Le Conseil d'administration approuve les procès-verbaux de la 78ème session, sous réserve de l'insertion des corrections demandées par les membres.

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

**Rapport du bureau du Comité consultatif de correspondants pour les loisirs des travailleurs.**

M. Kitaoka, Rapporteur du bureau du Comité, fait connaître au Conseil que le bureau s’est réuni le 1er février pour examiner les suggestions recueillies par le Bureau international du Travail en vue de l'établissement d'une liste de correspondants à présenter à l'approbation du Conseil d'administration. Le bureau du Comité, après avoir complété ces suggestions et réservé l'examen de certaines catégories de correspondants pour supplément d’information, a décidé de soumettre au Conseil, pour approbation, une liste qui est annexée à son rapport ainsi qu'une liste supplémentaire. Par ailleurs, M. Waline, représentant des employeurs de France, a adressé au Bureau une lettre proposant la désignation comme correspondant de M. Garnier, directeur de la Société des Papiers peints Leroy.

Le Conseil, à sa 77ème session, avait autorisé le bureau du Comité consultatif à suggérer des sujets d'étude. Le bureau, après examen du document présenté par le Bureau international du Travail, a décidé de soumettre au Conseil une liste détaillée des sujets qui pourraient éventuellement être retenus pour étude. Il demande au Conseil de retenir en premier lieu les deux sujets suivants : a) les moyens de faciliter aux travailleurs l'emploi de leurs congés payés, b) les camps de vacances pour jeunes travailleurs.

Au cours de la discussion, certains membres du bureau du Comité ont souligné l'intérêt du groupe de questions concernant l'éducation ouvrière et l'éducation des adultes. Tout le monde reconnaît l'importance de ce problème, qui a été déjà étudié par le Bureau international du Travail, et le bureau du Comité consultatif est d'avis que cette série de questions devrait être prise en considération pour la suite des travaux du Comité.

M. Li Ping-Heng a lu avec un vif intérêt le rapport présenté par le bureau du Comité consultatif et n'a rien à proposer concernant la première partie du rapport relative à la liste des correspondants. Quant à la deuxième partie, concernant les sujets d'études, il tient à déclarer qu'il attache une grande importance à la question de l'éducation ouvrière et des adultes. C'est là, à son sens, un problème capital, car dans la plupart des pays, les travailleurs n'ont pas eu la possibilité de recevoir une éducation suffisante. Il insiste particulièrement sur cet état de choses qui présente de très graves inconvénients pour les travailleurs eux-mêmes et pour les États, surtout à l'heure actuelle, où chacun devrait être à même de participer d'une manière adéquate à la vie économique et politique de la nation. Son pays s'est déjà préoccupé de ce problème, un comité pour l'éducation des travailleurs y a été fondé il y a six ans. Dans toutes les agglomérations ouvrières où se trouvent plus de 200 travailleurs adultes, des cours spéciaux ont été créés. Les travailleurs y reçoivent une instruction supplémentaire de 8 heures par semaine au minimum. Les cours d'instruction générale durent une année, ainsi que les cours professionnels. Chaque ouvrier suit donc ces cours pendant deux ans. L'expérience réalisée en Chine montre la grande valeur de cette méthode d'Instruction, qui a une influence bienfaisante pour les classes laborieuses.
The Governing Body went into public sitting again at 11.40 a.m.

**FIRST ITEM ON THE AGENDA.**

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

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

**FOURTH ITEM ON THE AGENDA.**

*Report of the Executive Committee of the Advisory Committee of Correspondents on Workers' Spare Time.*

Mr. Kitaoka, Reporter of the Executive Committee, informed the Governing Body that the Executive Committee had met on 1 February to examine the suggestions which had been collected by the International Labour Office with a view to drawing up a list of correspondents for the approval of the Governing Body. The Executive Committee had completed those suggestions, and reserved the consideration of certain categories of correspondents for further information, and had decided to submit to the Governing Body for its approval a list of names which was attached to the Committee's report, together with a supplementary list. Furthermore, Mr. Waline, French employers' representative, had sent the Executive Committee a letter proposing that Mr. Lamirand, Director of the Société des Papiers peints, Leroy, should be appointed as a correspondent.

At its Seventy-seventh Session the Governing Body had authorised the Executive Committee of the Advisory Committee to propose subjects for study. The Executive Committee had considered a note prepared by the Office, and had decided to submit to the Governing Body a detailed list of the subjects which might be selected for study. It requested the Governing Body in the first instance to select the two following subjects: (a) facilities for workers' holidays during their holidays with pay, and (b) holiday camps for young workers.

During the discussion certain members of the Executive Committee had laid stress on the importance of the group of questions relating to workers' and adult education. Everyone recognised the importance of this question, which had already been studied by the Office. The Executive Committee was accordingly of opinion that that list of questions should be considered for the future work of the Committee.

Mr. Li Ping-Heng said that he had read the report of the Executive Committee with the greatest interest, and had no proposals to make on the first part of the report in regard to the list of correspondents. In regard to the second part, concerning the subjects for study, he attached great importance to the question of workers' and adult education. In his opinion that was a problem of capital importance, since in the majority of countries the workers did not have an opportunity of obtaining a sufficient education. He laid particular stress on this state of affairs, which presented grave disadvantages for the workers themselves and for the State, particularly at the present moment when each individual should be in a position to participate adequately in the economic and political life of the nation. In his country the question was already being dealt with; a committee for workers' education had been set up six years ago. Special courses had been instituted in all centres where there were more than 200 adult workers. The workers received supplementary instruction for at least eight hours per week. The courses of general instruction and the courses of vocational instruction each lasted for a year. Thus each worker attended classes over a period of two years. Experience in China showed the great value of this method of instruction, which had a salutary influence on the working classes.
A l'heure actuelle, comme de nombreux pays ont adopté la semaine de travail de 40 heures, les congés annuels payés, et comme certains États pratiquent la semaine de travail de 5 jours, il est nécessaire d'utiliser tous les loisirs pour parachever l'éducation des travailleurs. Il estime que le moment est venu pour l'Organisation de faire l'effort indispensable pour répondre à ces besoins.

M. Kitaoka a écouté avec le plus grand intérêt les renseignements donnés sur les progrès réalisés en matière d'éducation ouvrière dans le grand pays voisin du sien. Il souhaite que le Bureau se charge de recueillir de tels renseignements sur l'éducation ouvrière dans les divers pays. Il espère que le délégué du Gouvernement chinois voudra bien fournir une documentation concernant le mouvement d'éducation ouvrière dans son pays et que le Bureau publera ces renseignements dans les Informations sociales ou dans la Revue internationale du Travail.

M. Mannio propose d'ajouter à la liste des correspondants les noms de Mlle Borg, inspectrice au Ministère des Affaires sociales de Finlande.

M. Andersson propose d'ajouter à la liste le nom de M. Ivan Ohlson, directeur du Bureau de voyages des organisations ouvrières suédoises.

Le Président invite le Conseil d'administration à approuver les noms des correspondants proposés par le Bureau et la liste des sujets d'études mentionnés par M. Kitaoka, rapporteur du bureau du Comité consultatif.

Le Conseil d'administration approuve, sous réserve de l'acceptation des personnes qui ne l'ont pas encore communiquée, la liste des correspondants pour les loisirs des travailleurs proposée par le bureau du Comité consultatif, en y adjoignant les noms de M. Lamirand (France), de Mlle Borg (Finlande), de M. Ivan Ohlson (Suède).

Le Conseil d'administration approuve la liste des sujets d'études figurant à l'annexe B du rapport du bureau du Comité consultatif. Il décide de retenir en premier lieu, pour étude, les questions suivantes : a) les moyens de faciliter aux travailleurs l'emploi de leurs congés payés; b) les camps de vacances pour jeunes travailleurs. Il décide de prendre en considération, pour la suite des travaux du Comité consultatif, le groupe de questions n° 6 : Education ouvrière et éducation des adultes.

CINQUIÈME QUESTION A L'ORDRE DU JOUR.
Rapport du Bureau sur la question des conventions collectives.

Le Conseil d'administration décide d'ajourner l'examen de cette question à une session ultérieure.

HUITIÈME QUESTION A L'ORDRE DU JOUR.
Rapport du Bureau sur l'organisation d'une conférence consultative tripartite des pays asiatiques.

Le Directeur déclare que, depuis la distribution de la note préliminaire, le Bureau a reçu du Gouvernement de l'Inde et du Gouvernement chinois des réponses très intéressantes dont le texte sera distribué au Conseil. Toutefois, il ne croit pas que celui-ci soit en mesure d'examiner la question au cours de la session puisque les réponses des autres gouvernements intéressés ne sont pas encore parvenues au Bureau.

Dans ces conditions, il suggère que le petit comité constitué pour examiner cette question se réunisse avant la prochaine session du Conseil ou au cours de ladite session. La présence d'un certain nombre de délégués des pays intéressés à la Conférence permettra d'étudier la question de manière plus approfondie qu'il ne serait possible de le faire en ce moment. Il propose donc d'ajourner l'examen de la question à la 80ème session.
At the present time when many countries had adopted a 40-hour week and holidays with pay, and when certain States had even introduced a 5-day week, it was necessary to employ some of this spare time to finish the workers' education. The time had therefore come for the Organisation to do something to meet these needs.

Mr. Kitaoka said that he had listened with the greatest interest to the account of the progress made as regards workers' education in the great neighbouring country of China. He hoped that the Office would obtain similar information with regard to workers' education in the different countries. He also hoped that the Chinese Government representative would furnish information as regards the workers' education movement in China, and that the Office would publish it in Industrial and Labour Information or the International Labour Review.

Mr. Mannio proposed that the name of Miss Borg, Inspector in the Ministry of Social Affairs of Finland, should be added to the list of correspondents.

Mr. Andersson proposed that the name of Mr. Ivan Ohlson, Director of the Travel Office of the Swedish Workers' Organisations, should be added to the list.

The Chairman asked the Governing Body to approve the list of correspondents proposed by the Executive Committee, and the list of subjects for study referred to by Mr. Kitaoka, Reporter of the Executive Committee of the Advisory Committee.

The Governing Body approved the list of correspondents for workers' spare time proposed by the Executive Committee, subject to the acceptance of those persons who had not yet replied, and added the names of Mr. Lamirand (France), Miss Borg (Finland), and Mr. Ivan Ohlson (Sweden).

The Governing Body also approved the list of subjects for study given in Annex B of the Report of the Executive Committee of the Advisory Committee. It decided to select the following questions in the first instance: (a) facilities for workers' holidays during their holidays with pay, (b) holiday camps for young workers. It decided to take into consideration, for the subsequent work of the Advisory Committee, the group of questions No. 6: Workers' and adult education.

FIFTH ITEM ON THE AGENDA.


The Governing Body decided to adjourn this question until a subsequent session.

EIGHTH ITEM ON THE AGENDA.


The Director said that since the preliminary note on this question had been circulated, the Office had received very interesting replies from the Governments of India and China. These would be circulated to the Governing Body. He did not think, however, that the Governing Body would be in a position to consider the question during this session, since the replies from the other Governments concerned had not yet reached the Office.

He therefore proposed that the small Committee set up to examine the question should meet either before or during the next session of the Governing Body. The presence of delegates from the countries concerned at the Conference would enable the question to be studied in greater detail than would be possible at present. He accordingly proposed to adjourn the question until the Eightieth Session.
M. Zaman appuie la proposition du Directeur. Cet ajournement permettrait à Sir Firozkhan Noon, Haut Commissaire de l'Inde, retenu à Londres en raison du Couronnement, de participer à la discussion. Sir Firozkhan Noon serait heureux de pouvoir exposer en personne le point de vue du Gouvernement de l'Inde.

Le Conseil d'administration décide d'ajourner à sa prochaine session l'examen de la question. Il est entendu que le petit Comité institué par le Conseil pour l'examen de cette question se réunira à l'occasion de la 8ème session.

NEUVIÈME QUESTION A L'ORDRE DU JOUR.

Approval de divers formulaires pour les rapports annuels sur l'application des conventions.

Le Directeur rappelle au Conseil que les formulaires de rapports annuels proposés ont trait aux trois conventions suivantes : convention no 34 (bureaux de placement payants), convention no 41 (travail de nuit [femmes] [revisée]) et convention no 45 (travaux souterrains [femmes]).

Le Conseil d'administration approuve les formulaires pour les rapports annuels sur l'application des conventions nos 34, 41 et 45.

Date des réunions du Conseil d'administration.

M. Komarnicki, constatant que le Conseil est appelé à siéger le jour de la fête de l'Ascension, demande qu'on fasse le nécessaire pour éviter à l'avenir que le Conseil siège les jours de fête légale.

M. Mertens appuie cette observation et rappelle que le 1er mai est également un jour de fête.

Le Président partage les vues de M. Komarnicki, mais rappelle qu'il n'est pas toujours possible de tenir compte de ces considérations et que le Conseil et la Conférence ont dû souvent siéger des jours de fête, notamment le lundi de la Pentecôte. Il est d'ailleurs persuadé que le Directeur fera tout son possible pour éviter que ces faits se renouvellent.

M. Muniz se rallie aux observations du Président et forme le vœu que le Bureau prenne en considération les fêtes religieuses pour la fixation des dates des sessions du Conseil.

La séance est levée à 12 heures 10.

H. C. OERSTED.
Mr. Zaman supported the Director's proposal. The adjournment would allow Sir Firozkhan Noon, High Commissioner for India, who was detained in London owing to the Coronation, to take part in the discussion. Sir Firozkhan Noon would wish to be able personally to explain the attitude of the Government of India.

The Governing Body decided to adjourn the question until its next session. It was agreed that the small Committee set up by the Governing Body to consider the question should meet in connection with the Eightieth Session.

NINTH ITEM ON THE AGENDA.

Approval of various forms for the annual reports on the application of Conventions.

The Director pointed out that forms for annual reports were proposed in connection with the three following Conventions: Convention No. 34—Fee-Charging Employment Agencies; Convention No. 41—Night Work (Women) (Revised); Convention No. 45—Underground Work (Women).

The Governing Body approved the forms for the annual reports on the application of Conventions Nos. 34, 41 and 45.

Dates of the meetings of the Governing Body.

Mr. Komarnicki pointed out that the Governing Body had been called upon to meet on Ascension Day, and requested that in the future the Governing Body should not meet on public holidays.

Mr. Mertens supported that proposal, and pointed out that the First of May was also a public holiday.

The Chairman said that he was in agreement with Mr. Komarnicki's proposal; but it was not always possible to take that consideration into account; the Governing Body and the Conference had often had to meet on public holidays, and particularly on Whit Monday. He was sure, however, that the Director would do his utmost to ensure that it should not occur in the future.

Mr. Muniz supported the Chairman's observations and expressed the hope that the Office would take account of religious festivals in fixing the dates of the sessions of the Governing Body.

The sitting closed at 12.10 p.m.

H. C. OERSTED.
PROCÈS-VERBAL DE LA DEUXIÈME SÉANCE (PRIVÉE).

Au cours des deux parties de cette séance, qui ont eu un caractère privé, le Conseil d'administration a examiné la deuxième question (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), la dix-neuvième question (Examen de la réclamation présentée par M. J. M. Curé, au nom du parti travailliste de l'île Maurice, au sujet de l'application de certaines conventions internationales du travail dans l'île Maurice), et la troisième question à l'ordre du jour (Rapport du Comité du budget).

Conformément aux dispositions de l'article 8 du règlement du Conseil d'administration, les procès-verbaux des deux parties de cette séance sont imprimés séparément.
MINUTES OF THE SECOND SITTING (PRIVATE).

At the first and second part of this sitting, which was held in private, the Governing Body considered the second item (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 nineteenth item (Examination of the representation submitted by Dr. J. M. Curé on behalf of the Labour Party of the Island of Mauritius concerning the application of certain international labour Conventions in the Island), and the third item (Report of the Finance Committee).

In accordance with the provisions of Article 8 of the Standing Orders of the Governing Body, the minutes of both parts of this sitting have been printed separately.

Absent : M. de MICHELIS.

**DIXIÈME QUESTION À L'ORDRE DU JOUR.**

*Rapport du Bureau sur l'organisation d'une réunion technique tripartite concernant la réduction de la durée du travail dans l'industrie charbonnière.*

*Le Directeur* rappelle que le Conseil d'administration, à sa 78ème session, a chargé le Bureau de faire connaître aux Gouvernements des pays principalement intéressés, que le Conseil avait l'intention de convoquer, au mois d'octobre 1937, une réunion tripartite concernant la durée du travail dans les mines de charbon, et de demander leur avis à ce sujet. Dans la note relative à cette question, le Bureau a reproduit les réponses qu'il a reçues jusqu'à présent. Le Gouvernement tchécoslovaque est prêt à participer à la réunion. Le Gouvernement belge n'a pas d'objection à faire valoir. Le Gouvernement polonais estime que cette réunion est désirable, pourvu que la participation des principaux pays producteurs de charbon soit assurée. Le Gouvernement des Pays-Bas maintient son opposition à la convocation d'une telle réunion pour la raison que celle-ci n'aboutirait à aucun résultat si tous les grands pays producteurs de charbon n'y étaient pas représentés. Le Gouvernement français désire que cette réunion soit convoquée dans un délai aussi bref que possible. Enfin, le Gouvernement des Etats-Unis, dans une lettre qui vient de parvenir au Bureau, déclare qu'il attaché une grande importance à la question et qu'il serait heureux de participer à la réunion envisagée.

Quatre des pays consultés n'ont pas encore répondu. Les représentants de trois d'entre eux seront peut-être en mesure de faire connaître au Conseil d'administration l'opinion de leur gouvernement.

Il serait évidemment regrettable que l'on convoquât une réunion qui, une fois de plus, ne mènerait à aucun résultat concret. Les échecs répétés qu'a rencontrés l'Organisation dans ses efforts pour aboutir à une solution définitive en ce qui concerne la durée du travail dans les mines de charbon ont provoqué un grand désappointement chez les mineurs, et un nouvel échec ne pourrait qu'aggraver ce désappointement.

Les mineurs ont exprimé à plusieurs reprises le désir que les aspects économiques de l'industrie charbonnière soient étudiés sur un plan international. On avait envisagé précédemment que les aspects économiques de la question soient examinés par la Section économique de la Société des Nations et les aspects sociaux par l'Organisation internationale du Travail. Depuis cette époque, l'Organisation a convoqué un certain nombre de réunions consacrées à la durée du travail dans les mines de charbon, mais on n'a guère fait de progrès au cours des récentes années en ce qui concerne l'étude des aspects économiques de l'industrie charbonnière.

Le succès remporté par la Conférence consacrée à l'industrie textile qui vient de siéger à Washington donne à penser au Directeur qu'il y aurait peut-être lieu d'examiner la possibilité de convoquer une réunion semblable pour l'industrie charbonnière, c'est-à-dire une réunion qui ne traiterait pas seulement de la question de la durée du travail, mais qui d'un point de vue plus large, procéderait à une étude
MINUTES OF THE THIRD SITTING.

(Thursday, 6 May 1937—3.15 p.m.)

The Governing Body was composed as follows: Mr. Oersted, Chairman; Mr. Andersson, Mr. Curcin, Mr. Fabella, Mr. Gemmill, Mr. Gerard, Mr. Justin Godart, Mr. Goodrich, Mr. Hayday, Mr. Hurtado, Mr. Jensen, Mr. Kirkaldy, Mr. Kitaoa, Mr. Komarnicki, Mr. Kupers, Mr. Li Ping-Heng, Mr. Mannio, Mr. Markus, Mr. Mertens, Mr. Muniz, Mr. Nemeczek, Mr. Norman, Mr. Pardo, Mr. Riddell, Mr. Schurch, Mr. Serrarens, Mr. Takeuchi, Mr. Tzaut, Mr. Waline, Mr. Veremitch, Mr. Zaman.

Absent: Mr. de Michalis.

TENTH ITEM ON THE AGENDA.

Report of the Office on the organisation of a Technical Tripartite Meeting on the reduction of hours of work in the coal industry.

The Director pointed out that the Governing Body, at its Seventy-eighth Session, had instructed the Office to inform the Governments of the countries principally concerned that the Governing Body proposed to call a tripartite meeting concerning hours of work in coal mines in October 1937 and to ask for their observations. The note of the Office on this question reproduced the replies received up to the present. The Czechoslovak Government was ready to participate in the meeting. The Belgian Government had no objection. The Polish Government thought the meeting desirable provided that the participation of the principal coal-producing countries was assured. The Netherlands Government maintained its opposition to the meeting on the ground that it would lead to no result unless all the great coal-producing countries were represented. The French Government was anxious that the meeting should be called at the earliest possible moment, and the United States Government, in a letter which had just been received, said that it attached great importance to the question and would be glad to take part in the proposed meeting.

Four of the countries consulted had not yet replied. The representatives of three of them might perhaps be able to inform the Governing Body of the views of their Governments.

It would of course be undesirable to call a meeting which would result in another failure to produce concrete results. The repeated failure of the Organisation to reach any definite solution concerning hours of work in coal mines had led to great disappointment among the miners, and a further failure would be bound to increase that disappointment.

The miners had repeatedly expressed a desire that the economic aspects of the coal mining industry should be considered internationally. It had at one time been proposed that the economic aspects should be considered by the Economic Section of the League and the social aspects by the International Labour Organisation. Since that time the Organisation had held a number of meetings on hours of work in coal mines, but no progress had recently been made in regard to the economic aspects of the industry.

The successful meeting which had just been held in Washington on the textile industry suggested to him that it might be worth considering the possibility of holding a similar meeting in regard to the coal mining industry, i.e. a meeting which would deal not only with the question of hours of work but the broader aspects, both economic and social, which had led to the present difficulties encountered by the
des phénomènes tant économiques que sociaux qui sont la source des difficultés auxquelles l'industrie charbonnière se heurte actuellement dans beaucoup de pays. Une réunion de ce genre aurait peut-être plus de chances d'aboutir à des résultats qu'une Conférence consacrée uniquement à la question de la durée du travail.

M. Norman est en mesure de communiquer oralement l'opinion du Gouvernement britannique. Si le Conseil d'administration décide de convoquer la réunion tripartite envisagée, la Grande-Bretagne participera pleinement à ses travaux, bien que les chances de succès de cette réunion risquent d'être amoindries si tous les principaux pays producteurs de charbon n'y participent pas et si l'ordre du jour est limité à la question de la durée du travail, sans égard aux autres conditions de travail et notamment aux salaires.

M. Kitaoka déclare qu'à son avis la question de la réduction de la durée du travail dans les mines de charbon concerne plus particulièrement les pays européens. Rien ne s'oppose, naturellement, à ce que les États-Unis participent à la réunion envisagée, si la question présente de l'intérêt pour eux. Mais le Gouvernement japonais ne pourrait accepter de prendre part à cette réunion, même s'il y était invité.

M. Markus annonce que le Gouvernement de l'Union des Républiques socialistes soviétiques n'a encore pris aucune décision à l'égard de la convocation de cette réunion.

M. Hayday est très désappointé par l'attitude adoptée par certains gouvernements. L'Allemagne, comme on pouvait s'y attendre, n'a pas répondu. L'Union des Républiques socialistes soviétiques n'a pas pris de décision. Le Japon et les Pays-Bas sont hostiles à la proposition. Les autres pays consultés sont prêts à prendre part aux travaux de la réunion, mais certains d'entre eux expriment des doutes quant aux chances de succès de celle-ci. C'est là une déception de plus à ajouter à toutes celles que les travailleurs ont déjà éprouvées quant à la réduction de la durée du travail dans les mines de charbon. La faute n'en est pas au Bureau international du Travail, mais à la tiédeur de certains gouvernements qui, tout en affirmant leur désir d'améliorer la situation des mineurs, trouvent toujours des prétextes pour éluder les solutions envisagées.

La ratification de la convention relative à la durée du travail dans les mines de charbon s'est heurtée à des difficultés de cette nature. On avait tenté d'obtenir la ratification simultanée de cette convention par une série de gouvernements, mais plusieurs de ceux-ci ont invoqué l'un après l'autre des prétextes pour refuser de ratifier la convention.

Les pays extra-européens se sont plaints, à une certaine époque, que l'on n'ait pas tenu compte de leur situation lors de l'élaboration du projet de convention. Le champ des consultations avait été, en conséquence, élargi de façon à y faire entrer ces pays. Or, le Gouvernement japonais déclare maintenant qu'il ne prendra pas part à la réunion projetée.

Le Gouvernement britannique a fait preuve de tiédeur à l'égard de l'ensemble du problème. Ce gouvernement fait naître des espoirs en acceptant de participer à la réunion, mais il exprime ensuite des doutes quant aux chances de succès de cette dernière. Ce n'est pas là une attitude de nature à conduire à des résultats satisfaisants.

Si l'on ne réussissait pas à assurer une réduction de la durée du travail dans les mines de charbon, ce sont les mineurs eux-mêmes qui souffriraient de cet échec. Les gouvernements n'en seraient pas directement affectés, sauf dans les cas où ils exploitent eux-mêmes les mines de charbon. En pareil cas, on ne saurait invoquer d'ailleurs l'opposition des employeurs à la réduction de la durée du travail. Aussi M. Hayday a-t-il quelque peine à comprendre pourquoi des gouvernements tels que celui de l'U.R.S.S. n'acceptent pas de prime abord de participer à la réunion projetée. Il s'attendait à ce que ce gouvernement fût des premiers à appuyer le projet de convocation d'une telle réunion.

Étant donné les objectifs en vue desquels l'Organisation internationale du Travail a été constituée, il avait cru pouvoir espérer que l'on se préoccuperait davantage de la situation des mineurs. On croit, dans certains milieux, que maintenant que la situation économique tend à s'améliorer, on s'intéresse moins à la question de la
industry in many countries. A meeting of this kind would perhaps be more likely to reach satisfactory results than a meeting dealing solely with hours of work.

Mr. Norman said that he would communicate the views of the British Government orally. If the Governing Body decided to hold the tripartite meeting, Great Britain would participate fully, although the prospect of successful results accruing would be diminished if the meeting was not attended by all the principal coal-producing countries and if the agenda was confined to the question of hours of work and had no regard to other conditions of work, including wages.

Mr. Kitaoka said that in his view the question of the reduction of hours of work in coal mines was one which concerned more particularly the European countries. There was of course no reason why the United States should not attend the proposed meeting if the question was of interest to it, but the Japanese Government could not agree to participate in the meeting even if it were invited.

Mr. Markus said that the Government of the Union of Soviet Socialist Republics had not yet taken any decision on the question of the proposed meeting.

Mr. Hayday said that he was much disappointed at the attitude adopted by some of the Governments. Germany, as was to be expected, had not replied. The Union of Soviet Socialist Republics had taken no decision. Japan and the Netherlands were opposed to the proposal. The remaining countries which had been consulted were prepared to participate, but some of them expressed doubts as to the success of the meeting. This added one further disappointment to those which the workers had already encountered in connection with hours of work in coal mines. This was not due to any failure on the part of the International Labour Office but to the half-hearted attitude of certain Governments, which stated that they were anxious to improve the position of the miners, but always found pretexts for evading the solutions proposed.

Similar difficulties had been encountered with regard to the ratification of the Convention concerning hours of work in coal mines. An attempt had been made to obtain simultaneous ratification of that Convention, but one Government after another had put forward pretexts for refusing to ratify it.

The extra-European countries had at one time complained because their conditions had not been taken into account in drawing up the Convention. The consultations had then been extended so as to include them; yet the Japanese Government now stated that it would not take part in the proposed meeting.

The attitude of the British Government towards the whole question had been half-hearted. That Government aroused hopes by agreeing to participate in the meeting, but then proceeded to express doubts as to its possible success. This was not an attitude which was likely to lead to satisfactory results.

The persons who would suffer from the failure to secure a reduction of hours of work in coal mines would be the miners themselves. Governments would not be directly affected except in cases where they controlled the coal mines. In such cases the opposition of the employers to the reduction of hours of work could not be put forward as a pretext, and he therefore found it difficult to understand why such Governments as that of the Union of Soviet Socialist Republics did not at once agree to take part in the proposed meeting. He had expected that Government to have been amongst the first to support the proposed meeting.

In view of the objects for which the International Labour Organisation had been set up, he would have expected that more consideration should be given to the position of the miners. It was believed in some quarters that now that the economic situation was tending to improve, less interest was taken in the question of the 40-hour week.
semaine de 40 heures. Tel n’est pas le cas. Les événements qui se sont déroulés dans certains pays montrent clairement que si l’on ne fait pas quelque chose en vue d’améliorer la situation des travailleurs, ceux-ci prendront eux-mêmes en main la défense de leurs propres intérêts.

L’industrie charbonnière est la première branche d’activité pour laquelle l’Organisation a tenté d’obtenir une réduction de la durée du travail. On avait pensé qu’un tel exemple favoriserait une application plus générale de la réduction de la durée du travail. Mais la convention sur les mines de charbon a passé par bien des vicissitudes. S’il se révélait impossible d’obtenir une réduction de la durée du travail dans cette industrie, on ne pourrait guère s’attendre à un succès quelconque dans les industries textile, chimique, graphique et autres. Les ouvriers des mines de charbon ont un travail particulièrement pénible et dangereux ; leurs salaires et leurs conditions de travail sont loin d’être satisfaisants. S’il n’était pas possible d’élaborer une convention pour cette industrie, cet échec provoquerait l’impression la plus déplorable chez les travailleurs.

Il estime qu’il importe de convoquer la réunion tripartite envisagée, même si elle a peu de chances de succès. Cela obligerait les gouvernements à prendre leurs responsabilités et l’on saurait enfin de façon nette si les travailleurs peuvent ou non s’attendre à voir se réaliser leur espoir d’une réduction de la durée du travail dans les mines de charbon.

M. Justin Godart déclare que, pour définir l’attitude que le Gouvernement français a toujours prise dans cette question, il lui suffit de lire le dernier paragraphe de la lettre qui a été envoyée au Bureau par ce gouvernement au mois d’avril. Ce paragraphe est ainsi conçu :

« J’ai l’honneur de vous faire connaître que le Gouvernement français, conformément à la position prise antérieurement par son délégué au Conseil, continue à attacher le plus vif intérêt à la réunion de la conférence technique tripartite sur la réduction de la durée du travail dans les mines et serait désireux que cette conférence pût être réunie dans un délai aussi bref que possible. »

M. Kupers regrette vivement que la question ait évolué comme elle l’a fait. Le Gouvernement des Pays-Bas, qui est nettement opposé à la semaine de 40 heures, s’est borné à répondre qu’il ne prévoyait pas que la réunion tripartite envisagée pût aboutir à un résultat quelconque. Il n’a pas refusé expressément de participer à une telle réunion et M. Kupers croit que, si le Conseil d’administration décidait de convoquer cette réunion, le Gouvernement des Pays-Bas s’y ferait peut-être représenter. En tout cas, il est possible que les élections prochaines portent au pouvoir, aux Pays-Bas, un gouvernement qui sera plus favorable à la semaine de 40 heures.

La plupart des gouvernements qui ont été consultés semblent être en faveur du projet de réunion tripartite. Il ne nourrit pas d’espoirs exagérés quant au résultat que peut avoir une telle réunion, car l’expérience a montré combien il est difficile d’assurer l’adoption de conventions concernant la semaine de 40 heures. On a pu constater qu’un certain nombre de gouvernements, après avoir déclaré approuver le principe de telles conventions, ont néanmoins voté contre leur adoption.

Il espère que les mineurs du monde entier suivront l’exemple de leurs collègues de France et des États-Unis. S’il leur était impossible d’obtenir satisfaction par une autre méthode, les mineurs seraient amenés à recourir à la grève. Il espère toutefois que l’on fera encore un effort pour aboutir à un résultat dans le cadre de l’Organisation internationale du Travail.

M. Komarnicki rappelle que le Gouvernement polonais, ainsi qu’il l’a déclaré dans sa réponse au Bureau, est en principe favorable à la convocation de la réunion envisagée, avec certaines conditions. Toutefois, la discussion qui vient de se dérouler ne permet pas de prévoir qu’une réunion de ce genre ait de très grandes chances de succès dans un proche avenir.

Comme l’a suggéré le Directeur, M. Komarnicki pense que le problème devrait être traité de la même manière que dans le cas de l’industrie textile. Une telle étude ferait apparaître de grandes divergences dans la structure économique et sociale de
This was not the case. What had taken place in certain countries clearly showed that unless something was done to improve the situation of the workers they would take matters into their own hands.

The coal mining industry was the first industry in which the Organisation had attempted to secure a shorter working week. It had been thought that the example thus set would encourage a more general application of a shorter working week. The Coal Mines Convention had, however, had a chequered history. If it proved impossible to obtain reduced hours of work in this industry, it could hardly be expected that success would be achieved in the textile, chemical, printing and other industries. The work of coal miners was particularly arduous and dangerous, and wages and social conditions were unsatisfactory. If a Convention could not be secured for that industry, the impression produced on the workers would be most unfortunate.

He thought it desirable that the proposed tripartite meeting should be called even if it had little prospect of success. This would oblige Governments to face their responsibilities, and show clearly whether the workers could expect that their hopes for a reduction of hours of work in coal mines would ever be fulfilled.

Mr. Justin Godart said that in order to define the attitude which the French Government had always taken on this question it was sufficient for him to quote the last paragraph of the letter which it had sent to the Office in April. It ran as follows:

"I have the honour to inform you that the French Government adheres to the attitude previously adopted by its representative on the Governing Body and continues to attach the greatest importance to the meeting of the technical tripartite conference on the reduction of hours of work in mines. It is consequently anxious that this conference should be called at the earliest possible moment."

Mr. Kupers said that he greatly regretted the turn which this question had taken. The Netherlands Government, which was definitely opposed to the 40-hour week, had merely replied that it did not expect the proposed tripartite meeting to achieve any result. It had not expressly refused to take part in such a meeting, and he believed that if the Governing Body decided to call it, the Netherlands Government would perhaps send representatives. In any case it was possible that the forthcoming elections in the Netherlands would bring into power a Government which would be more favourable to the 40-hour week.

Most of the Governments which had been consulted seemed to be in favour of the proposed tripartite meeting. He did not entertain undue hopes as to the results of such a meeting, as past experience showed how difficult it was to secure the adoption of Conventions on the 40-hour week. Experience had shown that a number of Governments expressed sympathy with the objects of such Conventions, but nevertheless voted against them.

He hoped that the miners of the world would follow the example of their colleagues in France and the United States. If it were impossible to obtain satisfaction in any other way, the miners might be compelled to have recourse to strikes. He hoped, however, that one more effort would be made to achieve the desired result through the International Labour Organisation.

Mr. Komarnicki said that the Polish Government was, as it had stated in its reply to the Office, in principle in favour of holding the proposed meeting under certain conditions. The discussion which had taken place, however, did not hold out very good prospects for the success of such a meeting in the near future.

He agreed with the Director's suggestion that the matter should be discussed on the same lines as the textile industry had been. This would show that there were great differences in the economic and social structure of the coal mining industry
l'industrie charbonnière des divers pays. Si l'on élargissait ainsi le cadre de la réunion envisagée, il serait peut-être prématûre que le Conseil d'administration en fixât la date au cours de la présente session.

Il souligne qu'en définissant son attitude en la matière, son gouvernement est amené à tenir compte de l'attitude des pays voisins de la Pologne.

*M. Goodrich* rappelle que le Gouvernement des États-Unis sera heureux de participer à la réunion envisagée à la date où l'Organisation jugera opportun de la convoquer.

Il ne saurait admettre que la question en discussion soit purement européenne. Il reconnaît toutefois qu'elle concerne tout particulièrement les principaux pays européens producteurs de charbon. En conséquence, le Gouvernement des États-Unis n'insistera pas pour faire prévaloir son opinion quant à la date à laquelle la réunion envisagée pourrait être convoquée avec des chances de succès ou quant à l'ordre du jour de cette réunion. Ce sont là des questions qu'il appartient avant tout aux principaux pays européens producteurs de charbon de résoudre.

Le Gouvernement des États-Unis espère, toutefois, que l'ordre du jour sera plus large que ne l'a été celui des réunions concernant les industries graphique et chimique, qui ont siégé en 1936 ; il s'intéresserait plus vivement à la réunion envisagée si le Conseil d'administration décidait de suivre la suggestion du Directeur quant à l'examen général des aspects économiques de l'industrie charbonnière, dans un cadre analogue à celui de la Conférence technique de l'industrie textile.

*M. Kirkaldy* n'a pas l'intention de discuter la suggestion du Directeur quant à l'élargissement du mandat de la réunion tripartite envisagée. N'ayant reçu les notes soumises au Conseil qu'après son arrivée à Genève, il n'a évidemment pas pu consulter les employeurs de l'industrie charbonnière britannique sur ce point, non plus qu'au sujet des réponses des gouvernements. Il ne peut donc que répéter la déclaration qu'il a faite lors de la réunion précédente du Conseil d'administration.

Deux conventions concernant la durée du travail dans les mines de charbon ont déjà été adoptées. La première, celle de 1931, n'a été ratifiée que par l'Espagne et la seconde, celle de 1935, par Cuba. Dans ces circonstances, il lui semble vain et même quelque peu dangereux d'organiser une réunion tripartite chargée d'envisager une nouvelle réduction de la durée du travail dans les mines de charbon. De plus, il paraît tout à fait impossible de discuter une telle question en l'absence de l'Allemagne.

Il proteste avec vigueur contre l'opinion exprimée par certains orateurs qui ont déclaré que la question de la durée du travail dans les mines de charbon était entièrement ou principalement un problème européen.

*M. Mertens* estime que M. Kirkaldy tend à ouvrir à nouveau l'ensemble de la question de la convocation de la réunion projetée. Or, s'il a bien compris, le Conseil d'administration a décidé, à sa 78ème session, de convoquer cette réunion tripartite. Le Directeur a simplement été chargé de consulter les gouvernements afin de savoir si les pays principalement intéressés étaient disposés à participer à la réunion. Un certain nombre de pays n'ont pas encore répondu. Il semble douteux que l'on puisse dès à présent fixer une date ferme pour la réunion projetée sans avoir la garantie de la participation des États principalement intéressés. Comme le Directeur a proposé d'établir, pour la réunion tripartite, un ordre du jour plus large que celui que l'on avait primitivement en vue, il est possible d'ailleurs, que les pays qui n'ont pas encore envoyé de réponse affirmative soient disposés à participer à une telle réunion. Le Conseil pourrait autoriser le Directeur à consulter les gouvernements sur cette nouvelle base, et pourrait demander qu'un rapport lui soit soumis lors de sa 80ème session. La date et l'ordre du jour de la Conférence pourraient alors être fixés définitivement.

*M. Norman* tient à préciser l'attitude du Gouvernement britannique, puisqu'il semble que l'on ne l'ait pas pleinement comprise.

Le Gouvernement britannique est prêt à participer à la réunion tripartite sur les mines de charbon, et cette déclaration est faite sans aucune condition ni restriction.

Le Gouvernement britannique considère par ailleurs que la Conférence aurait
in the various countries. If the scope of the proposed meeting were widened in this way, it might be premature for the Governing Body to decide on its date at this session.

He would point out that in defining its attitude on the question, his Government had found it necessary to take into account the attitude of the countries which were Poland's neighbours.

Mr. Goodrich said that as the United States Government had stated, it would be glad to take part in the proposed meeting whenever, in the judgment of the Organisation, it seemed wise to hold it.

He could not agree that the question at issue was a purely European one. He admitted, however, that it was primarily one for the major European coal-producing countries. The United States Government was therefore unwilling to press its views too vigorously as to the time at which the proposed meeting could be held with prospects of success, or as to its agenda. These questions were mainly for the major European coal-producing countries to answer.

The United States Government nevertheless hoped that the agenda would be broader than that of the meetings on the printing and chemical industries held in 1936. Its interest in the meeting would be greater if it were decided to follow the Director's suggestion for a general examination of the economic aspects of the coal mining industry on more or less the same lines as the Technical Conference on the textile industry.

Mr. Kirkaldy said that he did not propose to discuss the Director's suggestion with regard to enlarging the scope of the proposed tripartite meeting. As he had not received the notes submitted to the Governing Body until his arrival in Geneva, he had obviously had no opportunity of consulting the British coal owners on that question, or on the Governments' replies. He could therefore only repeat the views which he had expressed at the last session of the Governing Body.

Two Conventions regarding hours of work in coal mines had already been adopted. The first, adopted in 1931, had been ratified only by Spain, and the second, adopted in 1935, only by Cuba. In these circumstances it seemed to him useless, and indeed to some extent dangerous, to convene a tripartite meeting to consider a further reduction of hours of work in coal mines. In addition, it appeared quite impossible to discuss that question in the absence of Germany.

He protested vigorously against the suggestion made by some speakers that the question of hours of work in coal mines was entirely or primarily a European one.

Mr. Mertens said that Mr. Kirkaldy appeared to wish to reopen the entire question of the holding of the proposed meeting. As he understood it, the Governing Body had decided at its Seventy-eighth Session that this tripartite meeting should be held. The Director had simply been instructed to consult the Governments in order to find out whether the countries mainly interested would participate. Some of the countries had not yet sent any reply. It seemed doubtful whether a definite date for the proposed Conference could be fixed at once, before it was certain that the States principally concerned would take part. Since the Director had suggested that the agenda of the tripartite meeting should be wider than had originally been intended, it was, however, possible that the Governments which had not yet sent an affirmative reply would be prepared to take part in it. The Director might be authorised to consult Governments on this new basis, to submit a report to the Governing Body at its Eightieth Session. The date and agenda of the Conference could then be fixed definitely.

Mr. Norman said that he would once more explain the British Government's attitude as it had apparently not been completely understood.

The British Government was prepared to attend the tripartite meeting on coal mines, and it stated this without any qualification or proviso.

The British Government considered, however, that the meeting would be more
plus de chances d’aboutir à des résultats heureux si tous les pays intéressés participaient à ses travaux et si l’ordre du jour était élargi de façon à s’étendre aux autres conditions de travail et notamment aux salaires.

M. Norman pense que M. Hayday considère la situation avec un pessimisme exagéré. Rien ne permet de supposer que le problème de la durée du travail dans les mines de charbon ne puisse pas être heureusement résolu, pourvu que les discussions soient préparées de façon approfondie et que l’on tienne compte de tous les éléments du problème.

M. Gemmili considère, comme le représentant du Gouvernement japonais, que la question est avant tout européenne. Sur la base de l’expérience, il pense que si la réunion tripartite envisagée était convoquée, le Gouvernement de l’Afrique du Sud adopterait une attitude semblable à celle du Gouvernement japonais.

M. Kirkaldy fait remarquer qu’aux termes de la décision prise par le Conseil d’administration lors de sa 78ème session, le Bureau était chargé de faire connaître aux gouvernements des pays principalement intéressés que le Conseil d’administration se proposait de convoquer, au mois d’octobre 1937, une réunion tripartite concernant la durée du travail dans les mines de charbon. Il ne croit pas que l’on puisse voir là une décision ferme de convoquer cette réunion, mais, en tout cas, si le Conseil d’administration a décidé de demander l’avis des gouvernements, c’était afin de pouvoir reviser, au cours de la présente session, sa décision, s’il en a réellement pris une.

M. Hayday propose que le Directeur soit chargé de poursuivre la préparation de la convocation de la réunion tripartite pour octobre 1937. Il considérait qu’il avait été définitivement décidé, lors de la 78ème session, que cette réunion serait convoquée, mais il fait cette nouvelle proposition pour préciser la situation au cas où il subsisterait quelque doute sur ce point.

Il rappelle que les pays extra-européens ont précédemment demandé que le champ de la discussion quant à la durée du travail dans les mines de charbon ne soit pas limité aux pays européens. Cela étant, il ne peut qu’être surpris d’entendre les représentants des pays extra-européens refuser, maintenant, de prendre part à la réunion envisagée. Ce fait lui donne l’impression que ces pays cherchent à laisser aux pays européens la responsabilité d’un échec possible de la réunion.

Le Président, en présence du doute qui semble subsister quant à la portée exacte de la décision prise par le Conseil d’administration lors de sa 78ème session, donne lecture au Conseil des termes dans lesquels M. Hayday a présenté, à l’origine, sa proposition, ainsi que des termes de la décision prise par le Conseil d’administration après les procès-verbaux. Il ressort de ces textes ainsi que des conclusions de la note du Bureau, que le Conseil n’a pas, lors de la 78ème session, pris de décision définitive quant à la convocation de la réunion.

M. Erulkar déclare que bien que l’Inde ne figure pas dans la liste des pays consultés au sujet de la convocation de la réunion tripartite, il adopte la même attitude que M. Kitaoka et M. Gemmili dont les déclarations correspondent à l’opinion que l’on a généralement dans l’Inde à ce sujet.

M. Servarens ne conteste pas les termes dans lesquels les procès-verbaux font état de la décision prise par le Conseil d’administration lors de sa dernière session. Mais cette décision concernait la convocation d’une réunion concernant la durée du travail dans les mines de charbon. Or, le Directeur vient de présenter quant à l’ordre du jour de la conférence envisagée une nouvelle suggestion qu’aucun membre du Conseil d’administration n’a combattue. Sans doute, chacun d’entre eux a-t-il été vivement frappé par l’heureux résultat de la Conférence de Washington concernant l’industrie textile. Il espère donc que le Conseil d’administration acceptera de convoquer une réunion analogue pour étudier la situation de l’industrie charbonnière dans son ensemble, aspects économiques y compris.

