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Second Supplementary Report:

I. Committee of Statistical Experts on the Determination of the States of Chief Industrial Importance (the Fourth Supplementary Report is included in this Part)
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III. Proposal for the Creation of a Joint Aviation Commission (continued)
IV. Position of Refugee Seafarers
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Third Supplementary Report: Relations with the Intergovernmental Committee for European Migration

Fifth Supplementary Report:

I. Participation of the Saar Territory in I.L.O. Meetings and Activities
II. Communication to the Governing Body: Resolution Adopted by the Council of the International Federation of Christian Factory and Transport Workers

Sixth Supplementary Report: Instrument for the Amendment of the Constitution of the International Labour Organisation, 1953

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Appointment of Governing Body Representatives on Various Bodies (Twenty-third Item on the Agenda):

I. Inland Transport Committee (Fifth Session, Geneva, 15-27 February 1954)
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- Welfare Facilities
- Regulation of the Employment of Children and Young Persons in Agriculture
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- Action to be Taken on the Resolutions Adopted by the International Labour Conference at its 36th Session (Third Item on the Agenda)
- Resolution concerning Protection of the Employment and Living Conditions of Young Persons
- Resolution concerning an International List of Notifiable Occupational Diseases
- Resolution concerning the Placing on the Agenda of an Early Session of the Conference of the Question of Holidays with Pay with a View to the Revision of Convention No. 52
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- Conditions of Work in the Fishing Industry (Fourth Item on the Agenda)

#### Appendix V

- The International Labour Organisation and Non-Metropolitan Territories (Fifth Item on the Agenda)
  - Annex. Extract from a Letter Dated 28 July 1952 Addressed to the Director-General of the I.L.O. by Mr. A. Roberts, Chairman of the Workers' Group of the Governing Body

#### Appendix VI

- European Regional Conference (Sixth Item on the Agenda)
  - Supplementary Note

#### Appendix VII

- Report of the Meeting of Experts on Systems of Payment by Results in the Construction Industry (Geneva, 21-30 July 1953) (Seventh Item on the Agenda)

#### Appendix VIII

- Record of the Third Asian Regional Conference (Tokyo, 14-25 September 1953) (Eighth Item on the Agenda)

#### Appendix IX

- Report of the Fifth Session of the Asian Advisory Committee (Nuwara Eliya, 2-3 October 1953) (Ninth Item on the Agenda)

#### Appendix X

- Record of the Asian Maritime Conference (Nuwara Eliya, 5-14 October 1953) (Tenth Item on the Agenda)

#### Appendix XI

- Reports of the Committee on Freedom of Association (Eleventh Item on the Agenda)

#### Appendix XII

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- Report of the Manpower and Employment Committee (Thirteenth Item on the Agenda)

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  - I. Fourth Session of the Building, Civil Engineering and Public Works Committee
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  - IV. Advisory Committee on Salaried Employees and Professional Workers: Performers' Rights
  - V. Advisory Committee on Salaried Employees and Professional Workers: Problems concerning Nursing Staff
  - VI. Proposed Amendments to the Agreement concerning the Conditions of Employment of Rhine Boatmen
VII. Agenda of the Third Session of the Committee on Work on Plantations

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IX. Agenda of the Fifth Session of the Petroleum Committee

X. Textiles Committee: Studies Proposed at the Fourth Session

XI. Requests for the Establishment of New Industrial Committees

XII. Requests for Membership of the Industrial Committees and of the Advisory Committee on Salaried Employees and Professional Workers

XIII. Requests for Representation by Observers at Meetings of Industrial Committees and of the Advisory Committee on Salaried Employees and Professional Workers

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APPENDIX XVI. Report of the Committee on Standing Orders and the Application of Conventions and Recommendations (Sixteenth Item on the Agenda)

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APPENDIX XIX. Report of the Allocations Committee (Nineteenth Item on the Agenda)

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APPENDIX XXI. Report of the Director-General (Twenty-first Item on the Agenda):

I. Proposed Fusion of the Manpower and Employment and Technical Assistance Committees of the Governing Body

II. Terms of Reference of the Committee of Experts on the Protection of Dockers against Accidents

III. Proposal for the Creation of a Joint Aviation Commission

IV. Communication to the Governing Body: Resolutions Adopted by the Third World Congress of the International Confederation of Free Trade Unions

V. Determination of the States of Chief Industrial Importance

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II. Progress of International Labour Legislation

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III. Proposal for the Creation of a Joint Aviation Commission

IV. Position of Refugee Seafarers

V. Meeting of a Panel of the Correspondence Committee on Co-operation

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Annex B. Memorandum concerning the Problem of Refugee Seafarers Addressed by the High Commissioner for Refugees to the Director-General of the I.L.O.

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The Governing Body of the International Labour Office

MINUTES OF THE 123rd SESSION

The 123rd Session of the Governing Body was held at the International Labour Office, Geneva, from Tuesday, 24 November to Friday, 27 November 1953.

The Governing Body was composed as follows:

Chairman: Mr. Malik.

Government group:
- Belgium: Mr. Wallin.
- Brazil: Mr. De Rego Monteiro.
- Canada: Mr. Côté.
- Chile: Mr. García Oldini.
- China: Mr. Tuan.
- Finland: Mr. Wuori.
- France: Mr. Ramadier.
- India: Mr. Sen.
- Iran: Mr. Cheybani.
- Italy: Mr. Cingolani.
- Mexico: Mr. Calderón Puig.
- Pakistan: Mr. Malik.
- Portugal: Mr. Fernandes.
- United Kingdom: Sir Guildhaume Myddin-Evans.
- United States: Mr. Miller.
- Venezuela: Mr. Uzcátegui.

Employers' group:
- Mr. Campanella.
- Mr. Gemmill.
- Mr. Pons.
- Mr. C. E. Shaw.
- Sir Richard Snedden.
- Mr. Tata.
- Mr. Waline.
- Mr. Yllanes Ramos.

Workers' group:
- Mr. Aftab Ali.
- Mr. Delaney.
- Mr. Jouhaux.
- Mr. Möri.
- Mr. Pequeno.
- Mr. Roberts.
- Mr. Shastri.
- Mr. Sölvén.

The following deputy members, or their substitutes, were present:

Government group:
- Australia: Mr. Harry.
- Burma: Mr. Khint Maung.
- Colombia: Mr. González Barros.
- Greece: Mr. Hadji Vassiliou.
- Norway: Mr. Øksnes.
- Switzerland: Mr. Kaufmann.

Employers' group:
- Mr. Alam.
- Mr. Allana.
- Mr. Bergenström.
- Mr. Calheiro Lopes.
- Mr. Fennema.
- Mr. Ghayour.
- Mr. Kuntschen.
- Mr. Van Lint.

Workers' group:
- Mr. D'Alessio Gordinola.
- Mr. Böhm.
- Mr. Cofiño.
- Mr. De Bock.
- Mr. Nielsen.
- Mr. Pastore.
- Mr. Vermeulen.

The following representatives of States Members of the Organisation were present as observers:

- Argentina: Mr. Roncarolo.
- Costa Rica: Mr. Donnadieu.
- Japan: Mr. Ebizuka.
- Union of South Africa: Mr. Hamilton.

The following representatives of other international governmental organisations were present:

United Nations:
- Mr. Gros.
- Mr. Chossudovsky.

Food and Agriculture Organisation:
- Mr. Jacoby.

World Health Organisation:
- Dr. Gear.
- Mrs. Jarvis.
Intergovernmental Committee for European Migration:
Mr. Neiva.
Miss Baverstock.

Council of Europe:
Mr. Tennfjord.

The following representatives of international non-governmental organisations were present as observers:

International Confederation of Free Trade Unions:
Mr. Patteet.

International Federation of Christian Trade Unions:
Mr. Vanistendael.
Mr. Eggermann.

World Federation of Trade Unions:
Mr. Drinkwater.

International Co-operative Alliance:
Mr. Milhaud.

International Organisation of Employers:
Mr. Emery.
Mr. Vanek.
Mr. Lagasse.

There were also present:
Mr. Morse, Director-General of the International Labour Office.
Mr. Rens, Deputy Director-General.
Mr. Rao, Assistant Director-General.
Mr. Jenks, Assistant Director-General.
Mr. Alvarado, Assistant Director-General.
Mr. Morellet, Assistant Director-General.
Mr. Yalden-Thomson, Assistant Director-General.
Mr. Wheeler, Treasurer and Financial Controller.

Mr. Lafrance, Special Adviser to the Director-General.
Mr. L'Hommelais, Chief of the Official Relations Division.

Mr. Ago, substitute for Mr. Cingolani.
Mr. Arena, accompanying Mr. Pastore.
Mr.Burton, substitute for Sir Richard Snedden.
Mr. Callea, accompanying Mr. Cingolani.
Mr. Coe, accompanying Sir Richard Snedden.
Mr. Díaz Casanueva, substitute for Mr. García Oldini.
Mr. Gómez Jaramillo, substitute for Mr. González Barros.
Mr. Goulet, substitute for Mr. Côté.
Mr. Hauck, substitute for Mr. Ramadier.
Mr. McIlwraith, accompanying Mr. Côté.
Mr. Mochi-Onori, accompanying Mr. Campanella.
Mr. Mulliken, accompanying Mr. Miller.
Mr. Neves da Fontoura, accompanying Mr. Fernandes.
Miss Paine, accompanying Sir Guildhaume Myrdin-Evans.
Mr. Saad, accompanying Mr. Cheybani.
Mr. de Souza e Silva, accompanying Mr. de Rego Monteiro.
Mr. von Stedingk, accompanying Mr. Bergenstrøm.
Miss Stemberg, accompanying Mr. Wallin.
Mr. Vaage, accompanying Mr. Óksnes.
Mr. Valladão, substitute for Mr. de Rego Monteiro.
Mr. Van Meter, accompanying Mr. C. E. Shaw.
Mr. Walker, accompanying Sir Guildhaume Myrdin-Evans.
Mr. Watson, accompanying Sir Guildhaume Myrdin-Evans.
Mr. Weibezahn-Massian, substitute for Mr. Uzcátegui.
Mr. Zempel, substitute for Mr. Miller.
The Governing Body was composed as follows:

Chairman: Mr. Malik.

Mr. Ago, Mr. Aftab Ali, Mr. Calderón Puig, Mr. Campanella, Mr. Cheybani, Mr. Côté, Mr. Delaney, Mr. Fernandes, Mr. García Oldini, Mr. Gemmill, Mr. Jouhaux, Mr. Malik, Mr. Miller, Mr. Möri, Sir Guildhaume Myrddin-Evans, Mr. Pequeno, Mr. Pons, Mr. Ramadier, Mr. Roberts, Mr. Sen, Mr. Shastry, Mr. C. E. Shaw, Sir Richard Snedden, Mr. Sölven, Mr. Tata, Mr. Tuan, Mr. Uzcátegui, Mr. Valladão, Mr. Waline, Mr. Wallin, Mr. Wuori, Mr. Yllanes Ramos.

Opening of the Session

The Chairman welcomed all those who were attending a session of the Governing Body for the first time.

He announced that the Brazilian Government had appointed, as its representative on the Governing Body, Mr. de Rego Monteiro; the latter had not yet arrived in Geneva, however, and would be replaced during the first part of the session by Mr. Teixeira Valladão, Acting Head of the Permanent Delegation of Brazil in Geneva.

The Government of India was represented by Mr. Sen, Consul-General in Geneva, who was attending a session of the Governing Body for the first time, as was also Mr. Cheybani, Under-Secretary for Labour in Iran.

The United States Government was represented by Mr. Spencer Miller, Under-Secretary of Labor, who was a newcomer to the Governing Body but was not a stranger to the I.L.O., although he had not attended an I.L.O. meeting since 1935 when he had been a Workers' member of the United States delegation at the International Labour Conference. In extending a welcome to him the Chairman expressed the conviction that his wide experience in the political and international fields would enable him to make a valuable contribution to the Governing Body's work.

Mr. Harry, who had recently succeeded Mr. Patrick Shaw as Permanent Australian Delegate in Geneva, was representing the Australian Government on the Governing Body for the first time.

The Belgian Government was represented by Mr. Wallin, since the Minister of Labour and Social Welfare, Mr. Van Den Daele, had unfortunately been prevented at the last moment from attending.

The Canadian Government was represented by Mr. Paul-Emile Côté, Parliamentary Secretary to the Minister of Labour, who had not participated in the work of the Governing Body for some time.

Lastly, Mr. Calderón Puig, who had attended various I.L.O. meetings in the past, was now representing the Mexican Government as its Permanent Delegate in Geneva.

The permanent representative of the Government of Venezuela, Mr. Montoya, had been detained by his duties as Deputy Secretary-General of the Conference of the Organization of American States and had asked that his best wishes for a successful session should be conveyed to the Governing Body. He was represented at the present session by Mr. Uzcátegui, member of the Permanent Delegation of Venezuela in Geneva.

The Chairman also extended a welcome to the representatives of the various international organisations, both governmental and non-governmental, and to the representatives of States Members of the I.L.O. who were attending the session as observers.

While welcoming the new members he wished also to pay tribute to the contribution made to the work of the Organisation by their predecessors, and in particular by Mr. Philip Kaiser who had represented the United States Government for a number of years.

First Item on the Agenda

Approval of the Minutes of the 122nd Session

The Governing Body approved the minutes of its 122nd Session subject to any corrections which might be communicated by members.

Second Item on the Agenda

Date, Place and Agenda of the 38th (1955) Session of the International Labour Conference

Date.

Mr. Waline said that the Employers wished to make two comments with regard to the date proposed for the Conference.

In the first place, the Employers' group thought that it would be preferable for the Conference to open on a Monday rather than on a Wednesday. It had been decided that in principle the next session should last for not more than three weeks and the budget estimate had been based on that assumption. The experiment tried in 1953 had in fact shown that it was practicable to restrict the duration of the Conference to three weeks, but in order to provide three full weeks it would be preferable for the session to begin on a Monday and to end on a Saturday. This would involve advancing by two days the date of the meetings which normally preceded the session of the Conference.

Secondly, the Employers' group would like the time of year at which the Conference was held to be reconsidered. The question was of course a difficult one, not only because there were other international organisations that held meetings in Geneva and the programme of meetings was fixed a long time ahead but also because the employers' and workers' organisations might find it inconvenient to change the date of their congresses. At the same time, however, there would be advantages in holding the annual session of the Conference in the autumn, although not necessarily in September, if that could
be arranged, since the month of June was a very busy one in their own countries for many of those who attended the Conference.

Mr. Roberts pointed out that it was customary for group meetings to be held before the Conference and that the Employers had always asked that two days should be set aside for this purpose. There would therefore be little advantage in beginning the Conference on a Monday since in any case the members of the groups would have to arrive in Geneva several days earlier. Although he had not had an opportunity of consulting the other members of his group, he felt justified in expressing the view that the practice followed in recent years had more advantages than disadvantages and that no good arguments had been advanced in favour of the suggestion made by the Employers' group.

The question of the time of the year at which the Conference met had already been fully discussed without any definite conclusions being reached. However, the Workers' group would not object to reopening the matter at a later session in order to see whether a mutually convenient date could be found.

Mr. Waline explained that the Employers did not suggest that the group meetings should be done away with but merely that they should be held during the week preceding the opening of the Conference, a change which would necessitate some alteration in the dates of the meetings of the Governing Body and its committees.

It was probable that some economy might be effected by beginning the Conference on a Monday since many of the members of the delegations came to Geneva only in time for the Conference itself and would therefore not be obliged to spend another week-end in Geneva in addition to the two normally included in the duration of the Conference.

Sir Guildhaume Myrddin-Evans pointed out that if Mr. Waline's suggestions were adopted the Governing Body, instead of meeting during the week preceding the opening of the Conference, would have to begin its session in the middle of the week before that.

Furthermore, while it had indeed been possible to complete the 1953 Session of the Conference in three weeks, it did not follow that this would always be possible and it would be unwise to establish a rigid rule. In any case, it was obviously much simpler to add one or two days during the middle of a week so as to finish the Conference on a Friday or Saturday than to oblige the delegates to spend an extra week-end in Geneva. If, on the contrary, the present practice was continued and the Conference began in the middle of the week, it would not in any event be necessary to break into a new week in order to finish the session.

If the Conference was expected to end on a Saturday it was to be expected that, as Mr. Shaw had said, the delegates would make their arrangements for their return journey accordingly. As a result, if the Conference was unable to complete its work within the time originally allotted it might well be found that half the delegates were absent when the votes came to be taken. That would create an impossible situation and on behalf of the Workers' group he therefore formally opposed Mr. Waline's suggestion.