Cette proposition change évidemment la situation pour les pays extra-européens. Il ne peut admettre que la question de la durée du travail dans les mines de charbon
likely to secure successful results if all the countries concerned attended it and if the agenda were amplified so as to include conditions of work, and particularly wages.

It appeared to him that Mr. Hayday had taken an unduly pessimistic view of the situation. There was no reason to suppose that the problem of hours of work in coal mines could not be successfully dealt with, provided that the discussions were fully prepared and that all relevant aspects of the subject were considered.

Mr. Gemmill agreed with the Japanese Government representative that the question was primarily a European one. In view of past experience he felt certain that if the proposed tripartite meeting were called, the attitude of South Africa would be the same as that of the Japanese Government.

Mr. Kirkaldy pointed out that the decision taken at the Seventy-eighth Session of the Governing Body was that the Office was instructed to inform the Governments of the countries principally concerned that the Governing Body proposed to call a tripartite meeting concerning hours of work in coal mines in October 1937. He did not think that this could be regarded as an actual decision to hold the meeting, but in any case the reason why it had been decided to ask the Governments for their observations was so that the Governing Body should be able to revise its decision, if it had taken one, at the present session.

Mr. Hayday proposed that the Director should be instructed to proceed with the arrangements for calling the tripartite meeting in October 1937. He considered that it had been definitely decided at the Seventy-eighth Session that the meeting should be held, but he made his present proposal in order to make the position clear in case there should be any doubt.

The extra-European countries had on previous occasions asked that the discussions on hours of work in coal mines should not be limited to European countries. In view of that fact he could not help being surprised that their representatives were now refusing to take part in the proposed meeting. This gave him the impression that they were attempting to throw the responsibility for the possible failure of the meeting on the European countries.

The Chairman said that as there appeared to be some doubt concerning the exact nature of the decision taken at the Seventy-eighth Session of the Governing Body he would read, from the minutes, the terms in which Mr. Hayday had originally moved his proposal and the terms of the decision taken by the Governing Body. These passages, together with the conclusions of the Office note, made it clear that the Governing Body had not taken a definite decision at its Seventy-eighth Session concerning the holding of the meeting.

Mr. Erulkar said that although India was not one of the countries consulted on the proposal to hold the tripartite meeting, he supported the attitude taken up by Mr. Kitaoka and Mr. Gemmill, whose statements corresponded to the views generally held in India.

Mr. Serrarens said that he did not contest the decision taken at the last session of the Governing Body as recorded in the minutes. That decision, however, related to the holding of a meeting on hours of work in coal mines. The Director had now put forward a new suggestion as regards the agenda of the proposed meeting. No member of the Governing Body had opposed that suggestion. No doubt all of them had been much impressed by the successful results achieved at the Washington Conference as regards the textile industry. He therefore hoped that the Governing Body would agree to hold a similar meeting to study the whole question of the coal mining industry, including the economic aspects.

This proposal would clearly make a difference to the position of the extra-European countries. He did not accept the view that the question of hours of work in coal
soit essentiellement européenne, mais il est encore moins possible de prétendre que les aspects économiques de l'industrie charbonnière constituent une question particulièrement européenne. Il s'agit là d'un problème mondial, à l'étude duquel tous les pays devraient collaborer.

*M. Gemmill,* en réponse à *M. Hayday,* tient à préciser l'attitude antérieure des pays extra-européens. Lorsque la question de la durée du travail dans les mines de charbon a été soulevée, il fut spécifié que les études relatives à ce sujet ne porteraient que sur les pays européens, ce qui ne suscita aucune observation de la part des pays extra-européens. Toutefois, par la suite on informa les pays extra-européens que la convention envisagée s'appliquerait à eux également, ce qui les plaçait dans une situation très désavantageuse. Les pays extra-européens protestèrent énergiquement contre cet état de choses. Si maintenant l'on décide de convoquer une réunion tripartite pour l'industrie charbonnière, il y aurait lieu de bien spécifier si elle concernait ou non les pays extra-européens.

*M. Komarnicki,* après les interventions des représentants des pays extra-européens, estime nécessaire de déclarer que le Gouvernement polonais ne pourrait en aucun cas admettre une division régionale pour une industrie d'une importance aussi grande que l'industrie charbonnière. Ce gouvernement ne pourrait pas accepter la convocation d'une réunion limitée aux seuls pays européens. Une telle division serait tout à fait artificielle et constituerait un précédent dangereux pour l'Organisation.

Par ailleurs, il serait de la plus grande utilité que le Bureau procédât à une étude de la question du point de vue économique. Une telle étude ferait ressortir les divergences et les similitudes qui existent dans l'industrie charbonnière des divers pays.

*Le Directeur* constate que la discussion a révélé un manque d'enthousiasme marqué pour la convocation d'une réunion qui ne traiterait que de la seule question de la durée du travail dans les mines de charbon, et un manque de confiance dans les chances de succès d'une telle réunion. Par contre, sa proposition tendant à élargir le champ des débats de façon à y inclure tous les éléments affectant les conditions sociales dans l'industrie charbonnière, y compris les éléments économiques, a rencontré une adhésion assez générale.

La principale leçon qui se dégage de la récente conférence de Washington est que si la question de la durée du travail dans l'industrie textile, considérée isolément, paraît presque insoluble, on se trouve dans une atmosphère totalement différente lorsqu'on prend en considération les divers facteurs économiques et que l'on étudie la question de la durée du travail à la lumière de ces facteurs.

Il croit qu'il en serait de même pour l'industrie charbonnière. Il est fort douteux que l'on puisse espérer aboutir à un accord sur la question de la durée du travail, à moins que ce problème ne soit examiné à la lumière d'une étude générale de l'ensemble des autres facteurs.

Toutefois, si la réunion envisagée devait traiter de tous les aspects de l'industrie charbonnière, le Bureau ne serait pas en mesure de préparer le rapport nécessaire pour le mois d'octobre, bien que la structure de l'industrie charbonnière soit sans doute moins compliquée que celle de l'industrie textile et que le Bureau possède déjà une documentation abondante.

D'autre part, il suppose que si cette réunion était effectivement convoquée, elle devrait comprendre les principaux pays producteurs de charbon, tant européens qu'extra-européens. A sa dernière session le Conseil avait d'ailleurs chargé le Directeur de consulter tous les principaux pays producteurs de charbon, et déjà les États-Unis ont manifesté le désir de participer à la réunion envisagée.

Une alternative se pose donc au Conseil d'administration. Il peut, d'une part, convoquer, pour le mois d'octobre 1937, une réunion des principaux pays producteurs de charbon, qui ne traiterait que de la seule question de la durée du travail. Il peut, d'autre part, convoquer, au début de 1938, une réunion qui traiterait non seulement de la durée du travail, mais étudierait également l'ensemble des facteurs qui exercent une influence sur les conditions sociales dans l'industrie charbonnière; tous les principaux pays producteurs de charbon seraient invités à cette réunion.
mines was an essentially European one; but it was even less possible to maintain that the economic aspects of the coal industry were a particularly European question. The problem was a world-wide one with regard to which all countries should collaborate.

Mr. Gemmili in reply to what Mr. Hayday had said explained the previous attitude of the extra-European countries.

When the question of hours of work in coal mines had been raised, it had been explicitly stated that the investigations on the subject would apply to European countries only. This had not given rise to any observations on the part of the extra-European countries. Subsequently, however, the extra-European countries were told that the proposed Convention would apply to them. This had placed them in a most invidious position. The extra-European countries had protested vigorously against this state of affairs. If a tripartite meeting on the coal mining industry were now to be held, it should be definitely stated whether or not extra-European countries were concerned in it.

Mr. Komarnicki said that in view of the observations made by the representatives of extra-European countries, he felt bound to state that the Polish Government could in no case agree to a division on regional lines with regard to an industry of such importance as coal mining. It could not agree to the holding of a meeting limited to European countries. Such a division would be quite artificial and would constitute a dangerous precedent for the Organisation.

It would be extremely useful if an economic study of the question were made by the Office. Such a study would bring out the differences and similarities which existed in the coal mining industry in the various countries.

The Director said that the discussion had shown that there was little enthusiasm for the holding of a meeting to deal only with the question of hours of work in coal mines, and little confidence in its success. There had, however, been considerable support for his proposal that the scope of the discussions should be widened so as to include all the aspects affecting social conditions in the coal mining industry, including the economic aspects.

The main lesson of the recent Washington Conference had been that while the question of hours of work in the textile industry appeared almost insoluble when considered alone, an entirely different atmosphere was created when the various economic factors were brought into play and the question of hours of work considered in the light of those factors.

He believed that the position was the same with regard to the coal mining industry. It was very doubtful whether there was any hope of reaching an agreement on the question of hours of work unless it were considered in the light of a full report on the other factors involved.

If the proposed meeting were to deal with all aspects of the coal mining industry, however, the Office would not be able to prepare the necessary report in time for a meeting in October, although the structure of the coal mining industry was no doubt less complicated than that of the textile industry, and the Office already possessed a good deal of information about it. Further, he assumed that if the meeting were to be held, it would include the principal coal-producing countries, whether European or extra-European. At its last session, the Governing Body had moreover instructed the Director to consult all the principal coal-producing countries, and the United States had already expressed its willingness to take part in the proposed meeting.

The Governing Body was thus faced with two alternatives. The first was that a meeting of the principal coal-producing countries should be called in October 1937 to deal only with the question of hours of work. The second alternative was that a meeting should be called early in 1938 to deal not only with hours of work, but with all the factors affecting social conditions in the coal mining industry, and that all the principal coal-producing countries should be invited.
Le Conseil peut soit faire son choix immédiatement entre ces deux solutions, soit renvoyer la question à sa 80ème session pour permettre aux membres du Conseil de consulter leur gouvernement ou leur organisation. Du point de vue du Bureau, il importe peu que la décision soit prise maintenant ou lors de la session du mois de juin.

Le Président fait remarquer que la seule proposition dont le Conseil d'administration soit formellement saisi est celle qui figure dans la note soumise au Conseil par le Bureau.

M. Vanèk propose que si le Conseil d'administration désirait prendre en considération la nouvelle suggestion faite par le Directeur au cours de la discussion, la décision soit adjournée, car les membres du Conseil d'administration n'ont pas eu la possibilité de consulter leurs mandants à ce sujet.

Il convient de rappeler qu'au moment où la question de la durée du travail dans les mines de charbon a été soulevée à l'origine, la Société des Nations avait abordé également l'étude de certains aspects de la situation de l'industrie charbonnière; la Commission chargée de l'étude des aspects économiques du problème n'est pas dissoute. Si le Conseil d'administration désire convoquer une réunion appelée à examiner la situation économique de l'industrie charbonnière, il serait utile que le Directeur se mit en rapport avec la Société des Nations pour déterminer ce qui a déjà été fait dans ce domaine.

M. Mertens présente le projet de résolution suivant :

« Le Conseil décide que la Conférence technique tripartite dont la réunion avait été envisagée pour le mois d'octobre 1937, afin de discuter la question de la réduction de la durée du travail dans les mines de charbon, s'occupera également des autres aspects sociaux et économiques du problème.

Il charge le Directeur de lui présenter, lors de la prochaine session de juin, un rapport relatif au caractère exact de la Conférence et à la date à laquelle elle pourra se tenir utilement. »

En soumettant cette proposition, son intention est que la Conférence soit réunie en février ou en mars 1938, ainsi que le Directeur l'a suggéré.

M. Vanèk signale que sa proposition d'ajournement vise évidemment la proposition de M. Mertens. Il ne peut, pour sa part, prendre aucune décision sur une question aussi importante sans avoir consulté ses mandants.

Le Président déclare que la proposition d'ajournement ne peut pas s'appliquer exclusivement à la proposition de M. Mertens. Tout ce qu'il peut faire est de faire voter le Conseil sur la proposition d'ajournement de l'ensemble de la question jusqu'à la 80ème session.

Par 15 voix contre 11 le Conseil d'administration rejette la proposition d'ajournement de la question jusqu'à la 80ème session.

M. Kirkaldy exprime le plus vif regret que le Conseil d'administration ait rejeté la proposition d'ajournement. Des membres du Conseil sont appelés maintenant à voter sur une question de la plus grande importance sans avoir pu consulter leurs mandants. Dans ces circonstances, il se voit contraint de voter contre la proposition.

M. Norman déclare que sans être opposé à la convocation de la réunion projetée, il se heurte à certaines difficultés tenant au libellé du passage de la résolution concernant les « autres aspects économiques et sociaux ». L'Organisation économique de la Société des Nations a été chargée d'étudier les aspects économiques de l'industrie charbonnière. Il ne sait pas si le Gouvernement britannique accepterait qu'une Conférence de l'Organisation internationale du Travail se saisisse de l'ensemble des aspects économiques de cette question. C'est pourquoi il ne peut pas voter en faveur de la résolution. Toutefois, il ne voudrait pas voter contre, car il est d'une façon générale, favorable à la convocation d'une réunion tripartite. Il est donc, à son vif regret, obligé de s'abstenir.
The Governing Body could either decide between these alternatives at once, or adjourn the matter until the Eightieth Session in order to give the members an opportunity of consulting their Governments or organisations. From the point of view of the Office it made very little difference whether the decision was taken now or at the June Session.

The Chairman pointed out that the only proposal formally before the Governing Body was that contained in the note submitted by the Office.

Mr. Vaněk said that if the Governing Body desired to take into consideration the new suggestion made by the Director in the course of the discussion, he would propose that the decision should be adjourned, since members of the Governing Body had not had an opportunity of consulting those whom they represented on that proposal.

It would be remembered that when the question of hours of work in coal mines had originally been raised the League of Nations had also concerned itself with certain aspects of the situation in the coal mining industry and the Committee which had been instructed to study the economic aspects of the problem was still in being. If the Governing Body wished to hold a meeting to consider the economic situation of the coal mining industry, it would be useful for the Director to get into touch with the League of Nations and ascertain what had already been done in this sphere.

Mr. Mertens moved the following resolution:

"The Governing Body decides that the Technical Tripartite Conference which it had contemplated holding in October 1937 in order to discuss the question of the reduction of hours in coal mines shall also deal with the other social and economic aspects of the problem.

It instructs the Director to submit to it at its next session in June a report dealing with the exact character of the Conference and the date at which it can usefully be held."

In submitting this proposal his intention was that the Conference should be held in February or March 1938 as the Director had suggested.

Mr. Vaněk said that his proposal for adjournment obviously applied to Mr. Mertens' proposal. He was personally unable to take a decision on so important a question until he had consulted those whom he represented.

The Chairman said that the proposal for adjournment could not apply exclusively to Mr. Mertens' proposal. All that he could do was to take a vote on the adjournment of the question as a whole until the Eightieth Session.

The Governing Body, by 15 votes to 11, rejected the proposal to adjourn the question until the Eightieth Session.

Mr. Kirkaldy expressed great regret that the Governing Body had rejected the proposal for adjournment. Since it was now proposed that the members should vote on an extremely important question without any opportunity of consulting their constituents, he felt bound to vote against the proposal.

Mr. Norman said that while he was not opposed to the holding of the proposed meeting, he felt some difficulty with regard to the words "other social and economic aspects" in the resolution. The Economic Organisation of the League of Nations had been considering the economic aspects of the coal mining industry, and he did not know whether the British Government would be in favour of bringing all the economic aspects into a conference held by the International Labour Organisation. He was therefore unable to vote in favour of the resolution. At the same time he did not wish to vote against it, because he was in general in favour of the holding of a tripartite meeting. He was therefore reluctantly obliged to abstain.
Le Directeur estime que la résolution de M. Mertens, telle qu'il l'interprète, a le même sens que la suggestion qu'il a présentée lui-même.

Il est exact que le Comité économique de la Société des Nations a abordé depuis longtemps déjà l'étude du problème du charbon, et s'il y avait des mesures à prendre quant aux aspects économiques de l'industrie charbonnière, c'est le Comité économique ou l'Assemblée de la Société des Nations qui seraient compétents. Mais ce qu'il propose, c'est que la réunion tripartite envisagée fasse pour l'industrie charbonnière ce que la Conférence de Washington a fait pour l'industrie textile, c'est-à-dire qu'elle prenne en considération les éléments économiques qui affectent la situation sociale de l'industrie charbonnière. Comme on l'a souligné à Washington, il est impossible de se rendre nettement compte de la situation d'une industrie au point de vue social sans prendre en considération les conditions économiques existantes. Toutefois, les facteurs économiques ne doivent être étudiés que dans la mesure où un tel examen est nécessaire pour une bonne compréhension des conditions sociales. Les résultats atteints à Washington, où il ne s'agissait nullement de prendre des mesures à l'égard des problèmes économiques, montrent que cette méthode présente des avantages certains.

M. Kitaoka ne s'oppose pas à l'élargissement du champ des débats de la Conférence, de manière à y inclure l'étude des aspects économiques de l'industrie charbonnière. Toutefois, il ne considère pas qu'une telle extension puisse modifier l'attitude du Gouvernement japonais. Il suggère que la Conférence soit limitée aux pays européens et aux États-Unis. Il considère que cette méthode est à la fois la meilleure du point de vue pratique et celle qui assure le plus de chances de succès.

M. Komarnicki accepte la proposition de M. Mertens avec les commentaires que vient de faire le Directeur. Il votera en faveur de la résolution bien qu'il ait été partisan de l'ajournement à la prochaine session de la décision définitive. Il est naturellement entendu que le Conseil d'administration sera appelé à examiner de plus près l'ordre du jour de la Conférence envisagée.

M. Mertens déclare accepter pleinement l'interprétation que le Directeur a donnée de sa proposition.

M. Justin Godart demande au Directeur s'il estime possible de convoquer la Conférence pour le mois de février ou de mars 1938 au plus tard.

Le Directeur répond qu'il devra examiner la question de près, mais, à première vue, il croit que la chose est possible.

Par 18 voix contre 9 le Conseil d'administration adopte le projet de résolution présenté par M. Mertens.

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

*Date et lieu de la prochaine session.*

Le Directeur doute qu'un jour suffise pour les travaux de la 80ème session du Conseil d'administration, vu le nombre des questions qu'il y aura lieu de discuter. Il pourrait donc être nécessaire d'ajourner les réunions de la Commission des charges sociales et de la Commission des rapports périodiques qui devaient avoir lieu à l'occasion de cette session.

M. Mertens accepte la suggestion du Directeur.

Le Conseil d'administration décide de fixer sa 80ème session à l'après-midi du 31 mai et au 1er juin 1937. Le Comité du budget se réunira dans la matinée du 1er juin avant la séance du Conseil d'administration et les réunions de la Commission des rapports périodiques et de la Commission des charges sociales seront ajournées.
The Director said that he understood Mr. Mertens' resolution to mean the same as the suggestion which he had put forward.

It was true that the Economic Committee of the League of Nations had had the coal problem before it for some time. If action were to be taken on the economic aspects of the industry, it would be a matter for the Economic Committee or the Assembly of the League. His suggestion was, however, that the proposed tripartite meeting should do for the coal industry what the Washington Conference had done for the textile industry, namely, take into account such economic aspects as were relevant to the social conditions of the coal industry. As had been pointed out at Washington, it was impossible to obtain a clear view of the social conditions of an industry without taking into account the economic conditions. Economic factors should, however, only be considered in so far as was necessary in order to give a clear view of social conditions. The results achieved at Washington, where there had been no question of taking any action on economic problems, showed that this method presented undoubted advantages.

Mr. Kitaoka said that he had no objection to extending the scope of the conference to include the economic aspects of the coal mining industry. He did not, however, consider that such an extension of its scope would change the attitude of the Japanese Government. He suggested that the conference should be limited to the European countries and the United States because he considered that this was the most practical method and the most likely to produce successful results.

Mr. Komarnicki said that he accepted Mr. Mertens' proposal together with the observations just made by the Director. He would vote for the resolution, although he had been in favour of adjourning the final decision until the next session. It was of course understood that the Governing Body would have an opportunity of considering the agenda of the proposed meeting in more detail.

Mr. Mertens said that he fully accepted the Director's interpretation of his proposal.

Mr. Justin Godart asked the Director whether he thought it would be possible to call the meeting in February or March 1938 at the latest.

The Director said that he would have to consider this matter further, but that as far as he could see it would be possible.

The Governing Body adopted Mr. Mertens' resolution by 18 votes to 9.

Thirteenth Item on the Agenda.

Date and Place of the next Session.

The Director said that he doubted whether one day would be sufficient for the Eightieth Session of the Governing Body, in view of the number of questions to be discussed. It might therefore be necessary to postpone the meetings of the Committee on Social Charges and the Committee on Periodical Reports which were to have been held in connection with that session.

Mr. Mertens accepted that suggestion.

The Governing Body decided that its Eightieth Session should take place on the afternoon of 31 May and on 1 June 1937. The Finance Committee would meet on the morning of 1 June before the sitting of the Governing Body, and the meetings of the Committee on Periodical Reports and the Committee on Social Charges would be adjourned.
ONZIÈME QUESTION A L'ORDRE DU JOUR.


Le Conseil d'administration ajourne l'examen de ce rapport à sa session d'automne 1937.

Le Conseil d'administration note que les membres de son bureau ont désigné M. Maurette comme représentant de l'Organisation internationale du Travail au sein de la Commission pour l'étude du problème des matières premières constituée en vertu d'une décision du Conseil de la Société des Nations.

DOUZIÈME QUESTION A L'ORDRE DU JOUR.

Rapport du Directeur.

Organisation intérieure.

Le Directeur rappelle au Conseil d'administration que M. Maurette a été nommé Directeur du Bureau de correspondance de Paris et que M. Tixier a été désigné comme sous-directeur du Bureau en remplacement de M. Maurette. Le Conseil d’administration connaît les qualités éminentes dont M. Maurette a fait preuve pendant de nombreuses années au cours desquelles il a occupé, avec tant de distinction, le poste de sous-directeur. Le Bureau est heureux de pouvoir conserver ses services en qualité de Directeur du Bureau de Paris. Le Conseil d'administration peut se féliciter ainsi que le Bureau du fait qu'on ait pu trouver, à M. Maurette, un successeur aussi capable que M. Tixier dont tous les membres du Conseil connaissent les hautes qualités. M. Tixier est appelé, au cours de la présente session, à faire sa déclaration de loyalisme à l'égard de l'Organisation internationale du Travail.

Le Président est certain que le Conseil voudra s'associer aux paroles prononcées par le Directeur. Le Conseil d'administration a déjà eu l'occasion d'exprimer sa gratitude à M. Maurette et de lui dire sa satisfaction de le voir continuer ses services au Bureau en qualité de Directeur du Bureau de correspondance de Paris.

M. Tixier est le digne successeur de M. Maurette et il convient de féliciter le Directeur de s'être assuré les services de M. Tixier comme sous-directeur du Bureau.

M. Tixier fait la déclaration de loyalisme à l'égard de l'Organisation internationale du Travail que le directeur et les sous-directeurs du Bureau doivent faire lors de leur entrée en fonction.

Composition des commissions.

Remplacement de M. Picquenard et de M. Villa Michel dans les commissions dont ils faisaient partie.

M. Mahaim annonce que le groupe gouvernemental a décidé de proposer que M. Justin Godart remplace M. Picquenard comme membre titulaire ou suppléant dans toutes les commissions dont il faisait partie et que de la même manière, M. Fabela remplace M. Villa Michel.

Le Conseil d'administration approuve ces désignations.

Comité d'experts en matière de travail indigène.

Le Conseil note que M. Cayen (Belge) a donné sa démission comme membre de ce Comité.
ELEVENTH ITEM ON THE AGENDA.


The Governing Body adjourned the discussion of this report until its session in the autumn of 1937.

The Governing Body noted that its Officers had appointed Mr. Maurette as representative of the International Labour Organisation on the Committee on Raw Materials set up by the Council of the League of Nations.

TWELFTH ITEM ON THE AGENDA.

The Director's Report.

Internal organisation.

The Director said that as the Governing Body was aware, Mr. Maurette had been appointed Director of the Paris branch office and Mr. Tixier as Assistant Director of the Office in place of Mr. Maurette. The Governing Body was aware of the eminent qualities shown by Mr. Maurette during the many years for which he had filled the post of Assistant-Director with so much distinction. The Office might congratulate itself on having retained his services as Director of the Paris Office. The Governing Body could also congratulate itself and the Office on the fact that so able a successor to Mr. Maurette had been found as Mr. Tixier, whose great ability was well known to all the members. Mr. Tixier was called upon at the present session to make his declaration of loyalty to the International Labour Organisation.

The Chairman said that the Governing Body would undoubtedly wish to associate itself with what the Director had said. The Governing Body had already had an opportunity of expressing its thanks to Mr. Maurette and its satisfaction that he would continue to work for the Office as Director of the Paris branch office.

Mr. Tixier was a worthy successor to Mr. Maurette, and the Director might be congratulated on having secured his services as Assistant Director.

Mr. Tixier made the declaration of loyalty to the International Labour Organisation required of the Director and Assistant Directors of the Office on taking up their posts.

Composition of Committees.

Replacement of Mr. Picquenard and Mr. Villa Michel on the Committees of which they were Members.

Mr. Mahaim announced that the Government group had decided to propose that Mr. Justin Godart should replace Mr. Picquenard as a regular or substitute member on all the Committees on which he had sat, and that in the same way Mr. Fabela should replace Mr. Villa Michel.

The Governing Body approved those appointments.

Committee of Experts on Native Labour.

The Governing Body noted that Mr. Cayen (Belgian) had resigned his membership of this Committee.
Comité de correspondance pour le travail féminin.

Le Directeur propose la nomination de Miss Linna Bresette (Etats-Unis), membre de ce Comité, en remplacement de Miss Morissy, démissionnaire.

Le Conseil d'administration approuve cette désignation.

Comité de correspondance pour l'hygiène industrielle.

Le Directeur propose au Conseil d'administration de désigner le Dr Seiji Onishi (Japonais), technicien au Bureau des affaires sociales à Tokio, comme membre de ce Comité. Il propose également que le Prof. Cathcart (Britannique), professeur de chimie physiologique à l'Université de Glasgow, et le Dr Durig (Autrichien), de l'Institut de physiologie de l'Université de Vienne, soient désignés comme membres du Comité en vue de faire partie du sous-comité de physiologie du travail.

Il propose également que M. Duccheschi, directeur de l'Institut de physiologie à l'Université de Padoue, soit désigné comme membre de ce comité en remplacement de M. Patrizi, décédé.

Le Conseil approuve ces désignations.

Commission consultative des travailleurs intellectuels.

Le Directeur déclare que la Commission internationale de coopération intellectuelle a informé le Bureau qu'elle se proposait d'être représentée au sein de la Commission susdésignée par les personnes suivantes :

Membres titulaires :

M. Julien Cain, membre du Comité exécutif de l'Organisation de coopération intellectuelle.

M. Fritz Ostertag, directeur de l'Union internationale pour la Protection des Œuvres littéraires et artistiques, à Berne.

Membre suppléant :

M. L. Bersou, avocat à la Cour d'Appel, secrétaire de la Commission nationale belge de coopération intellectuelle.

Le Conseil approuve ces désignations.

Commission permanente du travail agricole.

Le Directeur propose que le Conseil d'administration nomme les personnes suivantes comme membres de cette Commission :

Dr Lowry Nelson (Etats-Unis), directeur du Centre agricole expérimental d'Utah (dans le sous-groupe 4 — autres experts agricoles — du groupe des membres réguliers).

M. Novasek (Tchécoslovaque), de la Fédération tchécoslovaque des travailleurs de la terre (dans le sous-groupe 3 — représentants d'organisations de travailleurs agricoles — du groupe des membres réguliers).

M. Walchand Hirachand (Indien), en remplacement de M. Popovitch (Yougoslave) (dans le sous-groupe 2 — représentants d'organisations d'employeurs agricoles — du groupe des membres réguliers).

Le Conseil approuve ces désignations.
Correspondence Committee on Women's Work.

The Director proposed the appointment of Miss Linna Bresette (United States of America) as a member of this Committee in place of Miss Morissy, who had resigned.

The Governing Body approved that appointment.

Correspondence Committee on Industrial Hygiene.

The Director proposed that the Governing Body should appoint Dr. Seiji Onishi (Japanese), Technician in the Bureau of Social Affairs at Tokyo, as a member of this Committee. He also proposed that Professor Cathcart (British), Regius Professor of Chemical Physiology, University of Glasgow, and Dr. Durig (Austrian), Institute of Physiology, University of Vienna, should be appointed as members of the Committee with a view to their forming part of the Sub-Committee on Industrial Physiology.

He also proposed that Mr. Ducceschi, Director of the Institute of Physiology of the University of Padua, should be appointed as a member of this Committee in place of the late Mr. Patrizi.

The Governing Body approved these appointments.

Advisory Committee on Professional Workers.

The Director said that the International Committee on Intellectual Co-operation had informed the Office that it proposed to be represented on this Committee as follows:

Regular members:

Mr. Julien Cain, member of the Executive Committee of the Organisation of Intellectual Co-operation.

Mr. Fritz Ostertag, Director of the International Union for the Protection of Literary and Artistic Property at Berne.

Substitute:

Mr. L. Bersou, Barrister in the Court of Appeal, Secretary of the Belgian National Committee for Intellectual Co-operation.

The Governing Body approved these appointments.

Permanent Agricultural Committee.

The Director proposed that the Governing Body should appoint the following persons as members of this Committee:

Dr. Lowry Nelson (United States of America), Director of the Utah Agricultural Experiment Station. (In sub-group 4—other agricultural experts—of the group of regular members.)

Mr. Novasek (Czechoslovak), of the Czechoslovak Land Workers' Federation. (In sub-group 3—representatives of agricultural workers' organisations—of the group of regular members.)

Mr. Walchand Hirachand (Indian), in place of Mr. Popovic (Yugoslav). (In sub-group 2—representatives of agricultural employers' organisations—of the group of regular members.)

The Governing Body approved these appointments.
Le Directeur propose que les personnes suivantes soient désignées comme membres suppléants dans le sous-groupe 3 — représentants d'organisations de travailleurs agricoles — du groupe des membres réguliers de la Commission permanente du travail agricole :

M. Andri Parsal, secrétaire général du Syndicat des travailleurs agricoles de France.
M. J. Kwapisinski, président du Syndicat des travailleurs agricoles de Pologne.
M. H. Sander, président du Syndicat des travailleurs agricoles de Suède.
M. Joseph Elsensohn, horticulteur, de la Fédération suisse des ouvriers du commerce, des transports et de l'alimentation.

Il propose également que M. Evaristo Leitao (Brésilien), attaché à la direction de l'Association pour l'organisation et la défense de la production, soit désigné comme membre de la Commission dans le sous-groupe 4 — autres experts agricoles — du groupe des membres réguliers.

M. Waline signale que l'une des personnes proposées comme membres suppléants pour cette Commission parmi les représentants des travailleurs agricoles est le secrétaire général du Syndicat des travailleurs agricoles de France. Lorsque cette Commission a été constituée, on a considéré la France comme l'un des pays dans lesquels les organisations représentatives de l'agriculture n'étaient pas des organisations d'employeurs ou de travailleurs, mais des organismes mixtes. C'est pourquoi la France a été représentée par M. Jules Gautier, actuellement décédé. Toutefois, depuis lors, des organisations séparées d'employeurs et de travailleurs ont été constituées en France. Comme il est proposé actuellement de désigner un membre suppléant de la Commission appartenant à une organisation française de travailleurs agricoles, M. Waline espère qu'il sera possible de proposer la nomination d'un suppléant appartenant à une organisation française d'employeurs agricoles.

Le Président déclare que lorsqu'une telle proposition sera faite, le Conseil d'administration l'acceptera certainement.

Le Conseil d'administration approuve les désignations mentionnées plus haut.

Comité de correspondance pour la prévention des accidents.

Le Directeur propose que M. Alfred Tzaut, dont le mandat comme membre est venu à expiration et qui a quitté ses fonctions de directeur de la Caisse nationale suisse d'assurance en cas d'accidents, soit désigné comme membre honoraire du Comité de correspondance pour la prévention des accidents, en raison des services éminents qu'il a rendus au Comité.

Le Conseil d'administration approuve cette désignation.

Renouvellement du mandat de membres de Commissions.

Le Conseil d'administration désigne pour une nouvelle période de trois ans, les membres suivants de Commissions dont le mandat est venu à expiration :

Comité de correspondance pour la prévention des accidents.

M. Reninger (Etats-Unis).
M. Scholte (Hollandais).
M. van de Weyer (Belge).
M. Morley (Canadien).

Commission de l'attelage automatique.

M. de Boysson (Français).
The Director proposed that the following persons should be appointed substitute members for sub-group 3—representatives of agricultural workers’ organisations—in the group of regular members of the Permanent Agricultural Committee.

Mr. Andri Parsal, General Secretary of the French Agricultural Workers’ Union.

Mr. J. Kwapiszki, President of the Polish Agricultural Workers’ Union.

Mr. H. Sander, President of the Swedish Agricultural Workers’ Union.

Mr. Josef Elsensohn, Horticulturist, of the Swiss Federation of Commercial, Transport and Food Workers.

He also proposed that Mr. Evaristo Leitao (Brazilian), attached to the Association for the Organisation and Defence of Production, should be appointed as a member of the Committee, in sub-group 4—other agricultural experts—of the group of regular members.

Mr. Waline pointed out that one of the persons proposed as substitute for this Committee among the representatives of agricultural workers’ organisations was the General Secretary of the French Agricultural Workers’ Union. When the Committee had first been set up, France had been regarded as one of the countries where the organisations representative of agriculture were not employers’ and workers’ organisations but mixed bodies. France had therefore been represented by the late Mr. Jules Gautier. Since that time, however, agricultural employers’ and workers’ organisations had come into existence in France. As it was now proposed to appoint a substitute on the Committee belonging to a French agricultural workers’ organisation, he hoped that a proposal could be made for the appointment of a substitute belonging to a French agricultural employers’ organisation.

The Chairman said that when such a proposal was made the Governing Body would no doubt accept it.

The Governing Body approved the appointments mentioned above.

Correspondence Committee on Accident Prevention.

The Director proposed that Mr. Alfred Tzaut, whose term of office as a member of the Committee had expired, and who had ceased to be Director of the Swiss National Accident Insurance Fund, should be appointed as an honorary member of the Correspondence Committee on Accident Prevention in view of his eminent services to the Committee.

The Governing Body approved that appointment.

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 expired.

Correspondence Committee on Accident Prevention.

Mr. Reninger (United States).

Mr. Scholte (Netherlands).

Mr. van de Weyer (Belgian).

Mr. Morley (Canadian).

Committee on Automatic Coupling.

Mr. de Boysson (French).
Commission consultative des employés.

M. Spiekman (Hollandais).

Comité de correspondance pour l’hygiène industrielle.

M. Tovo (Italien).
M. Wilson (Britannique).
Prof. Agasse-Lafont (Français).
Dr. Bogo Koinuma (Japonais).
Dr. Loewy (Tchécoslovaque).
Prof. E. Martin (Français).
Dr. Teruoka (Japonais).
Sir Thomas Oliver (Britannique).

Commission consultative des travailleurs intellectuels.

Représentant de la Confédération internationale des travailleurs intellectuels.

M. Cornelissen (Hollandais).

Représentant des travailleurs intellectuels des pays extra-européens :

M. Mayeda (Japonais).

Rapport de M. Maurette sur sa mission au Brésil.

Le Directeur propose que, si le Conseil d'administration a l'intention de discuter ce rapport, il le fasse lors de sa 80ème session au cours de laquelle M. Maurette sera présent à Genève.

Il en est ainsi décidé.

Communication destinée au Conseil d'administration.

Le Directeur signale que la lettre reçue de la Fédération internationale des syndicats chrétiens d'ouvriers d'usines et de transport concernant la réduction de la durée du travail dans l'industrie du verre pourrait être prise en considération lorsque le Conseil d'administration discutera l'ordre du jour d'une session future de la Conférence.

Le Conseil d'administration prend note de cette communication.

La séance est levée à 18 h. 05.

H. C. OERSTED.
Advisory Committee on Salaried Employees.
Mr. Spiekman (Netherlands).

Correspondence Committee on Industrial Hygiene.
Dr. Tovo (Italian).
Mr. Wilson (British).
Prof. Agasse-Lafont (French).
Dr. Bogo Koinuma (Japanese).
Dr. Loewy (Czechoslovak).
Prof. E. Martin (French).
Dr. Teruoka (Japanese).
Sir Thomas Oliver (British).

Advisory Committee on Professional Workers.

Representative of the International Confederation of Intellectual Workers.
Mr. Cornelissen (Netherlands).

Representative of Professional Workers of extra-European countries.
Mr. Mayeda (Japanese).

Report of Mr. Maurette on his mission to Brazil.

The Director suggested that if the Governing Body wished to discuss the report it might do so at the Eightieth Session, when Mr. Maurette would be present.

This was agreed.

Communications intended for the Governing Body.

The Director said that the letter which had been received from the International Federation of Factory and Transport Workers' Christian Trade Unions concerning the reduction of hours of work in the glass industry could be taken into account when the Governing Body discussed the agenda of a future session of the Conference.

The Governing Body took note of this communication.

The sitting closed at 6.05 p.m.

H. C. OERSTED.
PROCÈS-VERBAL DE LA QUATRIÈME SÉANCE.

(Vendredi 7 mai 1937 — 10 heures 35.)


Absent : M. de MICHELIS.

Hommage à la mémoire d’Albert Thomas.

Le Président (M. MERTENS) croit de son devoir de rappeler au Conseil d’administration qu’il siège au jour anniversaire de la mort d’Albert Thomas, premier Directeur du Bureau international du Travail. Il y a cinq ans que l’Organisation a perdu l’homme qui était à la tête du Bureau et qui avait fourni tant de preuves de son dévouement à la cause qu’il avait faite sienne. Il ne croit pas qu’il soit nécessaire d’exprimer une fois de plus devant le Conseil la reconnaissance éternelle que l’Organisation a pour la mémoire d’Albert Thomas. Les membres du Conseil auront l’occasion de manifester leur sentiment à cet égard lorsque dans quelques semaines, sera inauguré le monument élevé à la mémoire d’Albert Thomas. Ce monument marquera pour toujours dans l’histoire le passage d’Albert Thomas à la tête du Bureau international du Travail.

Le Conseil d’administration observe une minute de silence en hommage à la mémoire d’Albert Thomas.

Nécrologie.

Le Président a un autre devoir pénible à remplir en annonçant au Conseil la mort de M. Cabrini, Directeur du Bureau de correspondance à Rome. Il invite le Conseil à observer quelques instants de silence en hommage à la mémoire de cet homme qui, pendant toute sa vie, s’est voué à l’amélioration du sort des travailleurs et qui pendant tant d’années a servi fidèlement le Bureau international du Travail. Le Conseil d’administration tiendra certainement à envoyer à sa famille l’expression de sa profonde sympathie.

Le Conseil d’administration observe une minute de silence en hommage à la mémoire d’Angiolo Cabrini.

DOUZIÈME QUESTION A L’ORDRE DU JOUR.

Rapport du Directeur (suite).

(Rapport supplémentaire du Directeur.)

Organisation intérieure.

Le Directeur est certain que le Conseil sera heureux d’apprendre que M. John G. Winant a accepté de reprendre les fonctions de sous-directeur du Bureau ; M. Winant est suffisamment connu de tous les membres du Conseil pour qu’il soit superflu de s’étendre sur ses qualités éminentes.
MINUTES OF THE FOURTH SITTING.

(Friday, 7 May 1937—10.35 a.m.)

The Governing Body was composed as follows: Mr. MERTENS, Chairman; Mr. ANDERSSON, Mr. ČURČIN, Mr. FABELA, Mr. FABRA RIBAS, Mr. GEMMILL, Mr. GÉRARD, Mr. Justin GODART, Mr. GOODRICH, Mr. HAYDAY, Mr. JENSEN, Mr. JOUHAUX, Mr. KIRKALDY, Mr. KITAOKA, Mr. KOMARNICKI, Mr. KUPERS, Mr. Li PING-HENG, Mr. MANNIO, Mr. MARKUS, Mr. MUNIZ, Mr. NÉMÉČEK, Mr. NORMAN, Mr. OERSTED, Mr. RIDDELL, Mr. Ruiz GUINAZÚ, Mr. SCHÜRCH, Mr. TAKEUCHI, Mr. TZAUT, Mr. WALINE, Mr. VEREMITCH, Mr. ZAMAN.

Absent: Mr. de MICHEUS.

Tribute to the Memory of Albert Thomas.

The Chairman (Mr. MERTENS) said that he felt it his duty to remind the Governing Body that this was the anniversary of the death of Albert Thomas, the first Director of the International Labour Office. It was five years ago that they had lost the man who had been the first head of the Office, and who had furnished such abundant proofs of his devotion to the cause which he had made his own. It was not necessary for him to remind the Governing Body of the eternal gratitude which the Organisation owed to the memory of Albert Thomas. Members of the Governing Body would have an opportunity of expressing their sentiments when, in a few weeks' time, the monument to the memory of Albert Thomas would be unveiled. That monument would be a permanent record for history of the work of Albert Thomas as head of the International Labour Office.

The Governing Body kept one minute's silence as a tribute to the memory of Albert Thomas.

Obituary.

The Chairman said that he had another sad duty to perform, which was to inform the Governing Body of the death of Mr. Cabrini, Director of the Branch Office in Rome. He suggested that the Governing Body should keep a minute's silence as a tribute to the memory of a man who throughout his life had devoted himself to the improvement of the conditions of the workers and who for so many years had been a faithful servant to the International Labour Office. The Governing Body would also certainly desire to send an expression of its deepest sympathy to Mr. Cabrini's family.

The Governing Body kept one minute's silence as a tribute to the memory of Angiolo Cabrini.

TWELEFTH ITEM ON THE AGENDA.

The Director's Report (continued).

(Supplementary Report of the Director.)

Internal Organisation.

The Director said that the Governing Body would be glad to know that Mr. John G. Winant had agreed to resume his position as Assistant Director in the Office. Mr. Winant was so well known to all members of the Governing Body that he need not say anything more as to his outstanding qualities.
Situation du Paraguay.

Le Directeur fait observer qu’ainsi qu’il ressort de son rapport supplémentaire, il y a quelques doutes sur la situation du Paraguay en ce qui touche son appartenance à l’Organisation internationale du Travail. Le Bureau fera de son mieux pour éclaircir la situation avant la prochaine session du Conseil et fera part au Conseil des informations qu’il aura pu recueillir.

Le Conseil d’administration prend note de cette partie du rapport supplémentaire du Directeur.

Relations et interventions diverses.


Le Directeur fait connaître que cette partie du rapport supplémentaire a trait aux arrangements pris avec le Secrétaire général de la Société des Nations et le Directeur de la Section d’hygiène concernant la collaboration de cette Organisation avec le Bureau pour toute une série de questions. Il espère que ces arrangements pourront être approuvés par le Conseil.

Le Conseil d’administration approuve les arrangements en question.

Communication destinée au Conseil d’administration.

Réduction de la durée du travail dans l’industrie électrométallurgique.

Le Directeur rappelle que le Syndicat des travailleurs de l’industrie chimique de Norvège a adressé au Conseil d’administration sur ce sujet une lettre qui contient un certain nombre de renseignements très intéressants ; il ne pense pas toutefois, que le Conseil soit appelé à y donner suite.

M. Oersted demande si l’on envisage la transmission de cette lettre à la Conférence. Si tel est le cas, il espère que cette décision n’impliquera aucune approbation de la part du Conseil.

Le Directeur répond que la lettre sera simplement communiquée à la Conférence à titre d’information.

Le Conseil d’administration décide de transmettre, à la vingt-troisième session de la Conférence internationale du Travail, à titre d’information, la communication émanant du Syndical des travailleurs de l’industrie chimique de Norvège.

SEPTIÈME 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).

M. Oersted croit de son devoir de prendre la parole au nom du groupe des employeurs tout entier à l’occasion de la discussion de cette question, qui a été soulevée aux vingt et unième et vingt-deuxième sessions de la Conférence par le groupe des employeurs. Les membres du Conseil d’administration connaissent tous la lettre qui a été adressée au président de la Conférence par le président de ce groupe pour expliquer que son groupe n’avait pas l’intention de protester contre la validation du mandat de M. Kaouline, qui avait été désigné par le Gouvernement de l’Union des Républiques soviétiques socialistes comme délégué des employeurs à la Conférence. Dans l’opinion
Position of Paraguay.

The Director said that as would be seen from his Supplementary Report, there was some doubt as to the position of Paraguay with regard to its membership of the International Labour Organisation. The Office would do its best to elucidate the position before the next session of the Governing Body, and would communicate any information which it had been able to obtain.

The Governing Body took note of that part of the Director's Supplementary Report.

Relations and Various Activities.

Collaboration with the Health Organisation of the League of Nations.

The Director said that this part of his Supplementary Report referred to the arrangements which had been made with the Secretary-General of the League of Nations and the Director of the Health Section concerning the collaboration of the Health Organisation with the Office on a number of questions. He hoped that those arrangements would be approved by the Governing Body.

The Governing Body approved the arrangements in question.

Communication intended for the Governing Body.