Mr. Waline said that he would not press this proposal since it had received no support outside the Employers' group. The matter could be reconsidered at some later stage. Nevertheless he was convinced that the Conference could easily complete its work in three weeks if some discipline were applied to the discussions.

On the other hand, he asked that his proposal to hold the annual sessions of the Conference in the autumn should be examined impartially with a view to avoiding the necessity for delegates to leave their own countries in the month of June, which for many of them was a much busier period than September or October.

The Governing Body decided that the 38th Session of the International Labour Conference should open on Wednesday, 1 June 1955.

It was agreed that the Director-General should examine the question raised by Mr. Waline concerning the possibility of holding the annual session of the Conference in the autumn.

Place.

The Governing Body decided that the 38th Session of the International Labour Conference should be held in Geneva.

Agenda.

Mr. Roberts said that at the last session of the Governing Body there had been a preliminary discussion on this question and the Workers' group had expressed strong views on some of the proposals made.

He now wished to put before the Governing Body a proposal which did not appear in the Office document. In 1952 consideration had been given to
including in the agenda the question of weekly rest in commerce and offices, and since that time the organisations concerned had expressed the view that the I.L.O. was neglecting this problem. In these circumstances, and having regard to the fact that the Governing Body had had before it a law and practice report on the question last year, the Workers' group proposed that the weekly rest in commerce and offices should be one of the items placed on the agenda for 1955. The group appreciated, of course, that that proposal could be accepted only by unaninous decision of the Governing Body. If a unanimous decision could not be reached, the group hoped that the question might nevertheless be taken up again in 1954. It should be remembered that this item had appeared on the agenda of the 1940 Session of the Conference, which had not taken place, and the interests concerned had therefore shown a great deal of patience in waiting so long for the I.L.O. to deal with their problem.

The Workers' group had also given careful attention to the position in regard to the various questions proposed for the 1955 agenda. With regard to technical assistance, on which there had been a lengthy discussion at the preceding session of the Governing Body, the Workers' group was unable to agree with the views expressed by the Employers' group and by certain Government representatives and did not think that the question was an appropriate one for consideration as a separate item on the agenda of the Conference. The implication in the Office document was that this question should be dealt with in the same way as financial and budgetary questions and the application of the decisions of the Conference. This would establish a dangerous precedent by leading to the inference that the question should be included in the agenda of every annual session of the Conference. Technical assistance was to be discussed at the 37th Session of the Conference, although not as a separate item on the agenda, and the Workers' group considered that this would be quite sufficient for the time being. After a discussion had taken place in the Conference it would be open to consideration whether the question should be placed on the agenda of a future session. In any case, the Workers' group thought that it would be wrong for the Conference to deal with the subject in one form or another in two successive years and would therefore oppose its inclusion in the agenda for the 38th Session.

The Workers' group had also given careful consideration to the two agricultural items. In a sincere endeavour to meet the wishes expressed at the last session, particularly by the Employers, the Workers would be prepared to accept the inclusion of a resolution to be submitted to the Conference. As this question was to be discussed in 1954 it would be desirable to await the outcome of that discussion before deciding whether to include it in the agenda of another session of the Conference. As Mr. Roberts had already pointed out, it would be dangerous to create an inference that the question might appear as a permanent item on the agenda of each session of the Conference. Furthermore, although he noted the suggestion in the Office document that if this item were included, the decision should be regarded as independent of, and without prejudice to, the number of technical items to be included in the agenda, he did not believe that this was practicable because the agenda could only carry a certain number of items. He therefore suggested that the results of the discussion at the 1954 Session should be awaited before considering whether the item should again be dealt with in 1955, on the basis either of a special chapter in the Director-General's Report or of a resolution to be submitted to the Conference.

With regard to the question of the protection of dockers against accidents, he understood that the Workers' group would not press for its inclusion in the agenda of the 1955 Session provided that the Committee of Experts were left free to recommend either the revision of the Protection against Accidents (Dockers) Convention (Revised), 1932 (No. 32) or the adoption of a supplementary Convention. If the Governing Body would agree to leave the experts free to decide this point the Workers' group would not press for the inclusion of the item in the agenda of the 38th Session.

Sir Guildhaume Myddain-Evans observed that Mr. Roberts had offered a bargain to the Employers, but pointed out that, in such matters, the Governments had no policy as a group and that the various members might hold quite different views.

He did not think that a unanimous decision could be reached on the inclusion of the question of weekly rest in commerce and offices as proposed by Mr. Roberts and, although he recognised the importance of this question to the interests concerned, he doubted whether the Governing Body could consider it in addition to those items which were already before it.

The United Kingdom Government for its part was prepared to agree to the inclusion of welfare facilities and vocational training in agriculture. It did not, however, consider that technical assistance should be a separate item on the agenda of the 38th Session. As this question was to be discussed in 1954 it would be desirable to await the outcome of that discussion before deciding whether to include it in the agenda of another session of the Conference. As Mr. Roberts had already pointed out, it would be dangerous to create an inference that the question might appear as a permanent item on the agenda of each session of the Conference. Furthermore, although he noted the suggestion in the Office document that if this item were included, the decision should be regarded as independent of, and without prejudice to, the number of technical items to be included in the agenda, he did not believe that this was practicable because the agenda could only carry a certain number of items. He therefore suggested that the results of the discussion at the 1954 Session should be awaited before considering whether the item should again be dealt with in 1955, on the basis either of a special chapter in the Director-General's Report or of a resolution to be submitted to the Conference.

With regard to the question of the protection of dockers against accidents, he understood that the Workers' group would not press for its inclusion in the agenda of the 1955 Session provided that the Committee of Experts were left free to recommend either a revision of the existing Convention or the adoption of a new Convention. The United Kingdom Government was quite prepared to accept this suggestion, on the understanding of course, that the Committee of Experts might in fact reach the conclusion that there was no necessity either for a revision of the existing Convention or for a new Convention.

Mr. C. E. Shaw said that each year there was a discussion in the Governing Body as to the limit of the number of technical items which could effectively be dealt with by the Conference. Many of the smaller countries were constantly complaining that there were too many items on the agenda and that they could not send to the Conference a sufficient number of advisers to deal with them all. It should be remembered that three items would be carried over from the 1954 to the 1955 Session of the Con-
ference, so that if the agenda was to be kept down to the same size as in 1953 only one new item could be added.

He suggested that the Governing Body should first decide how many technical items there should be on the agenda of the 1955 Session, and proposed that the maximum number should be fixed at four, as in the case of the 1953 Session.

Mr. Delaney said that as a result of the report of the Ad Hoc Committee on Forced Labour, the Governing Body had the responsibility of giving serious consideration to placing on the agenda of the 38th Session the revision of the Forced Labour Convention. This was an item which would be additional to those already mentioned in the Office document. The Convention in question had never been revised since its adoption in 1930 and its subject matter was one of the most important economic and social problems of the present time.

Mr. Miller said that the United States Government held the view that the total number of items that could profitably be handled by the 1955 Session of the Conference was eight and that one of these eight items should be that of technical assistance, both because of the importance of the problem throughout the world and of the increasing interest in the subject at the present time. The United States Government believed that the operational activities of the I.L.O. should progressively receive the same degree of attention that the Conference now gave to the application of Conventions and Recommendations and to financial and budgetary questions.

The question of vocational training in agriculture might also be included in the agenda as the second new item.

The question of forced labour was a matter of great concern to the United States Government, whose representatives had expressed its views very definitely in the General Assembly of the United Nations. The Governing Body would certainly have an opportunity to explore the matter further. For the time being, however, he thought that the decisions of the Governing Body might be facilitated by deciding on a reasonable limitation of the total number of items and by agreeing to his proposal that this number should be fixed at eight, including the items which would be carried over from the preceding session and also the question of technical assistance.

Mr. Sen said that the Government of India agreed, in the first place, that the agenda should include the Report of the Director-General, financial and budgetary questions, application of Conventions and Recommendations, vocational rehabilitation, migrant workers and penal sanctions for breaches of contract of employment.

With regard to the new items his Government held the view that technical assistance should be included. If after the 1954 discussion it did not seem necessary to hold a further discussion in 1955 it would still be possible to delete the item from the 1955 agenda. He thought that this would be preferable to following Sir Guildhaume Myrdin-Evans’ suggestion that the item should not be included at the present stage but might be taken up again later in one form or another.

With regard to the protection of dockers against accidents, he fully supported the views put forward by Mr. Roberts.

On the other hand, he had certain reservations to make in respect of the question of vocational training in agriculture. The Government of India did not think that very much would be achieved by a general discussion on this subject, having regard to the fact that many countries had large agricultural populations in an underdeveloped state. He did not wish to describe in detail the agricultural problems of India since the conditions in agriculturally underdeveloped countries were well known. He suggested, however, that in order to define the problem more closely the item should be re-worded as follows: "Vocational training of agricultural workers and landless rural labourers with a view to enabling them to have subsidiary or supplementary employment."

The Indian Government agreed to the inclusion in the agenda of the question of welfare facilities for workers, which it thought was now ripe for international regulation. It had some hesitation with regard to the subject of regulation of the employment of children and young persons in agriculture. In view of the special characteristics of agriculture in India and various underdeveloped countries, it would be extremely difficult to enforce any Convention on this subject which might be adopted by the Conference. However, there were other countries in which agricultural conditions were different and which might wish to see the question dealt with by the Conference, and if it was proposed to discuss the matter with a view to the adoption of a Recommendation, the Indian Government would not object.

He could not, however, agree to the preparation of a Convention and would in fact prefer that the item should be deferred until the 1956 Session.

Mr. Tuan could not support the arguments put forward by Mr. Roberts against the inclusion of technical assistance. This was a comparatively new and very broad problem which covered much more than vocational training in agriculture. His Government supported Mr. Sen’s suggestion that this item should be placed on the 1955 agenda at the present stage, subject to reconsideration in the light of the results of the discussion at the 1954 Session.

Mr. Roberts wished to clarify the attitude of the Workers’ group on the question of technical assistance. Whether or not this item was placed on the agenda, the fact remained that the I.L.O. could not determine its own policy in the field of technical assistance because that policy was determined by the Technical Assistance Board. The I.L.O. could not, for instance, say to any given country that it would provide it with technical assistance in one field or another; it had to wait until the countries concerned submitted requests. As a result, the scope of the I.L.O.’s technical assistance activities was severely limited. Sufficient discussion could be devoted to the subject in 1954 and after that discussion the Governing Body could consider whether or not it was desirable to include the subject in the agenda of any future session of the Conference.

The fact was that if technical assistance was placed on the agenda the result would be a discussion and nothing more, and that was a development which he regarded as dangerous. In 1953 an interesting experiment of this kind had been conducted on the subject of national labour departments. The appropriate committee of the Conference had indeed adopted a report, although it had spent much more time discussing the form of that report than the substance of the problem. The International Labour Organisation, however, had not been set up for the...
purpose of making experiments but for the purpose of taking concrete action in the field of international social legislation. The Workers wanted to see more rather than less legislative action and thought that the inclusion of technical assistance in the agenda would mean less legislative action.

The importance of the problem of vocational training in agriculture had been stressed, and he agreed that the subject was important. This again, however, was a question which would not lead to legislative action but at the most to the adoption of a Recommendation. If this development continued, the result might be that the agenda of the Conference would include only such items as would attract persons with an inquiring mind but which would not lead to any practical results. That would mean the end of the I.L.O., and the Workers would not agree to endangering its existence in this way.

It had been suggested by Mr. Shaw that in future not more than four items should be placed on the agenda of the Conference, solely because there had been only four items on the agenda of the 1953 Session. The Workers’ group could not accept this suggestion. There had been considerably more than four questions on the agenda of many previous sessions of the Conference and there was no reason why this should not be the case in the future. The number of items on the agenda should be determined by the capacity of the Conference to deal with them and by the importance and urgency of all the questions under consideration. If the number of items was determined in advance there would be nothing left to do but to fix an order of priority, and it might well be that items would be selected which would be generally regarded outside the Governing Body as much less urgent than certain items which had been rejected. These matters had to be dealt with in a reasonable and equitable manner. The Workers’ group was being very reasonable in suggesting the inclusion of the two additional items he had mentioned. If the Governing Body decided to include the subject of technical assistance, then three additional items would have to be included.

He hoped that the other members of the Governing Body would be as reasonable as the Workers’ group and he reminded them in conclusion that in fixing the agenda of a session of the Conference the objective should be to do as much as possible for as many people as possible in the field of social progress.

Mr. García Oldini thought that it would be unrealistic to try to fix beforehand the number of items to be included in the agenda. Some of the subjects before the Conference might be comparatively simple and need little technical work, whereas others, which were complicated and comparatively new and difficult, would require a very much greater effort. The considerations should be the number of items determining the agenda of each session. Hence the questions proposed for the agenda should be considered very carefully so that a reasonable solution could be arrived at in determining the agenda of any particular session.

With regard to technical assistance, views had been expressed both in respect of the question as such and of its suitability as a separate item on the agenda. It should not be forgotten that technical assistance was only one of the operational activities on which, after having devoted itself almost exclusively for many years to building up international legislation, the Organisation had been concentrating for some little time with a view to achieving practical results. This action was far-reaching and could not be considered under its isolated aspects, such as whether the I.L.O. should provide technical assistance in specific cases and what form such assistance should take. What was needed was to review all the operational activities of the Organisation and to consider whether they were well directed, whether they produced satisfactory results, and whether they needed to be amended, developed, or even abandoned, or transferred to other spheres.

He could not share Mr. Roberts’ apprehensions concerning the possibility of endangering the existence of the Organisation. There was in fact a close relationship between technical assistance and international social legislation. The Conference worked out general directives on technical subjects to which governments were required to adjust themselves, but in order that they might do so, by adopting appropriate national legislation, a certain number of internal conditions must be fulfilled, including in particular the possibility of applying new labour legislation. If the workers were technically inefficient it would be useless to impose certain obligations towards the workers on governments and employers. If, on the other hand, the operational skill of the workers could be progressively improved through technical assistance, greater obligations could be laid down by legislation and that legislation would have a greater effect on progress in general and on the improvement of the conditions of the workers in particular. He therefore thought that the question of technical assistance should be included in the agenda of the 1955 Session of the Conference.

For similar reasons he also supported the inclusion of the question of vocational training in agriculture. Another question which was important from the standpoint of the underdeveloped countries was that of migrant workers. In this field practical developments were taking place which the Organisation could not afford to neglect. Reference had already been made in the Governing Body to the somewhat subordinate part which the Organisation was playing in the field of migration at the present time. Although it had been suggested that this affected a transitional period only and that in the long run the I.L.O.’s action in this field was likely to be preponderant, he feared that the position established during this transitional period would be stabilised in the future and it would be most regrettable if the Organisation were to find itself deprived, because it had not acted in time, of the leading role it should play in the field of migration.

Sir Guildhaume Myrdin-Evans drew attention to the fact that in the course of the discussion the attention of the Governing Body had been drawn to three entirely new questions on the four if the re-definition proposed by Mr. Sen of the items concerning vocational training in agriculture were included. Under article 19, paragraph 1, of the Standing Orders the unanimous approval of the Governing Body was needed for a decision on these new suggestions, and the Governing Body already had before it a number of items suggested in the Office document. He therefore asked the Chairman how he proposed to deal with these entirely new questions.

The Chairman said that he had wished to give members of the Governing Body an opportunity of expressing their views. Nevertheless he thought that it would be difficult to deal with the items which were entirely new and he therefore asked...
speakers to confine their remarks to the matters mentioned in the Office document.

Mr. Gemmill, speaking on behalf of the employers of three distant countries, namely, Australia, New Zealand and the Union of South Africa, agreed with Mr. Roberts that the size of the agenda should be determined with due regard to the capacity of the Conference to handle the various items. That in turn depended very largely on the number of advisers provided, and in this respect the countries which were far away were definitely at a disadvantage, because when the agenda was large they were unable, for financial reasons, to send a sufficient number of advisers to the Conference. He thought that the proposal made by the United States Government representative that the number of items should be limited to eight was a sound one.

With reference to the question of forced labour which had been raised by Mr. Delaney, he would personally be prepared to support its inclusion in the agenda, although the matter had not been discussed by the Employers’ group.