The Director said that the Union of Workers in the Chemical Industry of Norway had sent the Governing Body a letter on this subject which contained some very interesting information; but he did not think that the Governing Body was called upon to take any action on it.

Mr. Oersted asked whether it was proposed that the letter should be communicated to the Conference. If so, he hoped that it would not imply any approval on the part of the Governing Body.

The Director said that the letter would merely be communicated to the Conference for information.

The Governing Body decided to communicate the letter from the Union of Workers in the Chemical Industry of Norway to the Twenty-third Session of the International Labour Conference for information.

Seventh 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).

Mr. Oersted said that he proposed to speak on behalf of the whole employers' group on this question, which had been raised at the Twenty-first and Twenty-second Sessions of the Conference by the employers' group. Members of the Governing Body had seen the letter which had been addressed to the President of the Conference by the Chairman of the employers' group, in which it was explained that the group had no intention of protesting against the validity of the appointment of Mr. Kaouline, who had been appointed by the Government of the Union of Soviet Socialist Republics as employers' delegate at that Conference. In the opinion of the employers, the
des employeurs, la question n’était pas simplement de savoir si la Conférence pouvait ou non valider le mandat de M. Kaouline : elle était beaucoup plus vaste et c’était plutôt une question de principe.

Le Conseil d’administration avait demandé au Bureau de préparer une note sur la question ; cette note a été remise au Conseil à sa dernière session. La question présente une grande importance. Le groupe des employeurs n’a nullement l’intention de porter atteinte à la constitution de l’Organisation, mais il s’agit d’un principe à l’égard duquel il importe de s’efforcer d’arriver à une solution.

La note du Bureau traite d’abord de la constitution de l’Organisation, et reconnait que celle-ci a été établie sur une base tripartite. Il est convaincu que les membres du Conseil et le Directeur, qui ont pris part aux travaux de la Commission de législation internationale du travail à Paris en 1919, reconnaîtront avec lui que l’on a entendu créer une véritable organisation tripartite composée de représentants gouvernementaux et de représentants non gouvernementaux, c’est-à-dire de représentants des employeurs et des travailleurs.

Il peut éviter de faire trop de citations extraites du compte rendu des travaux de la Commission de législation internationale du travail, mais il croit néanmoins nécessaire de rappeler les longs débats qui se sont déroulés au sujet de la proposition soumise par la délégation britannique, et prévoyant une représentation à la Conférence par trois délégués par pays, dont un devait être le délégué du gouvernement respectif et les autres, des délégués représentant d’un côté ses employeurs et, de l’autre, ses travailleurs.

À la séance du 6 février 1919, M. Barnes a examiné « la question de savoir quelle importance donner à la représentation gouvernementale dans chacune des délégations nationales ». Il est dès lors clairement établi que les auteurs du projet distinguaient nettement entre les représentants des gouvernements et les représentants non gouvernementaux. Ce terme « non gouvernementaux » est employé dans le texte même du projet britannique et prouve qu’il ne pouvait être question que de délégués indépendants du gouvernement.

Déjà à la séance du 5 février, le président de la Commission, feu Samuel Gompers, président de l’American Federation of Labor, avait critiqué la proposition britannique parce qu’elle prévoyait que le délégué gouvernemental devait avoir deux voix et les deux autres délégués une seule voix. En présence de cette opposition, M. Barnes se rallia à une proposition présentée par M. Vandervelde et tendant à donner deux représentants à chaque gouvernement. M. Vandervelde disait qu’il serait désirable de « donner à l’opinion du gouvernement une valeur égale à celle des votes réunis des représentants patronaux et ouvriers », ce qui souligne de façon éclatante le fait que ce que l’on visait, c’était, à côté de la représentation du gouvernement, une représentation des facteurs indépendants du gouvernement. Il tient à citer encore une phrase de M. Gompers : « Dans toutes les cellules de la société, il y a employeurs et employés et à eux tous ils composent la société tout entière... presque toujours l’employeur et l’employé voteront dans un sens différent. »

Il pourrait continuer à citer des déclarations prouvant que le but était de garantir aux gouvernements une influence prépondérante sur les décisions de la Conférence internationale du Travail. M. Gompers, et avec lui le délégué français, M. Colliard, secondé par son conseiller technique, M. Jouhaux, M. Robinson (États-Unis) et M. de Bustamente (Cuba) estimaient, par contre, qu’il ne fallait pas donner aux gouvernements une situation de supériorité. M. Jouhaux alla jusqu’à dire qu’il croyait que si une telle décision était prise, « les masses ouvrières hésiteraient à participer à l’œuvre projetée ». Comme on le sait, le point de vue de MM. Vandervelde, Barnes, Sir Malcolm Delevingne, le baron Mayor des Planches, Cabrini, Mahaim, Otchiai, Oka, le comte Zoltowski et Broz l’a emporté, mais la divergence entre les deux points de vue portait uniquement sur la question de savoir s’il fallait ou non donner aux gouvernements le double des voix accordées aux représentants des employeurs et des travailleurs. Les défenseurs de l’égalité absolue au sujet des voix auraient été les premiers à déclarer complètement inadmissible l’idée de donner aux gouvernements trois voix contre une voix aux employeurs, soit aux travailleurs. Il a donc, sans aucun doute, été considéré comme indispensable, par les auteurs de la constitution de l’Organisation internationale du Travail, de maintenir l’équilibre des votes au sein de la Conférence.
question was not merely whether the Conference could or could not consider Mr. Kaouline's credentials as valid; it was a much wider question and a basic question of principle.

The Governing Body had requested the International Labour Office to prepare a note on the question, and that note had been submitted to the Governing Body at its last session. The question was one of great importance. The employers' group had no intention whatever of prejudicing the Constitution of the Organisation, but a principle was involved on which it was essential to endeavour to reach a solution.

The Office note dealt in the first place with the Constitution of the Organisation, and recognised that it had been established on a tripartite basis. He felt sure that the members of the Governing Body and the Director who had taken part in the work of the Commission on International Labour Legislation in Paris in 1919 would agree with him that the object had been to set up a real tripartite organisation composed of Government representatives and non-Government representatives, namely, representatives of the employers and of the workers.

He would not make many quotations from the minutes of the Commission on International Labour Legislation, but he felt it necessary to refer to the long debates which had taken place on the proposal submitted by the British delegation providing for representation at the Conference by three delegates from each country, one of whom should be the delegate of the respective Government and the others delegates representing the employers and workers respectively.

At the sitting of 6 February 1919 Mr. Barnes had considered the "question of the relative weight which should be accorded to the Government representation of each country." That showed that the authors of the proposal made a clear distinction between the Government representatives and the non-Government representatives. The term "non-Government" was used in the actual text of the British proposal; this proved that there could be no question of anything but delegates independent of the Government.

At the sitting of 5 February the Chairman of the Commission, the late Mr. Samuel Gompers, President of the American Federation of Labor, criticised the British proposal on the ground that it provided that the Government delegate should have two votes and the other two delegates only one vote. In view of this opposition Mr. Barnes supported the proposal submitted by Mr. Vandervelde to entitle each Government to send two representatives. Mr. Vandervelde said that it would be desirable "that the Government should be given equal voting power to that of the employers and workpeople combined". That made it abundantly clear that what was contemplated was to provide, in addition to Government representation, for representation of the factors independent of the Government. He would quote one more passage from a speech by Mr. Gompers: "In every sphere of society there were employers and employed, and together they composed the whole of society. Almost in every case the employers and the workmen would vote in different senses."

Many further declarations could be quoted which proved that the object was to provide the Governments with a casting vote in the decisions of the International Labour Conference. Mr. Gompers, together with the French delegate, Mr. Colliard, supported by his adviser, Mr. Jouhaux, Mr. Robinson (United States of America) and Mr. de Bustamente (Cuba) considered on the other hand that the Governments should not be put in a position of superiority. Mr. Jouhaux went so far as to say that he feared that if such a decision was taken "the working classes would hesitate to take part in the proposed scheme". As everyone was aware, the point of view adopted by Mr. Vandervelde, Mr. Barnes, Sir Malcolm Delevinge, Baron Mayor des Planches, Mr. Cabrini, Mr. Mahaim, Mr. Ochial, Mr. Oka, Count Zoltowski and Mr. Broz was accepted, but the divergence between the two points of view was solely concerned with the question whether or not the Governments should be entitled to double the number of votes given to the representatives of the employers and of the workers. Those who were in favour of absolute equality in regard to votes would have been the first to hold that it was entirely inadmissible that the Governments should be given three votes against one vote either to the employers or to the workers. Thus it had without any doubt been considered as essential by the authors of the Constitution of the International Labour Organisation to maintain the balance of the votes in the Conference.
D’ailleurs, dans la note du Bureau international du Travail, on a reconnu ce fait et on cite avec raison l’article 4 de la Constitution qui dit que dans le cas où l’un des délégués non gouvernementaux d’un pays n’a pas été désigné, l’autre délégué non gouvernemental est privé du droit de vote. Mais l’on ne tire pas à la conséquence logique de cette affirmation puisque l’opinion est émise dans la note qu’on ne croit pas qu’il faille voir dans cette idée de l’équilibre un principe fondamental.

Il s’excuse de dire qu’il a l’impression que le Bureau n’a pas suffisamment étudié les comptes rendus des discussions qui ont eu lieu à la Commission de législation internationale du travail. En effet, la base de l’Organisation internationale du Travail est de nature tripartite : représentation gouvernementale, représentation des employeurs et représentation des travailleurs.

La question soumise actuellement au Conseil est très nette : le Gouvernement de l’Union des Républiques soviétiques socialisantes a désigné M. Kaouline à titre de représentant des employeurs aux sessions maritimes de la Conférence. M. Kaouline occupe la situation de Directeur d’une entreprise de l’État. La question est la suivante : un employé, un fonctionnaire de l’État peut-il être considéré, et peut-il agir à une Conférence, comme délégué employeur ?

Il convient d’examiner tout d’abord la constitution même de l’Union des Républiques soviétiques socialisantes. S’il ne se trompe, la Constitution, adoptée il y a quelques mois seulement, ne reconnaît pas la propriété privée, mais seulement la propriété d’État, c’est-à-dire le bien du peuple tout entier et la propriété coopérative. En conséquence, elle ne reconnaît aucune entreprise ou exploitation privée, ni en droit ni en fait. Le pouvoir est, dans l’Union soviétique, concentré dans deux organismes : le « président » du Conseil suprême et le Conseil des commissaires du peuple. Tout directeur quelconque d’une entreprise de l’État dépend, en conséquence, de ces organismes et a en réalité le caractère d’un simple fonctionnaire. Dans l’Union des Républiques socialisantes il n’existe pas d’employeur d’après les termes et l’esprit de la Constitution de l’Organisation.

Dans sa note, le Bureau estime que les fonctions d’employeur peuvent très bien être exercées par l’État. Il est lui-même complètement d’accord avec le Bureau sur ce point. En effet, il existe, dans d’autres États dont la Constitution est différente de celle de l’État soviétique, des entreprises qui sont aux mains du gouvernement de l’État. La note du Bureau cite l’exemple de chemins de fer gérés par un État quelconque pour montrer qu’il pourrait être indispensable pour un gouvernement de désigner un fonctionnaire comme délégué employeur à une session donnée de la Conférence. Toutefois, il faut se conformer aux dispositions de la Constitution. Si un État se trouvait dans cette situation, il aurait le simple devoir de s’adresser à l’organisation patronale la plus représentative et de lui demander de bien vouloir désigner son représentant. Mais l’État n’aurait pas le droit ni le pouvoir de désigner, sans consulter l’organisation patronale la plus représentative, un fonctionnaire d’État. Il se pourrait que cette organisation des employeurs fût d’accord pour que le fonctionnaire d’État représente, pour une fois, les employeurs, mais l’approbation de cette organisation serait nécessaire.

Dans le cas de l’U.R.S.S., il est évident que cette procédure n’est pas possible pour le Gouvernement soviétique, étant donné qu’il n’existe pas d’employeurs privés en Russie, ni par conséquent d’organisation patronale.

C’est là toute la question. La Constitution de l’Union soviétique supprime toute l’économie privée. Il n’existe que l’économie d’État. En conséquence, le Gouvernement de l’Union soviétique peut-il se faire représenter à une Conférence par deux délégués gouvernementaux, un délégué patronal qui est en vérité un délégué gouvernemental, et un délégué ouvrier ? En ce qui le concerne, il ne le croit pas. Il est évident qu’un fonctionnaire d’État, désigné par son gouvernement pour le représenter à une conférence, ne pourrait agir en pleine liberté. S’il s’agit de négocier des conventions ou des traités, le gouvernement envoie des personnes munies de pleins pouvoirs, mais ces personnes, nommées par le gouvernement, ne peuvent rien faire sans l’assentiment de ce dernier.

Pour édifier cette conclusion, le Bureau a, dans sa note, établi une distinction, extrêmement subtile et intéressante, à savoir qu’il y a deux choses différentes : le gouvernement et l’État. Le gouvernement serait l’organe exécutif de l’État ; mais l’État pourrait employer toute une série de fonctionnaires susceptibles de représenter
Moreover, in the Office note this point had been recognised, and reference had rightly been made to Article 4 of the Constitution, which laid down that in the event of one non-Government delegate not being nominated, the other non-Government delegate was not entitled to vote. The note did not draw the logical consequence from this provision, since it suggested that this idea of balance need not be considered as a basic principle.

He would venture to suggest that the Office had not sufficiently closely studied the records of the discussions in the Commission on International Labour Legislation. The whole basis of the International Labour Organisation was of a tripartite character comprising the representation of Governments, employers and workers.

The question now before the Governing Body was quite definite: the Government of the Union of the Soviet Socialist Republics had appointed Mr. Kaouline as employers' delegate at the maritime sessions of the Conference. Mr. Kaouline held the position of a director of a State undertaking. The question was whether an official of the State could be considered and could act at a Conference as an employers' delegate.

The first point to be examined was the actual Constitution of the Union of Soviet Socialist Republics. He understood that the latest Constitution, which was adopted a few months ago, did not recognise private property, but merely the property of the State, i.e. the property of the whole people and co-operative property. Consequently it did not recognise any private undertaking or enterprise either in law or in fact. Authority in the Soviet Union was vested in two bodies, the Presidency of the Supreme Council and the Council of People's Commissaries. Any director of the State undertaking was consequently subject to the authority of those two bodies; and was in fact nothing but an official. In the Union of Soviet Socialist Republics there was no such thing as an employer according to the letter or the spirit of the Constitution of the Organisation.

In the Office note it was suggested that the functions of an employer could be carried out by the State. On that point he was in agreement with the Office. Indeed in other States whose constitution was different from that of the Soviet Union, various enterprises were carried on by the Government. The Office note quoted the example of State-owned railways to show that it might be essential for a Government to appoint an official as employers' delegate at a particular session of the Conference.

It was, however, necessary to comply with the provisions of the Constitution. If such a situation arose, the State would be bound to approach the most representative employers' organisation and request it to appoint its representative, but the State would not have the right or the power to appoint a Government official without consulting that organisation. It might well be that the employers' organisation would agree on that particular occasion that the employers should be represented by a State Official, but it would be essential that the organisation should give its approval.

In the case of the Union of Soviet Socialist Republics it was obvious that the Government could not adopt that procedure, since there were no private employers in the country and consequently no employers' organisations.

That was indeed the whole question. The Constitution of the Soviet Union had suppressed all private systems of economy and had substituted the purely State system. The question therefore was whether the Government of the Soviet Union could be represented at a Conference by two Government delegates, an employers' delegate who was in fact a Government delegate, and a workers' delegate. In his opinion that was not possible. It was obvious that a State official appointed by his Government to represent it at a Conference would not have complete liberty of action. In negotiating conventions or treaties, Governments sent representatives with full powers, but such persons were appointed by their Government and could not act without its approval.

With a view to evading this conclusion, the Office had put forward an extremely subtle and interesting distinction between the Government and the State. It maintained that they were two separate entities, that the Government was the executive body of the State, but that the State might employ officials who would represent, not
non pas le gouvernement, mais l'État. C'est subtil, mais il ne croit pas qu'on puisse défendre cette thèse avec succès.

Il convient en effet d'examiner de nouveau, et de près, les discussions qui se sont déroulées à la Commission de législation internationale du travail à Paris. A aucun moment, on n'a pensé à cette possibilité que l'État pouvait être représenté d'abord par deux délégués gouvernementaux et ensuite par un fonctionnaire, qui représenteraient les employeurs. Au moment où l'on discutait la rédaction de la Constitution, plusieurs membres de la Commission, tels que M. Gompers et M. Jouhaux, avaient peur que les délégués gouvernementaux ne votassent souvent avec les employeurs. À l'heure actuelle il ne paraît plus possible de manifester cette crainte.

Il voudrait savoir si, dans les procès-verbaux de la Commission de législation internationale du travail, on a jamais envisagé cette possibilité de distinguer entre gouvernement et État. Il tient d'abord à citer le mémoire déposé par la délégation britannique sur la question des votes à la Conférence, où sont mentionnées notamment : « 3. La proposition de M. Gompers, donnant à toutes les parties, États, employeurs et employés, égale représentation et nombre égal de voix ; 4. La deuxième proposition de M. Vandervelde donnant à l’État, à l’employeur et à l’employé un délégué chacun ».

A la séance de la Commission du 5 février 1919, Sir Malcolm Delevingne disait : « En ce qui concerne le double vote accordé aux États... » A la cinquième séance, le 7 février, M. Barnes attribuait à M. Gompers l’opinion qu’« il ne peut pas y avoir d’entente possible entre patrons et ouvriers ni, non plus, entre les représentants de l’État et ceux de la classe ouvrière... » En soumettant, le 11 avril 1919, le rapport de la Commission à la Conférence de la paix, M. Barnes disait : «... deux représenteront directement l’État, les autres représenteront respectivement les travailleurs et les patrons. » A la même occasion, M. Vandervelde disait : «... tandis que les États sont représentés par deux délégués » et «... il suffirait qu’un seul représentant d’État votât avec le tiers patronal pour qu’une proposition fût rejetée ». M. Vandervelde disait encore : « Partout où la démocratie est devenue puissante, où, par son effort syndical, la classe ouvrière a conquis déjà une influence assez grande pour que l’État doive tenir compte de ses volontés, elle ne doit pas craindre que les délégués des gouvernements soient contre elle. »

Il estime que ces citations prouvent surabondamment que les auteurs mêmes de la Constitution n’avaient pas pensé un seul instant à la distinction qu’établit la note du Bureau entre l’État et le gouvernement. Cette note reconnaît que le système tripartite était véritablement fondamental pour l’Organisation internationale du Travail, au moment où l’on a rédigé le Traité de paix et la Constitution, mais ajoute que cela ne veut pas dire qu’il en sera toujours ainsi, car les situations se transforment avec le temps, et des changements dans la forme des sociétés peuvent se produire qui rendent indispensables les modifications à la Constitution.

Cette observation peut être exacte, mais, comme les membres du Conseil le savent, on a prévu à cet effet toute une procédure d’amendement à la Constitution, et c’est elle qui doit être mise en application, si l’on estime que la situation a tellement changé que ce qu’on avait décidé à Paris en 1919 n’est plus valable en 1937.

À la fin de sa note le Bureau précise que la qualification de « permanente » donnée à l’Organisation internationale du Travail démontre assez que son activité est appelée à épouser toutes les formes contingentes de la vie et qu’on ne saurait l’enserrer dans des formules rigides et abstraites ; et la note conclut en disant : « Il semble évident que la désignation d’un employeur de l’U.R.S.S. en la personne de M. Kaouline a constitué une application correcte des principes et des textes. »

Dans son opinion cette désignation n’est conforme ni aux principes ni au texte de la Constitution. Si l’Organisation porte le qualificatif « permanente », cela ne veut pas dire que l’on n’avait pas prévu la nécessité éventuelle d’apporter certains amendements, certaines modifications à sa Constitution.

Il avoue qu’il lui est difficile de formuler une conclusion. Il a commencé par indiquer au Conseil que le groupe des employeurs ne voudrait absolument pas porter atteinte à la Constitution de l’Organisation internationale du Travail, sauf dans le cas où il considérerait qu’il est indispensable de prendre certaines mesures. Il y a lieu
the Government, but the State itself. That was doubtless a very subtle argument, but he did not think that it could be defended.

The discussions which had taken place in the Commission on International Labour Legislation in Paris should once more be carefully studied. It had never for a moment been suggested that a State could be represented, first by two Government delegates and then by an official who would represent the employers. When the drafting of the Constitution was being discussed, several members of the Commission, including Mr. Gompers and Mr. Jouhaux, expressed their fear that the Government delegates might frequently vote with the employers. Subsequent experience made it impossible, at the present time, to entertain such a fear.

It must now be considered whether, in the record of the discussion of the Commission on International Labour Legislation, it had ever been suggested that a distinction might be made between the Government and the State. He would quote from the memorandum submitted by the British delegation on the question of voting power at the Conference, which referred to: "3. The proposal of Mr. Gompers that all parties, State, employer and employed, should have equal representation and equal voting power. 4. The second proposal of Mr. Vandervelde that the State, employer and employed shall each have one Delegate. . . ."

At the sitting of the Commission held on 5 February 1919, Sir Malcolm Delevingne said "as regards the double vote allotted to the Governments. . . ." At the 5th sitting on 7 February, Mr. Barnes attributed to Mr. Gompers the view that "there could be no agreement between the employers and the workers, nor between the representatives of the State and those of the working classes. . . ." In submitting the report of the Commission to the Peace Conference on 11 April 1919, Mr. Barnes said: "two members being directly representative of the State, and the others being representative of Labour and employers respectively." On the same occasion Mr. Vandervelde said: "States are each to be represented by two delegates" and "it would suffice for one State representative to vote with the employers' third in order to secure the rejection of a proposal." Mr. Vandervelde also said: "Wherever democracy has become powerful and the working classes, by their syndicalistic efforts, have already acquired sufficient influence to oblige the State to take their wishes into account, those classes need not fear to find the Government delegates against them."

Those quotations abundantly showed that the authors of the Constitution themselves never for a moment considered the distinction suggested in the Office note between the State and the Government. The Office note recognised that the tripartite system was a fundamental principle of the International Labour Organisation at the moment when the Treaty of Peace and the Constitution were being drawn up, but added that that did not mean that it would always be so, for situations changed with the times, and changes in the form of communities might arise which would make it necessary to make changes in the Constitution.

That observation might be perfectly true, but as the Governing Body was well aware, there was an elaborate procedure for amending the Constitution, and that procedure must be applied if it was considered that the situation had changed so greatly that what had been decided in Paris in 1919 was no longer valid in 1937.

At the end of the note it was pointed out that the "permanent" character conferred on the Organisation showed that its activities were required to adapt themselves to all possible forms of the life of the nation and could not be hedged round with rigid abstract formulæ. The note concluded by saying "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."

In his opinion this appointment was neither in conformity with the general principles nor the text of the Constitution. Although the Organisation was referred to as "permanent", that did not mean that no provision had been made whereby, if necessary, amendments and changes could be made in the Constitution.

He must confess that he found it difficult to come to any conclusion. As he had already informed the Governing Body, the employers’ group had no intention whatever of prejudicing the Constitution of the International Labour Organisation, except in so far as it considered that it was absolutely necessary to take certain steps. The
de se demander s’il est nécessaire, au moment présent, de poursuivre cette question et d’aller jusqu’au bout, c’est-à-dire jusqu’à la Cour permanente de Justice internationale de La Haye. C’est, en effet, la seule institution qui ait qualité pour se prononcer en la matière puisqu’elle a été créée par le Traité de paix pour trancher tout différend, toute difficulté, toute question d’interprétation.

Il était dans ses intentions de demander dès maintenant au Conseil d’administration de bien vouloir, par l’intermédiaire du Conseil de la Société des Nations, poser la question devant la Cour permanente de La Haye. Cependant, le groupe des employeurs s’est dit que la question n’était plus actuelle. M. Kaouline a été délégué soi-disant patronal aux sessions maritimes de la Conférence de 1936. Il ne sait si, à la prochaine session de la Conférence ou aux sessions ultérieures, un représentant soi-disant patronal de l’U.R.S.S. sera également désigné. En conséquence, il estime qu’il n’est pas indispensable de soulever la question immédiatement. Il se peut que, dans l’intervalle compris entre le moment présent et la date à laquelle la question se posera à nouveau, des événements se déroulent qui soient susceptibles de modifier le point de vue actuel des employeurs. Il peut arriver que d’autres pays adoptent une Constitution ayant une certaine répercussion sur la question actuellement en discussion. Alors, l’Organisation internationale du Travail elle-même, sans poser une question à la Cour permanente de Justice internationale, pourrait un jour décider de reviser sa Constitution, d’examiner s’il n’y a pas moyen d’y apporter certaines modifications, afin de la mettre plus à jour.

 Aussi ne demande-t-il pas au Conseil de poser la question devant la Cour de La Haye; mais il réserve au groupe des employeurs le droit de porter encore une fois la question en premier lieu devant la Conférence, le Conseil devant ensuite en être saisi, si cette question devient de nouveau d’actualité.

M. Jouhaux n’a pas l’intention d’empiéter sur les considérations que M. Markus pourra faire valoir pour justifier la désignation faite par son gouvernement en vue des sessions maritimes de la Conférence. Il pense que M. Markus n’aura pas de peine à démontrer que M. Kaouline, Directeur d’un service, ayant la responsabilité de ce service, en a la délégation d’autorité et se trouve dans la situation juridique d’un patron.

Il a suivi avec intérêt et curiosité l’argumentation de M. Oersted contre la désignation de M. Kaouline comme délégué des employeurs de l’U.R.S.S. Il se demandait quels arguments M. Oersted allait faire valoir, étant donné l’attitude unanime prise précédemment par son groupe à l’égard de certaines autres questions identiques dans la forme.

Il a été assez étonné de voir M. Oersted reprendre un certain nombre d’arguments contenus dans les rapports de minorité que M. Jouhaux a eu l’honneur de présenter à la Commission de vérification des pouvoirs et à la Conférence. Au moment où il les avait présentés, une atteinte pouvait être portée à la composition tripartite de la Conférence, ce qui aurait faussé dans une certaine mesure ses décisions et réagi sur la vie du Bureau et du Conseil d’administration.

Il pourrait rappeler au Conseil un certain nombre de considérations discutées contradictoirement avec M. Mahaim. Il s’agissait de considérations juridiques relatives aux discussions préliminaires de la Constitution, et se rapportant non seulement aux interventions qu’il avait cru devoir faire lui-même à la Commission de législation internationale du travail, mais aussi aux déclarations de ceux qui, ne partageant pas le point de vue des travailleurs, se prononçaient néanmoins d’une façon implicite dans le sens même indiqué par eux. Ces considérations n’ont jamais été approuvées par le groupe des employeurs qui au contraire, à l’unanimité, s’est prononcé contre les rapports de minorité soumis à la Conférence. Aujourd’hui, parce que le cas intéresse le groupe des employeurs, on reprend, devant le Conseil d’administration, l’argumentation rejetée par la Conférence.

Pour sa part, battu devant la Conférence, il n’aurait jamais cru devoir reprendre la question devant le Conseil d’administration, que cela ne regarde aucunement. C’est la Conférence qui est souveraine en la matière, et qui a le droit de renvoyer une question devant la Cour de Justice internationale. Mais le Conseil d’administration ne peut pas connaître de ces cas, car il n’a pas l’autorité souveraine de la Conférence, et les délégués
question arose whether it was necessary at the present moment to pursue the matter to its logical conclusion, namely, to bring the matter before the Permanent Court of International Justice. That was the only body which could settle the question, since it was the body set up by the Treaty of Peace to deal with any difference of opinion, any difficulty and any question of interpretation.

It had been his intention to request the Governing Body immediately to lay the question before the Permanent Court through the medium of the Council of the League of Nations. The employers' group, however, considered that the question was no longer of immediate importance. Mr. Kaouline had been the so-called employers' delegate at the maritime sessions of the Conference in 1936. He did not know whether, at the next session or subsequent sessions of the Conference, a so-called employers' delegate from the Union of Soviet Socialist Republics would be appointed. Consequently he did not think that it was necessary to raise the question at the present moment. It might be that between the present time and a future date at which the question might again arise, events might take place which might alter the present attitude of the employers. Certain other countries might have adopted a Constitution which might have a certain influence on the question under discussion. The International Labour Organisation itself might then, without referring the question to the Permanent Court, decide to reconsider its Constitution and to examine whether certain changes might not be desirable in order to bring it more up to date.

Consequently he did not ask the Governing Body at present to refer the question to the Permanent Court of International Justice, but he reserved the right of the employers' group to bring the question in the first place before the Conference with a view to its being referred to the Governing Body if the matter again assumed immediate importance.

Mr. Jouhaux said that he had no intention of anticipating the considerations which Mr. Markus might bring forward to justify the appointment which his Government had made at the maritime sessions of the Conference. He did not think that Mr. Markus would have any difficulty in showing that Mr. Kaouline, as the director of a service for which he was responsible, had the authority and was in the legal position of an employer.

He had listened with great interest to Mr. Oersted's arguments against the appointment of Mr. Kaouline as employers' delegate of the Union of Soviet Socialist Republics. He had wondered what arguments Mr. Oersted would adduce in view of the unanimous attitude previously adopted by the employers' group upon certain other questions identical in form.

He had been somewhat surprised to hear Mr. Oersted bring forward certain arguments which had been contained in the minority reports which Mr. Jouhaux had submitted to the Credentials Committee and the Conference. Those arguments had been submitted at a moment when prejudice might have been caused to the tripartite composition of the Conference, which to some extent might have upset its conclusions and had a certain effect on the Office and the Governing Body.

He might remind the Governing Body of certain considerations on which he had not been in agreement with Mr. Mahaim. Those were legal considerations concerning the preliminary discussions of the Constitution of the Organisation, and referred not only to interventions which he had himself made in the Commission on International Labour Legislation, but also to the declarations of those who, although not sharing the point of view of the workers, had nevertheless expressed themselves implicitly in the sense which the workers had indicated. The employers had, however, never accepted those considerations, but had unanimously voted against the Minority Report submitted to the Conference. Now, because the question at issue concerned the employers' group, the arguments rejected at the Conference were brought up again in the Governing Body.

Personally, having been defeated in the Conference, he would never have considered it proper to bring the question again before the Governing Body, which was in no way concerned. The authority of the Conference was absolute in this matter, and to it belonged the right to refer the question to the Permanent Court of International Justice. The Governing Body could not discuss the question since it had not the
à une session de la Conférence ne peuvent être jugés es qualités que par la session de la Conférence pour laquelle ils sont désignés... Si le Conseil d'administration voulait intervenir, il ne pourrait le faire à l'égard d'un cas particulier, mais il devrait prendre la responsabilité et l'initiative d'une modification ou d'une interprétation de la Constitution de l'Organisation.

Il pourrait être assez satisfait de voir que les arguments écartés pendant les discussions à la Conférence, sont aujourd'hui repris au sein du Conseil par le groupe des employeurs eux-mêmes. Cependant, lorsque le groupe ouvrier faisait sa protestation, la situation était autrement précise qu'elle ne l’est à l'heure actuelle dans le cas qui préoccupe le groupe patronal. Le groupe des travailleurs ne contestait pas seulement la validité de la désignation du délégué ouvrier intéressé, mais soutenait, étant donné le régime existant, qu'il y avait une violation des règles constitutionnelles de la Conférence internationale du Travail et du Bureau international du Travail. Il indiquait qu'il était dangereux de trouver un point de vue strictement national exprimé dans une Conférence ayant pour but d'élaborer des conventions internationales. C'est sur ce plan que le groupe ouvrier s'était placé, et, cependant, sa voix n'a pas été entendue.

Le groupe des travailleurs n'avait jamais pensé porter la question devant la Cour permanente, parce qu'il ne lui semblait pas que celle-ci fût compétente pour en discuter, et pour se substituer en quelque sorte à la Conférence internationale du Travail.

Si l'on posait la question à la Cour, il faudrait le faire d'une façon totale, et demander à la Cour de déterminer la qualité de délégué patronal à la Conférence internationale du Travail, en précisant si des fonctionnaires privés ont plus que des fonctionnaires d'État qualité pour représenter la patronat d'un pays déterminé. Il n'arrive pas souvent en effet de voir participer à la Conférence des patrons exerçant effectivement des fonctions patronales et venant discuter du point de vue technique les questions qui traitaient la Conférence internationale du Travail.

Il n'entend pas contester la qualité des représentants patronaux. Mais, puisqu'il pose la question, il lui est bien permis d'indiquer que l'on ne peut pas établir une distinction arbitraire entre la qualité d'un fonctionnaire responsable de la marche d'une entreprise auquel l'État a délégué son autorité en tant que patron et la qualité de ceux qui n'ont jamais été patrons et n'ont jamais exercé une fonction industrielle, mais ne sont que des fonctionnaires d'une organisation patronale.

M. Markus rappelle que l'Union des Républiques soviétiques socialistes n'a pas pris part à l'élaboration de la Constitution de l'Organisation internationale du Travail. Son pays ne portant en rien la responsabilité de la structure donnée à cette Organisation et, en particulier, du droit de représentation des employeurs, ce n'est donc pas à lui qu'il appartient de défendre la représentation tripartite. L'expérience de son pays enseigne que le développement de la législation sociale et le niveau de protection accordée à la classe ouvrière dépendent de facteurs étrangers aux votes qui peuvent être émis au sein de l'Organisation. Si néanmoins, à la dernière session de la Conférence, l'Union des Républiques soviétiques socialistes s'est fait représenter par trois délégués, elle l'a fait par respect pour la Constitution de l'Organisation et dans l'intérêt de la collectivité des travailleurs.

Pour autant que le groupe patronal a posé la question abstraite de la qualité de représentant des employeurs à la Conférence, il pourrait ne pas répondre, car il estime que le Directeur du Bureau international du Travail est plus compétent que lui pour éclairer le groupe patronal et dissiper ses doutes. Il pourrait également s'abstenir de parler de la question concrète contenue dans la lettre adressée par le groupe des employeurs au Président de la session maritime de la Conférence, à savoir si la désignation de M. Kaouline avait été opérée conformément aux principes qui sont à la base de l'Organisation internationale du Travail. Abstraction faite des détails de l'argumentation développée dans le rapport du Bureau, il est d'accord avec la
authority of the Conference, and the qualifications of the delegates at any session of the Conference could only be judged by the session for which they were appointed. If the Governing Body wished to intervene it could not do so in connection with any particular case, but must assume the responsibility and the initiative of proposing an amendment to or an interpretation of the Constitution of the Organisation.

Personally, he might feel some satisfaction in seeing that the arguments which had been rejected during the discussions in the Conference were now brought forward in the Governing Body by the employers themselves. When, however, the workers' group had made its protest, the position was much more definite than it was in the case with which the employers were now concerned. The workers had not only contested the validity of the appointment of the workers' delegate in question, but had maintained that, in view of the regime obtaining, the constitutional rules of the International Labour Conference and the International Labour Office had been violated. They had pointed out that it was dangerous that a strictly national point of view should be put forward in a Conference the object of which was to draw up international Conventions. That was the attitude which they had adopted, and yet that attitude had not been supported.

The workers had never considered laying the question before the Permanent Court, because in their opinion it was not competent to discuss it, and in a sense to substitute itself for the International Labour Conference.

If the question were referred to the Court, it must be referred in its entirety, and the Court would have to be asked to decide what were the qualifications of an employers' delegate to the Conference, and whether private officials were better qualified than State officials to represent the employers of a given country. In point of fact it was not often that the Conference was attended by employers who really exercised the functions of employers and came to discuss the questions before the International Labour Conference from a technical point of view.

He did not propose to go into this question, but merely to suggest that if the question were brought before the Permanent Court of International Justice, it would presumably not deal with a specific case such as that at present under discussion, but with the general question of the qualifications of employers' representatives at the International Labour Conference.

He had no intention of contesting the qualifications of the employers' representatives, but since the question had been raised, he had felt entitled to point out that no arbitrary distinction could be made between the qualifications of an official who was responsible for the working of an undertaking and to whom the State had delegated its authority as employer, and the qualifications of persons who had never been employers and had never exercised industrial functions, but were merely the officials of an employers' organisation.

Mr. Markus said that the Union of Soviet Socialist Republics had taken no part in drawing up the Constitution of the International Labour Organisation. It therefore had no responsibility for the structure of the Organisation, and in particular for the rights governing the representation of the employers. It was therefore not for him to defend tripartite representation. Experience in his country had shown that the development of social legislation and the standard of protection afforded to the working classes depended upon other factors than the voting in the International Labour Organisation. The reason why the Union of Soviet Socialist Republics had been represented by three delegates at the last session of the Conference was out of respect for the Constitution and in the interests of the workers as a whole.

In so far as the employers' group had raised the abstract question of the qualifications of the representative of the employers at the Conference, he need not attempt any reply, since in his opinion the Director of the International Labour Office was more competent to set the minds of the employers' group at rest. He might also refrain from dealing with the concrete question contained in the letter addressed by the employers' group to the President of the maritime session of the Conference, namely, whether Mr. Kaouline's appointment had been made in conformity with the principles of the International Labour Organisation. Leaving aside the details of the arguments put forward in the Office note, he agreed with the conclusion, namely,
conclusion du Bureau, à savoir que « la désignation d’un employeur de l’Union des Républiques soviétiques socialistes en la personne de M. Kaouline a constitué une application correcte des principes et des textes ». Le Bureau ajoute que « cette désignation est bien loin d’apparaître à ses yeux comme une infraction à la Constitution de l’Organisation internationale du Travail ».

Cependant les employeurs ne sont pas d’accord avec cette conclusion. En parlant d’un appel éventuel à la Cour de La Haye ou d’une contestation de mandat à la Conférence, ils espèrent, semble-t-il, obtenir une solution différente.

Si le point de vue du Bureau n’était pas accepté, il n’y aurait que deux autres solutions possibles. Tout d’abord, on pourrait prétendre que l’Union des Républiques soviétiques socialistes devrait faire représenter son économie par un employeur privé. Certes, cette solution serait acceptable pour le groupe des employeurs, mais pour la rendre réalisable, l’Union soviétique devrait renoncer à sa Constitution, à toutes ses conquêtes, à elle-même en un mot, ce qui constituerait un sacrifice quelque peu disproportionné.

Cependant, il est possible que le groupe des employeurs, se fondant sur le fait que les capitalistes privés n’existent pas dans l’Union des Républiques soviétiques socialistes, recherche une autre solution et veuille refuser à l’U.R.S.S. le droit d’être représentée par une délégation complète au sein de l’Organisation internationale du Travail. Si telle est la pensée des employeurs, il craint que leur situation ne devienne bien délicate. Il faut tenir compte des faits, même si ces faits sont désagréables. Or, c’est un fait qu’il existe dans le monde une économie socialiste sans capitalistes. Cette économie croît et s’affirme d’année en année. Malgré qu’on en ait, l’existence de cette économie ne peut entrer en conflit avec les intérêts des ouvriers. Les représentants de cette économie socialiste ne viennent à Genève que pour appuyer par leurs votes les initiatives de nature démocratique en faveur des travailleurs. Si ces représentants se prononcent contre les propositions des employeurs, cela peut servir d’argument pour les priver du droit d’avoir leurs propres vues et de les défendre par leurs votes.

Il estime que la seule position que puisse prendre le Conseil d’administration, c’est de se rallier au point de vue exposé dans la note présentée par le Bureau.

M. Waline ne se proposait pas d’intervenir, après M. Oersted, dans le débat. S’il est amené à prendre la parole, c’est par l’allusion qu’a faite M. Jouhaux à la représentation des employeurs par des fonctionnaires patronaux.

Il est évident qu’un certain nombre de membres employeurs du Conseil d’administration ou des délégations à la Conférence ne sont pas à proprement parler des patrons. M. Waline ne veut pas rechercher s’il s’agit là d’un cas spécial au groupe patronal. Il veut seulement donner la raison de cette situation et examiner s’il faut ou non la regretter.

La raison de cet état de choses, c’est que la participation aux travaux des organismes internationaux prend beaucoup de temps et qu’il est pratiquement impossible à beaucoup de patrons, occupés par leurs affaires, de consacrer le temps nécessaire à ces diverses réunions. C’est un fait que les Confédérations patronales déplorent chaque année, lorsqu’elles sont appelées à constituer des délégations pour la Conférence.

De même, en France, au Conseil national économique, il est difficile d’obtenir la présence de véritables patrons parce que les réunions sont très fréquentes.

Faisant abstraction de son cas personnel (car tout en étant lui-même, suivant la formule de M. Jouhaux, un fonctionnaire patronal, il participe à la direction d’une affaire industrielle), M. Waline se demande s’il faut regretter que le patronat soit souvent représenté à Genève par de tels fonctionnaires patronaux. Il constate que, dans beaucoup de branches d’industrie, les employeurs, grands et petits, tiennent de plus en plus à avoir à la tête de leurs organisations des hommes indépendants. Bien souvent, les présidents de ces organisations entendent laisser des fonctionnaires patronaux parler au nom de leurs industries. Ils estiment, en effet, qu’un fonctionnaire patronal, n’ayant pas, comme un patron, le souci immédiat de son affaire particulière, est plus impartial et peut représenter plus facilement l’ensemble de la collectivité intéressée.
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. The Office added that in its opinion that appointment was far from being an infraction of the Constitution of the International Labour Organisation.

The employers, however, did not agree with the conclusion, and in suggesting a possible reference to the Permanent Court at The Hague or a protest against a delegate's credentials at the Conference, they presumably hoped to obtain a different solution.

If the point of view of the Office were not accepted, there were only two other solutions. In the first place it might be suggested that the Union of Soviet Socialist Republics should be represented by a private employer. That solution would doubtless be acceptable to the employers' group, but in order to make it possible it would be necessary for the Soviet Union to renounce its Constitution, all that it had achieved, and indeed itself. That would be a somewhat disproportionate sacrifice.

It was possible, however, that the employers' group, on the ground that private employers did not exist in the Union of Soviet Socialist Republics, desired to reach another solution, namely, to refuse the Union of Soviet Socialist Republics the right to be represented by a complete delegation at the International Labour Conference. If that was the employers' object, he feared that they were in a somewhat delicate position. Facts must be faced even if they were disagreeable, and it was a fact that there was a system of socialist economy in the world in which no capitalists were included. That system was being improved and making itself felt more year by year. Nothing could make that system come into conflict with the workers' interests. Its representatives only came to Geneva to support democratic proposals for the improvement of the conditions of the workers. If their representatives opposed the employers' proposals, that was no argument for depriving them of their right to have their own point of view and to defend it by their votes.

In his view the only position which the Governing Body could take up would be to adopt the attitude expressed in the note submitted by the Office.

Mr. Waline said that he had not intended to speak after Mr. Oersted in this discussion, but had been led to do so by Mr. Jouhaux's allusion to the representation of the employers by employers' officials.

It was evident that certain employers' members of the Governing Body or of delegations to the Conference were not employers in the strict sense of the word. Mr. Waline did not propose to discuss whether the case was peculiar to the employers' group. He would merely explain the reason for this situation and consider whether or not it was to be regretted. The reason was that participation in the work of international bodies took up a considerable amount of time and that it was impossible for many employers who were absorbed in their affairs to give the necessary time to the various meetings. This was a fact which the employers' organisations deplored each year when they were making up the delegations to the Conference. In the same way, in France on the National Economic Council, it was difficult to secure the presence of actual employers because the meetings were so frequent.

Leaving his own particular case out of account (for although he was, as Mr. Jouhaux put it, an employers' official, he took part in the management of an industrial undertaking), Mr. Waline wondered whether it was indeed a matter of regret that the employers were often represented at Geneva by such employers' officials.

He pointed out that in many branches of industry the employers, both great and small, showed an increasing tendency to place men of independent standing at the head of their organisations. The chairmen of those organisations often preferred to let the employers' officials speak on behalf of their industries. Indeed they considered that an employers' official, not being concerned, like an employer, with the immediate interests of his own undertaking, was more impartial and could more easily represent the general body of employers.
A Genève, c'est le statut même de l'Organisation internationale du Travail, où, à côté des gouvernements, collaborent les patrons et les ouvriers par la voie de leurs organisations les plus représentatives, qui implique la présence de fonctionnaires patronaux. Il est tout naturel que les représentants des employeurs soient souvent ici des personnes qui n'appartiennent pas elles-mêmes à une affaire particulière, et qui soient en mesure d'opérer plus facilement la discrimination entre les points de vue différents qui peuvent exister à l'intérieur d'une industrie ou dans un même pays, pour apporter des vues vraiment représentatives.

D'autre part, le fonctionnement de l'Organisation exige des représentants des employeurs plus que des avis ; il comporte pour eux certains engagements moraux. L'opinion d'un industriel, quelles que soient ses qualités, est, avant tout, une opinion personnelle qui n'aurait qu'une valeur relative lorsque des textes sont adoptés. Dans bien des cas, il sera plus facile à un fonctionnaire patronal de prendre des engagements moraux de cette nature qu'à des employeurs proprement dits.

Ce n'est pas tout. Si le fonctionnaire patronal doit avoir des vues d'ensemble, et se rendre compte des positions respectives des employeurs des différentes industries qui l'ont mandaté, il doit avoir, en outre, pour être digne de sa fonction, le sens de l'évolution et du progrès. Il se permet de dire que celui qui supplée au sein du Conseil n'a jamais considéré autrement son rôle de fonctionnaire patronal. Les représentants ouvriers savent bien, eux aussi, que dans l'interprétation des consignes, il y a la lettre et l'esprit.