Mr. Delaney said that he had raised the question of forced labour in order to draw the Governing Body’s attention to a most serious and important matter which closely affected the prestige of the International Labour Organisation among the workers. He recognised that it would be difficult for members of the Governing Body to make up their minds on his suggestion at such short notice and that, as Sir Guildhaume Myrddin-Evans had pointed out, the unanimous agreement of the Governing Body would be required. Nevertheless he thought that it was the duty of the Governing Body to give the most careful consideration to this vital problem, on which definite proposals might be submitted to it at a later session.

Mr. Waline said that the suggestions made by Mr. Roberts and Mr. Delaney introduced new factors in regard to which the Employers would wish to consult among themselves. He therefore proposed that at the close of the general discussion the debate should be adjourned to the next sitting so that the Employers’ group might hold a meeting.

Mr. Calderón Puig noted that it had been suggested that the length of the Conference should be limited, that the number of items to be placed on the agenda should be limited before establishing what these items were to be, that the length of the debates should be limited by greater procedural discipline, and also that the force of the decisions of the Conference should be limited by adopting Recommendations rather than Conventions. He wondered whether, if this tendency were pursued, it would not lead to a limitation of the structure of the Organisation itself. He did not deny the force of the practical arguments which had been put forward in favour of these proposals, but he felt it his duty to emphasise that the International Labour Organisation should aim at action rather than at limitation.

On the subject of technical assistance, the Mexican Government agreed with the Chilean Government that this was an aspect of the practical work of the I.L.O. which had aroused a most lively interest throughout the world during the past few years. Technical assistance, which complemented the legislative action of the Organisation, had enabled the most distant countries to appreciate the fact that the I.L.O. was a dynamic organisation. That being so, he believed that the Conference should have an opportunity of discussing technical assistance at each of its sessions. The Governing Body could, however, reconsider the question in the light of the results of the discussion at the coming sessions.

The Mexican Government attached a great deal of importance to the inclusion in the agenda of the 1955 Session of the question of migrant workers, both in view of the importance of this problem for many regions and because of the I.L.O.’s wide experience in connection with the social problems of migrant workers.

His Government was also glad to see that the question of penal sanctions for breach of contract of employment would appear on the agenda of the 1955 Session for a second discussion; it was indeed a matter for surprise that penal sanctions, which were incompatible with human dignity, should still exist.

In conclusion, he suggested that the Governing Body should first consider the merits of the items suggested for inclusion in the agenda and should then decide how many of them the Conference could effectively handle.

Mr. Tata was anxious that the agenda of the Conference should not be overloaded. There seemed to be a feeling in certain sections of the Governing Body that as many items as possible should be placed on the agenda in order to give the impression that the I.L.O. was very active. His own view was that the prestige of the Organisation depended more on doing a good job than on trying to handle a large number of items.

He could not agree with the view expressed on behalf of the Workers’ group that, as the Technical Assistance Board was responsible for all the administrative machinery for technical assistance, the Conference could not do very much in the matter. The recipient countries were also entitled to express their views on the technical assistance given to them and the Conference offered them their only chance of saying how far certain types of technical assistance had benefited them. He fully agreed with Mr. Calderón Puig’s remarks concerning the importance of technical assistance to the States Members of the Organisation. There was no doubt that if the I.L.O. was better known throughout the world at the present time than ten years ago it was because of its technical assistance activities rather than because of its legislative action. He therefore felt that a progress report dealing particularly with technical assistance should be presented to the Conference each year, thus affording the recipient countries an opportunity of stating their opinion on its value to them.

With regard to the question of vocational training in agriculture, he believed that discussion of this subject, in connection with the various technical assistance programmes, would greatly benefit the agricultural countries and he was glad that the Workers had supported its inclusion in the agenda.

In order not to overload the agenda, he suggested that the question of welfare facilities for workers should be postponed for a year. The problem was less urgent than those affecting agriculture. If this suggestion were acceptable to the Workers' group, it would be possible to lay down an agenda which would meet the various views expressed in the Governing Body.

Mr. Cheybani shared the view that, because of its importance, the question of technical assistance
should be placed on the agenda of the 1955 Session of the Conference.

With regard to the regulation of the employment of children and young persons in agriculture, he pointed out that at the present time it would hardly be possible in many countries to introduce strict regulations. It was certainly desirable that the social problems connected with agricultural labour should be solved as soon as possible, but it would be premature to try to establish international regulations which would prove to be unenforceable in many countries. He did not think that the conditions of employment of children and young persons in agriculture could be regulated internationally until agricultural work was organised and mechanised in the majority of regions, and that was not the case at present.

On the other hand, he saw no objection to placing the question of vocational training in agriculture on the agenda of the 1955 Session.

Mr. Roberts explained that, in saying that the discussion at the Conference of items such as technical assistance, which could lead only to an exchange of views, might bring the Organisation into disrepute and even endanger its existence, he had in mind not so much the Organisation as a whole but the Conference as an organ of information and of legislative action, which had always been regarded throughout the world as the sovereign part of the Organisation.

Mr. Garcia Oldini's argument seemed to be that technical assistance might lead to legislation in the various countries. He did not disagree with this view, but on the other hand, he did not believe that a discussion of technical assistance at the Conference would facilitate or speed up such legislative action. Some members of the Governing Body seemed to feel that unless technical assistance were discussed at the Conference occasionally or, as had even been suggested, each year, the activities in question could not be carried on. So far, however, there had been only one discussion on technical assistance in the Conference, and that had been when the programme was first initiated; and yet it was recognised that, thanks to technical assistance, the I.L.O. was better known throughout the world than it had ever been. That had been achieved without any discussion at the Conference. It could hardly be claimed that the I.L.O. would become better known because technical assistance was discussed at the Conference, and indeed, it might be better to avoid the criticism that might be put forward in various directions if the subject were so discussed.

He emphasised once again that policy decisions within the field of technical assistance were not in the hands of the I.L.O. but in those of the United Nations through the agency of the Economic and Social Council, the Technical Assistance Board and the Technical Assistance Administration. The regulations laid down by the Economic and Social Council did not allow the I.L.O. to formulate its own programmes and in fact prevented any initiative in the field of technical assistance except at the request of governments. The suggested discussion would, as Mr. Tata had said, be confined to the discussion of a progress report, and that function was already carried out by the appropriate committee of the Governing Body which met at each of its sessions. If the governments wanted to change policy in the field of technical assistance, they should try to do so in the United Nations itself. In his own view, if technical assistance was to play its proper part in the Organisa-

tion, a grant should be provided within the regular budget of the I.L.O., to be used as the I.L.O. itself decided, provided, of course, that it was devoted to technical assistance programmes.

One of the dangers of the present situation was that the whole Technical Assistance Programme was on a temporary basis. It might well happen that, after reorganising some of its services so as to gear them to technical assistance, the I.L.O. would find itself at some stage without any money to finance such activities and one wondered what would happen then. These were not problems that could be discussed by the Conference; if it could be proved that discussion in the Conference would lead to practical results, he would readily agree that it should take place, but in practice all that the Conference could discuss was a progress report. The information that members of the Conference could give on the results achieved in their own countries could only confirm that already received by the Office by correspondence or through the reports of its Correspondents or of the experts themselves. In fact, money would be taken from the regular budget, which made no provision for technical assistance, in order to discuss an item which made no provision for technical assistance.

Turning to the question of vocational training in agriculture, he wished to make it clear at the outset that the Workers would oppose any suggestion that vocational training should be treated as part of the curriculum of general education; in other words, it should be treated as a matter for adolescents and adults and not for schoolchildren. In reply to Mr. Tata's remarks, he drew attention to the fact that the Workers' group had accepted the item of vocational training in agriculture conditionally and that they expected the employers to agree to the inclusion of the question of welfare facilities for workers. Mr. Tata, who had himself suggested the question of vocational training in agriculture at the last session, was now proposing that this item and technical assistance should be included in the agenda, but that the question of welfare facilities for workers should be postponed for another year. The Workers' group could not agree to the postponement of the latter item and, unless agreement could be reached on this point, the workers would oppose the inclusion of technical assistance and vocational training in agriculture.

Mr. Harry said that the Australian Government took the view that the agenda of the Conference should be as short as possible, not only because Australia was a distant country and not a very large one but especially because if the agenda was too heavy the speed of ratification and implementation of the Conventions adopted would be affected. After considering the problem as a whole the Australian Government had concluded that, in addition to the three items which were regularly included in the agenda of each session and the three items likely to be carried over from the 37th to the 38th Session, the two appropriate new items for inclusion were those of welfare facilities for workers and vocational training in agriculture. While recognising the importance of technical assistance, the Australian Government nevertheless thought that it would be premature to put it on the agenda regularly each year and that the Governing Body would be in a better position to take a decision on this point after the discussion in 1954. He had been attracted by Sir Guildhaume: Myrddin-Evans' suggestion that a section of the Director-General's Report to the 1955
Session might be devoted to technical assistance problems in the light of the debate at the 1954 Session.

Mr. Wallin said that the Belgian Government did not think that the agenda for the 38th Session would be too heavy if the number of items was fixed at eight—in other words, if two new items were added. In discussing the capacity of the Conference to deal effectively with a given number of technical questions, too much importance should not be attached to the possible difficulties which might be encountered by the secretariat, or by certain delegations in regard to the number of advisers available. It was unlikely that Belgium, where a policy of economy was now in force, would be able to send to the Conference a sufficient number of advisers to participate in the work of all the Conference committees, and it would indeed not be in accordance with tradition for every country to appoint a delegation comprising enough members to represent it on all the committees of the Conference. The discussions in committee would become impossible if every committee were to be virtually a small conference in itself.

With regard to the Australian Government representative's reference to the danger of slowing down the speed of ratification, he suggested, the current situation must be regarded with care, as the number of technical questions was large. According to the Office document, vocational training had apparently been envisaged as primarily a problem of general education. Belgium, however, a country which was not agricultural and where the training of agricultural labour was less important quantitatively than in other countries, would wish to consider whether this should be given additional consideration to other forms of vocational training, such as agricultural apprenticeship, or the system whereby an employer entered into a contractual agreement to employ a young worker and to provide him with systematic instruction in a trade.

In connection with the revision of the Convention on the protection of dockers against accidents, he mentioned that the Belgian Government had quite recently ratified the existing Convention after carefully considering the relevant legislation, and therefore did not consider that revision of the Convention was essential. Nevertheless, some of the suggestions put forward by the International Transportworkers' Federation seemed to deserve serious examination and the Belgian Government would not oppose the inclusion of the question of the revision of this Convention in the agenda of an early session of the Conference, after the Committee of Experts which had been convened on the subject had made its report.

He was not in a position to express a view on the proposal made by Mr. Roberts concerning weekly rest in commerce and offices because the appropriate services in Belgium had not had time to consider the matter.

With regard to the revision of the Forced Labour Convention, 1930 (No. 29), he suggested that it would be wise to await the results of the next session of the Conference at which the adoption of a Recommendation on the subject was to be considered. However valuable the report of the Ad Hoc Committee on Forced Labour might be, it would be premature to take a decision as to the revision of the existing Convention in the light of that report alone and before knowing the replies of governments to the questionnaire which had been sent to them with a view to the adoption of a Recommendation.

Mr. Ghayour said that every year the Committee on the Application of Conventions and Recommendations noted that a large number of countries had not ratified the Conventions adopted at earlier sessions. One of the reasons for this state of affairs was no doubt that some countries had taken no part in drafting these Conventions. Many of the smaller countries were not able to send to the Conference delegations large enough to take part in the preparation of all the instruments which the Conference adopted; this was true in particular of distant countries which could not afford the heavy travelling expenses involved in sending advisers. It was to be feared that the number of countries which were unable to ratify Conventions or to give effect to Recommendations would continue to grow. At the present time only the more advanced countries were in a position to ratify and enforce Conventions, while others lagged far behind. If conditions of work were to be more or less standardised throughout the world this situation would have to be corrected.
The larger the number of items on the agenda of the Conference the less effective would be the part played by distant and less wealthy countries in its work. Some of the distant countries could not even send Government advisers to the Conference, still less Employers' and Workers' advisers. Hence it was desirable to limit the number of items on the agenda of sessions of the Conference, so that at least the majority of countries could take part in drafting international social legislation.

There was a tendency in the Governing Body for the representatives of the more advanced countries to regard technical assistance as something which did not concern them very closely. The countries in process of development, however, regarded this question as one of primary importance. Most of them needed such assistance and did not think that too much attention was being paid to it by the Conference. They would like to see the problem discussed so that there might be an exchange of views on new ideas and a review of what had already been done, in order to correct certain shortcomings in the methods applied in the past.

Mr. Aftab Ali did not agree with Mr. Ghayour that the more advanced countries took no interest in technical assistance activities. The representatives of the workers in underdeveloped countries entirely agreed with Mr. Roberts' comments on the subject of technical assistance. It was not that they were opposed to technical assistance, but they were afraid that the primary activities of the Office might be sidetracked in favour of the technical assistance programme in the planning of which the Governing Body itself had no part.

He reserved the right to show at the proper time that technical assistance was of more interest to underdeveloped than to developed countries. He regarded it as of the utmost importance, not only for recipient countries but for those which provided technical assistance, that the Conference should have an opportunity of discussing these problems. The question was one of universal interest. In particular, it would be most useful for the representatives of the countries providing technical assistance to have an opportunity of learning more about the Technical Assistance Programme and about the contribution they could make to it.

Mr. Møri was impelled by the two preceding speeches to draw the attention of the Employers' group to the potential consequences of their long-standing attempts to prevent the International Labour Conference from adopting international instruments. If their wishes were followed the International Labour Conference would soon become superfluous and, as lack of interest extended still further, the Governing Body and even the International Labour Office itself would soon become unnecessary. Contrary to what Mr. Ghayour seemed to think, it was essential that international labour Conventions should be adopted, and still more necessary that items of interest to the working classes should be placed on the agenda of the Conference, since the I.L.O. was sustained primarily by the interest which the workers of the world took in its work.

The items that the employers were prepared to accept for the agenda were of more limited interest. The workers would prefer more practical items, such as those mentioned by Mr. Roberts, who, as Mr. Aftab Ali had said, had spoken on behalf of the whole of the Workers' group.

The discussion was adjourned to the next sitting.

The sitting closed at 12.50 p.m.

A. M. Malik.
MINUTES OF THE SECOND SITTING

(Tuesday, 24 November 1953—3.45 p.m.)

The Governing Body was composed as follows:

Chairman: Mr. Malik.

Mr. Aftab Ali, Mr. Calderón Puig, Mr. Campanella, Mr. Cheybaní, Mr. Cingolani, Mr. Côté, Mr. Delaney, Mr. Fernandes, Mr. García Oldini, Mr. Gemmill, Mr. Jouhaux, Mr. Malik, Mr. Miller, Mr. Möri, Sir Guildhaume Myrdhin-Evans, Mr. Pequeno, Mr. Pons, Mr. Ramadier, Mr. Roberts, Mr. Sen, Mr. Shastri, Mr. C. E. Shaw, Sir Richard Snedden, Mr. Sölvén, Mr. Tata, Mr. Tuan, Mr. Uzcategui, Mr. Valladão, Mr. Waline, Mr. Wallin, Mr. Wuori, Mr. Villanes Ramos.

Second Item on the Agenda

Date, Place and Agenda of the 38th (1955) Session of the International Labour Conference (continued)

Agenda (continued).

Mr. Waline said that it was the desire of the Employers’ group that the agenda of the 38th Session of the Conference should not be overloaded. This desire was based not on any ulterior motive but simply on the fact that the group observed each year that when the agenda was too large serious difficulties were experienced not only by the distant countries but by the Conference itself, since the longer the session the more difficult it was for first-rank delegates to attend it. The Employers’ group accordingly suggested that only one new item should be placed on the agenda in addition to those which would have to be included in any case. They considered that that question should be technical assistance, a matter which deserved full discussion at the Conference with the participation both of the recipient countries and of the countries which provide technical assistance. It was true that the Governing Body had its own Technical Assistance Committee, but that committee could not be compared with the Conference, at which all the States Members of the Organisation were represented, including those which were not represented on the Governing Body.

Sir Guildhaume Myrdhin-Evans drew attention to the fact that if, as seemed probable, it proved impossible to reach a unanimous decision, it would be necessary to apply the elaborate voting procedure laid down by article 18 of the Standing Orders of the Governing Body. In spite of the somewhat uncompromising statement just made by Mr. Waline, he would venture to put forward a compromise proposal in the hope that it might meet with general approval.

In the light of the debate at the preceding sitting, it appeared that there was a large body of opinion in favour of discussing technical assistance in 1955. On the other hand, the Workers’ group had put forward weighty arguments against the inclusion of technical assistance as a formal item in the agenda for 1955. The United Kingdom Government for its part thought that it would be premature to put technical assistance on the agenda as a formal item in 1955 before knowing the results of the discussion in 1954.