Ainsi, le fonctionnaire patronal a-t-il l'avantage de pouvoir apporter un point de vue relativement indépendant et s'il est évident qu'il doit se conformer à des consignes générales, il n'en a pas moins une assez grande latitude pour exécuter ces consignes et défendre les intérêts qu'il représente. L'expérience faite en France depuis un an a montré, comme M. Jouhaux ne l'ignore pas, qu'on a souvent reproché à certains fonctionnaires patronaux d'avoir signé des accords qui étaient tout de même un pas en avant dans la voie du progrès social que tous ont à cœur de réaliser.

M. Mahaim constate que la question soumise au Conseil est essentiellement une question de droit. Le Conseil d'administration ne peut se substituer à la Conférence internationale du Travail, ni recommencer le travail de la Commission de vérification des pouvoirs de la XXIème session de la Conférence. Le Conseil n'a donc pas de jugement à prononcer sur le cas particulier de M. Kaouline. La question posée par le groupe des employeurs de la XXIème session de la Conférence est une question générale. Il s'agit d'interpréter l'article 3 de la Constitution et de déterminer s'il est conforme à la Constitution de l'Organisation et à sa jurisprudence qu'un État dont la Constitution est différente de celle de beaucoup d'autres États européens soit représenté à la Conférence par trois fonctionnaires. Il pourrait d'ailleurs y en avoir quatre : deux représentant directement le gouvernement, un représentant les patrons et un représentant les ouvriers, car il lui semble que, dans l'U.R.S.S., les ouvriers eux-mêmes font partie intégrante non pas du gouvernement, mais de l'État, aussi bien que le fonctionnaire qui a été désigné comme délégué des employeurs de l'U.R.S.S. aux XXIème et XXIIème sessions de la Conférence. C'est cette question de droit qui est difficile et délicate. Il ne sait s'il entre dans les intentions du Conseil de la trancher ex cathedra. Cela nécessiterait de longues études portant sur les bases mêmes de la Constitution de l'Organisation.

Il est à remarquer, d'ailleurs, qu'au point de vue pratique, l'avis que le Conseil pourrait émettre n'aurait qu'un intérêt très limité. Cet avis pourrait être modifié par la Commission de vérification des pouvoirs à l'occasion d'une session de la Conférence ou par un arrêt ou un avis consultatif de la Cour permanente de Justice internationale. Il ne faut pas se dissimuler qu'au point de vue juridique, la procédure régulière serait de porter la question devant la Cour.

Puisqu'on a invoqué ce que l'on considérait comme son opinion en la matière, il croit devoir apporter quelques précisions. On a cité un passage d'un discours prononcé par lui en 1923. Il disait alors simplement une chose connue de tous les juristes, c'est qu'un texte de loi ne peut pas, d'une façon absolue, prévoir tous les événements futurs auxquels il peut s'appliquer. Il ressort, par exemple, d'un discours de Portalis, que le Code civil ne connaissait pas et réprouvait l'assurance sur la vie, considérée par les
At Geneva, the very rules of the International Labour Organisation, where in addition to the Governments, the employers and workers collaborated through their most representative organisations, involved the presence of employers' officials. It was quite natural that the employers' representatives should often be persons who did not themselves belong to any particular business, and were thus in a better position to discriminate between the different points of view which might exist within an industry or within any particular country, and to put forward really representative views.

Moreover, the working of the Organisation did not merely require the employers' representatives to state their views; it required that they should give moral undertakings. The opinion of a manufacturer, however eminent, was primarily a personal opinion which only possessed a relative value when Conventions were adopted. In many cases it was easier for an employers' official to enter into moral undertakings than it was for actual employers. That was not all. If it was the business of an employers' official to take a general view, and to take into account the respective positions of the employers in the different industries for which he was spokesman, it was also his business, if he was to be worthy of the task entrusted to him, to understand the need for development and progress. He could safely say that the member of the Governing Body for whom he was acting as substitute had never considered his duties as an employers' official in any other light. The workers' representatives were themselves well aware that a distinction always had to be made between the letter and the spirit of formal instructions.

Thus the employers' official had the advantage of being able to adopt a relatively independent point of view. It was obvious that he had to carry out general instructions, but he had a good deal of latitude in carrying them out, and in defending the interests which he represented. Experience in France during the past year had, as Mr. Jouhaux was aware, shown that certain employers' officials had frequently been reproached for signing agreements which were nevertheless steps towards the social progress which everyone had at heart.

Mr. Mahaim said that the question before the Governing Body was essentially a question of law. The Governing Body could not take the place of the International Labour Conference, nor could it do over again the work of the Credentials Committee at the Twenty-first Session of the Conference. It was therefore not called upon to sit in judgment on the particular case of Mr. Kaouline. The point raised by the employers' group at the Twenty-first Session of the Conference was a general one. It was a question of interpreting Article 3 of the Constitution, and deciding whether it was in conformity with the Constitution and traditional practice of the Organisation that a State which was differently constituted from most other European States should be represented at the Conference by three officials. There might even be four, two directly representing the Government, one representing the employers, and one representing the workers; for apparently, in the Union of Soviet Socialist Republics, the workers themselves were an integral part, not of the Government but of the State, just as much as the official who had been appointed as employers' delegate of the Union of Soviet Socialist Republics at the twenty-first and twenty-second sessions of the Conference. That was a difficult and delicate legal question. He did not know whether the Governing Body intended to deal with it ex cathedra. If so, a close study of the very foundations of the Constitution of the Organisation would be required.

From the practical point of view, any opinion which the Governing Body might express would be of very limited importance, since that opinion might be modified by the Credentials Committee at a session of the Conference, or by a decision or advisory opinion of the Permanent Court of International Justice. It must be admitted that from the legal point of view, the regular course would be to submit the question to the Permanent Court.

Since what was alleged to be his opinion on the subject had been mentioned as an argument, he felt bound to give some further explanations. A quotation had been made from a speech which he had made in 1923. He had merely said then what was known to all jurists, namely, that no law could make absolute provision for all future events to which it might apply. For example, it was clear from a speech by Portalis that the Civil Code not only did not recognise, but did not admit life insurance,
auteurs du Code civil comme impossible parce que c'était entre autres une stipulation pour autrui. Cependant, la fréquence des contrats d'assurance sur la vie a imposé à la jurisprudence des interprétations qui ont fait que cette institution est maintenant parfaitement légale et rentre dans le cadre du Code civil.

Un exemple plus récent est celui de la location d'un coffre-fort dans une banque, cas qui n'avait pas été prévu par le Code civil, et dont on discute encore pour savoir s'il s'agit d'une location ou d'un dépôt.

De même, on peut dire que la législation du travail a bouleversé un certain nombre d'articles du Code civil.

Tel était le sens de ses déclarations en 1923. Il convient en outre de rappeler dans quelles circonstances elles ont été faites. M. Jouhaux a invoqué les discussions qui avaient eu lieu à l'occasion de son rapport de minorité. On prétendait que, puisque le Traité de paix n'avait jamais pensé à la possibilité d'un syndicat mixte entre patrons et ouvriers, l'ouvrier italien, ayant été élu par un syndicat mixte, n'était pas un délégué ouvrier. Son argumentation en 1923 était que les syndicats qui avaient nommé l'ouvrier italien n'étaient pas des syndicats mixtes, et il avait réservé la question de savoir si des ouvriers vraiment délégués par de véritables syndicats mixtes auraient pu fonctionner comme délégués ouvriers.

Par conséquent, la réserve générale qu'il avait faite et qui peut certainement s'appliquer au cas actuel ne comporte pas une solution définitive. Elle pourrait s'appliquer au cas actuel, car, dans la Commission de législation internationale du travail de Paris, aucune délégation n'avait envisagé l'institution d'un État communiste. Il n'y a pas le moindre doute qu'il n'a pas été prévu de dispositions visant le cas de l'Union des Républiques soviétiques socialistes. Comme la note du Bureau le souligne très justement, le fait que l'organisation sociale particulière d'un État apporte, dans le fonctionnement de la Conférence, un élément nouveau, ne heurte, en soi, aucun principe constitutionnel de l'Organisation. Il s'agit donc simplement de voir si la constitution de la délégation de l'Union soviétique se concilie avec les principes de l'Organisation internationale du Travail.

Il n'y a pas le moindre doute qu'à Paris, en essayant d'établir un certain équilibre entre les gouvernements, les employeurs et les travailleurs, on avait envisagé une certaine opposition entre ces deux derniers éléments. Cela était dans l'esprit de tous les délégués et, notamment, de la délégation britannique qui avait présenté le premier projet de la Partie XIII.

Est-il contraire aux principes de l'Organisation, qu'un État nomme trois délégués dont un délégué des employeurs qui est un fonctionnaire d'État? Le groupe des employeurs lui-même à la session maritime de la Conférence a accepté comme un employeur le délégué envoyé comme employeur par l'U.R.S.S. Le groupe des employeurs a ainsi préjugé qu'il était possible de l'admettre dans le groupe. Il n'y a pas eu d'opposition de principe. Aucune réclamation n'a été présentée demandant l'invalidation de son mandat. Il y a eu simplement des doutes, et ces doutes ont été portés en définitive devant le Conseil, dans l'hypothèse qu'il les porterait lui-même devant la Cour permanente de Justice internationale.

Si l'on se reporte aux intentions de ceux qui ont participé aux travaux de la Commission de législation internationale du travail à Paris, il est clair qu'ils pensaient à des oppositions d'intérêts entre patrons et ouvriers. Il doit dire, à ce sujet, que le discours de M. Markus lui a fourni un sujet de réflexion. M. Markus a déclaré que son gouvernement se préoccupait de soutenir, à Genève comme ailleurs, les intérêts de la classe ouvrière. On aurait pu croire qu'il aurait plaidé que le Chef du Département central de la navigation maritime jouait le même rôle qu'un patron de l'industrie privée. En effet, à la différence des délégués ouvriers, ce fonctionnaire d'État est aux prises avec un grand nombre de problèmes techniques, de problèmes patronaux proprement dits, identiques à ceux qui se posent dans l'industrie privée. On aurait pu croire que c'était pour représenter la pensée des employeurs que ce délégué avait été envoyé à la Conférence. Mais M. Markus a déclaré très franchement que tous les délégués de l'Union des Républiques soviétiques socialistes entendaient soutenir les intérêts des ouvriers. C'est une conception qui est radicalement différente de celle que l'on avait eue en 1919 à Paris. C'est pourquoi, pour sa part, pensant avant
which was considered by the authors of the Code as impossible because it was, amongst other things, an undertaking for a third party. The frequency with which life insurance policies were taken out, however, had made it necessary for the courts to give interpretations from which it resulted that life insurance was now perfectly legal and was covered by the Civil Code.

A more recent example was the hiring of safes in banks. This was a case which had not been provided for in the Civil Code, and lawyers were still discussing whether a contract of hire or of deposit was involved.

Similarly, it might be said that labour legislation had upset certain articles in the Civil Code.

That was the meaning of his statement in 1923. It must also be remembered in what circumstances that statement had been made. Mr. Jouhaux had referred to the discussions which had taken place on his minority report. It had been suggested that since the Peace Treaty had never considered the possibility of a mixed organisation of employers and workers, the Italian workers' delegate, who had been elected by a mixed organisation, was not a workers' delegate. His argument in 1923 had been that the organisations which had appointed the Italian worker were not mixed organisations, and he had reserved the question whether workers really nominated by mixed organisations would have been entitled to act as workers' delegates.

Thus the general reservation which he had made, and which could certainly be applied to the present case, did not constitute a final solution. It could be applied to the present case, since no delegation in the Commission on International Labour Legislation in Paris had ever considered the setting up of a communist State. There could be no doubt whatever that no provision had been made to meet the case of the Union of Soviet Socialist Republics. As the note of the Office rightly pointed out, the fact that the particular social organisation of a State brought a new element into the working of the Conference did not in itself run counter to any principle of the Constitution. Thus the only question was whether the constitution of the delegation from the Soviet Union was in conformity with the principles of the International Labour Organisation.

There was no doubt that in Paris, in an attempt to provide a certain balance between the Governments, the employers and the workers, a certain degree of opposition between the two latter elements had been contemplated. That idea had been in the minds of all the delegates, and particularly the British delegation, which had submitted a first draft of Part XIII.

The question was whether it was contrary to the principles of the Organisation for a State to appoint three delegates, of whom the employers' delegate was a State official. The employers' group at the maritime session of the Conference had itself accepted as an employer the person nominated as employers' delegate by the Union of Soviet Socialist Republics. It had thus prejudged the possibility of admitting him into the employers' group. There had been no opposition on principle. No request had been put forward for the invalidation of his credentials. Doubts had merely been expressed, and those doubts had finally come before the Governing Body on the assumption that it would itself refer them to the Permanent Court of International Justice.

To return to the intentions of the persons who took part in the work of the Commission on International Labour Legislation in Paris, it was obvious that they had in mind the opposition of interests between the employers and workers. In this connection, Mr. Markus's speech had given much food for thought. Mr. Markus had declared that his Government was only concerned with one thing—namely, to support, both in Geneva and elsewhere, the interests of the working classes. It might have been thought that Mr. Markus would have argued that the Chief of the Central Shipping Department played the same part as an employer in a private undertaking. Indeed, unlike the workers' delegates, this State official was concerned with many technical problems—with employers' problems in the strict sense of the word—which were exactly the same as those which arose in private industry. It might have been imagined that the delegate had been sent to the Conference to represent the employers' point of view. But Mr. Markus frankly stated that all the delegates from the Union of Soviet Socialist Republics merely desired to support the interests of the workers. That was a point of view fundamentally different from that obtaining in Paris in 1919.
tout à la nécessité d’une interprétation théorique en présence d’un doute possible, il
croit qu’il serait utile que la question fût portée un jour, à l’avenir, devant la Cour
permanente de Justice internationale. Il reconnait cependant que ce n’est pas le rôle
du Conseil à l’heure présente de prendre une telle décision. Le Conseil n’est pas appelé
to se prononcer sur un cas concret, et ne peut pas déterminer quelle serait la question
to poser directement à la Cour.

La séance est levée à 12 h. 55.

C. MERTENS.
It was for that reason that, primarily with a view to obtaining a theoretical inter-
pretation on a point which was open to doubt, he thought that it would be useful
at some future date for the question to be submitted to the Permanent Court of
International Justice. He recognised that it was not for the Governing Body at
the present time to take such a decision. The Governing Body was not called upon
to deal with a concrete case, and could not determine what the question to be submitted
to the Court would be.

The sitting closed at 12.55 p.m.

C. MERTENS.
PROCÈS-VERBAL DE LA CINQUIÈME SÉANCE.

(Vendredi 7 mai 1937 — 15 heures 15.)


Absent : M. de MICHELS.

SEPTIÈME QUESTION À 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) (suite).

M. Serrarens estime que si la question soumise au Conseil est d'ordre juridique, il faut cependant l'examiner non seulement en droit, mais en fait. Or, on peut se demander si le Conseil d'administration est en mesure de procéder à un examen complet de la situation de fait. En effet, le Conseil ne peut se prononcer sur la qualité d'un délégué à la Conférence. Il s'agit de cas d'espèce qui doivent être réglés chaque fois, non par le Conseil, mais par la Conférence.

Il lui paraît également difficile pour le Conseil de formuler une interprétation juridique de portée générale. Le Conseil peut évidemment formuler un avis, qui n'aurait toutefois pas la valeur d'une interprétation autorisée de la Constitution, laquelle peut uniquement être donnée par la Cour permanente de Justice internationale.

Dans ces conditions, on peut se demander à quelles conclusions le Conseil peut aboutir en la matière. Si l'échange de vues auquel il a procédé sur la base du rapport présenté par le Directeur a offert le plus grand intérêt, on ne voit pas bien par contre le Conseil adopter toutes les thèses exposées dans ce rapport. Certaines des idées exprimées dans le rapport peuvent appeler certaines réserves, notamment l'exemple tiré de la situation des directeurs de réseaux ferrés exploités directement par l'État. D'après le Bureau, s'il se trouvait que la Conférence internationale du Travail ait à son ordre du jour une seule question, la réglementation du travail dans les chemins de fer semblerait évidemment que les membres de l'Organisation dont le réseau ferré est exploité directement par l'État pourraient désigner comme délégués des employeurs les directeurs des chemins de fer ou toute autre personnalité ayant une situation semblable. Pour sa part, il considère, ainsi que l'a indiqué M. Oersted, qu'en pareil cas, les gouvernements devraient au préalable se mettre d'accord avec les organisations les plus représentatives intéressées.

Cette observation a d'ailleurs une portée générale; elle vaudrait pour le cas où la Conférence serait saisie uniquement de questions maritimes, agricoles, etc. Il faut donc constater qu'à défaut, dans la note du Bureau, de mention relative à la consultation des organisations les plus représentatives, la conclusion tirée par le Bureau de l'exemple des administrations de chemins de fer risquerait d'engager les Gouvernements dans une mauvaise voie.

On a relevé le passage de la note du Bureau ayant trait à la distinction entre État et Gouvernement. Si une telle distinction présente un intérêt certain d'un point de vue purement théorique, il ne croit pas qu'elle ait sa place dans la discussion de la question actuellement soumise au Conseil. En effet, l'organisation tripartite découlant
MINUTES OF THE FIFTH SITTING.

(Friday, 7 May 1937—3.15 p.m.)

The Governing Body was composed as follows: Mr. MERTENS, Chairman; Mr. ANDERSSON, Mr. CURČÍN, Mr. FABELA, Mr. FABRA RIBAS, Mr. GEMMILL, Mr. GÉRARD, Mr. Justin GODART, Mr. GOODRICH, Mr. HAYDAY, Mr. JENSEN, Mr. JouHRAUX, Mr. KIRKALDY, Mr. KITAOKA, Mr. KOMARNICKI, Mr. KUPERS, Mr. LI PING-HENG, Mr. MANNIO, Mr. MARKUS, Mr. MUNIZ, Mr. NÉMEČEK, Mr. NORMAN, Mr. OERSTED, Mr. RIDDLE, Mr. RUZ GUÍNÁZÚ, Mr. SCHÜRCH, Mr. TAKEUCHI, Mr. TZAUT, Mr. WALNE, Mr. YEREMITCH, Mr. ZAMAN.

Absent: Mr. de Micheli.

SEVENTH 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) (continued).

Mr. Serrarens considered that though the question before the Governing Body was a legal one, it should nevertheless be considered from the point of view of fact as well as that of law. It might, however, be questioned whether the Governing Body was in a position to make a complete examination of the situation from the point of view of fact. The Governing Body could not discuss the qualifications of a delegate to the Conference. Each case was a separate one which must be settled, not by the Governing Body, but by the Conference.

He also thought it difficult for the Governing Body to put forward a general legal interpretation. It could of course put forward an opinion, but this would not have the force of an authoritative interpretation of the Constitution, which could only be given by the Permanent Court of International Justice. For the present the Governing Body did not appear disposed to ask for such an interpretation.

In these circumstances, it might be asked exactly what conclusion the Governing Body could reach. Although the discussion which had taken place on the basis of the report submitted by the Director had been of the greatest interest, he did not think that the Governing Body would adopt all the views put forward in the report. Some of the ideas expressed in the report might require certain reservations, for instance, the example taken from the position of managers of railways run directly by the State. The Office had expressed the view that if a session of the International Labour Conference had on its agenda only one question—the regulation of work on railways—Members of the Organisation whose railways were managed directly by the State could appoint as employers' delegates the managers of those railways or other persons holding similar posts. Personally, he agreed with Mr. Oersted that in such cases the Governments of the States Members should first come to an agreement with the most representative organisations concerned.

That observation had a wider bearing, since it would apply also to cases where the Conference had to deal solely with maritime questions, agricultural questions and so on. It must thus be admitted that since the note of the Office did not say anything about the consultation of the most representative organisations of employers, the conclusion which it drew from the example of railway administrations might be liable to lead Governments astray.

References had been made to the passage in the note of the Office which related to the distinction between a State and a Government. While such a distinction was undoubtedly of importance from the purely theoretical point of view, he did not think that it could properly be brought into the discussion of the question now before
de la Constitution, a pour but de permettre aux représentants des employeurs et aux représentants des travailleurs d’exprimer librement leur opinion et leur volonté à la Conférence, ce qui est impossible si les groupes des employeurs et des travailleurs sont privés de leur autonomie. Or, c’est précisément cette autonomie qui se trouve supprimée dans les pays soumis à un régime dictatorial, où le gouvernement exerce une autorité souveraine tant sur les employeurs que sur les travailleurs.

La question présente pour la classe ouvrière une importance plus grande encore que pour les employeurs. On pourrait soutenir, en effet, qu’en U.R.S.S. il n’existe pas d’employeurs et que, dans ces conditions, il n’y a pas lieu de leur attribuer une représentation à la Conférence internationale du Travail. Par contre, les travailleurs, dont l’existence ne saurait être mise en doute, doivent disposer d’une représentation autonome.

Il estime, comme M. Jouhaux, qu’il est regrettable que, lors de la vérification des pouvoirs de délégués ou de conseillers techniques à la Conférence, le groupe des employeurs ne se soit pas préoccupé jusqu’à présent de sauvegarder la constitution tripartite de l’Organisation. Il n’y a pas longtemps, lors de l’examen des pouvoirs du délégué ouvrier autrichien à la Conférence, il a lui-même attiré l’attention du groupe des employeurs sur l’opportunité pour ce groupe de protester de son côté contre la validation du mandat du délégué employeur autrichien qui, lui aussi, avait été nommé par son gouvernement sans accord préalable avec une organisation d’employeurs agissant en toute liberté. Le groupe des employeurs n’a pas pris de semblable mesure. Il en est résulté que la Conférence, en se ralliant à cette attitude passive, n’a pas sauvégardé les bases de la constitution de l’Organisation. On peut donc se demander si, à l’heure actuelle, la vérification des pouvoirs à la Conférence présente encore une utilité pratique.

La même observation s’applique d’ailleurs au Bureau, qui a, semble-t-il, adopté en la circonstance une attitude analogue à celle de la Conférence.

Sans doute peut-on estimer que les temps changent et que l’Organisation doit changer avec eux, mais ceux qui pensent ainsi ne souhaitent sans doute pas que l’Organisation évolue par la simple voie d’interprétation de la Constitution. Dans ces conditions, on peut se demander pourquoi on a, depuis quinze ans, orienté la Conférence dans le sens d’une interprétation déterminée de la Constitution, qui n’est certainement pas conforme à la pensée de ses auteurs.

M. Mahaim a fait allusion à l’interprétation évolutionniste du Code civil. S’il admet volontiers pour sa part une méthode semblable, il ne croit toutefois que M. Mahaim défendrait une interprétation de la Constitution belge qui, par exemple, tout en maintenant le système électoral, ferait désigner le parlement par le gouvernement. Dès qu’il s’agit d’une partie essentielle d’un acte constitutionnel, il estime qu’il faut être extrêmement prudent avant de s’engager dans la voie d’une transformation par simple interprétation. Si l’évolution du droit, par le moyen d’interprétation, peut être nécessaire dans certains cas, il considère qu’en principe une révision des textes est préférable. D’ailleurs, même une interprétation de la Constitution donnée par la Cour permanente de Justice internationale ne saurait modifier la base tripartite de l’Organisation internationale du Travail. Il ne conçoit pas, quant à lui, un système basé sur la Constitution de l’Organisation, et d’après lequel les pays où les employeurs et les travailleurs dépendent entièrement du gouvernement enverraient à la Conférence des représentants des employeurs et des travailleurs, en quelque sorte en marge de la Constitution.

Personne n’exige du Gouvernement de l’U.R.S.S. qu’il se conforme aux désirs du groupe des employeurs. Par contre, il importe que tous les pays respectent les règles essentielles de la Constitution de l’Organisation.

M. Oersted constate que l’on n’a apporté au cours des débats aucun argument décisif contre la thèse qu’il a développée à la séance précédente. M. Jouhaux lui a reproché d’avoir changé d’avis. Pour sa part, il estime que c’est M. Jouhaux qui a changé d’attitude, car la thèse défendue par M. Oersted est précisément celle que défendait précédemment M. Jouhaux et qu’il semble renoncer à défendre.

Si le groupe des employeurs n’a pas appuyé les protestations formulées contre les
the Governing Body. The tripartite system of organisation established by the Constitution had been devised in order to enable the employers' and workers' representatives to express their opinions and desires freely at the Conference. This was impossible if organisations of employers and workers were deprived of their autonomy. That was the case in the countries where a dictatorial regime was in force, since in those countries the Government exercised full authority over both employers and workers.

The question was of still greater importance for the workers than for the employers. It might be maintained that in the Union of Soviet Socialist Republics there were no employers, and that consequently there was no need to provide representation for them at the International Labour Conference. It could not, however, be denied that there were workers in that country, and they should enjoy independent representation.

He agreed with Mr. Jouhaux that it was regrettable that when the credentials of delegates and advisers at the Conference were being verified, the employers' group had not up to the present concerned itself with safeguarding the tripartite constitution of the Organisation. Not long ago, when the credentials of the Austrian workers' delegate at the Conference were being considered, he had himself pointed out to the employers' group that it would do well to protest against the credentials of the Austrian employers' delegate who, like the workers' delegate, had been appointed by his Government without previous agreement with an employers' organisation acting in complete freedom. The employers' group had not taken any such action. The result had been that the Conference had accepted that passive attitude and thus failed to safeguard the basis of the Constitution of the Organisation. It might well be asked whether at the present time the verification of credentials at the Conference was still of any practical utility.

The same observation also applied to the Office, which appeared to have adopted an attitude similar to that of the Conference in the matter.

It might of course be maintained that times had changed and that the Organisation should change with them. Those who held that view probably did not wish, however, that the Organisation should progress simply by way of the interpretation of the Constitution. It might therefore be asked why the Conference had for the past fifteen years been guided in the direction of a particular interpretation of the Constitution which certainly did not correspond to the intentions of its authors.

The evolutionary interpretation of the civil code had been mentioned by Mr. Mahaim. Although he fully accepted this method, he did not suppose that Mr. Mahaim would defend an interpretation of the Belgian Constitution, for example, which maintained the electoral system but had members of Parliament appointed by the Government. When an essential part of a Constitution was in question, it was better to be extremely prudent in attempting to bring about changes simply by way of interpretation. Although the evolution of law by means of interpretation might be necessary in certain cases, he felt that in principle revision was preferable. Moreover, even an interpretation of the Constitution by the Permanent Court of International Justice could not change the tripartite basis of the International Labour Organisation. Personally, he could not imagine a system based on the Constitution of the Organisation under which countries where employers and workers were entirely dependent on the Government would send employers' and workers' representatives to the Conference more or less outside the Constitution.

No one was asking the Government of the Union of Soviet Socialist Republics to conform to the wishes of the employers' group. It was, however, necessary that all countries should respect the essential rules of the Constitution of the Organisation.

Mr. Oersted said that no speaker had brought forward any conclusive argument against the views which he had put forward at the previous sitting.

It had been alleged by Mr. Jouhaux that he had changed his opinion. His own view was that it was Mr. Jouhaux who had changed his attitude, since the view which Mr. Oersted had defended was the very one which Mr. Jouhaux had previously maintained, but which he now seemed to have abandoned.

The reason why the employers' group had not supported the protests made
pouvoirs de certains délégués travailleurs à la Conférence et met actuellement en doute la qualité d’un délégué employeur, c’est que les deux cas ne sont pas du tout identiques.

L’argumentation développée par le groupe des travailleurs à la Conférence reposait sur l’affirmation que le délégué ouvrier dont les pouvoirs étaient contestés n’aurait pas été désigné par le gouvernement du pays intéressé, conformément à la Constitution de l’Organisation, du fait qu’il n’aurait pas été le représentant d’une organisation libre. Or, il considère, quant à lui, qu’il n’appartient ni à la Conférence ni au groupe des employeurs de s’immiscer dans les affaires intérieures des différents États. La Conférence ne peut contester le droit pour n’importe quel Etat d’adopter le régime constitutionnel qui lui paraît préférable. Si donc certains pays se sont arrangés par leurs statuts constitutionnels à instituer des organisations professionnelles revêtues d’un caractère obligatoire, ce n’est ni au Conseil d’administration ni à la Conférence qu’il peut appartenir d’intervenir pour s’opposer à un tel régime.

Le cas de l’employeur désigné par le Gouvernement de l’U.R.S.S., actuellement discuté par le Conseil, n’est pas du tout identique. Dans le pays d’où provenait le délégué travailleur dont les pouvoirs étaient contestés, il existait indubitablement des travailleurs et des organisations ouvrières. Par contre, ainsi que le Conseil d’administration a pu l’apprendre par la bouche même du représentant du Gouvernement soviétique, en U.R.S.S. il n’existe pas d’employeurs, et à plus forte raison pas d’organisations patronales. Le groupe des employeurs est donc fondé à mettre en doute la qualité d’un délégué à la Conférence qui serait censé représenter lesdites organisations.

A propos de l’observation faite par M. Jouhaux quant à l’incompétence du Conseil d’administration pour trancher une question de validité des pouvoirs d’un délégué à une session de la Conférence, il tient à rappeler quelle est exactement la situation qui s’est produite à la XXIème session de la Conférence. A aucun moment la validité du mandat du délégué employeur de l’U.R.S.S. n’a formellement été contestée. Le groupe des employeurs s’est borné à soulever la question de la qualité de représentant des employeurs de l’U.R.S.S. d’une manière tout à fait générale dans le cadre de la Constitution. Cette situation est parfaitement établie par un passage figurant dans le rapport de la Commission de vérification des pouvoirs adopté par la Conférence à sa XXIème session :

“Le membre employeur de la Commission a indiqué que son groupe n’ayant pas tous les apaisements quant à la validité de la désignation des représentants patronaux et ouvriers de certaines délégations, mais ne croyant pas utile d’y faire opposition par le canal de la Commission de vérification des pouvoirs, a demandé que le Conseil d’administration du Bureau international du Travail examinât les objections d’ordre constitutionnel qui se présentent à son avis.”

C’est en relation avec ce passage du rapport que le président du groupe des employeurs à la Conférence a envoyé sa lettre au Président et que le bureau de la Conférence a unanimement décidé de donner suite à la demande formulée par le groupe des employeurs et de renvoyer cette question de portée générale au Conseil d’administration.

Ainsi donc, le Conseil n’est pas appelé à décider si le délégué employeur de l’U.R.S.S. a ou non été désigné conformément aux règles de la Constitution. Il s’agit simplement pour lui d’examiner la question de principe et éventuellement de solliciter à son sujet un avis de la Cour permanente de Justice internationale. D’après M. Jouhaux, c’est encore la Conférence qui pourrait solliciter un tel avis. Il rappelle à cet égard qu’en 1921, lorsqu’il a été décidé de porter devant la Cour permanente de Justice internationale la question de la désignation du délégué ouvrier des Pays-Bas, la Conférence elle-même a adopté une résolution ainsi conçue :

“La Conférence internationale du Travail invite le Conseil d’administration du Bureau international du Travail à adresser au Conseil de la Société des Nations une demande tendant à obtenir que la Cour permanente de Justice internationale..., etc.”
against the credentials of certain workers' delegates at the Conference, but was now questioning the credentials of an employers' delegate, was that the two cases were by no means parallel.

The argument put forward by the workers' group at the Conference was based on the allegation that the workers' delegate whose credentials were contested had not been appointed by the Government of the country concerned in accordance with the Constitution of the Organisation because he was not the representative of an independent organisation. His own view was that it was not for the Conference or the employers' group to interfere in the internal affairs of the different countries. The Conference could not dispute the right of any country to adopt whatever constitutional system it thought desirable. Thus if certain countries had adopted a constitution under which employers' and workers' organisations were established on a compulsory basis, neither the Governing Body nor the Conference had any right to oppose such a system.

The case of the appointment of an employers' representative by the Government of the Union of Soviet Socialist Republics, which the Governing Body was now discussing, was not at all the same. In the country to which the workers' delegate whose credentials had been contested belonged, there were undoubtedly workers and workers' organisations. On the other hand, as the Governing Body had heard from the representative of the Soviet Government himself, there were no employers in the Union of Soviet Socialist Republics, and consequently no employers' organisations. The employers' group was therefore entitled to cast doubts on the qualifications of a delegate to the Conference who was supposed to represent such organisations.

As regards Mr. Jouhaux's statement that the Governing Body was not competent to settle the question of the validity of the credentials of a delegate to the Conference, he would point out exactly what had occurred at the Twenty-first Session of the Conference. The validity of the credentials of the employers' delegate of the Union of Soviet Socialist Republics had at no time been formally contested. The employers' group had confined itself to raising the question of the qualifications of the employers' representative of the Union of Soviet Socialist Republics in an entirely general way, as a constitutional matter. This was made perfectly clear by the following passage in the report of the Credentials Committee adopted by the Conference at its Twenty-first Session:

"The employers' member of the Committee stated that as his group was not perfectly satisfied about the validity of the credentials of certain employers' and workers' representatives, but did not consider it desirable to lodge any objection through the Credentials Committee, it had asked that the Governing Body of the International Labour Office should consider the constitutional objections which, in the opinion of the employers' group, arose with regard to the delegates in question."

It was in connection with this passage of the report that the Chairman of the employers' group at the Conference had sent his letter to the President, and that the Officers of the Conference had unanimously decided to accede to the employers' request that the general question should be referred to the Governing Body.

Thus the Governing Body was not asked to decide whether or not the employers' delegate of the Union of Soviet Socialist Republics had been appointed in accordance with the rules of the Constitution. It was merely called upon to consider the question of principle, and possibly to ask for an opinion on the subject from the Permanent Court of International Justice. In Mr. Jouhaux's view it was for the Conference to ask for such an opinion. He would, however, point out in this connection that in 1921, when it had been decided to bring the question of the appointment of the Netherlands workers' delegate before the Permanent Court of International Justice, the Conference itself had adopted a resolution in the following terms:

"The General Conference of the International Labour Organisation invites the Governing Body of the International Labour Office to request the Council of the League of Nations to obtain, in accordance with Article 14 of the Covenant of the League of Nations, from the Permanent Court of International Justice an opinion."
Cette résolution montre clairement que de l’avis de la Conférence c’était au Conseil d’administration qu’il appartenait de prendre les mesures préliminaires nécessaires pour obtenir un avis consultatif de la Cour. D’ailleurs, c’est au Conseil de la Société des Nations qu’il appartient en tout cas de solliciter un avis de la Cour.

A propos de l’intervention de M. Markus à la précédente séance, il rappellera que si M. Markus défend les intérêts du Gouvernement soviétique, il a pour sa part le droit et le devoir de défendre les intérêts des employeurs. Il tient à donner à M. Markus l’assurance qu’à aucun moment il n’a songé émettre l’idée que l’U.R.S.S. dît transformer sa Constitution pour être en conformité avec les règles constitutionnelles de l’Organisation. Il a toujours été d’avis contraire que les divers pays, et notamment ceux dont le régime constitutionnel a été mis en cause devant la Conférence internationale du Travail, avaient toute liberté pour choisir leur Constitution à leur convenance. C’est là une question qui n’est du ressort ni de la Conférence internationale du Travail, ni du Conseil d’administration.


Dans son intervention, M. Markus a indiqué que tous les délégués de l’U.R.S.S. à la Conférence internationale du Travail participaient à cette Conférence en vue de défendre les intérêts des travailleurs. Cette déclaration lui paraît parfaitement nette. Elle signifie que si un délégué employeur de l’U.R.S.S. prend part à de futures sessions de la Conférence, sa place se trouvera non dans le groupe des employeurs, mais dans celui des travailleurs puisque c’est les intérêts de ceux-ci qu’il vient défendre.

M. Markus a déclaré ne pas voir très bien à quelles conclusions pourrait aboutir le Conseil d’administration à l’égard de la question en discussion.

Il est évident que même un avis consultatif donné par la Cour permanente de Justice internationale ne pourrait modifier la Constitution de l’Organisation. Par contre, on pourrait concevoir qu’en présence d’un tel avis consultatif, l’Organisation prit elle-même l’initiative de modifier sa Constitution. Il tient à préciser qu’il ne propose nullement de procéder à un tel changement ; il se borne à signaler cette possibilité.

De toute manière, il lui paraît que M. Markus a oublié que la Constitution de l’Organisation constitue une innovation complète en matière de droit international. Jusqu’en 1919 les traités conclus entre les divers États étaient négociés par des représentants diplomatiques dûment mandatés par leur Gouvernement. Jamais des personnes indépendantes à l’égard du gouvernement du pays dont ils étaient ressortissants n’avaient participé aux négociations conduisant à la conclusion de traités internationaux. L’innovation créée par la constitution de l’Organisation internationale du Travail est précisément de conférer une partie du pouvoir de négocier des accords internationaux à des délégués des employeurs et des délégués des travailleurs qui ne sont pas mandatés par le Gouvernement des pays en cause. Les délégués employés et travailleurs à la Conférence ne reçoivent pas d’instruction de leur Gouvernement, dont l’intervention se limite strictement à leur désignation, effectuée après consultation des organisations les plus représentatives. Cette innovation, sur l’opportunité ou l’inopportunité de laquelle il ne se prononcera pas est, à l’heure actuelle, une réalité juridique que l’on ne peut transformer sans suivre la procédure prévue à cet effet.

Enfin, à propos d’une observation faite par M. Mahaim, il rappelle que si les
This resolution clearly showed that in the view of the Conference it was for the Governing Body to take the necessary preliminary steps to obtain an advisory opinion from the Court. Moreover, it was in all cases the Council of the League of Nations which asked the Court to give advisory opinions.

In connection with the speech made by Mr. Markus at the previous sitting, he would point out that while Mr. Markus was defending the interests of the Soviet Government, he himself had both the right and the duty of defending the interests of the employers. He could assure Mr. Markus that he had at no time intended to put forward the view that the Union of Soviet Socialist Republics ought to modify its constitution in order to bring it into harmony with the Constitution of the Organisation. On the contrary, he had always held that the various countries, including those whose constitutional regime had been discussed at the International Labour Conference, were entirely free to select what constitution they thought fit. That was a question which did not concern either the International Labour Conference or the Governing Body.

Mr. Markus had pointed out that the Union of Soviet Socialist Republics had not participated in the discussions of the Commission on International Labour Legislation, and therefore had no responsibility for the rules embodied in the Constitution of the International Labour Organisation. It was of course generally known that the Union of Soviet Socialist Republics had not been represented on the Commission which drew up the Constitution. It did not, however, follow that the Union of Soviet Socialist Republics had no responsibility with regard to that Constitution. The Union of Soviet Socialist Republics had entered the League of Nations in 1934. While it did not at that time formally express a desire to become a Member of the International Labour Organisation, the Soviet Government must have been aware that its entry into the League of Nations necessarily involved membership of the Organisation. It thus appeared to him that the Union of Soviet Socialist Republics had formally undertaken to observe the Constitution.

In his speech, Mr. Markus had said that all the delegates of the Union of Soviet Socialist Republics at the International Labour Conference took part in that Conference in order to defend the interests of the workers. That was a perfectly definite statement. It meant that if an employers' delegate from the Union of Soviet Socialist Republics took part in future sessions of the Conference, his proper place would be not in the employers' group but in the workers' group, since it was the workers' interests which he came to defend.

According to the view of Mr. Markus it was difficult to see what conclusion the Governing Body could arrive at on the question under discussion.

It was clear that not even an advisory opinion given by the Permanent Court of International Justice could modify the Constitution of the Organisation. On the other hand, it was conceivable that the Organisation, faced with such an advisory opinion, might itself decide to amend its Constitution. He would make it quite clear that he was not proposing any such amendment, but merely drawing attention to the possibility.

In any case it appeared to him that Mr. Markus had forgotten that the Constitution of the Organisation represented a complete innovation in international law. Until 1919 the treaties concluded between States had been negotiated by diplomatic representatives duly empowered for the purpose by their Governments. Persons who were not dependent on the Government of their country had never taken part in negotiations leading to the conclusion of international treaties. The innovation created by the Constitution of the International Labour Organisation consisted precisely in conferring part of the power to negotiate international agreements on employers' and workers' delegates who did not receive their mandate from the Government of their country. The employers' and workers' delegates at the Conference did not receive instructions from their Government, whose intervention was confined strictly to appointing them after consultation of the most representative organisations. This innovation, concerning the expediency or inexpediency of which he was not expressing any opinion, was at the present time a legal reality which could not be modified except by means of the procedure provided for the purpose.

In connection with a remark made by Mr. Mahaim, he would point out that
employeurs n’ont pas, à la XXIème session de la Conférence, demandé l’invalidation du mandat du délégué employeur de l’U.R.S.S., il ressort clairement du passage du rapport de la Commission de vérification des pouvoirs dont il a donné lecture que toutes les réserves nécessaires ont été faites pour que le Conseil d’administration puisse aborder la question dans son aspect général.

En conclusion, il indique que le groupe des employeurs se réserve le droit de reprendre la question, soit devant la Conférence, soit devant le Conseil d’administration, mais ne demande pas que le Conseil décide immédiatement de solliciter, au sujet de cette question, un avis consultatif de la Cour permanente de Justice internationale.

M. Jouhaux tient à préciser que son intervention faite à la séance précédente ne comportait rien de désobligeant quant à la qualité des fonctionnaires des organisations patronales siégeant à la Conférence ou au Conseil d’administration pour représenter les employeurs. Il entendait simplement manifester son étonnement de voir ceux qui considèrent qu’un fonctionnaire d’une organisation patronale est habilité pour représenter les employeurs, refuser la qualité de représentant des employeurs à un fonctionnaire de l’Etat auquel celui-ci a délégué ses pouvoirs et sa responsabilité pour assurer la gestion d’un service public. À sa connaissance la qualité de fonctionnaire d’une organisation privée ne comporte pas de droits supérieurs à ceux que possède le fonctionnaire d’un État.

D’après M. Oersted, c’est le groupe des travailleurs qui modifierait actuellement son attitude. Il se bornera à constater que tous les arguments invoqués par M. Oersted, dans le cas actuellement soumis au Conseil, ont été, pendant des années, invoqués et justifiés par le groupe des travailleurs devant la Conférence. Alors que le groupe des employeurs s’opposait systématiquement aux protestations du groupe des travailleurs contre la validation des pouvoirs de certains délégués, les employeurs reprennent à présent les arguments qui ont, précisément, été développés à la Commission de vérification des pouvoirs par le représentant des travailleurs. Dans ces conditions, on ne peut affirmer que ce soit celui-ci qui ait modifié son opinion.

D’ailleurs, le groupe des employeurs s’est abstenu de s’élever contre la désignation du délégué employeur appartenant au même pays que le délégué travailleur dont les pouvoirs donnaient lieu à la protestation du groupe des travailleurs ; sans doute, les deux délégués avaient été désignés par leur gouvernement, par la même violation des principes inscrits dans la Constitution de l’Organisation. La protestation du groupe des employeurs n’est venue que lorsqu’il s’est agi du délégué employeur de l’U.R.S.S. C’est là un opportunisme dont le groupe des travailleurs ne suivra pas l’exemple.

Il n’a jamais considéré pour sa part que la Constitution de l’Organisation dût avoir pour conséquence de cristalliser l’évolution sociale. Il rappelle à cet égard qu’à la Commission de la législation internationale du Travail, M. Vandervelde signalait déjà : « Pourquoi Jouhaux et d’autres protestent-ils contre la désignation de deux délégués par le gouvernement? L’avenir ne verra-t-il pas que ces deux délégués gouvernementaux se trouveront à côté des délégués ouvriers? C’est le renforcement même de la délégation ouvrière au sein des conférences internationales. » Cette déclaration indique bien que les dirigeants ouvriers ayant participé à l’élaboration de la Constitution ne songeaient nullement à enrayer l’évolution sociale et à faire de cette Constitution un rempart au système de production en vigueur. Bien au contraire, les dirigeants ouvriers prévoyaient l’évolution et cela explique qu’ils ne suivent pas aujourd’hui le groupe des employeurs sur le terrain où il se place.

D’ailleurs, la suppression du régime dans lequel la production est laissée à l’initiative privée, la collectivisation ou la nationalisation d’un service public ne font nullement disparaître les intérêts antagonistes qui existaient au sein même de ces services. Les organisations syndicales ne disparaissent pas à la suite d’une telle transformation et les ouvriers formulent des revendications à l’égard de l’État employeur tout autant qu’à l’égard de l’employeur privé. Le dirigeant d’un service public est bien souvent appelé à prendre, à l’égard des revindications ouvrières, la même position qu’un patron de l’industrie privée. La divergence d’intérêts subsiste. Dans les milieux syndicaux, on a toujours affirmé que quelle que soit l’évolution des formes politiques, l’organisation syndicale conserverait toute son utilité. Il n’y a donc aucune contradiction dans l’attitude prise par le groupe des travailleurs, lequel constate
although the employers at the Twenty-first Session of the Conference had not asked that the credentials of the employers' delegate of the Union of Soviet Socialist Republics should be rejected, it was clear from the passage of the report of the Credentials Committee which he had read that all the necessary reservations had been made to ensure that the Governing Body should be able to discuss the question from a general point of view.