The discussion had shown that there was a fair measure of agreement on two items. He therefore suggested that the Governing Body should, in the first place, add to the agenda for the 38th Session, as formal items, vocational training in agriculture and welfare facilities for workers, and that it should be agreed that technical assistance should be discussed at that session, postponing to a later date a decision on the question of whether that discussion should arise on a specific chapter in the Director-General’s Report or through the submission to the Conference of a draft resolution. This would mean that technical assistance would not be a formal item on the agenda but that it was understood that it would be discussed.

Mr. Waline asked Sir Guildhaume whether his proposal implied that it would be possible, after the 1954 Session of the Conference, to add technical assistance to the agenda as a formal item, thus increasing the number of new items before the session to three.

Sir Guildhaume Myrdhin-Evans explained that his proposal did not mean placing technical assistance on the agenda as a formal item; under the Standing Orders that would indeed not be possible after the 1954 Session of the Conference.

Mr. Waline said that the Employers’ group wanted technical assistance to appear on the agenda as a formal item because only in that way could enough advisers be provided to take part in the discussion both in committee and in the plenary sitting. He was somewhat surprised that there should be any hesitation in affording the Conference an opportunity if not every year, at least in 1955, of making a thorough review of one of the fundamental branches of the I.L.O.’s work which concerned a large number of States not represented in the Governing Body.

Sir Guildhaume Myrdhin-Evans pointed out that the Conference was to discuss this question in 1954, so that it was not a matter which had never been debated at all. His own proposal was that there should be a further discussion in 1955 but that it should not constitute a separate item on the agenda. It could therefore hardly be suggested that the Governing Body was failing to give this topic the importance it deserved.

Mr. Sen said that it had been hoped that, as a result of its meeting just before the sitting of the Governing Body, the Employers’ group might have made a proposal that would narrow the gap between its
views and those of the Employers, but in fact the attitude of the Employers' group seemed rather to have hardened.

He did not think that it made very much difference whether technical assistance appeared on the agenda as a formal item or not, since the discussion would no doubt take the same amount of time in whatever form it was conducted.

Technical assistance was, as had been generally pointed out, a problem of major importance. He recognised the force of some of the arguments advanced by Mr. Roberts against including it in the agenda as a regular item, but the fact remained that a discussion in the I.L.O. might be useful, and even necessary, to the extent that the recommendations of the I.L.O. might influence the later decisions of the Technical Assistance Board. In view of all the circumstances, the Government of India suggested that technical assistance should be placed on the 1955 agenda as a separate item, on the understanding that if the discussion in 1954 proved fruitless it would still be possible to delete it from the agenda for the following year. This solution would meet the views of the Employers and of the Workers, while at the same time safeguarding the possibility of avoiding a debate which might prove unnecessary.

Nobody appeared to have opposed the inclusion of the question of welfare facilities for workers except for reasons of expediency, in the event of its being necessary to restrict the number of items on the agenda, and the Government of India accordingly supported the inclusion of this item.

On the other hand, the question of the regulation of the employment of children and young persons in agriculture had not received strong support, and he therefore thought that it could be dropped. On the subject of vocational training in agriculture, he had already suggested an amended wording. Lastly, he thought that there was general agreement on the question of the revision of the Convention on the protection of dockers against accidents.

He therefore thought that, generally speaking, the Governing Body was in agreement on the inclusion in the agenda of technical assistance, welfare facilities for workers, and vocational training in agriculture. It remained to be decided whether the question of the regulation of the employment of children and young persons in agriculture should also be included and whether the wording of the item concerning vocational training in agriculture should be amended. He hoped that it would be possible to avoid the application of the voting procedure laid down in article 18 of the Standing Orders.

Mr. Waline repeated that it was the unanimous desire of the Employers' group that only one new question should be added to the agenda, namely, technical assistance. He stressed that in regard to the question of national labour departments, which was mainly of interest to governments, the Employers had agreed that advisers should be provided for the item and that the Conference should set up a special committee to discuss it. It was equally necessary for advisers to be provided to deal with the question of technical assistance, and this could only be done if it appeared on the agenda as a formal item.

He would sum up the position of the Employers' group with regard to the various questions mentioned in the Office document. The subject of welfare facilities for workers was described in that document as comprising three main aspects: feeding facilities, rest and recreation facilities and transportation facilities. The Office itself recognised that these problems arose in a different form in different countries, different industries and even in different undertakings. If that were so, it would be difficult to reach any conclusions on the subject which could be framed in the form of international labour legislation. Mr. Roberts had expressed the view that it was unlikely that anything more than a Recommendation could be adopted on the subject of vocational training in agriculture, and the same applied in the case of welfare facilities; the question was indeed so fluid that it might even be difficult to arrive at a Recommendation. Furthermore, having regard to present economic and social developments, it did not seem appropriate to arrange to hold a discussion on recreation at a session of the Conference which would take place in two years' time. This was a subject that should be dealt with not by the International Labour Conference but by the various Industrial Committees, as had been done in the case of several other subjects. If the exchange of views in the Industrial Committees showed that certain aspects of the problem were suitable to be dealt with by the Conference, a decision to that effect could always be taken at the appropriate time. He did not underestimate the importance of the question of welfare facilities to the workers, and a great deal had already been done in this field in the various countries, but it would still be premature to bring the matter before the Conference.

The Employers considered that the two agricultural questions might usefully be brought before the Conference but at a session which did not already have too full a programme. When the Permanent Agricultural Committee had reviewed these questions it had in fact emphasised their great importance. With regard to the revision of the Convention on the protection of dockers against accidents, the reasons why no decision seemed possible at the present time had been fully explained and therefore the results of the proceedings of the Committee of Experts should be awaited.

With regard to Mr. Roberts' suggestion concerning the weekly rest in commerce and offices, the Governing Body had not had a report submitted to it and, as Sir Guildhaume Myrdldin-Evans had pointed out, the matter could not be pursued unless there was unanimous agreement upon it.

The question of forced labour, raised by Mr. Delaney, was one of vital importance and the I.L.O. could not fail to concern itself with the conditions so movingly described in the report of the Ad Hoc Committee. Here again, however, no specific material had been furnished by the International Labour Office and, pending a proposal made in accordance with the normal procedure, the Employers could only indicate their general interest in the problem.

Mr. Roberts thought that it was unnecessary to continue the discussion and that the members of the Governing Body were now in a position to make up their minds.

He wished to give notice to the Governing Body that the Workers' group intended to press next year for the inclusion in the agenda of the Conference of the question of weekly rest in commerce and offices.

With regard to the form that the Conference's conclusions on the question of welfare facilities might take, he agreed that it was likely that only a Recommendation could be contemplated, but it was

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1 See below, Appendix II, p. 88.
for the Conference and not for the Governing Body to decide this point. Having regard to the insistence with which the Employers had for many years pressed for the adoption of Recommendations rather than Conventions, he would have expected them to welcome a proposal from the Workers’ side for a question which could be dealt with by means of a Recommendation.

He reminded the Governing Body that at the last session Mr. Tata had proposed the item of vocational training in agriculture with the full support of his group. The Employers’ group now seemed to have changed its position, since it appeared to regard Mr. Tata’s proposal as premature.

With reference to the question of technical assistance, he noted that the apprehensions he had expressed on behalf of the Workers’ group about the danger of establishing a precedent by placing it on the agenda as a formal item had been fully justified by the discussion which had taken place on this question. Although the Office document had specified that if technical assistance were placed on the agenda as a formal item this would not prejudice the placing of other items on the agenda, it was now suggested that technical assistance should be the only new item to be included in addition to the items which would of necessity have to appear on the agenda. He repeated that the Workers’ group urged the Governing Body to place the agenda of the 38th Session the questions of welfare facilities for workers and vocational training in agriculture, and that the group supported the suggestion made by Sir Guildhaume Myrddin-Evans concerning the manner in which the question of technical assistance should be handled.

The Chairman noted that the Workers’ group accepted the proposal made by Sir Guildhaume Myrddin-Evans. He asked whether the Employers’ group could also agree to this suggestion; if not, it would be necessary to take a series of votes.

Mr. Waline said that the Employers’ group could not accept Sir Guildhaume’s suggestion, and formally moved that the question of technical assistance should be placed on the agenda.

The Chairman read out the text of article 18 of the Standing Orders of the Governing Body.

Mr. Delaney urged the members of the Governing Body to try to reach some compromise on the Conference agenda, as had proved possible on every previous occasion during all the years of his membership of the Governing Body.

Sir Guildhaume Myrddin-Evans said that if a vote was to be taken it might perhaps be agreed that the question of the regulation of the employment of children and young persons in agriculture and the revision of the Convention on the protection of dockers against accidents should be eliminated. The voting procedure laid down under article 18 would then have to be applied only to the three other questions under consideration.

Mr. Miller wished to know, before the vote was taken, whether the question of welfare facilities for workers would be placed on the agenda with a view to the adoption of a Recommendation rather than of a Convention.

The Chairman said that it would be for the Conference itself to take a decision on this point, but the document submitted by the Office contemplated the adoption of a Recommendation.

He asked whether the Governing Body accepted the proposal made by Sir Guildhaume Myrddin-Evans. He therefore saw no reason to eliminate them a priori. On the other hand, he had no objection to eliminating the question of the protection of dockers against accidents if this was the unanimous desire of the Governing Body.

The Chairman said that as there was no unanimity on Sir Guildhaume’s suggestion it could not be adopted.

Mr. Waline explained that although, in view of the nature of the agricultural problems in Belgium, his Government would prefer the question of the regulation of the employment of children and young persons in agriculture, he was prepared to bow to the wishes of the majority if the Governing Body as a whole preferred the question of vocational training in agriculture. He would therefore support Sir Guildhaume’s suggestion, which would simplify the voting procedure.

Mr. Waline maintained the view that if the method of voting laid down by article 18 of the Standing Orders was to be applied there was no reason for eliminating beforehand the question of the regulation of the employment of children and young persons in agriculture.

Mr. Roberts was amazed that Mr. Waline should insist on a vote being taken on a question which the Employers themselves had decided to vote against and which no one else wished to support. This would still further complicate a procedure which was elaborate enough already. The Workers had already agreed to drop the question of weekly rest in commerce and offices and were prepared, in order to facilitate the voting, to agree to the elimination of the questions concerning the protection of dockers against accidents and the regulation of the employment of children and young persons in agriculture.

He drew attention to the attitude of the Employers, who had stated that they would vote only for a single item—that of technical assistance—and yet insisted that the voting procedure should be applied to all five questions.

Mr. Waline explained that, while the Employers wanted only one additional question on the agenda, they knew from experience that the majority of the Governing Body was not always on their side. If the Governing Body were to decide to include more than one new item in the agenda his group reserved its right to express its views with regard to the various questions mentioned in the Office note. However, he had no objection to eliminating the question of the protection of dockers against accidents if this was generally acceptable.
Mr. Sen recalled that he had suggested an amendment of the wording of the item concerning vocational training in agriculture, and that the Belgian Government had made certain comments which supported this suggestion. He wondered whether the Governing Body could not deal with this matter at the present stage.

Sir Guilthaine Myrddin-Evans said that Mr. Sen's proposal amounted in effect to introducing an entirely different item, and that it could be considered only in connection with the agenda of the 1956 Session, unless there was unanimous agreement upon it.

At the request of the Chairman, Mr. Jenks, Assistant Director-General, explained the significance of the votes which were about to be taken. The members of the Governing Body would be asked in the first place to indicate the item to which they gave lowest priority and which should be eliminated first, and then to eliminate successively all the other items until only one remained. The Governing Body would then be asked to decide whether it wished to place that item on the agenda of the Conference, and would subsequently have to decide whether it wished to add an additional item, the voting being continued until it was finally decided that no additional items should be added.

The Governing Body decided to eliminate the question of technical assistance.

The Governing Body decided to eliminate the question concerning the protection of dockers against accidents.

The Governing Body decided to eliminate the question of the regulation of the employment of children and young persons in agriculture.

The Governing Body decided to eliminate the question of welfare facilities for workers.

The Chairman announced that the only remaining item was that of vocational training in agriculture. He asked the Governing Body to decide whether this item should be placed on the agenda of the 38th Session of the Conference.

By 31 votes to 0 the Governing Body decided to place on the agenda of the 38th Session of the Conference the question of vocational training in agriculture.

By 23 votes to 8 the Governing Body decided to place an additional item on the agenda of the 38th Session of the Conference.

The Chairman asked the Governing Body to decide whether it wished to place on the agenda the last item which it had eliminated, namely, welfare facilities for workers.

By 21 votes to 9 the Governing Body decided to place on the agenda of the 38th Session of the Conference the question of welfare facilities for workers.

By 22 votes to 7, with 1 abstention, the Governing Body decided not to place any further questions on the agenda of the 38th Session of the Conference.

Mr. Sen did not wish to reopen the discussion on his proposal to amend the scope of the item concerning vocational training in agriculture. He hoped, however, that the Office would take his views into account when considering this problem.

Sir Richard Snodden said that he had voted for the inclusion in the agenda of the item concerning vocational training in agriculture in the terms in which it appeared in the Office document, and he could not allow the Office to interpret his vote in any other way. He thought that a number of other members of the Governing Body would share his view on this point.

The Governing Body noted that as a result of the decisions it had just taken, and having regard to the items which would necessarily be included in the agenda and to those which were likely to be carried over for second discussion from the 37th (1954) Session to the 38th (1955) Session, the agenda for the 38th Session of the International Labour Conference would be as follows:

I. Report of the Director-General.
II. Financial and budgetary questions.
III. Information and reports on the application of Conventions and Recommendations.
IV. Vocational rehabilitation of the disabled (second discussion).
V. Migrant workers (underdeveloped countries) (second discussion).
VI. Penal sanctions for breaches of contract of employment (second discussion).
VII. Vocational training in agriculture (first discussion).
VIII. Welfare facilities for workers (first discussion):
(a) feeding facilities in or near the undertaking;
(b) rest and recreation facilities in or near the undertaking (excluding holiday facilities);
(c) transportation facilities to and from work where ordinary public transport is inadequate or impracticable.

Twenty-first Item on the Agenda
Composition of Committees
Correspondence Committee on Co-operation.

The Governing Body appointed as a member of the Correspondence Committee on Co-operation, for a period of three years, Mr. Carlos Burr (Chilean), Legal Adviser, Department of Co-operation, Ministry of Economy and Commerce, Santiago.

Twenty-first Item on the Agenda
Report of the Director-General
Second Supplementary Report
V. Meeting of a Panel of the Correspondence Committee on Co-operation

The Governing Body decided that Mr. Erwin Hasselmann (Federal Republic of Germany), Director of the Central Union of German Consumer Co-operative Societies, should be invited to this meeting in place of Mr. Frietema (Netherlands).

The Governing Body decided that Mr. Carlos Burr (Chilean) should be invited to this meeting in place of Mr. Sierrra (Argentina).

The sitting closed at 5.20 p.m.

A. M. Malik.
MINUTES OF THE THIRD SITTING

(Wednesday, 25 November 1953—10.20 a.m.)

The Governing Body was composed as follows:

Chairman: Mr. Malik.

Mr. Aftab Ali, Mr. Calderón Puig, Mr. Campanella, Mr. Cheybani, Mr. Cingolani, Mr. Côté, Mr. Delaney, Mr. Fernandes, Mr. García Oldini, Mr. Gemmill, Mr. Jouhaux, Mr. Malik, Mr. Miller, Mr. Möri, Sir Guildhaume Myrdhin-Evans, Mr. Pequeno, Mr. Pons, Mr. Ramadier, Mr. Roberts, Mr. Sen, Mr. Shastri, Mr. C. E. Shaw, Sir Richard Snedden, Mr. Sölvén, Mr. Tata, Mr. Tuan, Mr. Uzcategui, Mr. Valladão (replaced during part of the sitting by Mr. de Souza e Silva), Mr. Waline, Mr. Wallin, Mr. Wuori, Mr. Yllanes Ramos.

Third Item on the Agenda

Action to be Taken on the Resolutions Adopted by the International Labour Conference at its 36th Session

Resolution concerning Protection of the Employment and Living Conditions of Young Persons.

The Governing Body authorised the Director-General to transmit this resolution to the Secretary-General of the United Nations and to the Director-General of the United Nations Educational, Scientific and Cultural Organisation, and noted the Director-General's intentions with regard to future action.

Resolution concerning an International List of Notifiable Occupational Diseases.

The Governing Body authorised the Director-General to undertake the necessary preparatory work to implement this resolution, in consultation with the World Health Organisation, and to keep the Governing Body informed of developments.

Resolution concerning the Placing on the Agenda of an Early Session of the Conference of the Question of Holidays with Pay, with a View to the Revision of Convention No. 52.

The Governing Body took note that this resolution would be recalled to its attention at an appropriate time in connection with the agenda of sessions of the Conference.

Resolution concerning Industrial Medical Services.

Mr. Vermeulen said that, since the World Health Organisation had shown a tendency to enter this field, the Workers' group would like the Director-General to make it clear from the outset to that organisation that the International Labour Organisation considered itself the competent body to deal with this question. The Workers' group agreed, however, that consultations should take place.

Mr. Miller said that the United States Government considered that it would be helpful and proper for the expert opinion of the staff of the World Health Organisation to be consulted in the development of the programme concerned.

The Chairman thought that Mr. Miller's point was covered by the wording of the recommendation in paragraph 8 of the Office document.

The Governing Body took note that this resolution would be recalled to its attention at an appropriate time in connection with the agenda of sessions of the Conference and authorised the Director-General to discuss with the World Health Organisation the means by which progress in this field was most likely to be achieved, with the possibility in view of bringing the question once more before the Governing Body when it seemed ripe for consideration at a session of the International Labour Conference.

Other Resolutions.

Mr. Shastri drew attention to the resolution concerning the economies of underdeveloped countries. He thought that the Director-General should be requested to take appropriate action on this resolution, which was no less important than those mentioned in the Office document.

The Chairman explained that in some of the resolutions the Conference itself had requested the Director-General to take certain action, whereas in others it had suggested that the Governing Body should take action, and it was only the latter group of resolutions which were mentioned in the Office document.

The Director-General, in reply to Mr. Shastri, said that he had taken the decision to act on the resolution in question. He agreed that it would have been appropriate to bring the matter to the attention of the Governing Body, and he would see that this was done in similar cases in future.

Mr. Delaney, referring to the Supplementary Note, said that the Workers' group attached a great deal of importance to the point dealt with in paragraph 14 of the "Observations and conclusions regarding the organisation and working of national labour departments". His group viewed with some alarm the tendency to this request so far as budgetary limitations made it possible, and expressed the hope that budgetary limitations would not prevent the Director-General from taking the necessary action.

The Governing Body took note of the information contained in paragraph 3 of the Supplementary Note concerning action to be taken on paragraph 14 of the "Observations and conclusions regarding the organisation and working of national labour departments".
Fourth Item on the Agenda

Conditions of Work in the Fishing Industry

Mr. Campanella, without wishing to raise once again the general objections to the multiplication of committees put forward on many occasions by the Employers' group, expressed the view that the particular committee suggested in the Office document would be a useless waste of time and money. Owing to the great variation in the conditions in the fishing industry both between one country and another and within the same country, the question was one which was very difficult to regulate internationally, and any conclusions which might be reached by a committee on the subject would be very difficult to apply in the individual countries.

Mr. Wallin supported Mr. Campanella's remarks. In addition, he did not understand what was meant by a "tripartite committee of experts", as proposed in paragraph 23 (t) of the document. This would apparently be neither a tripartite committee, nor a committee of experts proper, nor even a committee of experts drawn from different backgrounds, a formula which might sometimes be useful and which had in fact been used successfully in the case of the meetings on the questions of payment by results and productivity. He failed to see why the Office should suggest a new form of committee when so many different kinds already existed, and on behalf of the Employers' group he wished to place on record his objection to the principle of this proliferation of committees. A new committee meant more documents, and the documents prepared for existing committees were still being circulated too late. The Workers' group would no doubt say that the remedy lay in increasing the budget and the staff, but it would be wiser to plan according to the means available.

Mr. Bergengrüm supported the remarks of Mr. Campanella and Mr. Waline and emphasised in particular the need for an order of priority and for concentration of effort in the Office's activities. At a recent meeting of experts not only had the papers not been distributed sufficiently far in advance but even when the meeting opened they had not been available for some of the experts in a working language which they could understand. If meetings were continually multiplied these difficulties could never be overcome.

Mr. C. E. Shaw also supported the remarks made by the previous speakers. In addition, he thought that the proposal which the Governing Body was being asked to consider was in reality aimed at increasing the budget and the staff, but it did not consider that the establishment of an Industrial Committee would be a real committee of experts, although the formula was a novel one. He could not agree with Mr. Shaw that a committee so constituted would be equivalent to a new Industrial Committee.

Mr. Vermeulen stressed the point made by Mr. Wallin that, out of 27 governments which had replied to the questionnaire, 17 had expressed the opinion that international regulations should be established to regulate the conditions of work of fishermen. The Workers' group therefore did not consider that the arguments put forward by the Employers met the situation as revealed in the replies of the governments.

The Workers' group also agreed with Mr. Wallin's views on the form of the committee. It was clear from the replies given in tabulated form in Annex A to the Office document that the matter was so complex and so far outside the normal work of the Office that the assistance of experts in preparing a report as a basis for international regulation was necessary.

With regard to Mr. Waline's criticism of the proposal that the committee should be a tripartite committee of experts, the Workers considered that they had some knowledge of working conditions in the fishing industry and would wish their views to be expressed in the proposed committee by workers' experts. There was no relation at all between a committee of the type proposed and an Industrial Committee.

Sir Guildhaume Myrddin-Evans said that, while the United Kingdom Government agreed that a case had been made out for some further examination of the possibility of establishing international regulations on the subject of conditions of work of fishermen, it did not consider that the establishment of a committee, whether of a tripartite character or as a real committee of experts, was warranted, and believed that the studies in question could be carried out by the Office. The cost of the meeting of experts was estimated at over $13,000 and the Governing Body ought not to agree lightly to this to certain problems connected with the conditions of work of fishermen. Consequently he had no general remarks to make on the Office document.

With regard to the terms of reference of the proposed committee, the Belgian Government would prefer the suggestions contained in subparagraph (3) of paragraph 23 of the Office document, namely, that the committee should be asked to consider only certain aspects of the conditions of work of fishermen and specifically the questions referred to in paragraph 16, with which the great majority of governments had expressed agreement.

The Belgian Government had no objection to the proposal that the committee should be a tripartite committee of experts, although the formula was a novel one. He could not agree with Mr. Shaw that a committee so constituted would be equivalent to a new Industrial Committee and did not believe that the intention of the Office, since the committee would meet only once for the purpose of making a comprehensive review of a series of problems which had not been studied for a long time by the I.L.O., although they were of concern to a number of countries in which fishing was an important industry.

He therefore supported the proposals advanced in the Office document, subject to his observations concerning the terms of reference of the committee.

Mr. Vermeulen stressed the point made by Mr. Wallin that, out of 27 governments which had replied to the questionnaire, 17 had expressed the opinion that international regulations should be established to regulate the conditions of work of fishermen. The Workers' group therefore did not consider that the arguments put forward by the Employers met the situation as revealed in the replies of the governments.

The Workers' group also agreed with Mr. Wallin's views on the form of the committee. It was clear from the replies given in tabulated form in Annex A to the Office document that the matter was so complex and so far outside the normal work of the Office that the assistance of experts in preparing a report as a basis for international regulation was necessary.

With regard to Mr. Waline's criticism of the proposal that the committee should be a tripartite committee of experts, the Workers considered that they had some knowledge of working conditions in the fishing industry and would wish their views to be expressed in the proposed committee by workers' experts. There was no relation at all between a committee of the type proposed and an Industrial Committee.

The Workers' group therefore supported the proposals made in the Office document, as interpreted by Mr. Wallin. It would be for the Employers to decide for themselves whether or not they wished to appoint their own experts to the committee.

Sir Guildhaume Myrddin-Evans said that, while the United Kingdom Government agreed that a case had been made out for some further examination of the possibility of establishing international regulations on the subject of conditions of work of fishermen, it did not consider that the establishment of a committee, whether of a tripartite character or as a real committee of experts, was warranted, and believed that the studies in question could be carried out by the Office. The cost of the meeting of experts was estimated at over $13,000 and the Governing Body ought not to agree lightly to this
expenditure if the matter could be handled adequately by the staff of the Office at far less expense.

Whatever the manner in which the study was to be carried out, the United Kingdom Government considered that it should not cover all aspects of fishermen's conditions of employment but that the Governing Body should decide upon a limited number of questions for examination. In his Government's view the number of subjects which could be studied properly in the time available was limited to those which it had indicated in its reply to the questionnaire, namely, minimum age on entry; medical examination on entry and periodically thereafter; and articles of agreement. Any addition to these three items would mean a dispersal of effort. The United Kingdom Government would, however, be prepared to consider an addition or additions to this list if the Governing Body thought that such additions could properly be undertaken, with the exception of the subject of safety provisions. This was a highly technical matter which should not be confused with the ordinary conditions of employment and had no particular application to fishermen. It was a matter which the I.L.O. had never handled and had never considered to be appropriate for its attention, and which should be dealt with through the usual medium of international conventions regarding safety of life at sea.

If the Governing Body did not accept the United Kingdom Government's views regarding the method by which the study should be carried out there would arise the question of the composition of the committee, and on this point he was entirely in agreement with the view expressed by the Employers' group that a tripartite committee of experts was a contradiction in terms. A tripartite committee was bound to be representative and would therefore not be able to reach the kind of agreement which was expected of an expert committee. That did not mean that the choice of experts should be confined to one particular kind of person, such as government servants and theoretical students of the subject; they could quite properly be drawn from an employer, worker or government background, or from all three, provided that they were selected as experts and not as representatives of the different groups.

Finally, if the Governing Body decided to set up a committee of experts, there seemed to be no reason why the committee should meet during 1954, in which year there was no financial provision for such a meeting. The Governing Body was constantly authorising expenditure additional to that approved in the budget for a particular year and in times of financial stringency it was undesirable that this should be done unless there was an overwhelming case on grounds of urgency, a case which had not been argued in the present instance. This was a further argument in favour of the view that these studies should be undertaken by the Office and not by a committee of experts.

Mr. Miller said that the position of the United States Government in this matter was similar to that of the United Kingdom Government. He was sorry that the consideration of the funds of the Organisation had to be raised from time to time but the United States Government considered that the convening of this committee should be postponed until its expenses could be met within the approved budget. He agreed with Sir Guildhaume Myrddin-Evans, namely, minimum age on entry, medical examination on entry and articles of agreement, the United States Government thought that the question of accident insurance might also be included within the scope of the committee's consideration.

While he had listened with great interest to the Employers' views, and his own Government was apprehensive about the addition of new items to the programme, he was instructed to express the view that the matter was worthy of consideration within the rather strict limits that he had already indicated relating to finance, timing and the items for consideration.

The Chairman said that two definite views had been expressed in the Governing Body: on the one hand, that a committee should be set up and, on the other, that the Office should do the necessary work without a committee. He suggested that the Governing Body should first consider whether a committee should be set up, leaving the other questions to be discussed later if necessary.

Mr. Ramadier thought that it was necessary for the proposed study to be referred to a committee. When the question of the fishing industry had been raised in the Joint Maritime Commission the conclusion had been reached that the Commission was not competent either to deal with this industry itself or to set up the necessary bodies for the purpose. It was clear that the problems of the fishing industry deserved consideration at the present stage and there seemed to be general agreement on this point. A written study was certainly necessary but would not be sufficient in itself; when a new question was taken up the relevant problems should be defined with a precision and clarity which only those who had practical experience of them could contribute. The French Government, in replying to the questionnaire, had accordingly expressed the view that these problems should be examined by a small committee of experts before being submitted to the International Labour Conference.

The question of the nature of the proposed committee would of course have to be decided. It was quite true that the idea of a committee of experts implied that its members should be appointed solely on account of their competence and impartiality, and that a tripartite committee of experts would be a contradiction in terms. The question was, however, mainly one of nomenclature and perhaps to some extent of procedure. He suggested that the difficulty should be solved by dropping the word "experts". The proposed committee could then provide the Governing Body with the advice which was essential for the further examination of the problem preparatory to its discussion by the Conference.

Mr. Roberts supported Mr. Ramadier's proposal that the term "experts" should be dropped and that the Governing Body should decide to set up a tripartite committee which would in fact be a representative committee of persons with an expert knowledge of the subject they were required to discuss. He pointed out that the reference to "six tripartite delegations" in paragraph 27 of the Office document should be included within the 1955 programme so that it could be provided for within the 1955 budget. The United States Government also held the view that if a committee was established its terms of reference should be narrowly restricted. In addition to the three items referred to by Sir Guildhaume Myrddin-Evans, namely, minimum age on entry, medical examination on entry and articles of agreement, the United States Government thought that the question of accident insurance might also be included within the scope of the committee's consideration.
was misleading, since the intention clearly was that there should be six representatives for each group drawn respectively from government, employers' and workers' nominees from different countries.

With regard to the references made to the lack of financial provision for the meeting in 1954, he pointed out that the Government and Employers' groups were responsible for this situation and the Workers' group was not prepared to accept the argument that no new activities must be undertaken because there was no budgetary provision for them, when the budget had been whittled down to such restricted proportions. He hoped that both the Governments and Employers would see that this situation was remedied at the next session of the Governing Body.

He reserved his remarks on the other questions until it had been decided whether a committee should be set up or not.

Mr. Allana opposed the setting up of a committee, by whatever name it might be called, because conditions in the fishing industry at present did not call for international action but at the most only for regional action. In many countries there was no such thing as an employer-employee relationship in the fishing industry. For instance, in many countries of Asia which had an interest in the fishing industry no fishermen were employees; they merely received an advance of money from the fish merchants to enable them to go out fishing. Consequently the problems set forth in the Office document did not arise in these countries and there was no justification for the setting up of a committee. As a matter of fact, it was the employers in the fishing industry who required protection in many countries of Asia, and not the fishermen.

While there were certainly countries in some regions in which conditions in the fishing industry were capable of discussion, he considered that, in general, conditions in the industry were such that no international action was required.

Sir Richard Snedden, taking up the reference made by Mr. Ramadier to the Joint Maritime Commission, said that there was no member of the Shipowners' group in the Joint Maritime Commission who was competent to discuss questions relating to the fishing industry. As a member of the Governing Body he was now competent to speak with the full authority of the owners, and he, like Mr. Allana, was opposed to setting up a committee on the subject in any shape or form, on purely practical grounds and on grounds of what he believed to be the best interests of the Office in the long run.

He did not believe that it was possible to reach effective international solutions of the problems that had been put before the Governing Body, even in the limited sense in which they might ultimately be formulated. He reminded the Governing Body that one of the greatest difficulties in securing enforcement of maritime Conventions or Recommendations was that of ensuring the application of the rules to small ships, and that problem was increased a hundredfold in the case of fishing boats. For instance, there was no effective definition of the term "inshore fishermen", and on a pension fund board for fishermen on which he had served for many years the greatest difficulty had always been experienced in interpreting that term.

It was for these practical reasons that he was entirely opposed to the setting up of any kind of committee on the subject.

Mr. Tata agreed with Mr. Allana's view that there was no need to set up a committee because, even if all the necessary information were available, it might not be possible to translate it into any kind of action which could be of service to fishermen.

Mr. Sen said that while the remarks of Mr. Allana and Mr. Tata might apply to some extent to Asian countries where conditions in the fishing industry were entirely uncontrolled, he himself would not wish to stand in the way of the setting up of a committee if it could improve the lot of fishermen in some other parts of the world.

Sir Guildhaume Myrddin-Evans asked for the Director-General's views as to whether the Office could in fact undertake the studies in question without the assistance of a committee.

The Director-General replied that in the circumstances and taking into account the current workload of the Office a better job would be done if a committee were set up, of whatever type the Governing Body might decide.

He recalled that this subject had been before the Organisation for a long time; it had first been raised in 1946 during the Seattle Conference, and in 1949 the Governing Body had been asked to decide whether a committee of experts on fishermen should be set up, but had come to the conclusion that the opinion of governments should be sought first. In June 1952 the Governing Body had postponed action on a resolution on the subject, adopted (subject to the abstention of the Shipowners) at the 17th Session of the Joint Maritime Commission, until the views of the governments were available. A document concerning the replies of the governments had been submitted at the 122nd Session, when the Governing Body had decided to postpone the question until its present session so that the full information contained in the replies of the governments could be submitted to it and a final decision taken as to whether a committee of experts on fishermen should be set up.

The replies of the governments had appeared to show a consensus of opinion that a committee of experts should be set up, and the Director-General himself felt that the work could be done better and more quickly in that way.