In conclusion, the employer's group reserved the right to bring the question up again either at the Conference or in the Governing Body, but did not ask that the Governing Body should decide at once to ask for an advisory opinion on the subject from the Permanent Court of International Justice.

Mr. Jouhaux said that his remarks at the previous sitting had not been intended to contain anything derogatory as regards the qualifications of officials of employers' organisations who represented the employers at the Conference or on the Governing Body. He had simply desired to express his surprise that those who considered that an official of an employers' organisation was empowered to represent the employers should deny the character of an employers' representative to an official of the State, which had delegated to him its powers and responsibility for the administration of a public service. So far as he was aware, the position of an official of a private organisation did not confer greater rights than those possessed by an official of the State.

In connection with Mr. Oersted's statement that it was the workers' group which had changed its attitude, he would merely point out that all the arguments which Mr. Oersted had put forward in the case now before the Governing Body had for years past been maintained by the workers' group at the Conference. Although the employers' group had systematically opposed the protests of the workers' group against the credentials of certain delegates, the employers were now taking up the very arguments previously put forward by the workers' representative on the Credentials Committee. It could therefore not be maintained that it was the workers who had changed their opinion.

The employers' group had refrained from protesting against the appointment of the employers' delegate belonging to the same country as the workers' delegate whose credentials the workers had contested. No doubt both delegates had been appointed by their Government in similar violation of the principles laid down in the Constitution of the Organisation. The protest of the employers' group had only been put forward when the case of the employers' delegate of the Union of Soviet Socialist Republics had arisen. The workers' group would not follow this example of opportunism.

He had never taken the view that the Constitution of the Organisation should result in petrifying social evolution. It would be remembered that at the Commission on International Labour Legislation Mr. Vandervelde had asked why Mr. Jouhaux and others should object to the appointment of two delegates by the Government, since it might happen in the future that the two Government delegates would be found on the side of the workers, and the workers' delegation at the International Labour Conference would thus be reinforced. That statement clearly showed that the workers' representatives who had taken part in drawing up the Constitution had had no idea of checking social evolution and making the Constitution a bulwark of the present system of production. Far from holding that view, they foresaw the evolution of the system, and that was why they did not now follow the employers' group in the position which it had taken up.

Further, the abolition of the system under which production was left to private initiative, and the substitution of collective or nationalised public services, did not by any means put an end to the existence of conflicting interests within those services. Such a transformation did not mean that trade unions ceased to exist, and the workers made demands of the employer-State just as much as of the private employer. The head of a public service often had to adopt the same attitude towards the workers' demands as an ordinary private employer. The divergence of interests still existed. In trade union circles it had always been maintained that trade union organisation would still retain its value, whatever changes occurred in political forms. There was thus no contradiction in the attitude of the worker's group. It recognised a change in social organisation and the substitution of one system for another, which nevertheless
une évolution du régime social, la substitution d’un système à un autre, qui toutefois ne font pas disparaître la nécessité de l’organisation syndicale. Dans ces conditions, sur le plan même où les employeurs ont notamment posé la question, leur protestation n’est aucunement justifiée.

Le Directeur constate que la question soumise au Conseil, à la suite d’une démarche du groupe des employeurs à la XXIème session de la Conférence, a donné lieu à un débat très intéressant qui, toutefois, a eu un caractère quelque peu académique. En effet, le Conseil d’administration ne constitue pas un tribunal auquel on puisse faire appel des décisions prises par la Conférence, au sujet des pouvoirs des délégués. D’ailleurs, ainsi que l’ont signalé plusieurs orateurs, dans le cas particulier, les pouvoirs du délégué en cause n’ont fait l’objet d’aucune contestation. De toute manière, le seul organisme compétent pour connaître des questions touchant à la validité des pouvoirs de délégué à la Conférence est la Conférence elle-même. Tant qu’elle-même n’a pas pris de décision, il semblerait prématuro de demander, au sujet de ce problème, un avis consultatif de la Cour permanente de Justice internationale ou de tout autre organisme.

Il n’entend nullement indiquer que la procédure suivie par le groupe des employeurs aurait été erronée. Bien au contraire, ce groupe a sans doute été bien avisé en considérant que la Conférence, à une session maritime, n’était pas pleinement qualifiée pour résoudre une question aussi importante, et que dans ces conditions il était préférable de la soumettre au Conseil d’administration. Il ne croit pas, par contre, que l’on puisse résoudre la question générale tant que la Conférence ne s’est pas prononcée sur un cas particulier.

Il a été frappé au cours du débat par le fait que plusieurs membres du Conseil ont semblé lire dans la Constitution des dispositions qui ne s’y trouvent pas. La Constitution se borne à stipuler que « les Membres s’engagent à désigner les délégués et conseillers techniques non gouvernementaux d’accord avec les organisations professionnelles les plus représentatives, soit des employeurs, soit des travailleurs du pays considéré ». Le terme « employeur » désigne, d’après le dictionnaire, celui qui emploie du personnel, ouvrier ou domestique, contre rémunération. D’après cette définition, il lui semble qu’il existe des employeurs dans tous les pays. Cette situation est nécessaire. On ne peut pas concevoir une industrie dans aucun pays, quel que soit son régime de production, sans employeurs et travailleurs. Cette relation est plus nettement encore mise en évidence en allemand où les termes employés sont « Arbeitgeber » et « Arbeitnehmer ». Il doute que, quelle que soit l’organisation sociale d’un pays, les intérêts des « fournisseurs de travail » et « receveurs de travail » puissent être identiques. La preuve qu’ils ne sont pas identiques peut être trouvée dans le fait qu’en U.R.S.S. il existe des conventions collectives entre employeurs et travailleurs.

Dans ces conditions, il lui paraîtrait téméraire de scruter plus profondément le sens du mot « employeur » et de limiter sa portée à certaines catégories d’employeurs. Il a médité sur cette question pendant la discussion et a pu, sans difficulté, distinguer huit catégories d’employeurs; ce nombre pourrait sans doute être considérablement étendu. Il y a d’abord l’employeur qui travaille en vue de réaliser un bénéfice pour lui-même. Il y a ensuite celui qui travaille pour réaliser un bénéfice tant pour lui-même que pour des actionnaires. Un troisième cas est celui de l’employeur qui travaille en vue d’un bénéfice, mais au moyen d’une subvention gouvernementale qui a pour effet de réduire sa liberté d’action et de soumettre son activité à un certain contrôle. Il y a l’employeur qui travaille dans l’intérêt du public en dirigeant un service public et qui doit pour cela observer un cahier des charges extrêmement strict; les bénéfices de cet employeur sont strictement limités par la loi. Il y a encore l’employeur qui travaille en vue d’un bénéfice ne revenant ni à lui-même ni à des actionnaires, mais à l’État; cette situation se produit dans les postes et les chemins de fer de beaucoup de pays. Tous ces employeurs ont à conclure des accords avec leur personnel et leurs intérêts ne se confondent pas avec ceux des travailleurs qu’ils occupent du fait qu’ils cherchent à réaliser un bénéfice.

Une autre catégorie d’employeurs est celle dont l’activité ne vise pas un bénéfice, à savoir les patrons occupant des domestiques dans les maisons particulières. Il y a
did not remove the need for trade union organisation. Thus the employers' protest was unjustified even on the ground on which they had placed the question.

The Director said that the question which had been brought before the Governing Body as a result of the action of the employers' group at the Twenty-first Session of the Conference had given rise to a very interesting, though perhaps somewhat academic, discussion. The Governing Body was not a court of appeal against the decisions of the Conference in regard to the credentials of delegates. Moreover, as had been pointed out by several speakers, there had in this particular case been no protest as regards the credentials of the delegate in question. In any case, the only body competent to deal with questions relating to the validity of the credentials of delegates to the Conference was the Conference itself. Until the Conference had taken a decision it would seem premature to ask for an advisory opinion from the Permanent Court of International Justice or any other body.

He did not in any way imply that the procedure followed by the employers' group had not been the correct one. On the contrary, the group had pursued a very proper course in considering that the Conference, at a maritime session, was not fully qualified to settle so important a question, and that in the circumstances it was better to refer it to the Governing Body. He did not, however, think that the general question could be settled until the Conference had taken a decision on a special case.

He had been struck during the discussion by the fact that some members of the Governing Body seemed to have read into the terms of the Constitution something which was not there. The Constitution merely stated that "the Members undertake to nominate non-Government Delegates and advisers chosen 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". The term "employer", as defined in the dictionary, meant a person who employed servants, workmen, etc., for wages. According to that definition there were employers in every country. This must be the case. It was impossible to imagine an industry in any country, whatever system of production prevailed there, in which there were not employers and workers. The relation was still more clear in the German language, where the terms for "employer" and "worker" respectively were Arbeitgeber and Arbeitnehmer. He doubted whether, whatever might be the social organisation of a country, the interests of the "work-giver" could be identical with those of the "work-taker". The proof of this might be found in the fact that in the Union of Soviet Socialist Republics there were collective agreements between the work-givers and the work-takers.

It thus seemed to him extremely dangerous to go behind the word "employer" and try to limit it to certain kinds of employers. He had thought over the question during the discussion, and had been able without difficulty to distinguish eight different kinds of employers. No doubt many more could be found.

In the first place there was the employer who worked for his own profit; in the second place there was the employer who worked for the profit partly of himself and partly of shareholders. A third case was that of the employer who worked for profit, but with a Government subsidy which limited his freedom and subjected him to some kind of control. There was also the employer who worked for the benefit of the public by managing a public utility service under conditions laid down by the law, and whose profits were very often limited by the law. There was also the employer who worked for profit which went not to himself or to shareholders, but to the State. This was the case of the Post Office services and railway services in a great many countries. All these employers had to make agreements with their workpeople, and their interests were not identical with those of their workpeople because they were trying to make a profit.

There were also employers who did not work for profit, e.g., employers who employed domestic servants. In addition there were Government undertakings of
ensuite les différents ateliers gouvernementaux, chantiers navals, ateliers de réparation des chemins de fer, etc. qui ne sont pas exploités en vue d’un bénéfice. Enfin, une autre catégorie d’employeurs est constituée par les coopératives qui fonctionnent en faveur des travailleurs eux-mêmes et qui ne recherchent pas un bénéfice, sans toutefois être toujours d’accord avec les personnes qu’elles emploient et avec lesquelles elles concluent des contrats collectifs.

Tous ces employeurs ont une caractéristique commune, c’est qu’ils fournissent un emploi en assurant en échange une rémunération. C’est là le caractère essentiel de l’employeur. À son avis, on s’égarerait en essayant de faire des distinctions entre les différentes catégories d’employeurs tout comme en pratiquant des distinctions entre travailleurs suivant leur mode d’organisation ou leurs convictions d’ordre politique. Il lui semble qu’il faut s’en tenir strictement aux dispositions de la Constitution qui fait simplement mention d’employeurs et de travailleurs sans distinguer davantage. Tous ceux qui peuvent fournir des occasions de travail en échange d’une rémunération sont des employeurs et leurs intérêts ne coïncident pas avec ceux des personnes qu’ils emploient.

Il lui semble que la seule chose que le Conseil puisse faire est de clôturer le débat. Si la question qui l’a provoqué se posait à nouveau, il appartiendrait évidemment aux employeurs d’en saisir à nouveau la Conférence ou toute autre instance compétente.

Le Président déclare que la note soumise au Conseil, ainsi que le procès-verbal de la discussion qui vient d’avoir lieu seront versés au dossier de la question, dossier qui pourra être repris si la question se posait à nouveau.

Il en est ainsi décidé.

SIXIÈME QUESTION A L’ORDRE DU JOUR.

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

Le Directeur expose que le Conseil est saisi d’une proposition tendant à porter de 7 à 9 par groupe le nombre des membres titulaires et de 2 à 5 par groupe le nombre des membres adjoints de la Commission paritaire maritime, et à faire supporter à l’avenir par l’Organisation les frais de voyage et de séjour de deux membres adjoints pour chaque groupe au lieu d’un seul.

On se rappelle que le Conseil a déjà reconnu la nécessité d’élargir la composition de la Commission paritaire maritime afin de permettre à des pays ayant une grande importance du point de vue maritime, et notamment à des pays récemment entrés dans l’Organisation, d’être représentés au sein de cette commission. Il espère donc que le Conseil d’administration acceptera les modalités de l’extension de la composition de cette commission telles qu’il vient de les indiquer.

Il signale que les prévisions budgétaires pour 1938 ne comprennent pas de crédit spécial destiné à faire face à l’augmentation des frais découlant de l’élargissement de la commission. Toutefois, il a été entendu au Comité du budget que les frais supplémentaires seraient imputés sur le crédit prévu pour les commissions.

Le Conseil d’administration décide de porter de 7 à 9 par groupe le nombre des membres titulaires de la Commission paritaire maritime et de 2 à 5 par groupe le nombre des membres adjoints.

Il décide qu’à l’avenir les frais de voyage et de séjour de deux membres adjoints pour chaque groupe, au lieu d’un, seront à la charge de l’Organisation.

Le Conseil prend note des désignations effectuées pour la Commission paritaire maritime par le groupe des armateurs et le groupe des marins à la XXIème session de la Conférence.
all kinds, shipyards, railway shops and so on, which were not run for profit. Yet another class of employer was the co-operative society, which produced goods for the benefit of the workers and did not aim at making profits, but which nevertheless was not always in agreement with the persons whom it employed, and which concluded collective agreements with them.

All these employers had one thing in common, which was that they gave work in return for money. This was the essential element in an employer. It was therefore as dangerous to make distinctions between different kinds of employers as it would be to make distinctions between workers according to their method of organisation or their political convictions. The right course was to hold strictly to the terms of the Constitution, which simply referred to employers and workpeople without making any further distinction. All those who provided employment for remuneration were employers, and their interests did not coincide with those of the persons whom they employed.

In his view the only thing that the Governing Body could do was to close the discussion. If the question at issue recurred on some future occasion, it would of course be open to the employers to raise it again in the Conference or elsewhere.

The Chairman said that the note submitted to the Governing Body, together with the minutes of the discussion which had taken place, would be kept among the records and could be made use of again if the question were brought up on a future occasion.

This suggestion was accepted.

SIXTH ITEM ON THE AGENDA.


The Director said that the Governing Body had before it a proposal to raise the number of regular members of the Joint Maritime Commission from 7 to 9 in each group, and the number of deputy members from 2 to 5 in each group, and to have the travelling and subsistence expenses of two deputy members for each group instead of one paid by the Organisation.

The Governing Body had already recognised the need for enlarging the Joint Maritime Commission in order to allow of the representation of countries of great maritime importance, including some which had recently entered the Organisation. He hoped that the Governing Body would agree with the proposals for the enlargement of the Commission which he had mentioned.

The budget estimates for 1938 did not make express provision for the increased expenditure involved in the enlargement of the Commission. It had, however, been agreed in the Finance Committee that the additional expenditure would be charged to the sum provided for Committees.

The Governing Body decided to raise the number of regular members of the Joint Maritime Commission from 7 to 9 in each group, and the number of deputy members from 2 to 5 in each group.

It decided that in future the travelling and subsistence expenses of two deputy members instead of one for each group should be paid by the Organisation.

The Governing Body took note of the appointments to the Joint Maritime Commission made by the shipowners' and seamen's groups at the Twenty-first Session of the Conference.
Le Conseil d'administration renouvelle le mandat de ses représentants au sein de la Commission paritaire maritime qui sont :

Président de la Commission : Le Président du Conseil d'administration.
Groupe des employeurs : M. Olivetti.
Suppléant : M. Lecocq.
Groupe des travailleurs : M. Hayday.
Suppléant : M. Jouhaux.

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

_Rapport de la Commission d'experts pour l'application des conventions (article 22 de la Constitution)._ 

Le Directeur rappelle que le Conseil d'administration a déjà autorisé le Bureau à communiquer à la Conférence le rapport de la Commission d'experts pour l'application des conventions.

Il se bornera à signaler à l'attention du Conseil le passage contenu dans ce rapport au sujet de la situation du Gouvernement allemand qui n'a, cette année, envoyé aucun rapport au sujet de l'application des 17 conventions qu'il a ratifiées. Cette situation pose un problème d'ordre constitutionnel qui est actuellement étudié par le Bureau et qui fera l'objet d'un rapport dont le Conseil sera saisi en temps opportun.

A une question posée par M. Serrarens, le Directeur répond que le Bureau n'a pas l'intention de soumettre un rapport sur cette question à la Conférence lors de sa XXIIIème session.

En réponse à une question posée par M. Oersted, le Directeur indique que la transmission du rapport de la Commission d'experts à la Conférence ne comporte pas son approbation par le Conseil.

Le Conseil d'administration prend note du rapport de la Commission d'experts pour l'application des conventions.

Il est entendu que ce rapport sera communiqué à la Conférence lors de sa XXIIIème session.

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

_Rapport sur les travaux de la Conférence tripartite de l'industrie textile (Washington, avril 1937)._ 

Le Directeur se bornera à accompagner de quelques brefs commentaires le rapport soumis au Conseil au sujet des travaux de la Conférence de l'industrie textile qui a eu lieu à Washington au début du mois d'avril. Il lui semble que, d'une manière générale, on s'accorde à reconnaître que cette Conférence a obtenu un succès remarquable, et qu'elle pourra conduire à des résultats substantiels.

Il tient surtout à profiter de cette occasion pour remercier, au nom du Bureau, le Gouvernement des États-Unis pour l'appui qu'il a donné tant au point de vue financier que pour l'organisation matérielle de la Conférence, et pour les encouragements et les facilités de tous ordres qui ont contribué au succès de celle-ci.

Il ne pense pas que le Conseil puisse dès à présent examiner les suggestions contenues dans les trois rapports adoptés par la Conférence. Plusieurs de ces suggestions doivent, au préalable, faire l'objet d'un examen approfondi. Il croit donc qu'il serait préférable d'ajourner la discussion de ces rapports à la session d'automne 1937 du Conseil.

Toutefois, il lui semble que le Conseil pourrait prendre immédiatement une décision sur deux points. Le rapport sur les statistiques contient certaines propo-
The Governing Body reappointed its representatives on the Joint Maritime Commission, namely:

Chairman of the Commission: The Chairman of the Governing Body.

Employers' group: Mr. Olivetti.
Substitute: Mr. Lecocq.

Workers' group: Mr. Hayday.
Substitute: Mr. Jouhaux.

Fourteenth Item on the Agenda.


The Director said that the Governing Body had already authorised the Office to communicate the report of the Committee of Experts on the Application of Conventions to the Conference.

He would merely draw the Governing Body's attention to the passage in the report dealing with the position of the German Government, which this year had not sent any report concerning the application of the 17 Conventions which it had ratified. This situation gave rise to a constitutional question which was at present being considered by the Office. A report on the subject would be submitted to the Governing Body in due course.

In reply to a question by Mr. Serraren, the Director stated that the Office did not intend to submit a report on this question to the Conference at its Twenty-third Session.

In reply to a question by Mr. Oersted, the Director said that the transmission of the report of the Commission of Experts to the Conference did not imply that the Governing Body had approved it.

The Governing Body took note of the report of the Committee of Experts on the Application of Conventions.

It was agreed that the report should be communicated to the Conference at its Twenty-third Session.

Fifteenth Item on the Agenda.


The Director said that he would merely make a few brief comments on the report submitted to the Governing Body on the work of the Textile Conference held at Washington in April. He thought it was generally agreed that this Conference had been remarkably successful and was likely to produce substantial results.

He was anxious to take this opportunity of thanking the Government of the United States on behalf of the Office for the help which it had given, not only financially, but as regards the organisation of the Conference, and the encouragement and contributions of all kinds which it had made to ensure its success.

He did not think that the Governing Body could discuss the suggestions contained in the three reports adopted by the Conference at once. Some of those suggestions required careful preliminary consideration. It would therefore be better to adjourn the discussion until the session of the Governing Body to be held in the autumn of 1937.

The Governing Body might, however, take a decision at once on two points. The report on statistics contained certain proposals concerning the despatch of
sitions relatives à l’envoi de questionnaires aux gouvernements en vue d’améliorer les statistiques actuellement élaborées au sujet de l’industrie textile. Il a discuté cette question avec plusieurs experts et il a conclu, de leurs observations, que certaines des recommandations formulées par la Commission des statistiques à la Conférence de Washington devraient être étudiées par des spécialistes. Dans ces conditions, il lui semblerait opportun de soumettre les recommandations contenues dans le rapport relatif aux statistiques à la Conférence des statisticiens du travail qui aura lieu au mois de septembre 1937. Les conclusions de cette Conférence pourront être communiquées au Conseil d’administration lors de sa session d’automne 1937 et pourront faciliter la décision qu’il aura à prendre quant aux suites à donner à ces recommandations.

D’autre part, le rapport sur les problèmes sociaux de l’industrie textile contient plusieurs passages relatifs à la situation des entreprises établies dans les diverses concessions étrangères sur territoire chinois. C’est une question qui a déjà été signalée à diverses reprises à la Conférence et au Conseil d’administration. Il lui semble que les conclusions auxquelles a abouti la Conférence de Washington pourraient contribuer à la solution d’un problème qui est très difficile, mais qu’il importe de régler, non seulement du point de vue économique, mais encore plus d’un point de vue social et humanitaire.

Ainsi que le savent les membres du Conseil, comme suite à une résolution adoptée par la Conférence internationale du Travail, et avec l’autorisation du Conseil, il s’est mis en rapport avec les gouvernements intéressés au sujet de la situation des entreprises établies dans les concessions étrangères en Chine. Etant donné que les suggestions adoptées par la Conférence du textile constituent des faits nouveaux et revêtent une grande importance, il demande au Conseil de l’autoriser à communiquer aux gouvernements intéressés les passages du rapport de la Conférence ayant trait à cette question.

Il signale que les débats de la Conférence de Washington paraissent suffisamment importants pour qu’il convienne d’en faire imprimer le compte rendu tant des séances plénières que des réunions des commissions. Le texte imprimé sera à la disposition des membres du Conseil lors de la session d’automne 1937.

M. Fabela a pris connaissance, avec le plus grand intérêt, du rapport sur les travaux de la Conférence technique de l’industrie textile. La présence d’une délégation mexicaine complète à cette Conférence prouve l’intérêt que le Mexique attache à l’œuvre de l’Organisation; cet intérêt ne se limite pas aux sphères officielles, mais se retrouve dans l’opinion publique, ainsi que le démontrent les nombreux commentaires que la presse mexicaine a publiés sur les travaux de la Conférence.

Etant donné qu’il ne s’agit pas pour l’instant d’examiner les résultats obtenus par la Conférence, il se bornera à souligner l’importance de l’expérience acquise, laquelle démontre l’utilité de réunions où l’on examine simultanément les divers aspects d’un problème; ces réunions attirent l’attention des gouvernements et de l’opinion publique sur la nécessité de remédier à certaines situations, tout en mettant en lumière l’avantage qu’il y a à faire participer les travailleurs aux bénéfices du progrès technique, et l’étroite relation qui existe entre les diverses catégories de travailleurs, non seulement dans les limites d’un pays déterminé, mais dans le monde entier.

Il tient à féliciter le Gouvernement des États-Unis pour le succès obtenu par son initiative, ainsi que le Directeur et ses collaborateurs pour la préparation de la Conférence. Il souhaite que celle-ci ait son couronnement grâce aux décisions que prendra la Conférence internationale du Travail à sa XXIIIème session.

M. Li Ping-Heng profitera du fait que le Directeur a attiré l’attention sur les recommandations de la Conférence de Washington touchant au problème que pose le statut des concessions étrangères à Shanghai pour exposer brièvement les grandes lignes de la situation anormale qui existe à cet égard en Chine.

La difficulté d’appliquer la législation ouvrière chinoise par l’intermédiaire de l’inspection du travail a été reconnue dès la première session de la Conférence inter-
questionnaires to Governments in order to improve the statistics at present compiled on the textile industry. He had discussed this question with experts, and he gathered from them that some of the recommendations made by the Statistical Committee at the Washington Conference would require consideration by specialists. The recommendations contained in the report concerning statistics might therefore be submitted to the Conference of Labour Statisticians which was to take place in September 1937. The conclusions of that Conference might be communicated to the Governing Body at its session in the autumn of 1937, and would no doubt be helpful to it in deciding what action should be taken in regard to the statistical recommendations.

In the second place, the report on social problems in the textile industry contained certain paragraphs relating to the position of undertakings in the various foreign concessions on Chinese territory. This was a question which had been mentioned in the Conference and the Governing Body on several occasions. He believed that the conclusions reached by the Washington Conference might contribute to the solution of a problem which was a very difficult one, but which ought to be solved, not only from an economic point of view but also from a social and humanitarian point of view.

As members of the Governing Body were aware, he had, in accordance with a resolution adopted by the International Labour Conference and with the Governing Body's authorisation, been in communication with the Governments concerned with regard to the situation of undertakings in the foreign concessions in China. Since the suggestions adopted by the Textile Conference represented a new development and one of great importance, he asked the Governing Body to authorise him to communicate to the Governments concerned the passages of the report of the Conference which dealt with this question.

The discussions of the Washington Conference appeared to him of sufficient importance to make it desirable to print the record of the Conference, including the minutes both of the plenary sittings and of the Committees. The printed text would be available for members of the Governing Body in time for the session in the autumn of 1937.

Mr. Fabela said that he had read the report on the Technical Conference on the Textile Industry with the greatest interest. The fact that a complete Mexican delegation had been present showed the interest which Mexico attached to the work of the Organisation. That interest was felt not merely in official circles but among the general public, as was shown by the numerous articles on the work of the Conference which had appeared in the Mexican press.

Since the Governing Body was not at present discussing the results of the Conference, he would merely emphasise the importance of the experience acquired. This showed the value of meetings where the various aspects of a problem were considered simultaneously. Meetings of this kind drew the attention of Governments and of public opinion to the need for remedying certain situations, and made clear the advantage of allowing the workers to share in the benefits of technical progress, as well as the close relation which existed between the various classes of workers, not only within each country but throughout the world.

He congratulated the Government of the United States on the successful results of its action, and the Director and his staff on the way in which the preparatory work for the Conference had been done. He hoped that it would bear fruit in the decisions which the International Labour Conference would take at its Twenty-third Session.

Mr. Li Ping-Heng said that he would take advantage of the fact that the Director had drawn attention to the recommendations of the Washington Conference concerning the problems arising out of the position of the foreign concessions in Shanghai, in order to explain briefly the main lines of the abnormal state of affairs which existed in China in this respect.

The difficulty of enforcing Chinese labour legislation by means of a factory inspectorate had been recognised at the First Session of the International Labour
nationale du Travail en 1919, lorsque cette Conférence a adopté le rapport de sa
Commission des pays spéciaux, qui disait notamment :

« En raison des difficultés spéciales auxquelles le Gouvernement chinois peut
avoir à faire face, du fait de la présence sur son territoire de concessions et colonies
étrangères, la Commission suggère que la Conférence présente des observations
aux gouvernements intéressés (c'est-à-dire aux gouvernements qui actuellement
exercent leur juridiction sur ces colonies et concessions, suivant des traités et
engagements avec la Chine) pour qu'ils établissent, sur leurs territoires en Chine,
les mêmes restrictions que le Gouvernement chinois aura acceptées, ou, sinon,
qu'ils décrètent que la législation ouvrière adoptée par le Gouvernement chinois
soit appliquée par ce gouvernement à ces colonies et concessions étrangères, dans
les cas où il existe actuellement une juridiction extra-territoriale. »

Etant donné l'importance des problèmes du travail, et malgré toutes les difficultés
auxquelles le Gouvernement chinois doit faire face, il s'est efforcé dès 1919 de mettre
sur pied une série de lois et de règlements portant sur les questions du travail. C'est
ainsi qu'en matière d'inspection du travail, il a promulgué la loi sur les fabriques du
30 décembre 1929, renforcée par les règlements du 16 décembre 1930 et la loi sur
l'inspection des fabriques du 10 février 1931. En 1933 a été établi le bureau national
d'inspection, contrôlant actuellement plus de 20 bureaux provinciaux.

On se rappelle qu'en 1931 le Gouvernement chinois a demandé l'aide du Bureau
international du Travail pour organiser un service d'inspection du travail. L'œuvre
réalisée par la mission envoyée par le Bureau, composée de Dame Adélaïde Anderson
et de M. Póne, a abouti à la reconnaissance unanime de certains principes tant par
les autorités chinoises que par les autorités des concessions étrangères. D'après l'un
de ces principes « il ne devrait y avoir qu'une seule réglementation du travail pour
toutes les parties de l'agglomération industrielle de Shanghai ».

Un projet d'accord concernant l'inspection des fabriques dans les concessions est
intervenu en 1933 ; toutefois, cet accord n'a pas été approuvé par le Conseil municipal
de la concession de Shanghai.

Lui-même a demandé en 1934, lors de la XIXème session de la Conférence, une
intervention de l'Organisation internationale du Travail auprès des gouvernements
intéressés. Ces démarches n'ont pas abouti. En 1935 a eu lieu un nouvel échange de
vues entre les autorités chinoises et étrangères à Shanghai avec le concours du
Directeur du Bureau de correspondance de Chine. Après un premier compromis qui
obtint cependant l'appui du Gouvernement chinois et des fonctionnaires responsables
du Conseil municipal de la concession de Shanghai, les négociations n'ont pu aboutir.

Après la réunion officieuse des délégués gouvernementaux des pays intéressés,
qui a eu lieu pendant la XIXème session de la Conférence, en 1935, de nouvelles négociations ont été engagées entre la municipalité chinoise et le Conseil municipal de la concession de Shanghai. Le projet d'accord, élaboré à la suite de ces négociations, a reçu l'approbation du Conseil municipal de la concession, mais le corps consulaire s'y est opposé. À l'heure actuelle, cette importante question sociale se trouve donc encore sans solution.

Il n'est pas douteux que si la réglementation chinoise du travail n'était pas
appllicable dans les concessions de Shanghai, la Chine ne pourrait appliquer intégrale-
ment sa législation ouvrière. En effet, Shanghai est la principale ville industrielle de
Chine. Les concessions étrangères comptent 5,448 entreprises, occupant le quart du
nombre total des ouvriers soumis à la loi sur les fabriques. D'autre part, 45 % de la
production totale de l'industrie textile de Chine sort de fabriques établies dans les
concessions de Shanghai.

Il est évident que les patrons chinois, dont les usines se trouvent hors des
concessions et qui ont à supporter les charges imposées par la loi sur les fabriques,
peuvent difficilement soutenir la concurrence des entreprises situées sur le territoire
des concessions et qui sont exemptées de ces charges.

Par ailleurs, les accidents du travail se multiplient à Shanghai. En 1934, leur
nombre s'est élevé à 165, faisant 415 morts ou blessés et entraînant des pertes à
concurrence de 2,300,000 dollars.

Ainsi donc la difficulté d'appliquer la réglementation ouvrière chinoise dans les
Conference in 1919, which had adopted the report of its Committee on Special Countries, containing the following passage:

"In view of the special difficulties which the Chinese Government may experience from the existence, within the area of China, of foreign settlements and leased territories, the commission suggests that the Conference should make the necessary representations to the Governments concerned (that is, to those Governments which at present exercise jurisdiction in these settlements and territories under treaties and engagements with China) to enforce in their territories within China the same restrictions as the Chinese Government has accepted; or, in the alternative, to decree that labour legislation adopted by the Government of China shall be enforced by that Government within those foreign settlements and territories where extra-territorial jurisdiction exists at present."

In view of the importance of labour problems, and notwithstanding the many difficulties which the Chinese Government had to face, it had endeavoured since 1919 to establish a system of labour laws and regulations. For example, as regards factory inspection, it had issued the Factory Act of 30 December 1929, which was reinforced by the regulations of 16 December 1930, and the Factory Inspection Act of 10 February 1931. In 1933 a National Factory Inspection Office had been set up. This was now in charge of over twenty provincial offices.

In 1931 the Chinese Government had asked the International Labour Office for assistance in organising a factory inspection system. The work done by the mission sent by the Office, which consisted of Dame Adelaide Anderson and Mr. Pöne, had led to unanimous recognition of certain principles, both by the Chinese authorities and those of the foreign concessions. One of those principles stated that there should be uniform labour regulations for all parts of the industrial district of Shanghai.

A draft agreement concerning factory inspection in the concessions had been concluded in 1933, but had not been approved by the Municipal Council of the Settlement of Shanghai.

In 1934, at the Eighteenth Session of the Conference, he had himself asked that the International Labour Organisation should get into communication with the Governments concerned. These negotiations had not been successful. In 1935 there had been a further exchange of views between the Chinese and foreign authorities at Shanghai, with the assistance of the Director of the China Branch Office. A compromise was at first reached, and although this received the support of the Chinese Government and the responsible officials of the Municipal Council of the Settlement of Shanghai, the negotiations subsequently broke down.

After the unofficial meeting of Government delegates of the countries concerned, which took place during the Nineteenth Session of the Conference in 1935, fresh negotiations were undertaken between the Chinese Municipality and the Municipal Council of the Settlement of Shanghai. The draft agreement drawn up as a result of these negotiations had been approved by the Municipal Council of the Settlement, but the Consular Corps had opposed it. The result was that at the present time this important social question was still unsettled.

It was quite clear that if Chinese labour legislation was not applicable in the concessions of Shanghai, China could not fully enforce its labour legislation. Shanghai was the principal industrial city of China. The foreign concessions included 5,448 undertakings, employing one-fourth of the total number of workers coming under the Factory Act. No less than 45 per cent. of the total production of the textile industry of China came from factories established in the Shanghai concessions.

The Chinese employers whose factories were outside the concessions and who were subject to the burdens imposed by the Factory Act would obviously find it difficult to compete with the undertakings situated in the concessions, which were exempt from those burdens.

Moreover, industrial accidents were numerous in Shanghai. In 1934 there had been 165 such accidents, causing death or injury to 415 persons and involving a loss of $2,300,000.

Thus the difficulty of enforcing Chinese labour legislation in the concessions was
concessions est un des principaux obstacles qui empêchent le Gouvernement chinois de suivre, comme il le souhaiterait, la voie du progrès dans sa législation du travail. Le Gouvernement chinois se préoccupe vivement d’améliorer le sort des travailleurs, notamment par des règlements détaillés concernant l’inspection du travail, la sécurité et l’hygiène industrielles, les salaires minima, etc. L’œuvre de l’Organisation internationale du Travail est suivie par le Gouvernement chinois avec le plus vif intérêt. On en trouve la preuve dans les six ratifications de conventions qu’il a fait enregistrer au cours de l’année écoulée.

On ne peut se dissimuler que si l’application de la réglementation du travail était empêchée dans les concessions, non seulement la législation verrait son effet entravé à l’intérieur du pays, mais encore les conventions ratifiées subiraient le même sort. C’est pourquoi, à la session de 1936 de la Conférence, le représentant du Gouvernement chinois a attiré l’attention de la Commission de l’application des conventions sur la difficulté d’appliquer en Chine la convention concernant le repos hebdomadaire dans les établissements industriels.

On ne saurait passer sous silence le fait que le défaut d’application de la législation ouvrière chinoise dans les concessions laisse aux patrons des établissements industriels fixés dans ces territoires la possibilité d’imposer aux travailleurs des conditions de vie misérables, des salaires de famine et une durée de travail excessive. Les travailleurs occupés hors des concessions bénéficient d’un sort meilleur. Il en résulte que l’inapplication de la législation du travail chinoise dans les concessions empêche à la fois le développement des industries chinoises et l’amélioration du sort des travailleurs des régions industrialisées.

Il n’est pas douteux que si une solution à ce problème n’est pas trouvée à bref délai, la Chine, non seulement ne pourra pas développer sa législation du travail, mais encore devra renoncer à ratifier les conventions, puisque l’application de sa propre législation se trouve entravée. En conséquence, il demande au Conseil de charger le Directeur d’intervenir le plus tôt possible et par tous les moyens auprès des gouvernements intéressés, en leur exposant la gravité du problème et en insistant sur la nécessité absolue d’une solution rapide. Cette solution serait une contribution considérable à l’œuvre de la paix sociale et au progrès de l’humanité.

M. Norman s’associe entièrement aux déclarations du Directeur et du représentant du Gouvernement mexicain au sujet de l’importance des travaux de la Conférence de Washington. Il tient également à associer le Gouvernement britannique aux remerciements qui ont été adressés au Gouvernement des États-Unis et à tous ses fonctionnaires qui ont contribué au succès de la Conférence.

Après la délégation des États-Unis, c’est la délégation britannique qui était la plus nombreuse à cette Conférence. C’est au nom de tous les membres de cette délégation qu’il tient à souligner combien a été appréciée l’hospitalité qu’ils ont reçue à Washington. Ils ont été tout particulièrement heureux du message qu’a bien voulu adresser à la Conférence, dès son début, le Président des États-Unis ainsi que la très cordiale réception qu’il a offerte à la Conférence à la Maison Blanche. Enfin, ils ont entendu avec le plus grand intérêt les membres du Gouvernement des États-Unis qui ont pris la parole devant la Conférence.

Ce n’est pas le moindre des résultats de la Conférence d’avoir permis à un grand nombre de délégués des divers pays d’apprendre à mieux connaître les États-Unis, d’entrer en contact avec leur people, toutes choses dont il resultera un rapprochement susceptible d’avoir de très féconds et de très durables résultats.

Le Directeur a suggéré que les recommandations contenues dans le rapport sur les statistiques fussent soumises à la Conférence de Statisticiens du travail. Il ne s’oppose pas à cette suggestion, mais tiendrait à ce que les membres du Conseil puissent disposer d’un certain délai pour examiner au préalable ces recommandations. Les membres du Conseil n’ont pas eu le temps d’étudier les rapports adoptés par la Conférence de Washington ni de consulter leurs mandants quant aux suites qu’ils peuvent comporter. Il demande donc que le Conseil ne se prononce pas avant sa 80ème session sur le renvoi éventuel à la Conférence des Statisticiens des recommandations de la Commission des Statistiques.
one of the principal obstacles which prevented the Chinese Government from achieving as much progress in labour legislation as it would desire. The Chinese Government was most anxious to improve the position of the workers by means of detailed regulations on factory inspection, industrial hygiene and safety, minimum wages, etc. The Chinese Government followed the work of the International Labour Organisation with the greatest interest. Evidence of this was to be found in the six ratifications of Conventions which had been registered during the past year.

It must be admitted that if the enforcement of labour legislation were rendered impossible in the concessions, the effect of the legislation in the interior of the country would suffer, and the Conventions which had been ratified would suffer too. This was why the Chinese Government representative at the 1936 Session of the Conference had drawn the attention of the Committee on the Application of Conventions to the difficulty of applying the Convention concerning the weekly rest in industrial establishments in China.

It was impossible to conceal the fact that the non-application of Chinese labour legislation in the concessions made it possible for the employers of the industrial undertakings in those territories to impose wretched living conditions, famine wages and excessive hours on the workers. The workers employed outside the concessions were in a better situation. The result was that the non-application of Chinese labour legislation in the concessions impeded both the development of Chinese industry and the improvement of the position of the workers of the industrial districts.

There could be no doubt that if a solution for these problems were not found shortly, China would not only be unable to develop its labour legislation, but would have to give up the idea of ratifying Conventions, since the application of its own legislation was impeded. He accordingly asked the Governing Body to instruct the Director to intervene as soon as possible and by all suitable means, in order to explain to the Governments the serious nature of the problem and the absolute necessity of an early solution. Such a solution would be a considerable contribution to social peace and the progress of mankind.

Mr. Norman said that he fully supported the statements of the Director and the Mexican Government representative concerning the value of the work of the Washington Conference. He would also associate the British Government with the thanks which had been expressed to the Government of the United States and to those of its officials who had contributed to the success of the Conference.

The British delegation to the Conference had been the next largest to that of the United States. He was speaking on behalf of all the members of that delegation in saying how much they had appreciated the hospitality which they had received at Washington. They had specially appreciated the message which the President of the United States had sent to the Conference when it opened, and also his kindly reception of them at the White House. They had also listened with the greatest interest to the members of the United States Government who had addressed the Conference.

Not the least result of the Conference had been that many delegates from various countries came to know the United States better and to come into contact with the people of that country. This would lead to a rapprochement which could not be otherwise than useful and lasting in its effects.

He did not oppose the Director's suggestion that the recommendations contained in the report on statistics should be submitted to the Conference of Labour Statisticians. He would, however, be glad if the members of the Governing Body could have a certain time for a preliminary examination of those recommendations. Members of the Governing Body had not had time to study the reports adopted by the Washington Conference, or to consult those whom they represented concerning the action to be taken on them. He therefore suggested that the Governing Body should wait until its Eightieth Session before deciding whether to refer the recommendations of the Statistical Committee to the Conference of Statisticians.
M. Riddell a été très heureux de constater le succès remporté par la Conférence de l'industrie textile qui a eu lieu à Washington. De la part des délégués revenus de cette Conférence et notamment des délégués canadiens, il n'a entendu que des éloges au sujet de la courtoisie et de la bienveillance qui leur ont été témoignées par le Gouvernement des États-Unis et la population de ce pays. Le Gouvernement canadien avait envoyé à la Conférence une délégation très représentative, ce qui s'explique par l'importance que présente l'industrie textile pour le Canada. Il est convaincu que les travaux de la Conférence présenteront la plus grande utilité et contribueront à la solution des problèmes qui affectent cette très importante industrie.

M. Muniz tient à son tour à féliciter le Gouvernement des États-Unis ainsi que le Bureau pour le succès de la Conférence de Washington. Il voit dans le fait que 27 pays se sont fait représenter à cette Conférence une preuve de son importance. D'après le témoignage de tous les délégués revenus de Washington, la Conférence a été caractérisée par la préoccupation constante d'associer l'idée du progrès social à la prospérité commerciale d'une grande industrie. Il n'est donc pas exagéré de dire que la Conférence a incarné l'esprit de l'Organisation internationale du Travail. La proposition tendant à la création d'une Commission chargée d'étudier les problèmes de l'industrie textile constitue une innovation susceptible d'aboutir à de très utiles résultats pratiques.

M. Pardo, en sa qualité de membre de la délégation du Conseil d'administration à la Conférence de Washington, tient à s'associer très chaleureusement aux paroles de remerciement adressées au Gouvernement des États-Unis pour la très cordiale hospitalité qu'il a offerte à la Conférence.

À son avis, la Conférence a été un succès à tous égards. Sans aborder pour l'instant les conclusions auxquelles ont abouti les travaux de la Conférence, il tient à adresser ses sincères félicitations au Directeur et à ses collaborateurs pour la manière remarquable dont ils ont préparé le rapport soumis à la Conférence et pour l'autorité avec laquelle les travaux de cette Conférence ont été conduits.

M. Oersted a déjà eu l'occasion d'exprimer sa gratitude au Gouvernement des États-Unis et de lui manifester la reconnaissance de tous les membres employeurs du Conseil qui ont eu l'honneur et le plaisir de prendre part à la Conférence de Washington. Il se bornera donc à prier à nouveau le délégué du Gouvernement des États-Unis de vouloir bien communiquer à son gouvernement les remerciements des employeurs pour l'accueil qui leur a été fait et les nombreuses attentions qui leur ont été prodiguées.

Il lui paraît un peu prématuré d'affirmer le succès de la Conférence. Cela ne signifie pas qu'à son avis cette réunion ait été dépourvue d'utilité ou d'intérêt; bien au contraire, il estime que la Conférence a été un succès tout au moins du fait qu'elle a été la première occasion dans laquelle on a, sous les auspices de l'Organisation internationale du Travail, examiné une question sous tous ses aspects, tant sociaux qu'économiques. Ce caractère des délibérations de la Conférence de Washington aura certainement son importance dans l'avenir.

M. Kupers tient à son tour à remercier le Gouvernement des États-Unis pour l'hospitalité dont il a fait preuve à l'égard de la Conférence et des délégués. Tant les autorités gouvernementales que le public et la presse ont manifesté le plus grand intérêt pour l'œuvre de la Conférence et tous les délégués ont vivement apprécié le fait que, outre le Président des États-Unis, quatre ministres en fonctions ont suivi avec attention les travaux de la Conférence.

La Conférence a non seulement abouti à d'heureux résultats dans son ensemble, mais encore elle a grandement contribué à resserrer les liens entre les États-Unis et l'Organisation internationale du Travail. Jusqu'à présent on avait souvent constaté que des personnalités résidant aux États-Unis étaient en général assez mal informées de l'œuvre accomplie par l'Organisation. Cette situation s'est assurément modifiée à la suite de la Conférence.

L'atmosphère générale de la Conférence a été beaucoup meilleure que celle qui régnait à de précédentes réunions à Genève, notamment aux réunions concernant la
Mr. Riddell said that he had been very glad to learn of the success of the Textile Conference at Washington. From the returning delegates, especially those of Canada, he had heard nothing but praise of the kindness and courtesy shown them by the United States Government and people. The Canadian Government had sent a very representative delegation to the Conference, as was natural in view of the importance of the textile industry in Canada. He was confident that the work of the Conference would be most helpful in the solution of the problems of this most important industry.

Mr. Muniz also congratulated the Government of the United States, as well as the Office, on the success of the Washington Conference. The fact that 27 countries were represented at that Conference was a proof of its importance. All the delegates who had returned from Washington had said that the Conference was marked by a constant desire to associate the idea of social progress with the commercial prosperity of a great industry. It was not too much to say that the Conference had been the embodiment of the spirit of the International Labour Organisation. The proposal to set up a Committee to study the problems of the textile industry represented a new departure which was likely to produce excellent practical results.

Mr. Pardo, speaking as a member of the Governing Body delegation at the Washington Conference, expressed cordial agreement with the thanks addressed to the Government of the United States for the great hospitality which it had shown to the Conference.

The Conference had been a success in every way. He would not for the moment discuss the conclusions which it had reached, but he addressed his sincere congratulations to the Director and his staff for the admirable way in which they had drawn up the report submitted to the Conference and for the ability with which the discussions of the Conference had been conducted.

Mr. Oersted said that he had already had an opportunity of conveying his thanks to the United States Government and expressing the gratitude of all the employers' members of the Governing Body who had had the honour and pleasure of attending the Washington Conference. He would therefore simply request the United States Government representative once more to convey the employers' thanks to his Government for the welcome which they had received and the kindly reception which they had enjoyed.

It was perhaps somewhat premature to say that the Conference had been successful. That did not mean that in his view the meeting had been lacking in value or interest; on the contrary, the Conference had at any rate been a success because it was the first occasion on which a meeting held under the auspices of the International Labour Organisation had discussed a question from all its aspects, both social and economic. This feature of the discussions of the Washington Conference would undoubtedly be of importance for the future.

Mr. Kupers also thanked the United States Government for its hospitality to the Conference and the delegates. Both the Government authorities and the public and press had shown the greatest interest in the work of the Conference, and all the delegates had greatly appreciated the fact that, in addition to the President of the United States, four Ministers had closely followed the work of the Conference.

The Conference had not merely produced valuable results as a whole, but had greatly contributed to strengthen the ties between the United States and the International Labour Organisation. In the past it had often been noted that persons living in the United States were generally not very well informed concerning the work of the Organisation. The Conference had undoubtedly changed that state of affairs.

The general atmosphere of the Conference had been much more satisfactory than that which had prevailed at previous meetings at Geneva, particularly the meetings
réduction de la durée du travail dans l'industrie graphique et l'industrie chimique. La Conférence de Washington a été marquée par une collaboration beaucoup plus comprehensive entre les trois groupes. Il reste à voir si cette tendance continuera à se manifester à la session de juin de la Conférence.

Il se rallie entièrement à la proposition du Directeur d'ajourner à la session d'automne du Conseil d'administration l'examen détaillé des résultats auxquels a abouti la Conférence.

Quant à la question des concessions étrangères de Shanghaï, il estime qu'elle revêt une grande importance. Ainsi que l'a déclaré le représentant du Gouvernement chinois, il est extrêmement difficile d'appliquer la législation chinoise du travail tant qu'elle ne peut être mise en vigueur dans les concessions étrangères. Il espère que les démarches du Directeur à cet égard seront couronnées de succès, et que d'ici peu, il sera possible de remédier à un état de choses injustifiable.

Il tient enfin à adresser ses remerciements personnels à M. Goodrich pour l'amabilité qu'il lui a témoignée pendant son séjour aux États-Unis.

**M. Komarnicki** estime que la Conférence de Washington, d'après le rapport qu'il a reçu de la délégation polonaise à cette Conférence, paraît avoir été une tentative très intéressante d'étudier les conditions du travail dans l'industrie textile, en tenant compte de tous les aspects de ce problème. Il en est d'autant plus heureux qu'il avait insisté, au nom du Gouvernement polonais, pour que l'ordre du jour de la Conférence s'étendît à tous les problèmes de l'industrie textile. A son avis, ce premier essai constitue un très heureux précédent pour d'autres réunions analogues.

Il s'associe très volontiers aux remerciements qui ont été adressés au représentant du Gouvernement des États-Unis dont l'hospitalité généreuse a été extrêmement appréciée, ainsi qu'aux félicitations exprimées au Directeur pour l'excellente préparation de la Conférence.

**M. Kitaoka** déclare que tous les membres de la délégation polonaise, qui étaient aussi nombreux que les membres de la délégation britannique, ont vivement apprécié l'hospitalité qu'ils ont trouvée aux États-Unis et l'accueil qui leur a été fait par le Président, le Secrétaire au travail et tous les fonctionnaires du Département du Travail. Il espère que le Directeur voudra bien transmettre au Gouvernement des États-Unis l'expression de la reconnaissance du Conseil d'administration.

Sans doute, est-il prématuré de vouloir déterminer dès à présent la place que la Conférence de Washington occupera dans l'histoire de l'Organisation. Toutefois, la Conférence a permis à tous les participants de se rendre compte des relations étroites qui existent entre les aspects économiques et les aspects sociaux des problèmes qui se posent dans l'industrie textile; la solution de ces divers problèmes réside pour la plus grande part dans une saine compréhension de ces relations. C'est pourquoi la Conférence de Washington aura apporté une très appreciable contribution à cette solution.

**M. Justin Godart** considère que les sentiments de gratitude qui viennent d'être exprimés à l'égard du Gouvernement des États-Unis gagneraient à être présentés sous une forme générale et officielle.

Il demande donc au Conseil d'administration de voter une résolution qui serait ainsi conçue :

« Le Conseil d'administration, prenant acte de l'important succès de la Conférence technique tripartite de l'industrie textile, réunie à Washington, adresse au Gouvernement des États-Unis ses remerciements pour l'initiative qu'il a prise et pour le plein et généreux concours qu'il a donné à sa réalisation. »

**M. Li Ping-Heng** appuie le projet de résolution déposé par M. Justin Godart.

**M. Goodrich** a été extrêmement touché par les nombreuses marques de sympathie qui viennent d'être données au Gouvernement des États-Unis ainsi que par le projet de résolution déposé par M. Justin Godart. Il sera heureux de pouvoir transmettre ces messages à son gouvernement.
concerning the reduction of hours of work in the printing and chemical industries. The Washington Conference had been characterised by much more complete collaboration between the three groups. It remained to be seen whether this tendency would continue to prevail at the session of the Conference in June.

He fully supported the Director's proposal that the detailed discussion of the results of the Conference should be postponed until the autumn session of the Governing Body.

The question of the foreign concessions in Shanghai was in his view of great importance. As the Chinese Government representative had stated, it was extremely difficult to enforce Chinese labour legislation so long as it could not be enforced in the foreign concessions. He hoped that the Director's efforts would be successful, and that it would be found possible to put an end to this unjustifiable state of affairs.

In conclusion he expressed his personal thanks to Mr. Goodrich for the kindness which he had shown him during his stay in the United States.

Mr. Komarnicki said that the Washington Conference would appear from the report which he had received from the Polish delegation to have been an extremely interesting attempt to study the conditions of work in the industry, including all its aspects. He was very glad that he had urged on behalf of the Polish Government that the agenda of the Conference should cover all problems in the textile industry. In his view this first experiment was a most favourable precedent for other similar meetings.

He expressed warm agreement with the thanks which had been conveyed to the representative of the United States Government, the generous hospitality of which had been greatly appreciated, as well as the congratulations which had been offered to the Director for the excellent way in which the Conference had been prepared.

Mr. Kitaoka said that all the members of the Japanese delegation, which had been as large as the British delegation, had greatly appreciated the hospitality which they had received in the United States, especially from the President, the Secretary of Labor and all the officials of the Department of Labor. He hoped that the Director would transmit an expression of the gratitude of the Governing Body to the United States Government.

The time had not yet come to say how important a place the Washington Conference would occupy in the history of the Organisation. It had, however, enabled all those who had been present to realise the close relation which existed between the economic and the social aspects of the problems arising in the textile industry. The solution of those problems lay to a large extent in a clear understanding of those relations. The Washington Conference would therefore prove very helpful in the solution of the problem.

Mr. Justin Godart suggested that the expression of gratitude to the United States Government which had been put forward might well be embodied in a general and official form.

He therefore suggested that the Governing Body should adopt the following resolution:

"The Governing Body, taking note of the pronounced success of the Technical Tripartite Conference on the Textile Industry which met at Washington, addresses its thanks to the Government of the United States for its initiative, and for its full and generous assistance in carrying it out."

Mr. Li Ping-Heng supported Mr. Justin Godart's resolution.

Mr. Goodrich said that he was deeply grateful for the many friendly allusions to the Government of the United States which had been made, and for the resolution submitted by Mr. Justin Godart. He would have pleasure in transmitting these messages to his Government.
Il se félicite de ce qu'un certain nombre d'orateurs aient fait l'éloge de la compé-
tence avec laquelle le Directeur et ses collaborateurs ont assuré la marche des travaux
de la Conférence. Il profitera de l'observation faite par M. Kupers pour souligner
l'heureuse occasion qu'a eue la population des États-Unis d'apprendre à connaître
plus directement l'œuvre de l'Organisation. Il n'est pas douteux qu'en s'initiant
davantage à son activité, le peuple des États-Unis peut mieux apprécier ce que
M. Muniz a appelé la caractéristique essentielle de l'Organisation.

Peut-être a-t-on exagéré dans la note du Bureau ainsi que dans les interventions
qui viennent d'avoir lieu l'importance de la collaboration apportée par le Gouver-
nement des États-Unis aux travaux et à l'organisation matérielle de la Conférence.
Par contre, ce qui ne saurait être exagéré, c'est l'intérêt que le Gouvernement des
États-Unis porte aux problèmes soumis à la Conférence ainsi que son désir de voir
les travaux de cette Conférence conduire à des résultats concrets. C'est ce qu'il
s'efforcera de mettre en lumière à la Conférence internationale du Travail, ainsi que,
ultérieurement, au sein du Conseil d'administration. Aussi bien le Gouvernement des
États-Unis est-il convaincu de la vérité de la formule employée par M. Phelan le
dernier jour des réunions de Washington, à savoir que la Conférence du textile n'était
certainement pas de celles qui donnent une seule récolte.

Le Conseil adopte à l'unanimité la résolution présentée par M. Justin Godart.

Le Président indique que le Conseil est appelé à se prononcer sur diverses
suggestions formulées par le Directeur ou contenues dans le rapport soumis au Conseil.

Tout d'abord les rapports adoptés par la Conférence de Washington seraient
communiqués à la Conférence internationale du Travail lors de sa XXIIIème session.
D'autre part, l'examen détaillé de ces rapports serait renvoyé à la session d'automne
1937 du Conseil d'administration. Cet examen serait facilité par un rapport préparé
par le Bureau quant aux suites qu'il paraît possible de donner aux travaux de la
Conférence. Enfin le compte rendu des séances plénières et les procès-verbaux des
réunions des Commissions seraient imprimés par les soins du Bureau.

Le Conseil approuve ces suggestions.

Le Président indique que le Conseil est appelé à se prononcer sur l'acceptation de
la contribution de 10.000 dollars votée par le Congrès des États-Unis pour aider le
Bureau à couvrir les frais de la Conférence.

Le Conseil décide d'accepter cette contribution et charge le Directeur d'exprimer sa
reconnaissance au Gouvernement des États-Unis.

Le Président rappelle que d'après la suggestion du Directeur, le rapport sur les
statistiques serait soumis au prélable à la Conférence des statisticiens du travail
qui aura lieu au mois de septembre 1937. Toutefois, M. Norman a proposé que ce
rapport soit discuté tout d'abord par le Conseil lors de sa 80ème session.

Le Directeur déclare qu'il n'y a aucun inconvénient à ce que le Conseil examine
préalablement le rapport sur les statistiques lors de sa 80ème session.

Il en est ainsi décidé.

Le Conseil d'administration charge le Directeur de communiquer immédiatement aux
gouvernements intéressés les passages du rapport sur les questions sociales relatifs à la
situation existant dans les concessions étrangères en Chine.
He was glad that a number of the speakers had alluded to the skilful way in which the Director and his staff had conducted the Conference. Mr. Kupers' observation gave him an opportunity of referring to the advantage derived by the people of the United States from this chance of becoming better acquainted with the work of the Organisation. There could be no doubt that the result of that more intimate acquaintance had enabled the people of the United States to appreciate more fully what Mr. Muniz had called the essential spirit of the Organisation.

Perhaps the Office note, as well as the speeches which had been made, exaggerated the importance of the contributions made by the United States Government to the work and material organisation of the Conference. What could not be exaggerated, however, was the interest which the United States Government felt in the subject matter of the Conference, or its desire that important results should follow from it. These it would attempt to demonstrate at the International Labour Conference and at later meetings of the Governing Body. The United States Government was convinced of the truth of the expression used by Mr. Phelan on the last day of the Washington meetings, when he said that the Textile Conference would have not one but many harvests.

*The Governing Body unanimously adopted Mr. Justin Godart's resolution.*

*The Chairman* said that the Governing Body was asked to decide on various suggestions put forward by the Director or embodied in the report before the Governing Body.

In the first place the reports adopted by the Washington Conference would be communicated to the International Labour Conference at its Twenty-third Session. In the second place, the detailed discussion of the reports would be postponed until the session of the Governing Body in the autumn of 1937. In order to assist that discussion, a report would be prepared by the Office on the action which might be taken as a result of the discussions of the Conference. Finally, the record of the plenary sittings and the minutes of the Committees would be printed by the Office.

*The Governing Body approved those suggestions.*

*The Chairman* said that the Governing Body was asked to decide concerning the acceptance of the grant of $10,000 voted by the United States Congress in order to assist the Office in meeting the expenses of the Conference.

*The Governing Body decided to accept this contribution, and instructed the Director to convey its thanks to the United States Government.*

*The Chairman* said that the Director had suggested that the report on statistics should be submitted for preliminary consideration to the Conference of Labour Statisticians which would be held in September 1937. Mr. Norman had, however, proposed that the report should first of all be discussed by the Governing Body at its Eightieth Session.

*The Director* said that there was no objection to the Governing Body holding a preliminary discussion on the report on statistics at its Eightieth Session.

*This suggestion was adopted.*

*The Governing Body instructed the Director to communicate the passages in the report on social questions dealing with the position in the foreign concessions in China to the Governments concerned immediately.*
Seizième question à l'ordre du jour.

Rapport sur l'étude entreprise par le Bureau au sujet du commerce international, de l'emploi et des salaires.

Le Conseil note que le Bureau poursuit activement cette étude qui pourra sans doute être terminée au cours de l'été 1937.

 Dix-septième question à l'ordre du jour.

Rapport du Bureau sur le projet de convocation d'une conférence d'experts pour l'examen de la question du financement de l'établissement des colons.

Le Directeur est heureux de pouvoir informer le Conseil que les démarches faites en vue de la convocation de cette conférence d'experts ont fait de grands progrès depuis la dernière session du Conseil. Il n'est pas encore en mesure de présenter au Conseil un rapport complet, mais tient toutefois à indiquer qu'il a reçu des gouvernements intéressés un nombre suffisant de réponses positives pour qu'il soit pratiquement possible d'affirmer qu'une conférence de ce genre sera bien accueillie et réalisable. Il espère que, lors de la 80ème session, il sera en possession d'un plus grand nombre de réponses, et qu'il pourra soumettre au Conseil un rapport complet, afin de permettre au Conseil d'administration de prendre une décision définitive.

Le Conseil d'administration ajourne à sa 80ème session l'examen du rapport du Bureau sur le projet de convocation d'une conférence d'experts relative au financement de l'établissement des colons.

La séance est levée à 18 heures 25.

C. MERTENS.
Sixteenth Item on the Agenda.

Report on the study undertaken by the Office on international trade, employment and wages.

The Governing Body noted that the Office was actively continuing this study, which would probably be completed during the summer of 1937.

Seventeenth Item on the Agenda.

Report of the Office on the proposal to hold a Conference of experts to examine the question of financing the settlement of colonists.

The Director said that he was glad to inform the Governing Body that considerable progress had been made in the negotiations with a view to the calling of this Conference of experts since the last session of the Governing Body. He was not yet in a position to make a complete report to the Governing Body, but could indicate that he had received a sufficient number of positive replies from the Governments concerned to make it practically certain that a meeting of this kind would be practicable and welcome. He hoped that by the Eightieth Session he would be in possession of still more replies, and would be able to submit to the Governing Body a complete report on which it could take a final decision.

The Governing Body adjourned until its Eightieth Session the discussion of the report of the Office on the proposal to hold a Conference of experts to examine the question of financing the settlement of colonists.

The sitting closed at 6.25 p.m. C. MERTENS.
Au cours de cette séance, qui a eu un caractère privé, le Conseil d'administration a poursuivi l'examen de la dix-neuvième question à l'ordre du jour. (Examen de la réclamation présentée par M. J. M. Curé, au nom du parti travailliste de l'île Maurice, au sujet de l'application de certaines conventions internationales du travail dans l'île Maurice.)

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 held in private, the Governing Body continued its examination of the nineteenth item *(Examination of the representation submitted by Dr. J. M. Curé on behalf of the Labour Party of the Island of Mauritius concerning the application of certain international labour Conventions in the Island).*

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 (PRIVÉE).

Au cours de cette séance, qui a eu un caractère privé, le Conseil d'administration a poursuivi l'examen de la deuxième question à 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).

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 SEVENTH SITTING (PRIVATE).

At this sitting, which was held in private, the Governing Body continued its examination of the second item (*Examination of the representation made by the Madras Labour Union for Textile Workers concerning the application of the Unemployment Convention (1919) in British India*).

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 HUITIÈME SÉANCE.

(Samedi 8 mai 1937, 10 heures 15.)


Absent : M. de MICHELIS.

DIX-HUITIÈME QUESTION À L'ORDRE DU JOUR.

Rapport du Comité d'experts pour l'alimentation des travailleurs.

Le Directeur rappelle que le Conseil d'administration est appelé seulement à prendre acte du rapport de la Commission d'experts pour l'alimentation des travailleurs.

M. Hayday tient à attirer l'attention du Conseil sur quelques points mentionnés dans le rapport.

Le premier porte sur la collaboration avec les experts et avec les commissions nationales d'alimentation. Le Comité a émis le vœu que, dans les divers pays, des études et des recherches fussent entreprises dans diverses directions, sur le problème de l'alimentation. Il a également exprimé le désir de voir s'établir un contact direct avec les commissions nationales d'alimentation. En outre, le Comité a exprimé l'espoir que, vu l'importance du problème de l'alimentation, les organes compétents du Bureau puissent examiner si ses ressources sont suffisantes pour lui permettre d'accomplir sa tâche dans un délai raisonnable.

Les prévisions budgétaires actuelles ne contiennent pas de crédit en vue de la convocation éventuelle des experts du Comité, mais le Bureau pourrait voir dans quelle mesure les ressources dont il dispose permettraient de poursuivre les recherches dans le sens qui a été indiqué, et cela dans un délai qui ne soit pas trop éloigné. Après avoir recueilli la documentation nécessaire, il serait possible d'envisager les suites positives à donner au problème si important de l'alimentation des travailleurs.

Il convient d'attirer l'attention du Conseil sur les méthodes à suivre pour recueillir les données sur la consommation. Sur ce point, les membres experts du Comité ont adopté à l'unanimité une résolution dont il n'est pas besoin de souligner tout l'intérêt. Elle suggère, en effet, une méthode permettant de réunir une documentation de caractère pratique. Par exemple, dans les pays où existent des cantines ou des institutions créées en vue du bien-être des travailleurs et fonctionnant en liaison étroite avec les entreprises industrielles, le Bureau pourrait recueillir des renseignements sur l'alimentation quotidienne qui y est donnée et procéder à des études relatives à l'alimentation des différentes catégories de travailleurs dans les différentes formes d'industrie, aux répercussions de ces mesures pour la santé des ouvriers, au coût de l'alimentation pour les travailleurs, et au nombre de travailleurs qui font usage de ces facilités ainsi prévues. Cette documentation de caractère pratique fournirait une base concrète à une étude réellement intéressante, et permettrait de présenter les résultats sous un aspect aisément accessible aux travailleurs. Il faut éviter de donner aux ouvriers l'impression que les études entreprises tendent à rechercher la base minimum d'alimentation qui permette à l'être humain de vivre et d'accomplir son travail. Les milieux ouvriers craignent parfois que l'étude du problème ne soit en rapport avec la recherche du salaire minimum nécessaire pour donner l'énergie physique indispensable à l'accomplissement d'une tâche. La méthode envisagée par le Comité éviterait cet inconvénient, tout en permettant d'aboutir à une documentation utile. Par exemple, dans une entreprise ouvriers 5,000 ouvriers, un ou deux milliers d'entre eux seulement font usage des réfectoires prévus, et l'on peut se demander
MINUTES OF THE EIGHTH SITTING.

(Saturday, 8 May 1937—10.15 a.m.)

The Governing Body was composed as follows: Mr. MERTENS, Chairman; Mr. ANDERSSON, Mr. CURČIN, Mr. FABELA, Mr. GÉRARD, Mr. JUSTIN GODART, Mr. GOODRICH, Mr. HAYDAY, Mr. HURTADO, Mr. JENSEN, Mr. JOUHAUX, Mr. JUNOY AGUTAR, Mr. KIRKALDY, Mr. KITAOKA, Mr. KOMARNICKI, Mr. KUPERS, Mr. LA PING-HENG, Mr. MANNIO, Mr. MARKUS, Mr. MINIZ, Mr. NÉMEČEK, Mr. NORMAN, Mr. OERSTED, Mr. RIDDELL, Mr. RUZI GUTIÁZÚ, Mr. SCHÜRCH, Mr. TAKEUCHI, Mr. TZAUT, Mr. WALINE, Mr. YEREMITCH, Mr. ZAMAN.

Absent: Mr. de MICHELIS.

EIGHTEENTH ITEM ON THE AGENDA.


The Director pointed out that the Governing Body was merely called upon to take note of the report of the Committee of Experts on Workers' Nutrition.

Mr. Hayday said that he would call the attention of the Governing Body to certain points referred to in the report.

The first concerned the collaboration with experts and the National Nutrition Committees. The Committee had expressed the hope that studies and researches would be undertaken in the various countries from different angles on the problem of nutrition. It had also hoped that direct contact with the National Nutrition Committees would be established. Furthermore, in view of the importance of the question of nutrition, the Committee had expressed the hope that the competent organs of the Office would examine whether its resources would enable the work to be accomplished within a reasonable time.

There was not at present any provision in the budget for a possible meeting of the experts of the Committee, but the Office might examine to what extent the resources at its disposal would enable it to carry on the researches in the sense which he had indicated within a reasonable time. When all the necessary information had been collected, it would be possible to consider what definite action could be taken on the important problem of workers' nutrition.

It was necessary to call the attention of the Governing Body to the methods of obtaining consumption data. On this point the expert members of the Committee had unanimously adopted a resolution, the importance of which was obvious. It suggested a means of securing information of a practical nature. For example, in countries where there were canteens or institutions set up for the welfare of the workers which were in close collaboration with industrial undertakings, the Office might collect information on the daily menus, and then make studies of the nutrition of various classes of workers in different kinds of industries, the effects of these methods on the health of the workers, the cost to the workers of the foodstuffs provided and the number of workers who availed themselves of those facilities. This practical information would provide a concrete basis for a really interesting study, and would make it possible to publish the results in a form which would be easily accessible to the workers. Every effort should be made to avoid giving the workers the impression that the studies were made with a view to discovering the minimum basis of nutrition to enable a human being to live and to carry on his work. In working circles it was sometimes feared that the study of the problem was concerned with an enquiry into the minimum wage required to provide the necessary physical energy to enable the worker to carry out his work. The method proposed by the Committee would avoid that objection, and would make it possible to collect really useful information. For example, in an undertaking in which 5,000 workers were employed, only one or two thousand took advantage of the canteens provided, and it would be interesting to know for what reason the others did not do so. It might be that the price asked for
pour quels motifs les autres ne font pas de même. Ce fait peut résulter du prix demandé pour les repas qui constitue, pour le travailleur, une somme plus élevée que la part correspondante du budget familial consacrée à l'alimentation.

Il convient de rappeler également que les membres experts du Comité ont estimé qu'une discussion internationale du problème de l'alimentation des travailleurs devrait être organisée entre les experts intéressés et que l'assistance de quelques représentants des commissions d'alimentation nationales serait particulièrement utile. Ils ont également exprimé l'espoir que le Conseil d'administration voudra bien examiner favorablement la possibilité d'organiser une telle discussion en collaboration avec les organes techniques intéressés de la Société des Nations.

Si, en effet, il importe d'éviter tout double emploi entre les études du Bureau et celles de la Société des Nations, on ne saurait oublier qu'il est impossible de séparer les aspects industriels, économiques et sociaux du problème de l'alimentation des travailleurs. Il faut doncespérer qu'en suivant les méthodes indiquées ci-dessus, il sera possible de recueillir une documentation qui n'aura plus seulement un caractère hautement technique, mais présentera une nature concrète et pratique permettant de mieux saisir la situation de fait dans les divers pays.

Il convient enfin de rappeler que M. Erulkar avait souligné le danger d'établir un standard national d'alimentation en ce qui touche une catégorie particulière de travailleurs, celle des migrants. Il songeait sans doute aux travailleurs indiens chez lesquels il serait extrêmement difficile de modifier les coutumes alimentaires. C'est là un point qui pourra faire l'objet de l'étude du Bureau, si les recherches entreprises tendent à recueillir des informations de caractère pratique.

*M. Goodrich* tient à appuyer les observations de M. Hayday concernant l'importance de la résolution adoptée par les membres experts du Comité à l'égard des méthodes à suivre pour recueillir les données sur la consommation. La méthodologie en matière d'étude de la consommation a réalisé de grands progrès depuis la publication d'un rapport sur la question par le Bureau international du Travail en 1926. En outre, dans divers pays, des études sur une large échelle concernant ce problème important sont déjà entreprises ou envisagées.

Dans ces conditions, il estime qu'il y aurait grand intérêt à voir le Bureau contribuer à la standardisation des méthodes d'étude appliquées dans ce domaine, afin que les travaux de recherches si importants effectués dans les différents pays permettent d'aboutir à des résultats susceptibles de faire l'objet de comparaisons internationales.

En conclusion, il demande que le Directeur consacre la plus grande attention à la question.

*M. Li Ping-Heng* tient à féliciter le Comité pour son rapport si intéressant et se rallie entièrement au point de vue exposé dans ce document.

Il attire l'attention du Conseil sur l'importance du mouvement coopératif. La sous-alimentation est principalement due à l'insuffisance du pouvoir d'achat. Par conséquent, il est évident qu'il faudrait pouvoir augmenter les salaires. Comme on le sait, l'augmentation des salaires est une question extrêmement complexe qui ne peut toujours être résolue d'une manière satisfaisante. Il est néanmoins possible d'y suppléer dans une certaine mesure, grâce au mouvement coopératif. D'après l'expérience faite en Chine, les coopérateurs réalisent une économie de 10 à 15 pour cent sur leurs achats, et pour cette raison le mouvement coopératif fait de rapides progrès dans ce pays. S'il existe sans doute des coopératives qui ne donnent pas de résultats satisfaisants, il convient d'encourager celles qui sont établies d'une manière systématique dans un but d'entraide aux masses laborieuses. Il y a donc lieu de favoriser le développement de ce mouvement, afin de faciliter l'existence de la population ouvrière et de suppléer ainsi, dans une certaine mesure, à l'insuffisance de son pouvoir d'achat.

*M. Gérard* déclare qu'il est plein de sympathie pour ces études susceptibles de donner des résultats extrêmement intéressants. Cependant, il est quelque peu alarmé du caractère théorique que semblent devoir prendre ces travaux. Il se demande si l'élaboration de statistiques de caractère purement scientifique permet d'aboutir à des résultats utilisables pour la population ouvrière. Il lui paraît qu'il vaudrait mieux
the meal was higher than the corresponding proportion of the family expenditure on food.

It should also be remembered that the expert members of the Committee had considered that an international discussion of the problem of the nutrition of the workers should be organised between the experts concerned, and that the attendance of representatives of the National Nutrition Committees would be particularly useful. The experts had also expressed the hope that the Governing Body would give its favourable consideration to the possibility of arranging for such a discussion in collaboration with the competent technical organisations of the League of Nations.

Although it was necessary to avoid any overlapping between the studies of the Office and those of the League of Nations, it must not be forgotten that it was impossible to separate the industrial, economic and social aspects of the problem of the nutrition of the workers. It was to be hoped that by means of the methods which he had indicated it would be possible to collect information which would not be exclusively technical in character, but would be concrete and practical, and would show what was actually taking place in the various countries.

It should be remembered that Mr. Erulkar had called attention to the danger of drawing up a national standard of nutrition as regards a special class of workers, namely, immigrants. This doubtless referred to Indian workers, who would find it extremely difficult to change their customary diet. That was a point on which the Office might make a study, if the object of the researches undertaken was to obtain information of a practical nature.

Mr. Goodrich supported Mr. Hayday’s remarks as regards the importance of the resolution adopted by the expert members of the Committee on the methods of securing consumption data. Methodology in the field of study of consumption had made great progress since the International Labour Office had published a report on the subject in 1926. Furthermore, in many countries large-scale studies on this important problem had either been undertaken or were contemplated.

It would therefore be of the greatest value for the Office to contribute to the standardisation of methods of study in this field, in order that the important researches carried out in the different countries might permit of international comparisons.

He therefore urged that the Director should give the most careful consideration to the question.

Mr. Li Ping-Heng congratulated the Committee on its interesting report, and entirely agreed with the point of view which it expressed.

He called the attention of the Governing Body to the importance of the co-operative movement. Under-nourishment was principally due to insufficient purchasing power, and the remedy was obviously an increase in wages. As everyone was aware, the raising of wages was an extremely complicated question which could not always be solved in a satisfactory manner. Some assistance could, however, be afforded by the co-operative movement. Experience in China showed that members of co-operative societies effected a saving of from 10 to 15 per cent on their purchases, and consequently the co-operative movement was making rapid strides in that country. Although there might doubtless exist certain co-operative societies which did not show satisfactory results, it was nevertheless desirable to encourage those which were systematically established with a view to mutual assistance between the workers. Every encouragement, therefore, should be given to the movement in order to help the working population and to make up to some extent for the insufficiency of its purchasing power.

Mr. Gérard said that he was very sympathetically disposed toward these studies, which might provide extremely interesting results. He was, however, somewhat alarmed at the theoretical character which they seemed tending to assume. He wondered whether the compilation of statistics of a purely scientific nature would provide results which could be of use to the working population. In his opinion it
dans ce domaine procéder par voie d'enquêtes. Aussi appuie-t-il l'opinion de M. Hayday, à savoir qu'il faut essayer d'aboutir à des résultats pratiques. Dans cet ordre d'idées, il a constaté avec plaisir que le rapport mentionne le problème de l'enseignement ménager. En effet, il ne suffit pas que la ménagère ait à sa disposition les ressources suffisantes et les produits alimentaires nécessaires, il faut encore qu'elle sache les mettre en œuvre de la façon la plus économique. Aussi voudrait-il que l'on portât la plus grande attention sur les écoles ménagères.

M. Kitaoka n'est pas en état d'indiquer pour le moment dans quelle mesure le Japon a contribué aux études en question. Il croit toutefois devoir rappeler que le problème de l'alimentation est une des plus importantes questions qui se posent dans son pays. Le Gouvernement japonais a institué un laboratoire national de l'alimentation et emploie un grand nombre d'experts en la matière, tant dans les services centraux que dans les administrations locales. Le problème est également étudié par de nombreuses associations d'employeurs. Il ne manquera pas de demander à son Gouvernement de fournir toute la documentation utile concernant cette question.

Le Directeur est heureux de voir que ce problème si important a soulevé tant d'intérêt dans les divers groupes du Conseil. Le travail qui a été accompli jusqu'à présent a permis de déblayer le terrain et de poser les bases sur lesquelles il sera possible de construire. Sans doute s'agit-il d'un travail très long; il faut notamment réunir une documentation très étendue. Une des tâches les plus difficiles du Bureau sera d'ailleurs de recueillir des renseignements sur une base comparable. A cette fin, le Bureau procède à une étude des méthodes statistiques dans l'espoir d'obtenir que l'on réalise quelque uniformité dans des méthodes employées dans les différents pays, en ce qui touche la documentation et les données statistiques qui seront communiquées au Bureau.

Tout en reconnaissant avec M. Hayday et M. Gérard le caractère quelque peu technique des études entreprises, il tient à rappeler qu'il est indispensable de disposer de certaines bases statistiques, et il importe que ces données statistiques soient aussi comparables que possible entre les différents pays.

Une autre série d'études entreprises par le Bureau porte sur les besoins alimentaires de certaines catégories particulières de travailleurs. C'est là une étude qui rentre entièrement dans la compétence du Bureau, et il y a lieu d'espérer que les résultats pourront en être de quelque utilité. Le Bureau n'a pas non plus manqué de prendre en considération le point soulevé par M. Li Ping-Heng concernant l'importance du mouvement coopératif dans ce domaine. Il a déjà publié un petit article sur la question et espère obtenir la pleine collaboration des organisations coopératives pour arriver à une connaissance aussi précise que possible des habitudes et des besoins alimentaires des travailleurs qui adhèrent aux coopératives.

Néanmoins, il est convaincu que l'avenir des travaux entrepris dans ce domaine dépendra surtout de l'activité des différentes commissions nationales. Il existe déjà une dizaine de commissions nationales dans divers pays, et M. Kitaoka peut avoir l'assurance que le Bureau ne manquera pas de consulter la commission nationale japonaise, en raison même de toute l'importance des études accomplies au Japon dans ce domaine. Le Bureau compte principalement sur la collaboration de ces diverses commissions pour obtenir la documentation dont il a besoin, il serait naturellement impossible au Bureau d'adresser des questionnaires aux diverses usines ou de recueillir directement des renseignements statistiques dans les différents pays. Mais il a l'espoir de recueillir une telle documentation par l'entremise des commissions nationales, et il sera peut-être possible plus tard de convoquer de temps à autre des représentants de ces commissions, afin d'assurer la coordination des études et de procéder à la comparaison des résultats acquis.

Le Conseil d'administration approuve le rapport du Comité d'experts pour l'alimentation des travailleurs.

Le Conseil demande au Directeur de poursuivre les études entreprises et de lui soumettre un rapport au moment opportun.

La session est déclarée close à 10 h. 45.

C. MERTENS.
would be better to carry out the work by means of enquiries. He agreed with Mr. Hayday that it was essential to endeavour to reach practical results. In this connection he had been glad to see that the report referred to domestic training. It was not sufficient for the housewife to have sufficient money and foodstuffs at her disposal, but she must also know how to use them in the most economical manner. He hoped therefore that the greatest possible attention would be paid to domestic training.

Mr. Kitaoka said that it was not possible for him at the moment to state to what extent Japan had contributed to the studies in question. The problem of nutrition was, however, one of the most important questions in his country. The Japanese Government had set up a national laboratory of nutrition, and employed a large number of experts in this field, both in the central Government and in local administrations. The problem was also being studied by a large number of employers’ organisations. He would not fail to request his Government to furnish all useful information on this subject.

The Director said that he was glad to see that this very important question had provoked so much interest in the various groups of the Governing Body. The work which had been done up to date had cleared the ground, and had provided the foundation on which it would now possible to begin to build. It would of course be a very long process, for there was an enormous amount of information to collect. One of the most difficult tasks of the Office would be to collect information on a comparable basis. With this object the Office was making a study of the statistical methods, in the hope of reaching some uniformity as regards the methods used in the various countries, and as regards the information and statistical data which would be communicated to the Office.

Whilst he agreed with Mr. Hayday and Mr. Gérard that these studies were rather technical in character, some statistical foundation was nevertheless essential, and the statistical information should be as comparable as possible between the different countries.

Another series of studies undertaken by the Office concerned the nutrition requirements of certain special classes of workers. That was a study which fell entirely within the competence of the Office, and there was good reason to hope that it would produce useful results. The Office had not overlooked the point raised by Mr. Li Ping-Heng as regards the importance of the co-operative movement in this field. It had already published a short article on the question, and hoped to be afforded the close collaboration of the co-operative organisations in order to obtain as complete information as possible as to the food habits and requirements of the workers who were members of co-operative societies.

He was convinced that the future of the work undertaken would principally depend on the activity of the various national committees. There were already about ten national committees in various countries, and Mr. Kitaoka could rest assured that the Office would not fail to consult the Japanese National Committee, owing to the very important work which had been carried out in Japan. It was on the collaboration of those various committees that the Office principally relied in order to obtain the necessary information. It would obviously be impossible for the Office to send questionnaires to individual undertakings, or to collect statistics directly in the different countries. It hoped, however, to obtain such information through the good offices of the national committees, and it would perhaps be possible later on to call together representatives of these committees from time to time, in order to ensure co-ordination and to compare the results obtained.

The Governing Body approved the report of the Committee of Experts on Workers’ Nutrition.

The Governing Body requested the Director to continue the studies which had been undertaken and to submit a report to it in due course.

The session closed at 10.45 a.m.

C. MERTENS.
APPENDICES
APPENDIX I.

AGENDA.

1. Approval of the minutes of the Seventy-eighth Session.
2. 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. Examination of the qualifications of the employers' representatives at the Conference (interpretation of paragraph 1 of Article 3 of the Constitution of the Organisation).
9. Approval of various forms for the annual reports on the application of Conventions.
12. The Director's Report.
13. Date and place of the next session.
16. Report on the study undertaken by the Office on international trade, employment and wages.
17. Report of the Office on the proposal to hold a Conference of experts to examine the question of financing the settlement of colonists.
19. Examination of the representation submitted by Dr. J. M. Curé, on behalf of the Labour Party of the Island of Mauritius, concerning the application of certain international labour conventions in the Island.
APPENDIX II.

SECOND 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 documents relating to this item on the agenda, which was considered by the Governing Body in private, are printed separately in the appendices to the minutes of the first part of the Second Sitting and the Sixth and Seventh Sittings.
APPENDIX III.

THIRD ITEM ON THE AGENDA.

REPORT OF THE FINANCE COMMITTEE.

The documents relating to this item on the agenda, which was considered by the Governing Body in private, are printed separately in the appendices to the minutes of the second part of the Second Sitting.
FOURTH ITEM ON THE AGENDA.

REPORT OF THE EXECUTIVE COMMITTEE OF THE ADVISORY COMMITTEE OF CORRESPONDENTS ON WORKERS' SPARE TIME.

This question was adjourned by the Governing Body at its Seventy-eighth Session. The report of the Executive Committee, which was circulated to the Governing Body at that session is attached hereto for the convenience of the members.¹

SUPPLEMENTARY NOTE.

An Appendix to the Report of the Executive Committee of the Advisory Committee of Correspondents on Workers' Spare Time submitted to the Governing Body at its Seventy-eighth Session (February 1937), and redistributed to members of the Governing Body at the present session, contains a list of persons whose nomination is proposed for membership of the Advisory Committee of Correspondents on Workers' Spare Time. It was pointed out in connection with that list that certain of the persons who had been consulted had informed the Office that they would accept their appointment if it was approved by the Governing Body.

Since the Seventy-eighth Session the Office has received further affirmative replies from the following persons:

(A) Representation of spare time organisations set up by the workers.

(a) Workers' education centres:
   - Mr. Lu Ching-Se (China);
   - Mr. Spencer Miller (United States of America);
   - Mr. Wray (Great Britain);
   - Mr. Nagauka (Japan);
   - Mr. Nordahl (Norway);
   - Mr. Brugmans (Netherlands);
   - Mr. De Bruijn (Netherlands);
   - Mr. Miresco (Rumania).

(c) Sport:
   - Mr. Thibaudéau (France).

(d) Housing and Allotments:
   - Mr. Blocher (Austria).

(e) Travel:
   - Mlle. Hugueny (France).

(B) Representation of Employers' Organisations.

- Mr. Gamo (Japan);
- Mr. Knob (Hungary).

(C) Representation of Official Organisations.

- Miss Hilda Smith (United States of America);
- Mr. Taku Iwahara (Japan).

¹ See appendices to the minutes of the Seventy-eighth Session, pages 167-171.
(D) **Representation of Organisations of a General Character.**

(a) **Broadcasting:**

Mr. Obi (Japan).

(f) **Youth hostels:**

Mr. Monroe Smith (United States of America).

(E) **Representation of Religious Movements.**

Dr. Best (Canada);
Mr. Tippy (United States of America);
Mr. Bouxom (France).

(F) **Miscellaneous.**

Miss Gorchs (Argentina);
Mr. Kemball Cook (Great Britain);
Mr. Renga (India);
Mr. Sumiya (Japan);
Mr. Smith (United States of America);
Mr. Bajkić (Yugoslavia).

Further suggestions as regards the composition of the Advisory Committee of Correspondents on Workers' Spare Time have also reached the Office. For **Great Britain** it is suggested that a Correspondent for Official Organisations might be Captain Ellis, Secretary of the National Advisory Council and Grants Committee for Physical Training and Recreation, and, for organisations of a general nature, Sir Lawrence Chubb, General Secretary of the National Playing Fields Association. For the **United States of America**, Mr. George D. Butler will be replaced by Mr. James B. Williams, of the National Recreation Association.
APPENDIX V.

FIFTH ITEM ON THE AGENDA.

REPORT OF THE OFFICE ON THE QUESTION OF COLLECTIVE AGREEMENTS.

In view of the heavy pressure of work involved by the Technical Tripartite Conference on the Textile Industry, as well as the preparatory work for the 1937 Session of the Conference, the Office has not been able to complete the preparation of the report on the question of collective agreements which was to have been submitted to the Governing Body at the Seventy-ninth Session. The Office hopes to be able to submit this report at a subsequent session.
SIXTH ITEM ON THE AGENDA.

REPORT OF THE OFFICE ON THE ENLARGEMENT OF THE JOINT MARITIME COMMISSION.

It will be remembered that at its Seventy-seventh Session (November 1936) the Governing Body was informed that when the question of the appointment of the shipowners' and seamen's members of the Joint Maritime Commission was laid before the two groups concerned at the Twenty-first (Maritime) Session of the Conference it became evident, as had already been seen from certain suggestions which had reached the Office and had been referred to in the Governing Body, that there was a strong desire that the composition of the Commission should be enlarged. It was felt that it was essential to take account of the entry of new Members into the Organisation during recent years and to give the Joint Maritime Commission a really representative character by calling upon the great maritime countries to participate in its work.

In order to bring about this increase the shipowners' and seamen's groups as they had previously done in 1926, nominated a greater number of regular members and deputy members than are provided for in the Standing Orders of the Commission, in the hope that the Governing Body would find it possible to enlarge the composition of the Commission. The list of the nominations made by the two groups is as follows:

**Regular Members.**

**Shipowners:**
- Mr. Snedden (British);
- Mr. Lee (United States of America);
- Mr. Furukawa (Japanese);
- Mr. Odfjell (Norwegian);
- Mr. Perosio (Italian);
- Mr. Marchegay (French);
- Mr. Valstar (Netherlands);
- Mr. Cosmetto (Greek);
- Mr. Deckers (Belgian).

**Seamen:**
- Mr. Bécu (Belgian);
- Mr. Dahl (Norwegian);
- Mr. Ehlers (French);
- Mr. Fimmen (Netherlands);
- Mr. Lundgren (Swedish);
- Mr. Rasmussen (Danish);
- Mr. Scharrenberg (United States of America);
- Mr. Spence (British);
- Mr. Yonekubo (Japanese).

**Deputy Members.**

**Shipowners:**
- Mr. MacCallum (Canadian);
- Mr. Maegaard (Danish);
- Mr. Filmer (Australian);
- Mr. Brulkar (Indian).

**Seamen:**
- Mr. Aftab Ali (Indian);
- Mr. Chao Pan-Fu (Chinese);
- Mr. MacDonald (Canadian);
- Mr. Marinelli (Argentine);
- Mr. Tudehope (Australian).
In order to give effect to the desires of the shipowners and seamen and to endorse the principle that the Joint Maritime Commission should include representatives from all the important maritime countries, the Governing Body, at its Seventy-seventh Session, approved the principle of the enlargement of the Commission and instructed the Office to submit a report on the manner in which this enlargement could be carried out and the effect which it would produce, particularly as regards the financial issues.

It is evident that the proposed increase will entail somewhat heavy expenditure, but in view of the desirability of providing a really representative Commission, the additional expense does not appear in any way excessive. It will be remembered that the Commission was most successful in dealing with the difficult problem of hours of work on board ship, and if it is to be in a position to perform useful work in the future it must be adequately composed.

Moreover the nominations which have been provisionally proposed by the two groups are further evidence of the desire to associate the extra-European countries more closely with the work of the Organisation. The Governing Body has already met the demands of those countries in other fields by increasing their representation, and it will doubtless also wish to do so in the Joint Maritime Commission.

For all these reasons it would appear desirable that the Governing Body should raise the number of regular members from seven to nine.

As regards the deputy members, the Standing Orders at present provide for two deputy members for each group, the travelling expenses and subsistence allowances of one deputy member from each group being paid by the International Labour Organisation. In view of the proposed increase in the number of regular members, the Office feels that there should be a corresponding increase in the number of deputy members whose expenses are borne by the Organisation, and it is accordingly proposed that in future the travelling expenses and subsistence allowances of two deputy members from each group, instead of one as at present, should be paid by the International Labour Organisation. Moreover, since a large number of the deputy members provisionally nominated by the respective groups are nationals of extra-European countries and their visits to Europe to attend meetings of the Commission will consequently be difficult to arrange, it would seem desirable to provide that each group should be entitled to appoint five deputy members, two of whom could be nominated by each group to attend the meetings of the Commission.