By 21 votes to 8, with 3 abstentions, the Governing Body decided to set up a committee on the conditions of work of fishermen.

The Chairman asked the Governing Body to decide whether the committee should be a committee of experts or a tripartite committee.

Mr. Bergenström did not clearly understand the implications of this decision, if it should result in the setting up of a tripartite committee. As Mr. Shaw had already pointed out, such a committee would resemble an Industrial Committee and if it were to hold more than one meeting, as was implied in paragraph 23 (s) of the Office document, it would be bound to grow in size and would ultimately be no different from an Industrial Committee.

Mr. Roberts proposed, in order to meet the Employers' views, that the Governing Body should decide to set up a committee of experts drawn in equal numbers from government, employers' and workers' circles.
Mr. Valladao noted that in paragraph 23 (4) of the document it was proposed that the committee should be composed of experts to be selected from countries with a major interest in fishing, with due regard to geographical distribution. He asked what was the precise meaning of the latter phrase since he had observed in other organisations that some regions kept the lion's share for themselves, and he noticed that in this case it was proposed that three of the government experts should be drawn from European countries.

The Director-General explained that the countries had been selected with the object of providing the broadest possible point of view and the widest experience compatible with the financial limitations imposed.

Mr. Valladao appreciated that a larger committee would be needed to give full representation to all countries but thought that even with the numbers proposed a better balance might be secured.

Mr. Roberts thought that the point raised by Mr. Valladao applied particularly to the employers' and workers' representatives, and the reference to geographical distribution in the Office document was intended to ensure that in making recommendations for members from employers' and workers' sources care should be taken to see that they should not all come from one country or from one region.

Mr. Sen thought that if the problem was to be studied properly it would be better for a smaller body to be set up, and for its members to be experts, irrespective of whether these experts were drawn from government, employers' or workers' sources. When the report of the committee came to the Governing Body the relative interests of the different groups could be adjusted.

While he would not wish to press a proposal on a problem which did not directly affect his own country, he suggested that the size of the committee should be smaller than was proposed in the Office document; this would also reduce the expenditure involved.

Mr. Fernandes supported the view expressed by Mr. Sen that in the present phase of the study it would be preferable to set up a committee of experts, irrespective of their origin, although the Director-General might be invited to select them from the three groups and also to take due account of geographical distribution.

So far as the question of geographical distribution was concerned, he assumed that the Director-General would not automatically select one representative from each continent or each latitude, but would take into consideration the importance of the fishing industry in the different countries. He supported the proposal to set up a smaller group of experts, provided that they were real experts and that the preoccupation with equal representation of the three groups was set aside at the present stage.

Mr. Miller said that the fishing industry involved problems of a highly political character, as was demonstrated by the recent disputes between the Republic of South Korea and the Japanese Government and between the United States Government and the Japanese Government concerning fishing rights. In view of the financial and other considerations involved and of the various issues raised in the course of the discussion, he thought that a reasonable compromise might perhaps be reached on the basis of the suggestion made by Mr. Sen that a smaller committee should make a preliminary review of the question and submit a report on the basis of which the Governing Body could decide at a later stage how to proceed further in the matter. This would be in accordance with the well-tried procedure of the I.L.O. of not attempting to arrive at firm conclusions until all the facts were available. He agreed with Mr. Roberts and the Workers' group that there were real problems connected with the fishing industry which the I.L.O. could not neglect, but believed that the procedure suggested by Mr. Sen would lead to definite progress in dealing with these problems and that the United States Government would be prepared to associate itself with this suggestion, subject to the reservations he had already expressed.

Mr. Genmill said that one of the most important aspects of fishing in Africa was that of fishing on the Great Lakes in the interior and he thought that the only way of covering such special aspects of the problem would be to follow the suggestion of Mr. Sen and to set up a committee of real experts.

Mr. Uzcategui supported the views expressed by Mr. Fernandes. In view of the nature of the subject and the complexity of the material it seemed preferable that a technical committee of experts should be set up rather than a tripartite committee, but these experts might well be chosen from the various groups. The criterion of geographical distribution should also be applied, not merely because the various parts of the world ought to be represented on such a committee but also in order to cover the different conditions in the fishing industry in different parts of the world, having regard, for instance, to the fact that in some regions the industry was carried on by big undertakings, whereas in others it was carried on directly by self-employed fishermen.

Mr. Roberts did not think that Mr. Gemmill's argument was relevant to the question whether the committee should be a committee of experts or a tripartite committee. The important consideration for the Workers' group was that the committee should include workers' representatives who had practical knowledge of the conditions and difficulties in the industry. The trend of the recent suggestions seemed to be towards setting up a small committee to give preliminary consideration to a matter which might well later give rise to contentious arguments and involve the establishment of a much larger committee, so that the ultimate total expenditure would be greater than that involved in the Office's proposal. The Workers' group therefore maintained its support for the proposal of a committee of 18 persons with equal representation from each group.

Mr. Öhnes agreed with Mr. Roberts that in the case of the fishing industry it was necessary to have a committee containing representatives from the different groups and doubted whether a small committee of experts could do useful work. The terms of reference proposed for the committee, namely, "to consider all or certain aspects of fishermen's conditions of employment and to make recommendations to the Governing Body concerning those aspects which appear ripe for international action", appeared to call for the presence of representatives from the different groups so that their interests might be represented.
Mr. Waline asked for clarification of the various proposals before the Governing Body before a vote was taken.

Mr. Roberts, while reserving his previous proposal, was prepared, in an attempt to secure agreement without a vote, to suggest the setting up of a committee of 18 persons chosen in equal numbers after consultation with governments and by arrangement with the Employers' and Workers' groups, but as experts and not in a representative capacity. The purpose of this proposal would be to secure a committee composed of members who had a real technical and expert knowledge of the subjects under discussion, but also including some who had practical experience as workers. It would be clearly understood that the members appointed by arrangement with the Workers' group would not be representing the workers' interests, but would be appointed because of their expert knowledge.

Mr. Delaney suggested that an analogy might be found in the functions of the expert from the workers' ranks who had attended the Meeting of Experts on the Prevention and Suppression of Dust in Mining, Tunnelling and Quarrying.

Mr. Sen thought that if Mr. Roberts' proposal were adopted there would be no need for government experts to be appointed and that the third group of members should be quite independent.

Sir Guildhaume Myrddin-Evans thought that the gist of the proposals made both by Mr. Roberts and Mr. Sen was that a committee should be set up and that one-third of the members should be drawn from among the workers, one-third from among the employers and one-third from independent persons. Each member would be appointed for his expert knowledge of the subject and not as a representative of the workers, employers or governments.

If this proposal were acceptable to the Governing Body, there remained the two questions of the method of appointment and the size of the committee. With regard to the method of appointment there appeared to be general agreement that the Director-General should appoint the employers' and workers' members after consultation with their respective groups, and that the independent members should be appointed after consultations with certain governments.

With regard to the size of the committee it was to be hoped that agreement might be reached on a smaller number than 18. He suggested that to reduce the number from 18 to 12 would save both time and money and would also give a better prospect of securing concrete conclusions.

Mr. Sen agreed that Sir Guildhaume's summing up of the position corresponded to what he, and probably Mr. Roberts also, had had in mind.

Sir Richard Snedden did not think that there was any real difference between the proposals just clarified by Sir Guildhaume and those contained in the Office document. If there were to be an equal number of experts chosen by the Director-General in consultation with the Employers' group and the Workers' group respectively, this would imply the agreement of the groups so that, in fact, there would be employers' representatives and workers' representatives in equal numbers on the committee, and no doubt the six members chosen after consultation with the governments would represent those governments however carefully they might explain that this was not the case. He had had experience of a similar situation in September 1952 when attending the Meeting of Experts concerning accommodation of migrants on board ship. Taking a realistic view, therefore, the Governing Body should appreciate that if the proposal now under discussion were adopted it would amount to the same thing as the proposal put forward in the Office document.

The Chairman said that he would put to the vote the proposal made by Mr. Roberts as clarified by Sir Guildhaume Myrddin-Evans and supported by Mr. Sen.

Mr. de Souza e Silva pointed out that Sir Guildhaume had suggested that the number of members should be reduced from 18 to 12. The Brazilian Government warmly supported that suggestion.

Mr. Roberts opposed this proposal.

The Chairman said that in these circumstances he would take a vote first on the method of appointing the committee and then on the size of the committee.

By 21 votes to 5, with 4 abstentions, the Governing Body decided that the committee should be composed of persons with an expert knowledge of the fishing industry selected by the Director-General after consultation with governments and with the Employers' and Workers' groups of the Governing Body.

By 15 votes to 11, with 4 abstentions, the Governing Body decided that the committee should be composed of 12 members, one-third of whom should be selected in consultation with each group.

By 20 votes to 4, with 6 abstentions, the Governing Body adopted paragraph 23 (1) of the Office document as amended.

The Chairman asked the Governing Body to consider the alternative terms of reference for the committee set out in subparagraphs (2) and (3) of paragraph 23 of the Office document.

Mr. Allana suggested that an appropriate amendment might be made to subparagraph (2) in order to ensure that the regional aspects of the fishing industry should be borne in mind by the committee.

Sir Guildhaume Myrddin-Evans noted that the proposals in subparagraphs (2) and (3) were given as alternatives, so that if subparagraph (3) were adopted it would not be necessary to vote on subparagraph (2).

He formally proposed that the Governing Body should adopt the suggestion he had made at an earlier stage that the committee should be asked in the first instance to consider only the following aspects of the conditions of work of fishermen: minimum age on entry; medical examination on entry and periodically thereafter; articles of agreement; and, in view of Mr. Miller's proposal, accident insurance.

Sir Richard Snedden suggested the deletion of the words "in the first instance" in subparagraph (3) on the ground that they implied another meeting and were unnecessary at the present stage.

In addition, he strongly supported the omission of any reference to safety provisions, from the general standpoint that safety matters were not suitable for consideration by a committee of the kind proposed.
Mr. Roberts, on behalf of the Workers' group, agreed to the suggestion made by Sir Guildhaume Myrddin-Evans concerning the terms of reference of the committee on the clear understanding that accident insurance should be included. However, it should not be implied that the Workers' group agreed with Sir Guildhaume's view in regard to the question of safety provisions on board fishing vessels; the problem was entirely different in the case of fishermen, who had to handle machinery and equipment with which the ordinary seaman was not required to deal.

He accepted Sir Richard Snedden's suggestion that the words "in the first instance" should be deleted, on the understanding that Sir Richard did not wish it to be assumed that there would necessarily be another meeting of the committee and the Workers' group did not wish it to be assumed that there would necessarily not be another meeting.

The Chairman noted that there was no opposition to deleting the words "in the first instance".

Mr. Aftab Ali asked what the position would be with regard to fishermen in some of the Asian countries. Mr. Allana's statement that the fish merchants needed protection and not the fishermen was very far from the facts. In Pakistan, India and other Asian countries the conditions of fishermen were so bad that they did not have the means with which to buy their boats or their nets and were exploited by the fish merchants who supplied them with equipment as well as with cash. He could personally testify that thousands of fishermen were working for such merchants in East Bengal and Karachi.

He would like the committee of experts to examine the conditions of this group of fishermen also and to seek remedial measures, and he therefore opposed the proposal made by Sir Guildhaume Myrddin-Evans because he thought that it would prevent this from being done.

Mr. Allana shared Mr. Aftab Ali's desire that the committee should examine the conditions in the fishing industry in countries such as Pakistan, but maintained his previous statement that it was the fish merchants in these countries who needed protection rather than the fishermen. There were certain regional aspects of the industry which should not be lost sight of by the committee, and both his own point of view and Mr. Aftab Ali's could be met by an appropriate amendment to the Office text.

The Chairman pointed out that if the Governing Body adopted the proposal in subparagraph (2) of paragraph 23 the point raised by Mr. Aftab Ali and Mr. Allana would be covered. Sir Guildhaume Myrddin-Evans's proposal, however, was to adopt the suggestion in subparagraph (3) subject to the amendments which he had moved, and he asked the Governing Body to take a decision on this point.

The Chairman pointed out that if the Governing Body decided without opposition that the committee should be asked to consider only the following aspects of the conditions of work of fishermen: minimum age on entry; medical examination on entry and periodically thereafter; articles of agreement; and accident insurance; and to make recommendations to the Governing Body concerning those aspects which appear ripe for international action and, where appropriate, the form and scope of such action.

Mr. Miller pointed out that consequential amendments would be needed in subparagraph (4) as a result of the decision already taken to reduce the membership of the committee from 18 to 12.

Mr. Sen thought that six days might not be sufficient for the duration of the meeting and suggested that the Director-General might be authorised to extend it if necessary.

The Chairman said that the observations made by Mr. Miller and Mr. Sen would be noted.

Mr. de Souza e Silva proposed that the Governing Body should decide on any changes which had to be made in the list of countries specified in subparagraph (4) as a result of its decision to reduce the membership of the committee.

Mr. Ramadier suggested that the list of countries should be maintained but that these countries should be asked to agree on the nomination of four experts.

Mr. Sen pointed out that the Governing Body had decided that the third group of members should be independent persons selected by the Director-General in consultation with certain governments. It should therefore be left to the Director-General's discretion to decide which governments he would consult.

Mr. de Souza e Silva accepted this suggestion on the understanding that due regard would be had to the principle of geographical distribution.

The Governing Body authorised the Director-General (a) to consult governments with a view to the nomination of four experts; (b) to request the Employers' and Workers' groups of the Governing Body each to arrange for the nomination of four experts to be selected from countries with a major interest in fishing. It was agreed that in making all these nominations, due regard should be had to geographical distribution.

The Chairman asked the Governing Body to take a decision on subparagraph (5) of paragraph 23, concerning the date of the meeting of the committee.

Sir Richard Snedden proposed that the reference to a "first meeting" should be deleted in this paragraph also.

This proposal was accepted unanimously.

Sir Guildhaume Myrddin-Evans thought that members of the Governing Body might wish to express views about the date of the proposed meeting in the light of the recommendations of the Financial and Administrative Committee on the financing of the meeting. He suggested that the Governing Body's decision with regard to the date should be taken subject to the later decision on the report of the Financial and Administrative Committee.

The Governing Body authorised the Director-General to convene the Committee on Conditions of Work in the Fishing Industry to meet during the spring of 1954, subject to any decisions which might be taken on the financial implications of the meeting as set forth in the report of the Financial and Administrative Committee.

It was agreed that the Director-General might extend the duration of the meeting beyond six days if he should consider this necessary.

The sitting closed at 12.50 p.m.
The Governing Body was composed as follows:

**Chairman : Mr. Malik.**

Mr. Ago, Mr. Aftab Ali, Mr. Bergenström, Mr. Calderón Puig, Mr. Campanella, Mr. Cheyban, Mr. Côté, Mr. Delaney, Mr. Fernandes, Mr. García Oldini, Mr. Gemmill, Mr. Jouniaux, Mr. Malik, Mr. Miller, Mr. Mörí, Sir Guildhaume Myrdin-Evans, Mr. Pequeno, Mr. Ramadier, Mr. Roberts, Mr. Sen, Mr. Shastri, Mr. C. E. Shaw, Sir Richard Snedden, Mr. Sölven, Mr. Tata, Mr. Tuank, Mr. Uzcátegui, Mr. Valladao, Mr. Waline, Mr. Wallin, Mr. Wuori, Mr. Yllanes Ramos.

**SIXTH ITEM ON THE AGENDA**

**European Regional Conference**

**General Discussion.**

Mr. Hadji Vassiliou said that the Greek Government was particularly interested in the proposal to convene a European Regional Conference.

His Government was, in fact, of the opinion that the community of interests of countries in a particular geographical region made such conferences necessary, especially in the case of Europe, at a time when numerous attempts were being made to bring about the integration of Europe. Such a conference, organised within the framework of the I.L.O., would be all the more useful in that the Organisation included in its membership more States than the other European organisations which were taking the initiative in this field; moreover, its tripartite character could help to facilitate the working out of solutions for European problems to which attention was being given, outside the I.L.O., by the Council of Europe, the European Coal and Steel Community, the Organisation for European Economic Co-operation, the North Atlantic Treaty Organisation, the Intergovernmental Committee for European Migration and the Economic Commission for Europe. As the representative of the Greek Government in many of these organisations, he had had the opportunity of following the activities of observers representing the I.L.O. and he paid tribute to the zeal with which they had put forward the views of the I.L.O. and had insisted on its competence in the social field, both from the constitutional and from the traditional point of view. He believed that respect for tradition should not hinder the action of new organisations in a continent where the desire for social equality was being manifested in forms which were sometimes acute. Nevertheless, co-ordination by common consent in this field was urgently needed, beginning with consultation among the various organisations concerned.