If the Governing Body approves those proposals, details of the expenditure involved will be submitted to the Finance Committee.

It will also be necessary for the Governing Body to appoint its own employers' and workers' representatives on the Joint Maritime Commission. The Chairman of the Governing Body is ex officio Chairman of the Commission. Those representatives are at present as follows:

**Employers' group:**

Mr. Olivetti.

Substitute: Mr. Lecocq.

**Workers' group:**

Mr. Hayday.

Substitute: Mr. Jouhaux.
SEVENTH 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.)

This question was adjourned by the Governing Body at its Seventy-eighth 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-eighth Session, pages 160-163.
EIGHTH ITEM ON THE AGENDA.

REPORT OF THE OFFICE ON THE ORGANISATION OF AN ADVISORY CONFERENCE OF ASIATIC COUNTRIES.

In accordance with the instructions given by the Governing Body at its Seventy-eighth Session the Office addressed a letter dated 10 March 1937 to the Governments of the Asiatic countries—Afghanistan, China, India, Iran, Iraq, Japan and Siam—asking for their views on the proposal concerning, on the one hand, the organisation of a Conference of Asiatic countries and, on the other hand, the setting up, within the framework of the Organisation, of a Committee composed of representatives of the Asiatic countries.

The Office has so far not received any reply to this communication. However, the representatives of the countries concerned who are members of the Governing Body will doubtless be in a position, when this item on the agenda is being considered, to furnish the Governing Body with information as to the attitude of their Governments as regards the proposals on which they were consulted.

SUPPLEMENTARY NOTE.

Since the time when the above note circulated to members of the Governing Body was drawn up, the Office has received two replies to the letter sent to the Governments of Asiatic countries concerning the organisation of an Advisory Tripartite Conference of Asiatic Countries. These replies, which are from the Governments of India and China, will be found below.

I.

Letter from the Secretary of State for India to the Director of the International Labour Office.

India Office, Whitehall, London.
30 April 1937.

Sir,

With reference to your letter No. D.600/1000/50/1 of the 10th March addressed to the Secretary to the Government of India, Department of Industries and Labour, I am directed by the Secretary of State for India to enclose a copy of a Memorandum which has been prepared by the Government of India regarding the proposals for an Asiatic Labour Conference and the setting up of a Committee of Asiatic countries.

I am, Sir,

Your obedient Servant,

(Signed) E. J. Turner.

MEMORANDUM.

The Government of India do not consider that a Conference of the type and for the purpose indicated would serve any useful purpose at the present juncture. Of the subjects, which it is desired to discuss, the third, viz. the proposal to set up a Committee, does not require consideration by a Conference of this kind. It can equally well be examined at Geneva and in fact the International Labour Office has separately invited opinions regarding the establishment of a Committee of Asiatic representatives.

2. This leaves two items on the agenda, viz. (1) the general survey of the participation of Asiatic countries in the work of the International Labour Organisation and (2) the social consequences of industrial development and of demographic conditions in Asia, with special reference to migration problems. A Conference is not a suitable method of dealing with the first of these. It is important to recognise that the Asiatic countries do not form a homogeneous group; the extent of their participation in the work of the Organisation varies enormously from country to country and the difficulties that stand in the way of more complete co-operation also differ from country to country. In consequence, a survey of the participation of any one country
in the work of the International Labour Organisation would have little bearing on a similar survey for other countries; and if such a survey is required it would be better undertaken by expert individual inquiries. The second item is, in the view of the Government of India, far too vague and general and a discussion will not be likely to result in concrete practical proposals. Here again, the important questions which arise are not common to the Asiatic countries as a whole and there has not been sufficient scientific study of the conditions to enable a Conference to reach any decisive general results. Nor can such a study suitably be undertaken by a Conference of the kind contemplated.

3. In the view of the Government of India a Conference of Asiatic countries or of any other group of countries, can only usefully be convened when there are concrete problems to be discussed which can be defined with precision and which are likely to lend themselves to practical solutions. A general Conference with vague or impracticable terms of reference would be likely to do more harm than good to the advancement of international labour ideals in Asia.

4. The proposal to set up a special Asiatic Committee, like that for an Asiatic Conference, has to be considered from the point of view of the evident needs and the results which are likely to be secured. The main need can be stated very briefly; it is that the Asiatic countries should be enabled to secure adequate consideration for their point of view in the counsels of the International Labour Organisation. In the Conference the fact that each State has the same voting strength produces anomalous results. The anomaly reappears, though in somewhat less degree, in the Governing Body. Europe, excluding Russia, which in population and area is about equivalent to India, by means of (a) its voting power, (b) the situation of the headquarters of the Organisation, (c) the composition of the staff of the Office, and (d) its more advanced social legislation, has a dominating voice. Agendas are chosen, proposals are framed and Conventions adopted mainly in the light of preferences expressed by European delegates, most of whom are familiar only with European conditions. In consequence any demand for conditions suited to Asiatic countries appears as a demand for exceptional treatment and this aspect is heightened by the fact that the Asiatic countries differ greatly from each other so that the same adaptations will not suit all or even a majority of them.

5. What appears to be required, therefore, is a committee which will be specially qualified for and specially charged with the examination of all proposals mooted at Geneva from the point of view of countries whose conditions differ substantially from European conditions. These will be mainly (though perhaps not exclusively) Asiatic countries. The principal stages at which this examination is required are (1) when the agenda of the Conference is under consideration and (2) when proposals for Conventions are placed before the Conference. It might be possible to entrust both these stages to one committee, but the Government of India are disposed to think that the former task would best be undertaken by a standing committee of the Governing Body and the latter by a Committee set up at the Conference. Whatever the precise form of the body or bodies set up, the machinery set up would serve two main purposes. In the first place it would examine the proposed agenda of a Conference and advise the Governing Body on the bearing of the items on Asiatic or other special countries. Thus it might be able to suggest modifications of particular items or the substitution of certain items with a view to ensuring that part at least of the deliberations of the Conference was devoted to questions of immediate practical importance in the countries concerned. In the second place, it would examine all proposals for Conventions, preferably at the second discussion stage, with a view to advising the committee concerned with the Convention regarding any adaptations that might be desirable to meet the special circumstances of the countries concerned.

6. If some such machinery is to be set up, it will be necessary to consider (a) whether its duties should be confined to Asiatic countries and (b) whether its personnel should be confined to representatives of Asiatic countries. It may be noted that membership of the Commission on Special Countries set up at Washington was not confined to representatives of the countries directly concerned in its deliberations.

II.

Letter from the Chinese Government representative on the Governing Body to the Director of the International Labour Office.

Geneva, 4 May 1937.

Sir,

With reference to your letter No. D.600/1000/50/1 of March 3rd., and under the instructions of my Government, I have the honour to inform you the following suggestions of my Government on the points raised in your letter with regard to the convocation of an Advisory Tripartite
Conference of Asiatic Countries and the organisation of a Committee of Asiatic Countries within the framework of the International Labour Office:

The Chinese Government is in favour of the proposal to hold an Advisory Tripartite Conference of Asiatic Countries. The place for the Conference could be selected by rotation among the Asiatic Countries. As regards the method by which the cost of organising the proposed Conference could be met, the Chinese Government suggests that the necessary funds could be derived from the budget of the International Labour Organisation and the contributions from the participating States in proportion to the contributions of the States concerned to the budget of the International Labour Organisation. The expenses of the national delegations would be borne by their respective Governments.

With regard to the organisation of a Committee of Asiatic Countries, the Chinese Government supports it in principle and is of opinion that it should be a tripartite committee composed of the representatives of all the Asiatic Countries.

I have the honour to be,

Sir,

Your obedient Servant,

(Signed) LI PING HENG,

Members of the Governing Body will remember that annual reports from the Governments concerned on the application of ratified Conventions are now called for for the period 1 October of one year to 30 September of the following year in respect of Conventions which had come into force before 1 July of the latter year. The annual reports, the summary of which will have to be submitted to the ordinary session of the Conference in 1938, will accordingly be for the year 1 October 1936 to 30 September 1937 or for a part of that period. As the following three Conventions came into force on the date indicated in each case, annual report forms for them will have to be despatched to the Governments as usual in the month of July in preparation for the Conference in 1938:

- Convention No. 34. Fee-Charging Employment Agencies. (Date of first coming into force: 18 October 1936.)
- Convention No. 41. Night Work (Women) (Revised). (Date of first coming into force: 22 November 1936.)
- Convention No. 45. Underground Work (Women). (Date of first coming into force: 30 May 1937.)

It may be recalled that under Article 22 of the Constitution, the annual reports have to be made by the Governments "in such form and shall contain such particulars as the Governing Body may request." As in previous cases therefore, it is for the Governing Body to indicate in the report forms the precise points upon which the Governments are required to communicate information to the Office.

The Office has accordingly prepared draft report forms for the three Conventions in question, which are herewith submitted to the Governing Body for approval.1

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1 It has not been thought necessary to reproduce these forms here, since they will appear in the Summary of annual reports on the application of Conventions communicated to the International Labour Conference.
APPENDIX X.

TENTH ITEM ON THE AGENDA.

REPORT OF THE OFFICE ON THE ORGANISATION OF A TECHNICAL TRIPARTITE MEETING ON THE REDUCTION OF HOURS OF WORK IN THE COAL INDUSTRY.

In a preliminary note on this item on the agenda it was pointed out that the Governing Body at its Seventy-eighth Session had instructed the Office to inform the Governments of the countries principally concerned that the Governing Body proposed to call a tripartite meeting concerning hours of work in coal mines in October 1937, and to ask for their observations. It had been understood that the Governments considered as being principally concerned would be those of the seven countries referred to in the Hours of Work (Coal Mines) Convention, namely: Belgium, Czechoslovakia, France, Germany, Great Britain, Netherlands and Poland, together with the Governments of the United States of America, Japan and the Union of Soviet Socialist Republics.

In accordance with this decision the Office on 10 March 1937 addressed a letter to those Governments requesting them to communicate, before the opening of the Seventy-ninth Session, their observations on the proposal to call a tripartite meeting on hours of work in coal mines in October next.

The replies of the Governments which have so far reached the Office are as follows:

**Letter from the Czechoslovak Government.**

Prague, 22 March 1937.

Sir,

With reference to your letter of 10 March 1937, N 9/7/1000, relative to the calling of a technical international conference on hours of work in mines, the Minister of Social Welfare has the honour to inform you that the Czechoslovak Government is ready to participate in the proposed conference.

I have the honour, etc.

For the Minister of Social Welfare:

(Signed) Dr. BRABLEC.

**Letter from the Belgian Government.**

Brussels, 6 April 1937.

Sir,

In your letter of 10 March last, No. N. 9/7/1000, you were good enough to inform me of the intention of the Governing Body of the International Labour Office to convene next October a technical tripartite conference with a view to arriving at an agreement in regard to hours of work in the coal mining industry. You also requested me to furnish you with any observations which the Belgian Government might desire to make in regard to the calling of the proposed conference.

I have the honour to state that the Belgian Government has no objection to the meeting of the proposed conference at which it is ready to be represented by a tripartite delegation, if the Governing Body formally decides during its next session to convene the conference.

I have the honour, etc.

The Minister,

(Signed) DELATTRE.

**Letter from the Netherlands Government.**

The Hague, 8 April 1937.

Sir,

In reply to your letter of 10 March 1937, N. 9/7/1000, I have the honour to furnish you with the following information.

In your letter of 25 January 1937, No. 9/7/1000, addressed to Miss G. J. Sternberg, Director at the Ministry of Social Affairs, you requested her to inform you as to the attitude of the Netherlands
Government in regard to the question of calling a technical tripartite conference on hours of work in the coal mining industry. Miss Sternberg replied in a letter dated 30 January 1937. In referring you to that letter, I have the honour to state that between 30 January and the present date, the attitude of the Netherlands Government on the question has not changed. For the reasons given in the letter of 30 January, referred to above, the Netherlands Government is still of opinion that a tripartite conference on the reduction of hours of work in coal mines would lead to no result and that consequently in its opinion such a conference should not be called.

I have the honour, etc.

The Minister of Social Affairs,
(Signed) Slingenberg.

Letter from the Polish Government.

Geneva, 27 April 1937.

The Polish Government representative on the Governing Body presents his compliments to the Director of the International Labour Office and has the honour to state in reply to the Director's letter of 10 March 1937, No. 9/7/1000, that the Polish Government, appreciating the importance of the question of hours of work in coal mines in the consideration of which Poland has contributed by participating in various international conferences on the question, considers it desirable to call a tripartite meeting on hours of work in coal mines in October next, provided that the participation in this conference of the principal coal-producing countries is assured.

Letter from the French Government.

Paris, 28 April 1937.

Sir,

In your letter, No. N. 9/7/1000, of 10 March 1937, you informed me that the Governing Body of the International Labour Office proposed to call in October 1937, a meeting consisting of representatives of Governments, employers and workers, in order to discuss the problem of hours of work in coal mines. You also requested me to furnish you with any observations which the French Government might wish to offer as regards the calling of the proposed tripartite meeting on hours of work in coal mines.

As you are aware the French Government representative at the Seventy-eighth Session of the Governing Body of the International Labour Office, in accordance with definite instructions which he had received, urged the Governing Body to decide to call such a tripartite conference.

I have the honour to inform you that the French Government adheres to the attitude previously adopted by its representative on the Governing Body and continues to attach the greatest importance to the meeting of the technical tripartite conference on the reduction of hours of work in mines. It is consequently anxious that this conference should be called at the earliest possible moment.

I have the honour, etc.

The Minister,
(Signed) J. Lebas.

It will be seen from the above correspondence that of the ten Governments to which the letter from the Office was addressed, four have stated that they are ready to participate in the proposed meeting, and that one Government is opposed to the meeting. Five Governments have not yet expressed any opinion. In the event of any further replies being received before the opening of the Seventy-ninth Session, they will be immediately communicated to the Governing Body.

On the basis of the information before it at the Seventy-ninth Session, the Governing Body will be called upon to take a definite decision as regards the organisation of a tripartite meeting on the reduction of hours of work in coal mines in October next.
APPENDIX XI.

ELEVENTH ITEM ON THE AGENDA.

REPORT OF THE OFFICE ON ECONOMIC QUESTIONS OF SPECIAL INTEREST TO THE INTERNATIONAL LABOUR ORGANISATION.

It will be remembered that one of the resolutions adopted at the Twentieth Session of the International Labour Conference dealt with the calling of economic conferences. When the Governing Body, at its Seventy-seventh Session (November 1936), discussed the effect to be given to this resolution, it instructed the Director to draw up a list of subjects which might be considered at a future economic conference, and submit it to the Governing Body at a subsequent session. At the Seventy-eighth Session it was decided that the report which the Office was to submit on this subject should also deal with the similar resolution concerning the calling of economic conferences adopted at the Twenty-first (Maritime) Session of the Conference.

In view of the very heavy programme of work with which the Office is at present engaged, it is suggested that the discussion of this question should be postponed to a later session of the Governing Body, preferably that to be held in the autumn of 1937.

In the meantime it may be pointed out that the interest of the Organisation in questions of a wider economic character has recently been given further recognition by the fact that the International Labour Organisation has been invited to be specially represented on the Committee on Raw Materials which has just been set up in accordance with a decision of the Council of the League of Nations. The Governing Body at its Seventy-eighth Session empowered its Officers to appoint an expert if an invitation were received. After consultation with the Officers of the Governing Body, Mr. Maurette has accordingly been appointed as the representative of the International Labour Organisation.

The first session of the Committee on Raw Materials was held from 8-12 March 1937. A brief summary of the discussion and decisions of this meeting will be included in the Director’s Report to the Seventy-ninth Session of the Governing Body.
APPENDIX XII.

TWELFTH ITEM ON THE AGENDA.

THE DIRECTOR'S REPORT.

The period which has elapsed since the last session of the Governing Body has been characterised by an important event in the life of the Organisation—the meeting of the Technical Tripartite Conference on the Textile Industry at Washington. A report on the work of that Conference will be drawn up, and its discussion constitutes a separate item on the agenda of the present session. The work of the Office since the last session of the Governing Body, apart from current work, has been mainly devoted to the preparation of the Washington Conference and the preparatory work for the forthcoming session of the International Labour Conference.

Obituary.

The Governing Body will learn with deep regret of the death of Sir Bhupendra Nath Mitra soon after his return to India. It is hardly necessary to recall his lovable personality or his eminent intellectual attainments, which will remain fresh in the minds of all his colleagues. In spite of his frail health, nobody has despatched his duties as member of the Governing Body with greater assiduity or brought to them a keener mind or a more fruitful experience. The Governing Body will no doubt wish to convey its deepest sympathy to the Government of India and to his relatives.

Composition of the Governing Body.

The Minister of Social Assistance of Poland informed the Office by a letter of 20 February 1937, that the Government of the Republic of Poland had appointed Dr. Tytus Komarnicki, Minister Plenipotentiary and Delegate of the Government of the Republic of Poland attached to the League of Nations, as its representative on the Governing Body.

The Minister of Labour of France communicated to the Office on 4 March 1937 a copy of the Decree by which Mr. Justin Godart, Senator and former Minister of Labour, was appointed as French Government delegate on the Governing Body in place of Mr. Charles Picquenard, who has retired from his position as Director of Labour. By the same Decree, Mr. Marcel Bernard, Councillor of State and Director of Labour in the Ministry of Labour, was appointed to act as substitute delegate for the French Government in place of Mr. Rémy Delaunay.

The Mexican Government informed the Office by letter of 13 March that it had appointed Mr. Isidro Fabela, Envoy Extraordinary and Minister Plenipotentiary, Permanent Delegate of Mexico to the League of Nations, to represent it on the Governing Body.

Internal Organisation.

As the Governing Body was informed at its Seventy-seventh Session (November 1936), Mr. Maurette has been appointed Director of the Paris Branch Office and Mr. Tixier, as Assistant Director of the Office in place of Mr. Maurette. Mr. Tixier officially entered on his new duties on 1 April 1937.

In accordance with the usual rule, Mr. Tixier will be called upon to make the declaration of loyalty to the International Labour Organisation which is required of the Director and the Assistant Directors of the Office when they take up their posts, before the Governing Body at its Seventy-ninth Session.

International Labour Legislation.

The following is the official information concerning the ratification of Conventions which has reached the Office since the Seventy-eighth Session of the Governing Body.
Ratifications registered.

<table>
<thead>
<tr>
<th>Country</th>
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<td>Irish Free State</td>
<td>Night Work (Bakeries) (No. 20)</td>
<td>1925</td>
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The number of ratifications registered is now 739.

Ratifications recommended.

The Belgian Government submitted to the Chamber of Representatives on 9 February 1937 Bills for the approval of the Minimum Wage-Fixing Machinery Convention, 1928 (No. 26), the Forced Labour Convention, 1930 (No. 20), the Night Work (Women) Convention (Revised), 1934 (No. 41) and the Underground Work (Women) Convention, 1935 (No. 45).

As a consequence of this ratification Sweden has denounced its ratification of the Workmen’s Compensation (Occupational Diseases) (Revised) Convention, 1934 (No. 42).

As a consequence of this ratification the Irish Free State has denounced its ratification of the Night Work (Women) Convention (Revised), 1934 (No. 41).

As a consequence of this ratification the Irish Free State has denounced its ratification of the Night Work (Bakeries) Convention, 1924 (No. 20).

In a proposal submitted to the Chamber of Representatives on 2 October 1936 the Finnish Government explained the reasons for which the ratification of the Night Work (Women) Convention (Revised), 1934 (No. 41), the Workmen’s Compensation (Occupational Diseases) Convention (Revised), 1934 (No. 42), the Sheet-Glass Works Convention, 1934 (No. 43) and the Unemployment Provision Convention, 1934 (No. 44) did not seem possible for the moment. In its reply on 21 December 1936 the Chamber requested the Government to consider the question of amending existing legislation so as to make possible the ratification of Conventions Nos. 41, 42 and 43. In the same reply the Chamber requested the Government to apply to as great an extent as possible the principles of Convention No. 44.

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As regards the Forty-Hour Week Convention, 1935 (No. 47), the Maintenance of Migrants’ Pension Rights Convention, 1935 (No. 48), and the Reduction of Hours of Work (Glass-Bottle Works) Convention, 1935 (No. 49), the Finnish Government expressed the opinion in its proposal of 12 March 1937 that ratification was not at present possible. The Chamber has not yet taken a decision upon this proposal.

The Hungarian Chamber of Deputies adopted on 16 February 1937 a Bill to give effect to the provisions of the Marking of the Weight (Packages Transported by Vessels) Convention, 1929 (No. 27). The Chamber of Deputies and the Upper Chamber had already adopted on 26 April and 18 May 1932 respectively a Bill for the ratification of the Convention.

In a letter of 24 February 1937 the Secretary of State for India communicated to the Office copies of two notifications published by the Department of Industries and Labour adding to the Workmen’s Compensation Act of 1923 some of the occupational diseases and employments covered by the Workmen’s Compensation (Occupational Diseases) Convention (Revised), 1934 (No. 42).

Under the first of these notifications the Governor-General in Council added to Schedule II of the Act persons employed in any occupation involving the handling and manipulation of radium or X-ray apparatus or contact with radio-active substances. The second notification announces that the Governor-General in Council has added to the list of occupational diseases and employments specified in Schedule III of the Act arsenical poisoning or its sequelae; pathological manifestations due to (a) radium and other radio-active substances, (b) X-rays; and primary epitheliotomatous cancer of the skin, together with the corresponding processes and employments.

The Legislative Assembly adopted on 26 January 1937 resolutions recommending the Governor-General in Council not to ratify the Maintenance of Migrants’ Pension Rights Convention, 1935 (No. 49) and the Holidays with Pay Convention, 1936 (No. 52).

In a report submitted to the Legislative Assembly on 25 January 1937 the Government of India stated that it did not propose to ratify the Recruiting of Indigenous Workers Convention, 1936 (No. 50) and the Reduction of Hours of Work (Public Works) Convention, 1936 (No. 51).

In the Netherlands, the Second Chamber of States-General adopted on 10 March 1937 a Bill to denounce the Night Work (Women) Convention, 1919 (No. 4), the ratification of which by the Netherlands was registered on 4 September 1922.

The denunciation which is proposed to Parliament is in consequence of the ratification by the Netherlands Government of the Night Work (Women) Convention (Revised), 1934 (No. 41) which was registered by the Secretariat of the League of Nations on 9 December 1935.

In a report submitted to the Storting on 12 March 1937 the Norwegian Government proposed the postponement of the ratification of the Reduction of Hours of Work (Public Works) Convention, 1936 (No. 51), the Holidays with Pay Convention, 1936 (No. 52), the Holidays with Pay (Sea) Convention, 1936 (No. 54), the Shipowners’ Liability (Sick and Injured Seamen) Convention, 1936 (No. 55), the Sicknes Insurance (Sea) Convention, 1936 (No. 56), and the Hours of Work and Manning (Sea) Convention, 1936 (No. 57).

In a letter of 2 February 1937 the Minister of Foreign Affairs of Siam informed the Secretary-General of the League of Nations that the decisions adopted by the Conference at its Twentieth (1936) Session had been referred to the competent authorities of His Majesty’s Government. The application at this juncture of these Conventions would, it was stated, under the labour conditions existing in Siam, fail to realise their full objective values and the competent authorities were not at present prepared in consequence to take any action in the matter.

The Swedish Government has consulted the Riksdag on the effect to be given to the decisions adopted by the Twentieth (1936) Session of the Conference. As regards the Recruiting of Indigenous Workers Convention, 1936 (No. 50), the Minister of Social Affairs stated that States Members of the Organisation should as far as possible support international collaboration on special questions by ratifying the Conventions adopted by the Conference. Since, however, the provisions of this Convention had no bearing on Swedish conditions the Minister was of opinion that Sweden should not ratify it.

On the subject of the Reduction of Hours of Work (Public Works) Convention, 1936 (No. 51), the Minister said that the general shortening of hours of work might be considered as in itself a desirable social aim which technical progress should be able gradually to achieve without lowering the general standard of living. He believed, however, that it was at present most urgent to regulate effectively the hours of those workers who had up to now been neglected in this respect, and quite apart from the views held on the general principle of shortening hours as a means of reducing unemployment, owing to the present point of view of unemployment policy and the financial disadvantage which might result to public works financed or subsidised by the State if hours of work were reduced, he felt unable to recommend ratification of the Convention.

With regard to the Holidays with Pay Convention, 1936 (No. 52), the Minister pointed out that the statutory regulation of holidays with pay was at present under investigation by a special committee of experts. Decision upon ratification should therefore be postponed until that
committee had reported and any measures taken in consequence of the report had been adopted. The Minister recalled that it was the Swedish Government which had originally brought the question before the Conference and that the Swedish Government delegates had voted in favour of the adoption of the Convention.

In a report dated 24 March 1937, the Swiss Federal Council proposed to the Federal Assembly that the Conventions adopted by the Twentieth (1936) Session of the Conference should not be ratified. The Recruiting of Indigenous Workers Convention, 1936 (No. 50) was of no practical interest to Switzerland. As regards the Reduction of Hours of Work (Public Works) Convention, 1936 (No. 51), the Federal Council reminded the Assembly that it had not thought it desirable to propose to it the ratification of the Forty-Hour Week Convention, 1935 (No. 47) or of the Reduction of Hours of Work (Glass-Bottle Works) Convention, 1935 (No. 49). Since Switzerland could not at present accept the principle laid down in the general Convention it could not give even indirect approval to it by ratifying the special Conventions such as that relating to public works. Moreover, that Convention as well as the Glass-Bottle Works Convention stated in its preamble that the principle laid down was attached to the condition that the standard of living of the workers should not be lowered. In consequence, the objections raised by the Federal Council against the ratification of the Glass-Bottle Works Convention held good to the same extent as against the ratification of the Reduction of Hours of Work (Public Works) Convention. The Federal Council considered, however, that in order to create the greatest possible number of opportunities of employment there should be a certain reduction of hours of work in public works but that these hours could not at present be reduced to the extent and in the manner for which the Convention provides. When provisions respecting hours of work in building had been issued the Federal Council would attempt so far as possible to take account of the principles underlying the international Convention.

The Federal Council pointed out as regards the Holidays with Pay Convention, 1936 (No. 52), that the right to holidays was regulated in Switzerland in the first place by special legislation for the officials, employees and workers of the public services of the Confederation, the cantons and the communes. For railway employees and other transport undertakings under concession from the Confederation holidays were regulated by the Federal Act of 6 March 1920. The cantons were competent to legislate on the subject of holidays in so far as that had not been done by the Confederation, but up to the present they had not made any great use of this power. In practice, holidays were granted to a large extent, even in undertakings which were not required to do so by law. As regards industrial workers, holidays had not however become the general custom to the extent required by the Convention. In particular young workers under 16 years of age were very rarely entitled to two weeks of holidays with pay. The Federal Act of 26 June 1930 respecting technical education required for apprentices only a minimum holiday of 6 working days in the year.

In the present situation, which is still somewhat unfavourable in numerous industrial and commercial spheres, the Federal Council was of opinion that it would be difficult to enact Federal legislation on holidays fulfilling the requirements of the Convention. It therefore did not think it possible to submit to the Federal Assembly a Bill the acceptance of which would make ratification possible.

At the beginning of 1937, at a conference between the principal employers' and workers' associations, the Federal Office of Industry, Arts and Crafts and Labour accepted recommendations concerning the making of a thorough enquiry into the holidays which are actually granted and the dispatch of a circular to employers recommending them to grant holidays so far as it was economically possible.

Conference.

Preparation of the Twenty-third Session.

The Office has been actively engaged in preparing reports on the various items on the agenda of the Conference. In some cases, however, the despatch of these reports to the Governments has been delayed owing to the fact that a large number of replies to the questionnaires did not reach the Office until long after the date for which they were asked. Several replies did not arrive until March. The blue report on Question VI (Partial Revision of the Minimum Age (Industry) Convention) was sent to Governments in the middle of February and the blue report on Question VII (Partial Revision of the Minimum Age (Non-Industrial) Employment Convention), was dispatched at the beginning of March. The grey-blue report on Question III (Planning of Public Works in relation to Employment) and the blue report on Question I (Safety Provisions for Workers in Building Construction), were dispatched respectively in the middle of March and at the beginning of April. The blue report on Question II (Reduction of Hours of Work in the Textile Industry) has been sent to Governments in the middle of April. The grey-blue reports on Question IV (Reduction of Hours of Work in the Printing and Kindred Trades) and Question V (Reduction of Hours of Work in the Chemical Industry) will be sent to Governments towards the end of April. The "grey" parts of these two latter reports were communicated on 25 March to members of the Governing Body so that the latter might send the Office any observations which they had to make on them.
In order to reduce to a minimum the inconvenience to the Governments resulting from the inevitable delay in the publication of the grey-blue reports on Questions IV and V, it has been thought desirable to send them the text of the proposed Draft Conventions which will be submitted to the Conference, with the accompanying comments, separately without waiting until the reports themselves were ready. A letter informing the Governments of these arrangements was sent out in the first week of April. The Director's Report to the Conference was circulated on 20 April.

Committees.

Committees which have met since the last session or the meeting of which has already been authorised.

Two Committees met at the Office in April. The Committee of Experts on the Application of Conventions met from 5-10 April, and the Committee on Workers' Nutrition on 9 and 10 April. The reports of these two Committees, which constitute separate items on the agenda of the present session, have been dispatched to members of the Governing Body.

The Governing Body will remember that at its Seventy-eighth Session (February 1937) it authorised the Office to call a certain number of other Committee meetings. The Advisory Committee on Professional Workers and the Advisory Committee on Management will meet simultaneously on 28 and 29 May. The Committee on Social Charges and the Committee on the Periodical Reports will meet on the afternoon of 31 May in connection with the Eightieth Session of the Governing Body.

In accordance with decisions previously taken by the Governing Body, the Second Regional Conference of representatives of Labour Inspection Services will meet in Vienna on 24 May.

The Correspondence Committee on Accident Prevention will meet at Geneva from 28-30 June. The Conference of Labour Statisticians, which the Governing Body decided to call at its last session will open on 27 September 1937 at Geneva, and the Committee of Statistical Experts will meet immediately after that Conference.

Composition of Committees.

Replacement of Mr. Picquenard on the Committees of which he was a member.—In consequence of the replacement of Mr. Picquenard by Mr. Justin Godart as French Government representative on the Governing Body, the Governing Body is asked to fill the seats occupied by Mr. Picquenard on the following Committees:

- Committee on Agricultural Work (Committee of the Governing Body).
- Permanent Agricultural Committee.
- Mixed Advisory Agricultural Committee.
- Preparatory Committee to co-ordinate the work of international organisations in connection with agricultural education.
- Mixed Committee on Inland Navigation.
- Technical Committee on Glass Works.

It may also be pointed out that in accordance with the system adopted by the Government group for its representation on Committees, a regular member's seat is reserved for the representative of the French Government on the following Committees:

- Finance Committee.
- Migration Committee.
- Committee on conditions of work in the iron and steel industry,

and a substitute member's seat in the Unemployment Committee.

Replacement of Mr. Villa Michel on the Committees of which he was a member.—As Mr. Villa Michel has ceased to represent the Mexican Government on the Governing Body, the Governing Body is requested to replace him on the Committees of which he was a member. The seats occupied by Mr. Villa Michel were the following:

As regular member:
- Advisory Committee on Management.

As substitute:
- Correspondence Committee on Industrial Hygiene.
- Committee of Experts on Native Labour.
- Advisory Committee on Professional Workers.
- Board of Administration of the International Office for Technical Education.

Committee of Experts on Native Labour.—Mr. Cayen (Belgian), who has for many years past been a member of the Committee of Experts on Native Labour and whom the Governing Body reappointed as a member of that Committee at its Seventy-eighth Session (February 1937), has informed the Office that in view of pressure of work he is obliged to resign his membership of the Committee.
Correspondence Committee on Women’s Work.—Miss Elizabeth Morissy, of the College of Notre-Dame of Maryland, Baltimore, has informed the Office that she has resigned from the Correspondence Committee on Women’s Work, on the ground that she is now no longer directly connected with the Catholic Conference on Industrial Problems or with the National Council of Women. The Governing Body is requested to appoint Miss Linna Bresette (United States of America), field secretary of the National Conference on Industrial Problems, a member of the Correspondence Committee in the place of Miss Morissy.

Correspondence Committee on Industrial Hygiene.—In accordance with a proposal received from the Japanese Government, it is suggested that the Governing Body should appoint Dr. Seiji Onishi, technician in the Bureau of Social Affairs at Tokyo, as a member of the Correspondence Committee on Industrial Hygiene.

It will be remembered that the Correspondence Committees on Industrial Hygiene has a Sub-Committee on Industrial Physiology consisting of a certain number of experts who are specialists on questions of industrial fatigue. In view of the considerable extension which has taken place in the studies of the Office on questions of industrial physiology, more particularly in connection with such problems as nutrition, light, moderate and heavy work, work in compressed air, etc., it is thought desirable to complete the composition of this Sub-Committee by appointing two additional members.

The two following experts seem particularly well qualified to assist the Office on these questions; they are moreover already members of the Committee of Experts on Workers’ Nutrition:

- Prof. Cathcart (British), Regius Professor of Chemical Physiology, University of Glasgow,
- Dr. Durig (Austrian), Institute of Physiology, University of Vienna.

It is suggested that the Governing Body should appoint these two experts as members of the Correspondence Committee on Industrial Hygiene, with a view to their forming part of the Sub-Committee on Industrial Physiology.

Advisory Committee on Professional Workers.—It will be remembered that the International Committee on Intellectual Co-operation has two regular members’ seats and one substitute’s seat on the Advisory Committee on Professional Workers. The two regular members’ seats had fallen vacant owing to the death of Mr. Destrée (Belgium) and the resignation of Mr. Krüss (Germany). The substitute’s seat was occupied by Mr. Ostertag (Switzerland). The International Committee on Intellectual Co-operation has informed the Office that it proposes to be represented on the Advisory Committee on Professional Workers as follows:

Regular members:
- Mr. Julien Cain, member of the Executive Committee of the Organisation of Intellectual Co-operation.
- Mr. Fritz Ostertag, Director of the International Union for the Protection of Literary and Artistic Property at Berne.

Substitute:
- Mr. L. Bersou, Barrister in the Court of Appeal, Secretary of the Belgian National Committee for Intellectual Co-operation.

The Governing Body is requested to approve these nominations.

Permanent Agricultural Committee.—The Governing Body will remember that when it set up the Permanent Agricultural Committee, it decided that a seat should be reserved for an expert on social agricultural questions in the United States of America. After having consulted the United States Government, the Director proposes that the Governing Body should appoint Dr. Lowry Nelson, Director of the Utah Agricultural Experiment Station, as a member of the Permanent Agricultural Committee.

The Governing Body will remember that one of the six seats to be allotted to representatives of agricultural workers’ organisations has not been filled. After having consulted the International Landworkers’ Federation, the Director suggests that the Governing Body should appoint Mr. F. Novasek, of the Czechoslovak Landworkers’ Federation.

Also in agreement with the said Federation, the Director suggests that the following persons should be appointed substitute members for the group of representatives of agricultural workers’ organisations on the Permanent Agricultural Committee:

- Mr. Andri Parsal, General Secretary of the French Agricultural Workers’ Union;
- Mr. J. Kwapisinski, President of the Polish Agricultural Workers’ Union;
- Mr. H. Sander, President of the Swedish Agricultural Workers’ Union;
- Mr. Josef Elensohn, horticulturist, of the Swiss Federation of Commercial, Transport and Food Workers.
Further, a seat was reserved for an expert of Brazilian nationality. After having consulted the Government of this country, the Office proposes that the Governing Body should appoint Mr. Evaresto Leitao, attached to the direction of the Association for the Organisation and Defence of Production.

Correspondence Committee on Accident Prevention.—It will be remembered that the Governing Body decided at its Forty-seventh Session (February 1930) that when members of the Correspondence Committee on Accident Prevention had ceased to exercise the official functions on account of which they were appointed, they might be appointed as honorary members of the Committee, so that it might not entirely lose the benefit of their collaboration. Mr. Alfred Tzaut, whose term of office as a member of the Committee expired on 4 April 1937, has ceased to be Director of the Swiss National Accident Insurance Fund. In view of the valuable contribution which Mr. Tzaut has for many years past made to the work of the Committee, the Governing Body will no doubt think it desirable to appoint him as an honorary member of the Correspondence Committee on Accident Prevention.

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 expired or will shortly expire.

<table>
<thead>
<tr>
<th>Committee on Accident Prevention:</th>
<th>Date of appointment</th>
<th>Date of expiry of term of office</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mr. Reninger (United States)</td>
<td>4-4-25</td>
<td>4-4-37</td>
</tr>
<tr>
<td>Mr. Schofle (Netherlands)</td>
<td>4-4-25</td>
<td>4-4-37</td>
</tr>
<tr>
<td>Mr. van de Weyer (Belgian)</td>
<td>4-4-25</td>
<td>4-4-37</td>
</tr>
<tr>
<td>Mr. Morley (Canadian)</td>
<td>18-5-25</td>
<td>18-5-37</td>
</tr>
</tbody>
</table>

Committee on Automatic Coupling:

| Mr. de Boysson (French)          | 28-4-34             | 28-4-37                         |

Advisory Committee on Salaried Employees:

| Mr. Spiekman (Netherlands)       | 28-4-34             | 28-4-37                         |

Correspondence Committee on Industrial Hygiene:

| Dr. Tovo (Italian)               | 4-4-25              | 4-4-37                          |
| Mr. Wilson (British)             | 4-4-25              | 4-4-37                          |
| Prof. Agasse-Lafont (French)     | 28-4-28             | 28-4-37                         |
| Dr. Bogo Koinuma (Japanese)      | 28-4-28             | 28-4-37                         |
| Dr. Loewy (Czechoslovak)         | 28-4-28             | 28-4-37                         |
| Prof. E. Martin (French)         | 28-4-28             | 28-4-37                         |
| Dr. Teruoka (Japanese)           | 28-4-28             | 28-4-37                         |
| Sir Thomas Oliver (British)      | 18-5-25             | 18-5-37                         |

Advisory Committee on Professional Workers:

Representative of the International Confederation of Intellectual Workers:

| Mr. Cornelissen (Netherlands)    | 1-2-35              | Sept. 1936                      |

Representative of Professional Workers of Extra-European Countries:

| Mr. Mayeda (Japanese)            | 28-4-34             | 28-4-37                         |

Relations and Various Activities.

Report of Mr. Maurette on his mission to Brazil.

At the Seventy-eighth Session, members of the Governing Body received the interesting report submitted by Mr. Maurette on his mission to Brazil in July 1936. After a preliminary discussion, it was agreed at the Seventy-eighth Session that the discussion on Mr. Maurette's report might be resumed at the present session. The Governing Body also authorised the Office to print the report, and it is hoped that it will be ready at the time when the Seventy-ninth Session opens.

1 Some Social Aspects of Present and Future Economic Developments in Brazil, by Fernand Maurette (Studies and Reports, Series B, No. 25).
Communications intended for the Governing Body.

Reduction of hours of work in the glass industry.

It will be remembered that at its Seventy-eighth Session the Governing Body discussed the report of the Technical Committee on Glass Works. That report contained a resolution in which the Committee asked the Governing Body to consider placing the question of the reduction of hours of work in the glass industry on the agenda of an early session of the Conference with a view to drawing up a Draft Convention applying to various branches or classes of workers in the glass industry not at present covered by international regulations on the reduction of hours of work.

Since that time the Office has received a letter from the International Federation of Christian Trade Unions of Factory and Transport Workers concerning the resolution of the Technical Committee on Glass Works. At the request of the organisation in question, the letter is communicated to the Governing Body below.

[Translation.]

Letter from the International Federation of Factory and Transport Workers’ Christian Trade Unions.

The Hague, 27 March, 1937.

Sir,

At the meeting of the Executive Committee of the International Federation, held at Antwerp on 3 March 1937, the members took note with particular interest of the work of the Technical Committee on Glass Works and the results of the meetings which the Committee held on 6 and 7 November 1936.

In this connection attention was called to the difficulties which arise in this industry in the different countries owing to the disparity between the hours worked in different factories and even in the same factory by different classes of workers.

It is obvious that this state of affairs has an influence on the economic situation of the industry in question. But it is none the less true that the social position of the workers is thereby unfavourably affected.

The Executive Committee was in unanimous agreement as to the necessity of dealing with that situation, and expressed the earnest hope that energetic action would be taken in the near future to regulate the conditions of work in the glass industry as a whole internationally, on the basis of the 40-hour week.

The meeting, whilst sincerely appreciating the regulations already adopted for automatic sheet-glass works and glass bottle works, was of opinion that, in view of the gravity of the situation, a solution of the whole problem must not be delayed.

The Secretariat of the International Federation was instructed by the Executive Committee to take the necessary steps to request that the Governing Body of the International Labour Office should without delay examine the question of the reduction of hours of work in the glass industry as a whole, in accordance with the resolution adopted by the Technical Committee on Glass Works on 7 November 1936, and decide to place it on the agenda of the 1938 Session of the Conference.

I am convinced that as the constant promoter of healthy social and economic organisation, you will agree that a continuation of the situation to which the Executive Committee calls attention is neither in the common interest nor in the special interests of the workers concerned.

I therefore venture to request you to bring the foregoing considerations to the notice of the Governing Body and to use your great influence to obtain a favourable solution at the earliest possible moment.

I have the honour to be, Sir, Your obedient Servant,

(Signed) Fred. BRUSSEL.

SUPPLEMENTARY REPORT OF THE DIRECTOR.

Internal Organisation.

The Governing Body will be glad to know that Mr. John G. Winant has agreed to resume his position as Assistant Director in the Office. The distinguished services which he has rendered in the interval to his own country as the first Chairman of the Social Security Board, and as representative of the United States Government at the 1936 Conference, and to the International Labour Organisation as Chairman of the Technical Tripartite Conference on the Textile Industry, make his return all the more welcome and will further enhance the authority with which he filled the position of Assistant Director.

Position of Paraguay.

Members of the Governing Body will remember that on 24 February 1935 the Government of Paraguay gave notice to the Secretary-General of the League of Nations of its intention to withdraw from the League of Nations. In accordance with paragraph 3 of Article 1 of the Covenant the
notice of its intention to withdraw should take effect after a period of two years, provided that “all its international obligations shall have been fulfilled at the time of its withdrawal.” It was thus on 24 February 1937 that the withdrawal of Paraguay should have become effective.

From the standpoint of the International Labour Organisation the withdrawal of Paraguay from the League of Nations raises the question of its membership of the Organisation. The Paraguayan Government has refrained from stating whether or not it intended to remain in the International Labour Organisation when it left the League of Nations.

It seems to the Office that in the first instance it is for the organs of the League of Nations to pronounce on the withdrawal of Paraguay. The Council of the League of Nations, which has not met since 24 February, is due to meet on 24 May 1937. It is probable that on that occasion it will consider the position of Paraguay as regards the League of Nations. If it decides that Paraguay has effectively ceased to be a Member of the League of Nations, it will be necessary for the Governing Body, on its part, to determine whether or not this State has retained its membership of the International Labour Organisation.

International Labour Legislation.

Since the Director's Report was circulated to members of the Governing Body, the following information on the ratification of Conventions has been received.

Ratifications authorised.

In Hungary the Upper Chamber adopted on 16 March 1937 a Bill to give the force of law to the Maintenance of Migrants’ Pension Rights Convention, 1935 (No. 48). This Bill had already been adopted by the Chamber of Deputies on 3 March 1937.

In Poland Acts for the ratification of the Workmen’s Compensation (Accidents) Convention, 1925 (No. 17) and the Workmen’s Compensation (Occupational Diseases) Convention, 1925 (No. 18), were promulgated on 31 March 1937.

Ratifications recommended.

In a letter of 10 April 1937 the Greek Minister of Labour informed the Office that the ratification of the Workmen’s Compensation (Accidents) Convention, 1925 (No. 17), and the Minimum Wage-Fixing Machinery Convention, 1928 (No. 26), had been recommended to the legislative authority; he also stated that his Government was considering the early ratification of the Minimum Age (Non-Industrial Employment) Convention, 1932 (No. 33), the Workmen’s Compensation (Occupational Diseases) Convention (Revised), 1934 (No. 42), and the Holidays with Pay Convention, 1936 (No. 52).

Other measures.

In a letter of 12 April 1937 the representative of the Chinese Government on the Governing Body of the International Labour Office informed the Office that the Legislative Council had decided on 5 March 1937 to postpone ratification of the Forced Labour Convention, 1930 (No. 29), on the ground that the Convention is incompatible with the conditions prevailing in China.

Relations and Various Activities.

Committee for the Study of the Problem of Raw Materials.

The Governing Body will remember that it was informed at its Seventy-eighth Session of the decision taken by the Council of the League of Nations to set up a Committee for the study of the problem of raw materials. The Council decided at the same time that the International Labour Organisation should be associated with the work of this body.

After consultation with the Officers of the Governing Body, Mr. Maurette was accordingly appointed to take part in the work of this Committee as the expert proposed by the International Labour Organisation.

The work of the Committee, the first session of which was held at Geneva from 8 to 12 March 1937, formed the subject of a preliminary report published in the documents of the League of Nations under the number C.182.M.128.1937.II.B. This publication is at the disposal of any members of the Governing Body who may wish to receive a copy.