The European Regional Conference could furnish a valuable opportunity for action in this direction. It was not for the I.L.O. to exercise control over the other organisations concerned, but rather to make suggestions with a view to a division of labour among them. Of course, agreement among the governments concerned would be essential, but suggestions made by a tripartite conference would certainly have much weight, on condition that the legitimate interests of other organisations in social questions were not disregarded.

In principle, the speaker was in agreement with the proposals contained in the Office document concerning the agenda of the proposed conference. On the other hand, he had been impressed by the importance of certain questions raised by the Workers' group in the Governing Body and by the International Federation of Christian Trade Unions. He shared the view of the Director-General that the agenda should be a limited one and should consist only of questions of general interest. It should necessarily include the problem of productivity, which was urgent and important in Europe; the same was true of the questions concerning workers' housing and certain manpower problems mentioned by the International Federation of Christian Trade Unions, particularly those relating to migration. This last problem was of particular concern to the Greek Government and had been the subject of a speech made by the Greek Minister of Labour at the last session of the Conference. In this connection, attention should be drawn to Resolutions Nos. (33)19 and (33)20 adopted by the Committee of Ministers of the Council of Europe, one concerning migratory movements between European countries and the other concerning the organised development of emigration from Europe to non-European countries. The second resolution, which urged that migration towards non-European countries should be increased and called for a more constructive examination of the financing of these movements, was in a way historic, in that it was the first time that European governments, in an official international document, had adopted a common attitude towards non-European countries with regard to the question of migration. This subject should therefore have an important place among the questions which the International Federation of Christian Trade Unions had suggested for inclusion in the agenda.

The agenda should also include an item concerning the European Social Charter, a matter on which the initiative had been taken by the Council of Europe. Certain governments had already expressed themselves in favour of this idea and it would be desirable for the European Regional Conference to deal with the problem.

Finally, it was important to establish some co-ordination in the division of labour among the various organisations concerned. This was a delicate question which should not be included as a separate item in the agenda, but it would be useful if the conclusions of the European Regional Conference could include suggestions to governments concerning a plan for the division of labour in the social field among the diffe-
rent organisations which were already dealing simultaneously and on similar lines with the same problems. If the European Regional Conference did not arrive at precise conclusions on such a vital subject, it might well give the impression that yet another, and perhaps discordant, element was being added to the isolated efforts which had already been undertaken by the different organisations and which up to the present had achieved no tangible results.

In this situation, it seemed to him essential that the I.L.O. should show the necessary courage.

Mr. Mörl noted that since the 118th Session of the Governing Body the principle of convening a European Regional Conference seemed to have been accepted and that opinions now differed mainly on the agenda of the conference. At present many organisations were dealing, in different ways, with social policy in Europe, but, as Mr. Hadji Vassiliou had emphasised, the I.L.O. was particularly qualified to deal with these problems in view of its tripartite composition.

It appeared that questions of conflicting competence had been satisfactorily solved since, according to the Office document, the Council of Europe and the O.E.E.C. had recognised the competence of the I.L.O. in the social field, and had even expressed the desire that a European Regional Conference should be organised under the auspices of the I.L.O. The Workers’ group of the Governing Body was more strongly convinced than ever that it was necessary to convene such a European conference, and accepted the suggestions of the Director-General concerning both the composition and the dates of the conference.

With respect to the agenda, he drew the attention of the Governing Body to the proposals made by the Workers’ group mentioned in paragraph 2 of the Office document. Nevertheless, after studying the Office proposals concerning the agenda, the Workers’ group was prepared to support them, on the understanding that item II of the agenda, which related to the role of employers and workers in programmes to raise productivity, should fully provide an opportunity to discuss not only the methods of increasing productivity but also the sharing of any benefits derived from increased productivity among the various groups which had contributed to it. The Office document did indeed refer to possibilities of sharing benefits, but he asked that it should be clearly understood that workers who contributed to the increase of productivity did so with a view to raising the standard of living of the working classes, thus facilitating the disposal of products resulting from increased productivity. He recalled that a productivity expert who had been on a mission in India had informed the Technical Assistance Committee that there was some opposition in that country to an increase in productivity which might have the effect of increasing unemployment. That should obviously not be the aim in increasing productivity. For this reason the Workers’ group attached great importance to having it clearly understood at the very outset that increased productivity should not lead to increased unemployment but to an increase in prosperity which would benefit all productive classes.

Within the Workers’ group he had proposed that the wording of this item on the agenda should be modified so as to read as follows: “The role of employers and workers in programmes to raise productivity and to share out the benefits of increased productivity.” His colleagues had been of the opinion that this modification was unnecessary but they were in complete agreement with his view that the sharing of the profits derived from labour should be dealt with in connection with this item on the agenda. The European Regional Conference could not of course work out the details, but it could insist that action be taken on the conclusions of the Meeting of Experts on Productivity, which were to the effect that the working class must benefit from increased productivity in the form of an improvement in its standard of living.

With regard to methods of financing social security benefits, it would no doubt be useful for the proposed conference to examine the problem of reciprocity of benefits, with a view to guaranteeing to workers who move to other countries the same rights as workers who are nationals of those countries. In this way it would be possible to defend both the standard of living of workers in a particular country and that of workers throughout the world.

He wished to emphasise that all the members of the Workers’ group, from whatever part of the world they came, agreed that the proposed conference should take place on the date mentioned in the Office document, with the composition and agenda proposed therein.

Mr. Waline wished to make it clear in the first place that he personally had been most sincerely convinced for a long time of the need to bring about some organisation of European countries, as well as of the importance of the part which the I.L.O. could play in this field. For this reason he had approved the agreement concluded between the I.L.O. and the Council of Europe. He also understood perfectly the anxiety which underlay Mr. Mörl’s insistence on the fact that the workers, like the employers, had something to say in addition to the governments, when the organisation of Europe in the social field was being planned.

As Mr. Mörl had recalled, the Governing Body at its 118th Session had already discussed the possibility of convening a European Regional Conference, but while recognising the possibilities which might arise, had in the meantime dropped the possibility of convening such a conference, as it had done for other parts of the world, it had not on that occasion considered it opportune to do so. In the opinion of the speaker, a distinction should be made between Europe and other regions such as Latin America and Asia, where the countries concerned were perhaps not underdeveloped generally by comparison with Europe but were at a stage of economic and social development very different from that existing in Europe. These groups of countries had special problems in common or special reasons to discuss, from their own particular point of view, the problems that were examined by the I.L.O.

The situation was rather different in Europe. The European countries participated in the work of the I.L.O., not with more conviction but at least more easily and more regularly than the countries further removed from Geneva. In addition, there were not the same marked differences between the European countries as between countries in other regions. In these circumstances he believed that, before a European Regional Conference was convened, there should be compelling reasons for submitting to it problems on which discussion at the International Labour Conference would not in itself be enough.

If the proposed agenda were examined, it would be noted that the question of the role of employers and workers in programmes to raise productivity, though undeniably important, had already been considered by a committee of experts which had...
The Office document mentioned organisations which carried on their activities in Europe but which covered different geographical areas or had different objectives and therefore did not contribute to the realisation of a harmonious European social policy. Whereas on the national scale social legislation was the result of social and economic aspirations and reactions and often represented a compromise solution appropriate to the country concerned, on the European scale there existed at present no machinery that would allow this process to develop because of the lack of tripartite collaboration at any level in European life. It was in order to remedy this situation that tripartite European regional conferences with definite questions had to be convened so as to create a European social consciousness.

The Belgian Government supported the Office proposals concerning the agenda because it considered that at a first conference the agenda should not be too heavy, and also that the problems suggested by the Office would be suitable for a first discussion at the European level.

With regard to methods of financing social security benefits, the Office had simply emphasised the importance of the problem from the European point of view, whereas Mr. Möri had wished to bring in the new element of reciprocity. He asked him not to insist on this point, since the experience of the I.L.O. with the Maintenance of Migrants’ Pension Rights Convention (No. 48), as well as negotiations that had already taken place on the European level, had shown that a problem of that kind could not be dealt with multilaterally until there already existed a sufficiently wide network of bilateral agreements. In such matters, States wished to know exactly the nature of the commitments they were undertaking and the counterpart that they could expect from the other contracting party. The problem was already being dealt with by the Council of Europe, with the co-operation of experts from the Office. Two instruments had been prepared at Strasbourg to ensure equality of treatment with respect to social security, and not reciprocity, for the precise reason that there was not a sufficient number of bilateral agreements to form a basis.

In making its proposals, the Office had tried to find problems which could be the subject of fruitful discussion at the European level without creating conflicts with other international organisations. The replies received from the O.E.E.C. and the Council of Europe showed that this difficulty had been avoided. Nevertheless, he wondered whether the precautions taken had not been slightly exaggerated. It seemed possible, without infringing the existing agreements with other organisations, to discuss within the tripartite framework problems which had already been discussed by other European organs. From this point of view, it would be very useful at a first European conference to have a general discussion on manpower problems without seeking to arrive at definite conclusions. The International Federation of Christian Trade Unions had drawn attention to these problems, and Mr. Hadji Vassiliou had also alluded to them. The various European organisations already mentioned, as well as others, were indeed already dealing with manpower problems, but with different objectives. In these circumstances, a discussion on these problems within the I.L.O. would be of real value. It was noticeable, in fact, that the European manpower situation was definitely changing. Activities undertaken in the field of migration appeared to have been based on the situation existing immediately after the war, when the
problem had seemed to be that of an excess population in Europe; but the situation had altered considerably since then and the problem now presented itself in terms of an excess of manpower in years to come, resulting particularly from inadequate geographical and vocational distribution, as well as from lack of employment opportunities. The Office document drew attention to the danger of the ageing of the European population, which had been pointed out by demographers. This problem should not be lost sight of, and it was from this angle that the question of intra-European and extra-European migration could usefully be discussed by a tripartite conference. The efforts already undertaken in Europe to eradicate the causes of these defects should be continued, rather than resorting too readily to collective migration overseas, for as Professor Sauvy had said, "At this rate, within a century Europe will be a museum visited by tourists from the more youthful nations of the world." It was clear that by increasing emigration to overseas countries the process of ageing of the European population was being accelerated. Hence, it was important to have the courage to face European realities and to develop an investment and productivity programme for Europe. An attempt must be made to ensure full employment in Europe by creating a free market for capital, goods and skilled workers. Although this problem might be beyond the competence of the I.L.O. alone, a general discussion could nevertheless bring out a certain number of ideas and ensure greater co-ordination in the efforts of the European organisations dealing with manpower problems, which had sometimes been unorganised in the past.

While, therefore, the Belgian Government supported the Office proposals concerning the agenda of the proposed conference, it wished to know the opinion of other members of the Governing Body concerning the inclusion in the agenda of an item which would permit of a general discussion such as he had suggested.

Mr. Vermeulen, like Mr. Walin, had been convinced from the beginning of the need for the integration of Europe and of the importance of the part which the I.L.O. could play in this respect. However, he had followed the development of the different European organisations, and with regard to the Council of Europe and the O.E.E.C. he felt bound to emphasise the danger which might arise from regional economic integration unless it was accompanied by corresponding evolution in the rest of the world. In addition, the movement towards a united Europe involved the risk of creating a number of problems in connection with subsequent collaboration with other parts of the world. For these reasons, the representative of the Belgian Government had pointed out, the situation at present was rather confused. The I.L.O. could, of course, try to reach an agreement on paper with the Council of Europe on a division of responsibility, but it seemed clear that at the present stage the Council of Europe made its own policy without taking sufficient account of what the I.L.O. had done on a world-wide scale.

This danger was all the more serious in the case of functional regional organisations such as the Schuman Plan, which might set a pattern for other similar organisations. The activity of these organisations and of any similar future organisations must be co-ordinated with that of the I.L.O. and more particularly with that of the Industrial Committees. In these circumstances, he considered that it was high time for the I.L.O. to convene a European conference to define the division of responsibility between the various organisations concerned and to make clear the leading part which should be played by the I.L.O. If a united Europe was to be created to fit into the world pattern, the I.L.O. should take the lead. Hence, he entirely disagreed with the views expressed by Mr. Wallin.

As one speaker had pointed out, it would be better to have a more flexible agenda dealing with primary questions, but it was to be feared that if the proposals for this first conference went too far the Employers' group might vote against it because of the agenda. For their own part, the Workers would have been glad to support an expanded agenda and the inclusion of questions of wider scope, and he believed that the suggestions made by Mr. Wallin would be acceptable to the Workers' group.

He insisted that it was necessary to convene a European conference in order to draw attention to the role which the I.L.O. should play in the process of economic integration in various parts of the world, and more especially in Europe.

Mr. Yllanes Ramos considered, as the representative of an American country, that Europe should be congratulated on the action it proposed to take. There had been a time when the I.L.O. had given the impression that it was essentially a European organisation; now it was universal, in view of the fact that all regions were on the same footing within it. There had already been regional conferences for the so-called backward countries of America and Asia, and now Europe, which was the cradle of Western civilisation, was to examine problems peculiar to itself.

While this demonstration of equality was most welcome, however, it was necessary to examine whether the convocation of a European Regional Conference was appropriate from a constitutional standpoint. At the time of the revision of the Constitution in 1946, there had been long discussions on the subject of regional conferences to deal with problems peculiar to certain regions, as a result of which article 38 of the Constitution provided for the convening of regional conferences and the establishment of such regional institutions as might be desirable to promote the aims and purposes of the Organisation. Although it was not expressly stated, the existence of particular problems of a non-universal character which could and should be dealt with at the regional level was thus recognised. He recalled that members of all three groups of the Governing Body had sometimes complained of the American regional conferences which, in their view, derogated from the universality of the Organisation. Yet it might be noted that there was not a single subject among those proposed for the European Regional Conference which was not of a universal character. This raised the question why a European Regional Conference should be called to deal with problems which were, as a whole, the prerogative of the International Labour Conference. No substantial differences were involved, but merely differences in the degree of experience. Moreover, there was an obvious risk in dealing with general aspects of social security without knowing the opinion of other countries which were equally interested. In these circumstances, it seemed incompatible with the terms of the Constitution to convene a regional conference to deal with universal problems which were not peculiar to a particular region, more especially when that region could not be considered as underdeveloped.
Hence it should be seriously considered whether the I.L.O. was not in danger of holding yet another conference which would add nothing to its prestige and which would not solve the problems submitted to it. Just as in the field of medicine the appearance of the first antibiotic had been followed by that of many others, each claiming to be better than the last, there was at present in the international field a multiplication of organisations with overlapping fields of competence which wasted funds on unnecessary projects.

He thought that the Governing Body should consider very carefully, without any nationalist prejudice, whether the problems proposed for discussion were peculiar to Europe and different from the universal problems which were the prerogative of the I.L.O. as a whole. In his view, the conclusion would be that it was unconstitutional to envisage convening this so-called regional conference.

Mr. Jouhaux was convinced that at the present time one factor was lacking in international action on European problems, namely, action on the part of the I.L.O. He was aware that agreements had been concluded with other organisations, and that these had reasserted the existence of the I.L.O., but in his view this was not enough. There were European problems which called for solution. He believed that it had been a mistake to start the organisation of Europe on a political plane, and circumstances had proved him right. Europe should be organised on an economic basis. For example, urgent questions had arisen in the case of the steel industry that would have to be settled if disagreements which might become extremely dangerous were to be avoided. In the field of manpower there were also problems which had not yet been solved in spite of measures taken in respect of European migration; and the same was true with regard to raw materials and to transport by air, sea and inland waterways. The I.L.O. should take up these problems with the aim of achieving solutions rather different from those being sought at present. If Europe was to have solid foundations, so far non-existent, it was necessary to solve these problems. Current discussions were mainly concerned with European politics but, instead of concentrating on the urgent need to organise Europe, seemed to be leading away from this fundamental idea. The I.L.O. could not hold itself aloof from this situation and should intervene even if the problems at issue were extremely complex. He therefore hoped that the proposed regional conference would be convened with the least possible delay, for it was urgently necessary to intervene in order to correct all the mistakes which were vitiating the constitutions of existing organisations and which might, if they continued, create more and more serious dangers. It was the task of the I.L.O. to see how the standardisation of social conditions could be achieved within the structure of Europe. To those who feared that the proposed conference might compromise the results already achieved, he would reply that the only way to safeguard progress in the future was to press forward as far as possible with the standardisation of social conditions within the structure of Europe.