Collaboration with the Health Organisation of the League of Nations.

At its last session the Governing Body recognised that collaboration with the Health Organisation of the League of Nations was extremely desirable, and instructed the Director to settle the methods of such collaboration in various spheres in agreement with the Secretary-General of the League of Nations and the Director of the Health Section. Members of the Governing Body will find below a brief account of the results of the conversations which have taken place in recent months.
I. **Studies on nutrition.**

Collaboration will be continued in accordance with the methods which have been laid down, more particularly through the Mixed Committee of Experts on Nutrition.

II. **Studies on urban and rural housing.**

1. The Health Section of the League of Nations intends to make a technical study of certain problems of urban and rural housing such as ventilation, heating, lighting, etc.

2. The Industrial Hygiene Service of the International Labour Office is regularly continuing its studies on health conditions in working premises, with the assistance of the Correspondence Committee on Industrial Hygiene. The Office considers questions of health conditions in working premises as falling within its exclusive competence. The Health Section of the League of Nations can at any time be represented at meetings of the Correspondence Committee on Industrial Hygiene of the International Labour Office. A member of the International Health Committee and the Director of the Health Section are members of the Correspondence Committee.

3. When the technical studies are completed, the Health Organisation will endeavour to draw up recommendations for a policy for the provision of cheap housing at moderate prices. At that stage the question of collaboration with the International Labour Office will be taken up again.

III. **Studies on physical education.**

1. The Committee on Physical Education of the Health Organisation of the League of Nations will be asked to discuss a report on the scientific bases of rational physical education.

2. The International Labour Office is requested to suggest to the Health Section the names of a certain number of doctors who collaborate with the institutions for physical education set up by the employers' and workers' organisations in certain countries, with a view to their being appointed to the Committee on Physical Education.

3. The Health Section of the League of Nations will follow the work of the Advisory Committee of Correspondents on Workers' Spare Time set up by the International Labour Office.

4. When the studies of the Health Organisation on the scientific bases of rational physical education have been completed and when the study of problems relating to the organisation of physical education is begun, the question of collaboration with the International Labour Office will be taken up again.

IV. **Studies on the proper utilisation of spare time.**

1. The International Labour Office will undertake the study of the two following questions with the assistance of the Advisory Committee of Correspondents on Workers' Spare Time:
   
   a. Methods of assisting workers in making use of their holidays with pay;
   
   b. Holiday camps for young workers.

2. In the study of these questions, as well as those which may be taken up later, it would be desirable to add to the Committee of the Office a certain number of doctors, who might be appointed by the Governing Body on the proposal of the Health Section of the League of Nations. The doctors in question should be qualified to deal with the medical questions arising out of the utilisation of spare time, and more particularly the satisfactory organisation of holidays with pay and holiday camps for young workers. They should, in principle, be selected on the ground of their special competence and their direct participation in public or private institutions which do important work in connection with the organisation of spare time.

3. The schemes for questionnaires which are to be drawn up by the International Labour Office for the organisation of two international consultations on the two questions mentioned in point 1 will be communicated to the Health Section of the League of Nations, and the latter will be asked to make suggestions from a medical point of view for the drafting of the final schemes.

V. **Rural Hygiene Conference for the East.**

The Health Organisation of the League of Nations is organising a Rural Hygiene Conference for the East, which will open at Bandoeng in August 1937.

The agenda of this conference will include the following subjects: medical and sanitary services—rural reconstruction, collaboration of the population—improvement of health conditions and sanitary engineering—nutrition—measures to prevent certain diseases in rural districts.

The International Labour Office is studying the possibility of being represented at this conference.

VI. **Rural Hygiene Conference for American countries.**

1. At its session of September 1936, the Assembly of the League of Nations, on the proposal of fifteen delegations, adopted a resolution proposing the holding of a Rural Hygiene Conference for American countries. The resolution requested the Council of the League of Nations to examine,
with the assistance of the competent technical organisations and of the International Labour Office, the possibility of holding the Conference at a date which will allow of its being adequately prepared.

(2) At its session of October 1936, the Bureau of the Health Committee stated that in its view the preparation of the conference should be entrusted to 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.

This suggestion was approved by the Council of the League of Nations at its session of January 1937. In view of the time which will be required for the preparation of a conference of this kind, the Health Committee does not consider that it can be called before the end of 1938.

(3) The Mexican Government has stated that it would be glad if the conference could meet in Mexico.

(4) In principle the International Labour Office is prepared to take part in this conference and be represented on the Preparatory Committee which will organise it.

VII. Second European Conference on Rural Life.

(1) At its session of October 1936, the Bureau of the Health Committee recommended the Council of the League of Nations to consider the expediency of calling a European Conference on Rural Life, and to ask the technical organisations of the League of Nations, the International Labour Office, the International Institute of Agriculture and the Institute of Intellectual Co-operation to assist in its preparation. The Council of the League of Nations, at its session of January 1937, approved the proposal of the Bureau of the Health Committee to call this conference, and instructed the Secretary-General to refer the question to the bodies mentioned above.

In expressing his agreement with this proposal at the meeting of the Council, the representative of Great Britain interpreted the relevant passage of the report of the Bureau of the Health Committee and its adoption by the Council "not so much as a final decision in favour of the convocation of the conference at the moment, but rather as the approval of a proposal that the views of the organisations interested should first be obtained as to the scope of the conference. In Mr. Eden's view, that point had some importance for the ultimate scope of the conference. In particular, he would suggest that the organisations in question might perhaps be consulted as to the advisability of a separate investigation of the different problems suggested for inclusion in the agenda of the conference, as opposed to their merely incidental examinations as part of the general enquiry".

(2) The International Labour Office agrees in principle to take part in the preparation of the conference and to send a representative to the Preparatory Committee which will be instructed to organise it if it is held.

(3) This Committee might take as the basis of its work the note approved at the fifth meeting of the Bureau of the Health Committee. The International Labour Office, however, considers that not all the problems mentioned in this note should be placed on the agenda, but that a choice should be made between them.

(4) The International Labour Office considers that problems relating to conditions of work should not be placed as such on the agenda of the conference, since labour questions fall within the exclusive competence of the International Labour Office. The Office would, however, agree that in the various reports to be prepared for the conference information should be given on conditions of labour which may influence the health of rural populations.

Conversations between the International Labour Office and the Secretariat of the League of Nations are being continued satisfactorily, and the Office hopes in the near future to be able to lay before the Governing Body definite proposals concerning the agenda of the proposed conference and the participation of the Office in its organisation. The conference would take place in 1939.

VIII. Maternal and infant welfare.

(1) The studies of the Health Organisation of the League of Nations on this subject are of direct concern to the International Labour Office. Legislation on protection of working women before and after childbirth, and compulsory or optional sickness insurance and maternity insurance are, in an increasing number of countries, playing an extremely important part in maternal and infant welfare.

(2) The Health Section of the League of Nations has declared its intention of continuing its scientific and statistical studies on the causes of maternal and infantile mortality and the medical and sanitary equipment, both preventive and curative, which is necessary for the protection of mothers and infants.

(3) The International Labour Office is prepared to make studies of maternity insurance and assistance dealing with national legislation, administrative organisation, financial organisation, cash benefits and medical benefits, etc.
When these two series of preparatory studies have been completed, probably in 1939, the Mixed Committee, consisting of experts, half of whom are selected by the Health Organisation and half by the Office, might be asked to draw up the main lines of a programme for the protection of mothers and infants.

It is hoped that the Governing Body will feel able to approve the agreements described above for collaboration between the International Labour Office and the Health Organisation of the League of Nations.

Communication intended for the Governing Body.

Reduction of hours of work in the electro-metallurgical industry.

The following letter addressed to the Governing Body has been received from the Union of Workers in the Chemical Industry of Norway:

Oslo, March 17th 1937.

To the Governing Body of the International Labour Office, Geneva.

Reduction of hours of work in the electro-metallurgical industry.

With reference to the principal Convention on the 40-hour week, adopted by the 19th Session of the International Labour Conference, Geneva, 1935, wherein was stated that:

"The Conference will proceed at the present and subsequent Sessions to the consideration of a series of Draft Conventions for the progressive application of this principle to the whole field of employment having regard to the special circumstances of particular groups of establishments or classes of workers",

and with reference to the discussion of the Preparatory Technical Tripartite Meeting at Geneva, December 1936, concerning the delimitation of the Chemical Industry, the undersigned organisation takes the liberty of appealing to the most honoured Governing Body of the International Labour Office during the preparations for dealing with this matter at the 21st Session of the International Labour Office, Geneva, June 1937, to take into consideration the following facts, as they present themselves against the background of circumstances in this country.

Article 1.

The method of production in the electro-metallurgical industry comprises a series of chemical processes, and during the production many articles of a purely chemical character are produced, which creates an insolvable connection between the electro-metallurgical and the chemical industries, theoretically as well as practically.

(a) In the production of metals several chemical processes are applied.

By way of example we mention roasting of zinc and nickel ore, to remove the content of sulphur, and purification of zinc and nickel after their having been produced by electrolysis or by liquation, the said purification being carried out chemically.

(b) As by-products are manufactured chemical products, e.g. Sulphuric Acid.

In this connection we refer especially to the pronouncements at the Preparatory Technical Tripartite Meeting by Professor Kreps, U.S.A., concerning the depression period for the Copper industry, during which some undertakings were kept going exclusively because of the advantageous price of the former by-product, Sulphuric Acid. As to the question "Main-products and by-products" it remains to be said that the electro-metallurgical industry presents many points of resemblance to the gas industry, wherefore we refer to pronouncements concerning this latter industry at the Preparatory Conference.

(c) Several of the larger plants in the electro-metallurgical industry carry on a parallel production of electro-metallurgical and electro-chemical products. Especially we want to draw attention to the close technical and practical connection between production of Calcium Carbide and Ferro Silicon, that is: one electrochemical and one electro-metallurgical product.

The technical experiences from the construction of the Carbide furnace have been exploited in the Ferro-alloys industry. This led to an alteration of production from Calcium Carbide to Ferro-alloys when the breakdown of the Carbide market happened soon after the Great War.
Thus in 1916 Union Carbon and Carbide Corporation started construction of a great Calcium Carbide factory in Norway, but long before completion, the reaction set in and production was altered to comprise Ferro-alloys, especially Ferro-Manganese (Capacity 70,000 tons). Some of the older Calcium Carbide works also started production of Ferro-alloys in addition to the production of Calcium Carbide and there exist at present in this country three factories with about 500 workers, which carry on a parallel production of Calcium Carbide and Ferro-alloys. A differentiation of the working hours of these workers would be most unreasonable. They carry out practically identical working processes for the same employer, with the same wages and the same working conditions, stipulated in the same Collective Agreement and they are organised according to the principle of industrial Unions in one and the same Trade Union.

Further on we have one concern which produces Silicon Carbide (Carborundum), Durabite, etc., which is classified in the Norwegian Statistics of Production as an electro-metallurgical concern. As the production, however, comprises Calcium Carbide, there would eventually arise a difference of opinion as to whether this is electro-metallurgical industry or electrochemical.

Lastly we have one group of concerns which produce a series of products, viz. electrode-mass as an additional product to Ferro-alloys or to Aluminium. Electrode-mass is produced from anthracite tar, pitch, etc., and thus belongs to the chemical industry.

The largest aluminium factory in this country produces Alumina ($\text{Al}_2\text{O}_3$) from clay soil poor in alumina after a Norwegian method of production, and also produces Aluminium (Al) and electrode-mass, which means that three different products are manufactured, two of which are recognised as electrochemical or chemical, whereas the third is electro-metallurgical.

The difficulties that would arise for these concerns here mentioned and their workers if a reduction of hours of work is not carried through also for the electro-metallurgical industry, cannot be presented in detail here, but we feel absolutely convinced that such a limitation would aggravate instead of ameliorate conditions for their workers. A reduction of hours of work for part of these workers, viz. the workers employed in electrochemical industry or with chemical processes, would be no less than infeasible in practice because of wages, working conditions and organisatoric circumstances, and such a proposal would involve serious danger that an eventual International Convention limited to the Chemical Industry alone, could not be ratified by this country.

(d) All electro-metallurgical production works continuously, and to change working from three shifts to four, is connected with no technical difficulties. The work itself also requires no special experts as workers, apart from what can be learnt by practice in a short time, so an ample supply of workers may always be counted upon. This industry is well prepared for shorter working hours technically as well as practically.

(e) The electro-metallurgical industry and its method of production is considered most pernicious to health, which has led to a constant fight from the workers' side to abolish or greatly limit the use of noxious chemical products, e.g. Fluorine, and to get recognised as professional illness all illnesses caused by new chemical material added in the process of production, especially in the zinc and aluminium industries.

In this respect there is no difference whatever between the electrochemical and the electro-metallurgical industries, and consideration for the health and well-being of the workers should highly recommend a reduction of hours of work for both industries.

We feel justified to point out that as far as production and method of production is concerned there exists a series of conclusive points of resemblance between the electrochemical and electro-metallurgical industries. This is clearly evident from the important part which is played by chemical processes during the very development of production as well as from the collaboration and parallel production which are carried out to a so great extent as has been proved above.

In our opinion it would therefore be an illogicality to work for practical reforms of any sort in one industry with the exclusion of the other one, whether the electrochemical or the electro-metallurgical industries be considered first.

Article 2.

The electro-metallurgical industry plays a relatively more important part in Norway than in any other European country, represented at the International Labour Conference, and also absolutely Norway takes a prominent part in the world production of these manufactures.
According to official Statistics of Production the Norwegian electro-metallurgical industry employed in 1935 averagely 4,366 workers, or 3.57% of the total number of workers employed in industrial production. At the end of 1936 the number of workers may be estimated at about 6,000 owing to the high state of the market.

In 1935 production of Aluminium and Zinc amounted to:

<table>
<thead>
<tr>
<th>Country</th>
<th>Aluminium</th>
<th>Zinc</th>
</tr>
</thead>
<tbody>
<tr>
<td>Germany</td>
<td>63,000</td>
<td>124,000</td>
</tr>
<tr>
<td>United States</td>
<td>54,000</td>
<td>391,000</td>
</tr>
<tr>
<td>Soviet-Union</td>
<td>25,000</td>
<td>46,000</td>
</tr>
<tr>
<td>France</td>
<td>22,000</td>
<td>52,000</td>
</tr>
<tr>
<td>Canada</td>
<td>21,000</td>
<td>145,000</td>
</tr>
<tr>
<td>Switzerland</td>
<td>10,000</td>
<td></td>
</tr>
<tr>
<td>Great Britain</td>
<td>16,000</td>
<td>60,000</td>
</tr>
<tr>
<td>Norway</td>
<td>15,000</td>
<td>45,000</td>
</tr>
<tr>
<td>Belgium</td>
<td>—</td>
<td>184,000</td>
</tr>
<tr>
<td>Poland</td>
<td>—</td>
<td>85,000</td>
</tr>
<tr>
<td>Australia</td>
<td>—</td>
<td>69,000</td>
</tr>
</tbody>
</table>

Norwegian capacity is about 40,000 tons Aluminium and 45,000 tons Zinc. Production of Nickel is dominated by Canada and Norway.

**Article 3.**

In Norway the electro-metallurgical industry is organisatorically closely connected with the electrochemical industry, especially with production of Calcium Carbide.

Out of the total number of 29 electro-metallurgical plants in this country, all, with the exception of three, are joint members of one Employers' Organisation, by name of Electrochemical Employers' Association.

Members of this Association are amongst others:

- 5 Aluminium factories (Alumina, Electrode-mass);
- 1 Zinc Refinery (by-product Sulphuric Acid);
- 1 Nickel Refinery (by-product Sulphuric Acid);
- 1 Tin Factory;
- 6 Ferro-alloys concerns;
- 3 Factories for production of Calcium Carbide and Ferro-alloys;
- 2 Calcium Carbide factories.

This Employers' Association is the only one in our Chemical Industry which partakes in a Collective Agreement with the workers' organisation. This Collective Agreement thus includes both electrochemical and electro-metallurgical undertakings in complete equality so far as working hours, working conditions and wages are concerned.

The same equality has been established in the workers' organisations. Out of the total membership in our Union, National Union of Chemical Workers, 18,000, no less than 24.2% belong to the electro-metallurgical industry, 15.3% belong to the electrochemical industry and 11% belong to other branches of the chemical industry. Electrochemical industry in the Norwegian usage only concerns the Nitrogen industry.

As will be seen, the electro-metallurgical industry forms the biggest single group within the Chemical Workers' organisation.

**Article 4.**

The electro-metallurgical industry is more than any other industry of an international character.

(a) The capitalisation of this industry is completely international; it is dominated by a small number of International Industrial Concerns. By way of example we mention: The Norwegian Aluminium industry is the property of American, French and English capital, chiefly Aluminium Company of America. The Ferro-alloys belongs to American and English capital, chiefly Union Carbon and Carbide Corporation. The Nickel Refinery belongs to American-Canadian capital and the Zinc Refinery chiefly to French capital.

(b) This industry is subject to exceptionally strong restrictions from the capitalists' side aiming at regulation of competition, price agreements, market regulations, quotas of production, etc. The best example here is the Aluminium trust. For these reasons the element of competition is virtually eliminated from all branches of the electro-metallurgical industry. Consideration of this matter therefore constitutes no hindrance to an international reduction of hours of work and equally, consideration of the economy of these concerns presents no difficulty as their economic...
status has been very sound, even through the latest period of depression, the detrimental consequences of which were shifted on to the workers through shorter working hours, discontinuation of output and reduction of wages.

Article 5.

In an International regulation the electro-metallurgical industry is naturally bound up with the electrochemical industry.

In the "Series of Draft Conventions" announced by the 19th Session of the International Labour Conference in 1935 on regulation of hours of work in different branches of industry, the electro-metallurgical industry has not once been made reference to.

Two branches of industry have been taken into consideration where the electro-metallurgical industry might have made an appearance, viz. Mining Industry and Iron and Steel Industry. Metal production constitutes a further treatment of gained ore, and the Ferro-alloys industry has close connection with the Iron and Steel industry, both as regards its content of iron and the ultimate use of its products. But the International Labour Organisation confined Mining Industry to Coal Mining and in the Iron and Steel industry discussion not even the slightest reference to the Ferro-alloys or the Non-ferrous metals was made.

A logical consequence of this procedure seems to be that the Chemical industry forms the group where the electro-metallurgical industry can be most adequately placed, and the whole sequence of the International consideration of the hours of work question seems to point to the solution that the two industries must be combined and jointly considered, as any other way of classification will be difficult to find and to defend.

That the Governing Body of the International Labour Organisation should adopt a line of procedure aiming at making the electro-metallurgical industry the subject of a special Draft Convention after the consideration of the main industries is ended, we can only with difficulty realise. Circumstances of work and production as well as of a technical and economic nature make this industry unusually well prepared for an International Convention on regulation of hours of work, and it would be very much to regret if this industry should lose its opportunity of being considered at this year's Session of the International Labour Conference.

It is evident from the discussion at the Preparatory Technical Conference that representatives from leading countries in the electro-metallurgical industry such as U.S.A., France and Belgium supported and shared the point of view of which we have constituted ourselves spokesmen with our present application, and it should then be of minor importance that representatives from Great Britain and Ireland advocated exclusion of the electro-metallurgical industry, as production of Aluminium in Great Britain is very limited and even its production of Zinc and Ferro-alloys does not much surpass Norwegian production, so it can be stated that as a whole the electro-metallurgical industry is of a relatively small significance there, compared with other industries in that country.

Referring to the above-mentioned points we beg to direct an urgent appeal to the Governing Body of the International Labour Office to occasion that the delimitation of the Chemical Industry be extended to comprise also the electro-metallurgical industry.

The best way of carrying this out in practice would be to add to the list considered by the Preparatory Technical Tripartite Meeting, after the word Aluminium: "Nickel, Zinc, Copper, Tin, Ferro-alloys and other alloys of metals."

We further take the liberty of asking that this communication might as much as possible come to the knowledge of all representatives at the Conference, and beg that it is also placed before the Committee which will be appointed to deal with this matter, as an addition to its official and other documents.

We beg to remain,

Yours most respectfully,

Norsk Kjemisk

Industriarbeiderforbund.

(Signed) Nic. Naess.
THIRTEENTH ITEM ON THE AGENDA.

DATE AND PLACE OF THE NEXT SESSION.

It will be remembered that the Governing Body has already, at its Seventy-eighth Session, fixed the date of the Eightieth Session, which will take place immediately before the opening of the International Labour Conference on 3 June. In accordance with this decision, the Eightieth Session of the Governing Body will open at Geneva on Tuesday, 1 June 1937. The Advisory Committee on Professional Workers and the Advisory Committee on Management will meet simultaneously on 28 and 29 May. The morning of Monday, 31 May, will be reserved for meetings of the groups of the Governing Body, while the Committee on Social Charges and the Committee on Periodical Reports will meet in the afternoon.
FOURTEENTH ITEM ON THE AGENDA.

REPORT OF THE COMMITTEE OF EXPERTS ON THE APPLICATION OF CONVENTIONS 
(Article 22 of the Constitution).

As this Report has been printed as an appendix to the summary of annual reports under Article 22 of the Constitution, and will be submitted to the International Labour Conference at its Twenty-third Session, it has not been thought necessary to reproduce it here.
APPENDIX XV.

FIFTEENTH ITEM ON THE AGENDA.

REPORT ON THE WORK
OF THE TECHNICAL TRIPARTITE CONFERENCE ON THE TEXTILE INDUSTRY
(Washington, April 1937).

The Technical Tripartite Conference on the Textile Industry, which was convened by the Governing Body at Washington in accordance with a suggestion made by the President of the United States of America, met from 2 to 17 April 1937 in the Government Auditorium at Washington. The secretariat of the Conference and some of the Committees worked in the offices of the Department of Labor, which, as well as the Government Auditorium, the Government of the United States kindly placed at the disposal of the Conference.

The number of countries represented was 27; this included the great majority of countries in which the textile industry plays an important part in economic life.

Of these 27 countries, 15 sent complete delegations including representatives of the Government, employers and workers. These 15 countries were as follows: Belgium, British Empire, Canada, China, Cuba, Czechoslovakia, Ecuador, France, India, Japan, Mexico, Netherlands, Poland, Sweden, United States of America. Eight countries sent delegations consisting of Government representatives only. These countries were as follows: Brazil, Finland, Greece, Guatemala, Latvia, Peru, Uruguay, Yugoslavia. Four countries, including one State which is not a Member of the International Labour Organisation, namely Germany, only sent observers to the Conference. The other countries in question besides Germany were Rumania, Turkey and the Union of Soviet Socialist Republics.

A special delegation of the Governing Body took part in the work of the Conference. It was composed as follows:

Government representatives:
Mr. J. Nečas, Chairman of the Governing Body (Czechoslovakia);
Mr. C. Goodrich (United States of America);
Mr. C. A. Pardo (Argentine Republic).

Employers' representatives:
Mr. H. C. Oersted, Vice-Chairman of the Governing Body (Denmark);
Mr. Henry I. Harriman, substitute for Mr. H. S. Dennison (United States of America);
Mr. C. Tzaut (Switzerland);
Substitute: Mr. J. Lecocq (Belgium).

Workers' representatives:
Mr. C. Mertens, Vice-Chairman of the Governing Body (Belgium);
Mr. W. Green (United States of America);
Mr. E. Kupers (Netherlands).

The total number of persons accredited to the Conference was 209. A list of the delegations is given as an appendix to the present note.¹

The Conference appointed as its President the Government delegate of the United States of America, Mr. John G. Winant, former Governor of New Hampshire, former President of the Social Security Board.

It appointed the following Vice-Presidents:

Government group:
Mr. Kitaoka (Japan).

Employers' group:
Mr. Oersted, member of the Governing Body of the International Labour Office.

Workers' group:
Mr. Arthur Shaw (British Empire).

¹ As the list of the delegations appears in the printed record of the work of the Conference on the textile industry, it has not been thought necessary to reproduce it here.
The Conference held fourteen plenary sittings.
It began its work by a general discussion of the problems before it.

The Conference appointed a Selection Committee which, in accordance with the practice followed at the sessions of the International Labour Conference, determined the order of work of the Conference. In addition, in accordance with the Standing Orders adopted by the Conference, it examined the credentials of the members of the delegations. The Chairman of this Committee was Sir Firoz Khan Noon, Government delegate of India.

The Conference decided to set up a Committee on Statistics of 18 members to discuss questions relating to the compilation and utilisation of statistics concerning the textile industry. The Chairman of this Committee was Mr. Carter Goodrich, member of the Governing Body of the International Labour Office. It appointed as its Reporter Mr. E. C. Ramsbottom, British Government adviser. This Committee in turn set up a Sub-Committee on Economic Statistics, the Chairman of which was Mr. Carter Goodrich and the Reporter Mr. W. Ellison Chalmers, Government adviser of the United States of America. The Committee on Statistics submitted a report to the Conference to which was attached a report of the Sub-Committee on Economic Statistics.

A copy of the reports as approved by the Conference will be found herewith.1

For the discussion of the economic and social aspects of problems concerning the textile industry, the Conference decided to sit as a General Committee consisting of all the delegates of the States represented (who might be replaced by one of their advisers) as well as the observers.

The Chairman of the General Committee was Mr. John G. Winant, President of the Conference. The Committee appointed as Reporters Dr. J. Wisselink, Government delegate of the Netherlands, for economic questions, and Mr. C. Picquenard, Government delegate of France, for social questions. In each case the Reporter was assisted by a representative of the employers and a representative of the workers who, together with the Reporter, constituted a Drafting Committee which revised each report before it was submitted to the General Committee.

The report of the General Committee on economic questions and the report of the General Committee on social questions as approved by the Conference will be found herewith.1

It would hardly appear possible for the Governing Body to discuss the results of the Washington Conference at its Seventy-ninth Session. The conclusions which the Conference reached, as expressed in the reports which it adopted, call for action on which the Governing Body could not take a decision without careful consideration. For the moment, therefore, the reports of the Conference are communicated to the Governing Body for information. At its October Session the Governing Body could undertake a more detailed examination of the conclusions of the Conference and consider what effect can be given to them. The Office expects to be able to submit definite suggestions to the Governing Body in this connection after a careful study of the reports.

Apart, however, from those points which may require decisions on the part of the Governing Body, the conclusions reached by the Washington Conference present special interest for the Twenty-third Session of the Conference, the agenda of which includes a question concerning the textile industry. It is therefore essential that the Conference should have at its disposal the valuable indications, representing the authorised views of the parties concerned, which are to be found in the reports of the Washington Conference in the great problems with which the textile industry is at present concerned. The Governing Body is therefore requested to authorise the Office to have the reports adopted by the Washington Conference printed and communicated to the Conference for information. In order to show clearly the weight which attaches to the conclusions adopted, it would be desirable to append a list of the delegations of which the Conference consisted. In this way the necessary co-ordination can be ensured between these two international Conferences, both of which had to consider, on somewhat different lines and in differing capacities, various but undoubtedly connected aspects of problems affecting an industry of essential importance, the position of which more especially at the present moment, is of concern to the whole world.

The Conference on the Textile Industry represented a new departure in the life of the Organisation. It was the first time that a tripartite meeting convened by the Governing Body had been asked to discuss the situation of a great industry as a whole, both from the economic and the social points of view. The delegates and advisers, unlike those at the annual sessions of the International Labour Conference, were for the most part persons who had up to the present had little or no contact with the Organisation. They were unused to the traditional methods of procedure and had not previously taken part in an international conference of such wide scope. In view of

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1 The reports are not reproduced here, as they will be printed separately. (Technical Tripartite Conference on the textile industry. Record of Proceedings, First part, pp. 28, 44 and 59.)
these facts it might have been wondered whether the results of such an experiment would be satisfactory and would make a useful contribution to the general work of the Organisation.

It can at once be said that the results achieved have fully justified the hopes placed by the most optimistic in the holding of the Conference.

From the point of view of participation, the Washington Conference was completely successful. Nearly half the Members of the Organisation were represented at the Conference, although its objects were necessarily limited, since it was held solely in order to discuss the position of a particular industry, and that industry, in spite of its world-wide character, is only of direct concern to a comparatively limited number of countries. The fact that the Conference was held in a country which is distant from most of the States represented might have led to the expectation that not many States would participate. It is encouraging to note that the number of persons accredited to the Conference was 209, a figure quite equal to half the average number of persons accredited to the annual sessions of the Conference, which have to deal with and often take final decisions on a considerable number of questions affecting a variety of industries. Fifteen States sent delegations including Government, employers’ and workers’ representatives. It will thus be seen that the Conference was very fully representative of the world textile industry as a whole. It should be noted that one State which is not a Member of the Organisation, namely Germany, was represented by an observer.

Apart from the number of those present, the quality of the representation of the States concerned did much to confer a fully authoritative and technical character on the discussions of the Conference. Both in the plenary sessions and the General Committee, as well in the Statistical Committee, highly qualified experts expressed authoritative views on the various problems which affect the textile industry.

Special stress may be laid on the interest which the work of the Conference aroused in the country where it met. The United States occupies a front-rank position in the world textile industry, both from the point of view of the production of raw material and that of the manufacture of textile goods. It was therefore to be expected that the United States delegation would be numerous and would consist of elements genuinely representative of the various branches of the textile industry. Even apart, however, from the valuable contribution which the United States delegation made at every stage of the discussions of the Conference, it may safely be said that the work of the Conference met with a warm welcome and aroused steady interest both on the part of the Government of the United States and on that of the general public. The fact that the President of the United States, Mr. Franklin Roosevelt, sent the Conference, at its first sitting, a message of welcome and good wishes for its complete success, and that Miss Frances Perkins, Secretary of Labor, Mr. D. C. Roper, Secretary of Commerce, Mr. Cordell Hull, Secretary of State, Mr. H. A. Wallace, Secretary of Agriculture, and Mr. E. F. MacGrady, Under-Secretary of Labor, all spoke at the Conference and explained from different points of view the attitude of the United States Government towards the problems discussed, shows the importance which the Government of the great Republic of North America attached to the work of the Conference. Besides this, the President of the United States and Mrs. Franklin Roosevelt gave a reception at the White House in honour of the members of the Conference, and President Franklin Roosevelt wished success to the Conference in an address full of the vigour and charm which are characteristic of that eminent statesman.

It is not less significant that the United States Congress voted two exceptional appropriations intended to facilitate the financial organisation of the Conference: a credit of ten thousand dollars to meet part of the expenses falling on the International Labour Office, and one of five thousand dollars to meet the cost of the material equipment of the offices and the staff engaged by the Department of Labor in order to ensure that the Conference could be held under fully satisfactory conditions.

The Governing Body is requested to authorise the Office to accept this sum of ten thousand dollars, which will considerably relieve the charge on various chapters of the Office budget. The Governing Body will undoubtedly wish to express its gratitude to the Government and Congress of the United States for this generous action.

It should be added that the Department of Labor, of which Miss Frances Perkins is head, gave invaluable assistance in the organisation of the Conference. Among the officials of the Department of Labor whose contribution to the organisation of the Conference was particularly valuable, mention may be made of Mr. I. Lubin, Commissioner of Labor Statistics, who is already known to members of the Governing Body since he has several times represented the Government of the United States on it.

The Conference sat under extremely satisfactory conditions in the Government Auditorium, which was specially arranged to meet its requirements. The discussions were greatly facilitated by the fact that telephonic interpretation could be used, thanks to the courtesy of the International Business Machines Corporation, which kindly placed all the necessary apparatus at the disposal of the Conference, the Department of Labor undertaking the cost of installing it.

Owing to the wide publicity given to the work of the Conference both by the United States press and the broadcasting companies, the work which was done at Washington was followed day by day by a large public. This publicity did much to make the objects and methods of the International Labour Organisation better known in the United States.
The work of the Conference was necessarily a preparatory approach making it possible to circumscribe and define the various economic and social problems which arise in connection with the present general position of the textile industry. The Washington Conference has amply cleared the ground, thanks to the spirit of comprehension shown by the delegations and the thorough knowledge of the various aspects of the textile industry which the members of the delegations possessed. It may be noted in passing that the reports prepared by the Office for the Conference were extremely well received. In the brief time available there could be no question of giving a complete and final summary of what is known concerning the present position of the textile industry. The delegations were, however, generally agreed in recognising that the reports of the Office constituted a valuable and well-prepared basis for the discussions of the Conference.

Those discussions represent a step forward towards the settlement of the problems arising in the textile industry, the real value of which will only be seen in years to come. It will be for the delegates at the Twenty-third Session of the Conference to use the valuable indications to be found in the reports adopted by the Washington Conference and thus make further progress towards an improvement of the position of the textile industry. It will also be for the Governing Body to ensure that the Washington Conference bears its full fruit by giving effect to the suggestions contained in the reports. Now that the ground has, as has already been said, been cleared by the thorough and intensive work done during more than a fortnight by the delegates at the Washington Conference, it remains to build up systematically and stone by stone the structure of social protection which will enable this industry to recover its stability and develop afresh in the years to come.
APPENDIX XVI.

SIXTEENTH ITEM ON THE AGENDA.

REPORT ON THE STUDY UNDERTAKEN BY THE OFFICE ON INTERNATIONAL TRADE, EMPLOYMENT AND WAGES.

The study on international trade, employment and wages which was undertaken by the Office in accordance with a decision taken by the Governing Body at its Seventy-fourth Session (February 1936) is making satisfactory progress. It was hoped that it would be completed for the Seventy-ninth Session of the Governing Body, but the necessity to give priority to the report for the Washington Textile Conference has made this impossible. The completion of the report will be actively pursued, and it is hoped that it will be ready in the course of the summer of 1937.
APPENDIX XVII.

SEVENTEENTH ITEM ON THE AGENDA.

REPORT OF THE OFFICE ON THE PROPOSAL TO HOLD A CONFERENCE OF EXPERTS TO EXAMINE THE QUESTION OF FINANCING THE SETTLEMENT OF COLONISTS.

At its Seventy-eighth Session (February 1937) the Governing Body instructed the Office to consult the States Members which might be interested in the proposal to hold a conference of experts on the subject of migration with a view to settlement and to ask them whether they would be prepared to take part in such a meeting. It further instructed the Office to report to it as soon as there appeared to be a sufficient prospect of holding a really useful meeting. In accordance with this decision the Office considered it necessary in the first place to ascertain whether it would be possible to count on the participation of some of the important countries of immigration in the proposed meeting. It had been hoped that the negotiations would be completed soon enough to allow a report to be submitted to the Governing Body at its Seventy-ninth Session. At the present time, however, although the indications received from the countries of immigration are favourable, they are not yet sufficient in number to allow the Office usefully to consult the countries of emigration. The report which is to be submitted to the Governing Body will therefore not be ready until the Eightieth Session. As, however, there is reason to hope that the Governing Body will be able at its Eightieth Session to decide to hold the conference of experts, the Office has already begun to prepare the report which will be submitted to the conference if it is held, so that it may be able to meet before the end of the present year if the Governing Body so decides.
APPENDIX XVIII.

EIGHTEENTH ITEM ON THE AGENDA.

REPORT OF THE COMMITTEE OF EXPERTS ON WORKERS' NUTRITION.

The second session of the Committee of Experts on Workers' Nutrition took place on 9-10 April 1937 at the International Labour Office, Geneva, under the Chairmanship of Mr. Bramsnaes.

The following members were present:

Representatives of the Governing Body:

Employers' group: Mr. Erulkar (replacing Mr. Olivetti).
Workers' group: Mr. Hayday.

Experts:

Mr. Cathcart (British).
Mr. Durig (Austrian).
Mr. Halbwachs (French).
Miss Faith Williams (United States of America).

Mr. Kitaoka, representative of the Government group of the Governing Body, and his substitute, Mr. Pardo, who were taking part in the Textile Conference in Washington, were unable to attend the session. Mr. Jaeggi, Swiss expert, was also unable to be present.

In his opening speech, the Chairman referred to the interest shown in nutrition questions in various countries, which is an indication of the great importance attached to the problem. Its numerous aspects, which had been discussed under widely different conditions, were noteworthy, and the fact that in many cases the labour side of the problem was considered was proof of the practical significance of further studies by the International Labour Office in this field.

I. General Discussion.

The Committee took note of the document prepared by the International Labour Office showing the development of the question before the Committee since its first session in December 1935.

The Committee was in agreement in thinking that the task with which it was faced at its second session was distinctly different from that with which it had dealt at its first session, when its object had been to assist the Office in drafting a report with a twofold object—to bring out the special labour aspects of the problem of nutrition, and to place the nutrition question as a whole before the International Labour Conference. The Conference, by adopting a resolution on the subject at its Twentieth Session, stating that "the nutrition of the workers should be considered as one of the most important problems which the International Labour Organisation has to solve", had opened the second stage of studies to be undertaken by the Office with regard to the nutrition problem.

Collaboration with experts and the National Nutrition Committees. The Committee realised that this second stage of the procedure involved difficulties in many respects, as information in most cases was not readily available, nor was it comparable for international use in its present form. It was felt that the help of experts would be necessary in the case of many problems and that it was important that national surveys and national research should be initiated in various directions. The Committee was of opinion that close and direct contact with the National Nutrition Committees would be of the greatest value. The Committee recommended that the necessary steps should be taken to interest the National Nutrition Committees in the peculiarly labour aspects of the nutrition problem.

Statements of Dr. Durig and Mr. Hayday. In the course of the general discussion of the subject, the Committee was particularly impressed by Dr. Durig's warning against over-estimating from the point of view of the International Labour Organisation the practical value of the general physiological principles which it had hitherto been possible to lay down, as well as by his indication of what still remained to be done, particularly with respect to the necessary qualifications of principles from national and regional points of view. The Committee also heard with great interest a statement by Mr. Hayday urging that technical and scientific terms should be translated
into everyday language which all could understand. This, in Mr. Hayday's opinion, would be indispensable in carrying out a practical nutrition policy in which, further, the industrial aspect would not be separated from the social and economic sides.

**Purpose of the Studies to be undertaken.** The Committee approved of the Office having submitted a scheme of studies, as comprehensive as possible, on the labour aspects of the nutrition problem. It was only after systematic survey and research in this field that the Governing Body, in accordance with the terms of the resolution, would be in a position to proceed "to consider the possibility of placing on the agenda of the Conference certain questions relative to the aspects of the problem of nutrition to the solution of which the Conference might contribute in a constructive manner ".

Collaboration with the technical organisations of the League of Nations. The Committee noted that, while some of the subjects suggested for study were labour problems proper, to be dealt with by the International Labour Organisation, others were of a more general character and concerned also the technical organisations of the League of Nations. The Committee learned with satisfaction that, as hitherto, close collaboration would be aimed at.

The nutrition studies and the general programme of work of the International Labour Office. The Committee approved of the procedure for its studies, which the Office had suggested, and understood that it represented the most appropriate method by which the Office could adapt its studies on the nutrition problem to the general programme of work of the technical services concerned. The Committee ventured to hope, however, in view of the importance of the question of nutrition, that the competent organs of the Office would examine independently whether its resources were adequate to enable the task to be accomplished within a reasonable time.

**II. Examination of plans of studies suggested.**

The Committee then proceeded to examine in detail the proposed scheme of studies submitted by the Office, and in the course of discussion a series of important and practical suggestions made by the various members of the Committee were noted for reproduction in the minutes of the session.

The physiological aspects of the problem of Labour and Nutrition. The Committee agreed that, as had been the case hitherto with regard to the physiological aspects of the problem of "Labour and Nutrition" previously examined, the studies to be undertaken would be based on the work of the Technical Committee of the Health Organisation of the League of Nations. In collaboration with this body and other experts, special studies would be carried on concerning (a) the nutritional requirements for light, moderate and heavy work; (b) the special needs of particular categories of workers; (c) the nutritional requirements of young workers (male and female), apprentices and others whose physical development was not yet complete; (d) the influence of certain constituents of the diet on the workers' output; (e) the physiological effect of the distribution of hours of work and meals during the day; etc.

The Committee noted that the Office was conducting an enquiry, through the members of the Industrial Hygiene Committee, into the nature of the meals served in factory canteens, and was of the opinion that this survey might throw interesting light on the connection between nutritional requirements and the work performed in different occupations.

Methods of obtaining consumption data: resolution by the experts. The Committee was unanimous in considering that information as to the actual consumption of foodstuffs by the workers and their families was an essential factor in any study of the problem of the relation between nutrition and labour. The Office should therefore continue its studies in this field and extend them as far as possible. The question of analysing the information available on the diet and family budgets of industrial as well as of agricultural workers was regarded as extremely difficult. The methods at present applied in compiling this information are so many and so varied that comparison and interpretation are frequently hampered to a considerable extent. Attempts were made by the Third International Conference of Labour Statisticians, held in 1926, to secure greater uniformity. With the further development of research in this field, the rules laid down by that Conference, however, call for revision in their application to the present state of the science of nutrition. The Committee had before it an aide-mémoire, drawn up by representatives of national nutrition committees meeting at the Secretariat of the League of Nations in February 1937, which dealt with the problem of methods of dietary surveys. This aide-mémoire was regarded as a step forward; its authors did not attempt, to set up international standards. Efforts must be made to secure the application of the best methods in the greatest number of countries. In view of the importance of this question, the expert members of the Committee agreed on the following statement: "In view of the great diversity of methods employed in studies of the food consumption of workers carried out by different agencies, and the need of ensuring in the greatest number of countries the application, as far as possible, of uniform methods of obtaining consumption..."
data, the expert members of the Committee on Workers' Nutrition think that an international discussion on this problem should be organised amongst the experts concerned and that the assistance of some representatives competent in the matter from the National Nutrition Committees would be specially valuable.

"In view of the intimate connection between variations in food-consumption and the consumption of other goods and services, the expert members further suggest that the proposed discussion should cover the technique of obtaining data on the consumption by the working classes of goods and services of all kinds.

"As the question of the workers' consumption as a whole falls within the field of activity of the International Labour Organisation, the expert members of the Committee hope that the Governing Body will examine favourably the possibility of organising such a discussion in collaboration with the interested technical organisations of the League of Nations."

**Studies concerning special categories of workers.** The Committee agreed in considering that the usual methods of ascertaining the consumption of foodstuffs by workers' families mostly neglected certain categories of workers boarded by the employer or receiving part of their wages in kind. With respect to those workers a certain amount of legislation existed regulating the conditions under which food was to be supplied or wages in kind paid. It would therefore be of interest to carry out special research to these categories, and the Committee approved the plans suggested by the Office in connection with agricultural workers, seamen and indigenous labour. The Committee also noted that the Office hoped to take advantage of the studies planned on the position of women workers living alone to collect information on the budgets of these workers, whose standard of nutrition was generally considered to be very low.

**Economic aspects of the nutrition problem.** With regard to the question of the study of the economic and social consequences of the different policies followed with a view to improving the standard of nutrition of workers, the Committee endorsed the Office's opinion that such studies should only be planned when more definite policies in this field now being formulated in various countries had taken a more definite shape.

**Wage-fixing machinery and adequate maintenance.** The Committee next examined the question of studying the principles on which the regulation of wages is based and the methods of calculating benefits under social insurance schemes in their relation to the problem of nutrition. The Committee realised that in practice rates of wages were fixed with little regard to nutritional requirements, and it therefore agreed that the Office should at first merely limit its studies to the examination of cases where minimum wages are fixed in relation to the cost of adequate maintenance.

**Other studies.** In regard to the final recommendations on the future studies of the Office contained in the resolution of the Conference, the Office had selected a certain number of problems for study.

With regard to the question of the nutrition of mothers and infants, it was made clear that what was suggested by the Office was only the general lines which the collection and preparation of information were to take, and that at the present stage no definite opinion had been expressed.

In connection with the nutrition of apprentices and young persons, it was made clear in the course of the discussion that this study would be principally directed to the conditions of nutrition of apprentices and other young persons preparing themselves for a vocation, and working so far from home that they were obliged to have their meals either at their place of work or at the technical school.

With regard to the educational aspects of nutrition and domestic training, the opinion was expressed that, in dealing with the question of education, it would be a mistake to lay too much emphasis on the lack of dietary knowledge of housewives and others, and to forget the salient conclusions of previous studies, namely, that malnutrition is principally due to lack of purchasing power. Some doubt was expressed as to whether the question was not too general to be dealt with by the Office, and whether it was not more suitable for treatment by the Mixed Committee on the Problem of Nutrition and the National Nutrition Committees. It was explained, however, that the study suggested by the Office was not intended to cover instruction given directly to housewives, but was only concerned with the training given in schools of domestic economy where girls are taught housekeeping with a view to their future life. This training was considered to come under the heading of vocational training, and consequently to be within the field of activity of the Office.

With regard to the nutrition of the unemployed, the Committee emphasised the importance of the question. It was pointed out none the less that the results of such a study could not be taken as an adequate basis for estimating the assistance which should be given to the unemployed, as it did not take into consideration other essential requirements.

Finally, with regard to the co-operative movement and the problem of nutrition, the Committee noted that the Office, with the assistance of the International Committee for Inter-Co-operative Relations, had already made a study of this subject. The results of this enquiry had been published under the title "The Co-operative Movement and Better Nutrition".
APPENDIX XIX.

NINETEENTH ITEM ON THE AGENDA.


The documents relating to this item on the agenda, which was considered by the Governing Body in private, are printed separately in the appendices to the minutes of the first part of the Second Sitting and the Sixth and Seventh Sittings.
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