He therefore asked the Governing Body to take a decision without further delay on the convening of the conference, for the longer the search for solutions suitable for the whole of Europe was delayed, the more threatening would become the dangers which were even now perceptible.

The question of productivity was a particularly important one. The workers believed that an increase in productivity should have the result of raising their standard of living; and that belief should be shared by all members of the Governing Body if they wished to achieve fruitful results and achieve them rapidly. Even in Europe it had too often happened that increased productivity had not resulted in increasing the general welfare, a situation that might prove serious consequences and might even lead to war. The increase in productive potential and investments designed to achieve this aim should be directed towards the production of consumer goods and not reserved for purposes of destruction. Yet the manufacture of armaments was being intensified and created a burden under which Europe was in danger of collapsing.

For all these reasons, it seemed to him most urgent that the I.L.O. should take action and should convene a European Regional Conference.

Sir Guildhaume Myrddin-Evans believed that there was no difference of opinion in any part of the Governing Body that in principle European regional conferences should be held. The sole question upon which views were divided was that of when such a conference should be convened. It might be asked whether it was proposed to convene this conference in the near future just because there existed regional conferences for Asia and Latin America, or because, as Mr. Vermeulen had implied, the I.L.O. should anticipate possible action by other European organisations which tended to operate in the field which belonged to the I.L.O. The Government of the United Kingdom was far from indifferent to the latter consideration and had on many occasions urged that steps should be taken to prevent such encroachment. Nevertheless, none of the arguments put forward so far, not even the last one which he had mentioned, would appear to justify the holding of a European Regional Conference. The sole criterion for deciding when a European Regional Conference should be called should be the existence of problems which needed urgent discussion in a European regional context. The Government of the United Kingdom did not believe that the proposed items satisfied this condition.

Leaving aside the Report of the Director-General, it was pertinent to examine one by one the various subjects proposed for the agenda. Nothing was more important for the welfare of the world today than the question of productivity, but had that question a purely European significance? Although in the last two years the I.L.O. had given a great deal of attention to the matter, his Government would not oppose the holding of a conference to deal with the question of productivity if it appeared desirable, but the subject did not seem to have enough special implications for Europe to justify discussing it at a European Regional Conference.

With regard to methods of financing social security benefits, there was no doubt that any conference, whether European or world-wide, could have a very interesting discussion on this topic. It was difficult to see, however, what would be the purpose of such a discussion. It was open to question whether it was desirable that every country should adopt the same method of financing social security benefits, and in any case it was hardly the business of international organisations to tell countries how they should finance their own social security systems; that was, in fact, a domestic matter on which each country would decide its own policy, whatever conclusions an international organisation might adopt.
The question of the age of retirement was of great importance in the context of an ageing population as well as in that of full employment. He failed to see, however, what conclusions of benefit to the world as a whole, and in particular to Europe, could emerge from a discussion at a European conference, and he was fortified in that view by reading in the Office document that "In general, it seems that existing systems of economic activity, the retirement age have been determined to a substantial extent by empirical or occasional considerations rather than by a scientific and comprehensive analysis of the problem ". The author of this document appeared to believe that the problem should be dealt with on a theoretical basis rather than on the basis of a practical approach. If that were the case, it was a conclusive argument for not holding the conference.

From the financial point of view, he wondered whether it was wise, after the Conference in June had adopted a budget for a particular year, for the Governing Body to add further items of expenditure to the budget even before that year began. Such action could be justified only in the case of a necessary project of extreme urgency. The Government of the United Kingdom considered that before a conference could agree to the convening of a European Regional Conference on the basis put forward, it would need a very different proposal for the agenda.

He therefore intended to propose, at the appropriate moment, that consideration of this matter should be adjourned to the session of the Governing Body which would be held in autumn 1954.

Mr. Ago said that the Italian Government was in favour of convening a European Regional Conference for the reasons which he had already stated on a previous occasion. He had listened with interest to the observations made concerning the proposed agenda and in this connection he shared the view of Sir Guildhaume Myrddin-Evans that if a European Regional Conference was to be convened, the items on the agenda should be of interest to the countries of Europe. During the discussion certain problems had been mentioned which were undeniably of special importance for Europe at the present time, in particular, the need to formulate a European social policy and the need to assure greater mobility of manpower inside Europe so as to permit its more rational distribution. He did not believe, however, that a first European Regional Conference could reach a solution of particular problems; it should be devoted to a general discussion in which all the social problems of Europe, and particularly those to which he had referred, could be reviewed. After this first conference, it would be possible to define the particular points that might require more detailed discussion, so as to arrive at concrete action and methodical collaboration with other European organisations.

He noted that the speakers who had preceded him had not mentioned the first item on the proposed agenda, but only the three others. These three questions certainly had European aspects, but by themselves they would not justify the convening of a European Regional Conference. That did not apply, however, to the Report of the Director-General which, according to the Office document, would be designed to provide the basis for a discussion of the directions and the ways in which the work of the I.L.O. in the European region might be most fruitfully developed. The intention was thus to have a general debate on social problems in Europe based, as the paper emphasised, on a survey of the main long-term developments, achievements and current trends in social and economic policies. The note mentioned the various points that would be dealt with in the Report of the Director-General.

In his opinion it was this first item on the agenda which was the real purpose of the proposed conference; the three other items were less important and might even be dropped. What was essential was that at this first meeting of representatives of European countries there should be a discussion, within a not too rigid framework, of the problems of establishing a European social policy and of questions such as collaboration between the I.L.O. and the other European regional organisations in the social field. This general discussion would result in conclusions concerning the action to be taken in various special fields. In these circumstances, he suggested that the proposed agenda might be accepted, on the understanding that the first item was the essential item, and that the conference should be called at as early a date as possible.

Mr. Fernandes had little to add to the remarks made by Sir Guildhaume Myrddin-Evans. The Portugese Government was not in principle opposed to the idea of a European Regional Conference, since Europe was a region with its own characteristics which were quite different from those of other regions, but it was prepared to contemplate convening such a conference only on condition that characteristically European problems were to be considered at it, and this description did not fit the questions mentioned in the Office document.

He was convinced that there were social problems peculiar to Europe. The Office should therefore re-examine the question and submit a new draft agenda to the Governing Body at a later session. There was little point in convening a European conference solely to examine a report by the Director-General, as Mr. Ago had appeared to suggest.

Mr. Roberts said that it was he who had sent to the Director-General the letter reproduced as an Annex to the Office document 1, and he remained convinced that the Workers' group had been right to suggest convening a European conference and to propose certain items for its agenda.

As had already been mentioned, various organisations, such as the Brussels Treaty Organisation, the O.E.E.C., and the Council of Europe, were attempting to deal with problems which were within the competence of the I.L.O. Some members of the Workers' group, and perhaps of other groups also, had some apprehension when the Council of Europe was formed. This was an intergovernmental organisation which granted a consultative status to workers' organisations, but that did not mean that it accepted the proposals of these organisations. It was rather strange that European governments should allow these intergovernmental organisations to deal with matters which were not peculiar to Europe. For example, studies had been made and proposals issued by the O.E.E.C. on productivity. It was agreed that productivity was not solely a European problem, but if so he wondered why the O.E.E.C. had studied it and why an intergovernmental organisation should deal with questions which primarily affected workers and employers. Both the latter groups should have the right to say something about these questions, unless it was

1 See below, Appendix VI, Annex A, p. 110.
considered that they were incompetent to deal with them. It appeared that employers were not anxious to discuss questions of productivity on an international or even a national basis, and he wondered what were the reasons for this attitude. He recalled that it was at the insistence of the Workers' group that the question of productivity had been considered by the Governing Body and a committee of experts set up in spite of marked opposition from the Employers. The Workers were becoming tired of taking the lead on these questions. The problem was essentially that of educating the workers in the factories to understand the need for making a sustained effort in this particular field of economic affairs. The economic situation in Europe had completely changed from what it had been before the war, largely as a result of the war, and that at least was a strictly European problem. In the United Kingdom, for instance, there had always existed a certain disequilibrium in the terms of trade which had been made good by investments abroad and by services rather than by exchange of goods, whereas today the United Kingdom was a debtor country and could say its worry and raise a standard of living only by increasing productivity.

From the European point of view, therefore, workers in the various countries of Europe must be educated in the need for a different outlook from that current before the war. He saw no reason why the I.L.O. should not deal with this problem if the O.E.E.C. could do so. Nevertheless, if any conclusions that might be reached were to be continually opposed by employers and governments, the Workers' representatives would have to tell those whom they represented that they alone were really interested in the problem of productivity. The Workers' representatives expected some co-operation on this point from the employers and governments.

Some members of the Governing Body, particularly Mr. Waline and Sir Guildhaume Myrddin-Evans, had paid lip-service to the idea of a European Regional Conference. The Workers were not proposing that there should be a European Regional Conference every two or three years but simply that one European Regional Conference should be convened. They were not asking for Europe to be treated on equal terms with other regions of the world, but there were certain issues which particularly concerned Europe and which appeared ripe for discussion. He noted that those who were opposed to the convening of a European conference had made no constructive proposals concerning the agenda of the conference; they had merely said that they would agree to a conference when they had been satisfied that there were certain urgent and important questions peculiar to Europe which would be included on the agenda. If this attitude were to be maintained there would never be a European Regional Conference at all. He challenged Mr. Yllanes Ramos in particular to mention a single question dealt with at a regional conference which was peculiar to the region concerned. There were a number of questions of which certain aspects might be peculiar to a region. For example, the problem of workers' housing, which had special aspects in Asia because of the type of housing in that part of the world, also had specialised aspects in Europe. Similarly, the question of the age of retirement and population problems in general were not the same in Europe as in Asia or Latin America. In Europe there was an ageing population which might well become a very heavy burden if the age of retirement were not changed. Sir Guildhaume Myrddin-Evans was aware that in the United Kingdom a committee had just issued an interim report on the problems of the employment of older men and women and that the Government had set up a departmental committee which was considering the age of retirement. In the United Kingdom it was to be expected that 25 years from now, unless measures were taken in good time, the upkeep of pensioners would create an intolerable burden. If there was a fixation in people's minds that the age of retirement must be 65 when the expectation of life was much longer than it used to be, it was time to give some attention to the matter. This was a problem which also arose in other European countries and was worth considering on an international basis.

He was not necessarily committed to the agenda in the exact terms set out in the proposals of the Office. Manpower problems, which Mr. Agü had mentioned, were also very important, and the Workers' group had suggested other items. In any case, the question of productivity was essential. The other proposed items were also extremely important and should be discussed either at the European level or at some other level in the immediate future. He asked that those who professed to believe in the convening of a European Regional Conference when a suitable agenda could be found should make some positive proposals concerning the agenda. If the test applied was that only problems peculiar to Europe were to be chosen, there would never be a European Regional Conference, and that might have serious consequences for the I.L.O.

Mr. García Oldini considered that the proposal to call a European Regional Conference was, to some extent, a personal triumph for him, because he had been the first to support the idea of I.L.O. regional conferences. At that time it had been objected that this new activity would prejudice the concept of unity of action of the Organisation, but he had maintained that this concept, which had governed the work of the Organisation in the past, was perhaps perfect in the abstract sense but did not take account of the facts, and that, in fact, unity was composed of different elements and was achieved by adding together and combining them. He was particularly happy to see the victory of another idea emanating from his country and his continent.

He thought it important that a Latin American should support the convening, at the earliest possible moment, of a European Regional Conference. Perhaps certain aspects of European problems were better understood if they were regarded from some distance. Nevertheless, it might be asked what was meant by Europe. There had certainly been a time when Europe had formed a whole, but although it kept the same name and still represented a particular area on the map, Europe now seemed to be divided and was, in fact, only a collection of countries. There was a new development in that Europe was in search of itself. He believed that it should be helped to find itself and that a European Regional Conference could be of great assistance from this point of view. It had been suggested that it might be preferable to wait a little longer, but time was passing and new dangers which were appearing on the horizon must be avoided. That would be the task of the European conference, which should obviously deal with European problems or European aspects of general problems. As Mr. Roberts had said, the agenda of a
European conference could include general problems, for some of those problems had genuinely European aspects. But it would be preferable for the conference to deal with typically European problems, and for the sake of the results of the conference and the repercussions it might have in the world it was not enough for these to be dealt with merely in the Director-General's Report. The agenda would be studied by many people who might have the impression that the Governing Body had not taken the trouble to seek out problems which it was really necessary and urgent to deal with, but had limited itself to problems which might just as well have been placed on the agenda of any non-European conference.

For these reasons, he was inclined to accept the proposals made by Mr. Roberts in his letter to the Director-General rather than the proposals made in the Office document, unless these latter proposals could be given a more clearly European form. Thus, with regard to the question of productivity, the title might be amended so as to read: "The role which, in the framework of the special conditions in Europe, employers and workers can play in programmes to raise productivity". The other items on the agenda could be made more precise in the same way. By using a little imagination, a rather vague agenda could be transformed into something concrete and specifically European. He hoped that the Director-General would take this suggestion into account.

Mr. Miller recalled a saying of Woodrow Wilson, a great American and a great world citizen, that what had become essential in the modern world was the integration of institutions, and that the development of human institutions proceeded from proliferation to integration or, in less academic terminology, that the world moved from the complex to the simple. Similarly, Jan Smuts had emphasised the pressing urgency of conceiving the whole as composed of the elements of its separate parts.

The United States Government believed that the convening of a European Regional Conference was justified. He was happy to support the views of Mr. García Oldini, for the Government of the United States considered that in the field of international relations there was nothing antithetical between regionalism and universalism, which might indeed be successive steps in the very process of integration to which Woodrow Wilson had referred. In his opinion, a regional conference was not only compatible with the Constitution but was in line with the whole trend of the times. As Mr. Roberts had observed on behalf of the Workers' group, events in the contemporary world were moving very rapidly; it should not be forgotten that it was now the eighth year of the atomic age.

The United States hoped that it would be possible to finance the conference within the provisions of the regular budget, without having recourse to additional credits. To that extent he agreed with Sir Guildhaume Myrddin-Evans.

He believed that items could be found for inclusion in the agenda on which agreement could be reached. It was not so much a matter of seeking items of the greatest possible interest as of selecting those which would be generally acceptable. There could be no doubt of the interest which the United States had in Europe, and which had been demonstrated by the assistance given through the Marshall Plan. If the European community now wished to embark upon the most necessary task of integration, the United States could not but welcome and encourage its attempts in that direction. With reservations, therefore, on the financial aspects of the matter, his Government was ready to support the plan to convene a European Regional Conference if the Governing Body decided to accept it.

Sir Richard Snedden was surprised that integration was being discussed in connection with proposals to deal with problems of a universal character, not at a general conference but at a regional conference, a procedure which, in his view, was better described as disintegration.

Except on the question of finance, he could not support the views expressed by Mr. Miller. He believed that the agenda of a regional conference should, as far as possible, be confined to questions which were either purely regional or which had aspects that were overwhelmingly regional. The agenda of the recent conference at Nuwara Eliya had been of that nature.

With regard to the age of retirement, he, like Mr. Roberts, was a member of a committee in the United Kingdom which had studied this problem and had already prepared a report. It was a problem which was important not only to Europe but also to the United States and he doubted whether a discussion of it at a European conference would help to provide a solution. The impression given would be that, after having been discussed by a European conference, the question would be remitted to a general international conference, so that action upon it would be delayed rather than accelerated.

It might be argued that the convening of a European conference was justified because the prestige and influence of the I.L.O. might be injured by failure to hold such a conference. It should not be believed that those who did not support the convening of this regional conference were, in fact, opposed to the normal development of the activities of the I.L.O.; all the members of the Governing Body wanted the I.L.O. to play the supreme international role in social questions. But it was to be feared that a European conference called to deal with general problems would not contribute to the prestige of the I.L.O. but quite the contrary. If the various items proposed for the agenda were examined without preconceived ideas, nothing about them would indicate that they referred to a European conference. As Mr. Ago had pointed out, the only item in connection with which specifically European problems could be discussed was the Report of the Director-General. He did not think, however, that it was necessary to convene a conference to enable the Director-General to produce a report on these questions.

Mr. Ramadier said that the French Government would vote in favour of convening the conference, for reasons previously explained, which remained valid although the present problem, because of the development of events, had assumed a slightly different form.

The problems with which Europe was faced were not peculiar to Europe and could not be so, for as soon as they arose in Europe they had repercussions in the rest of the world. It might be said that if a time came when there were specifically European problems, Europe would have ceased to exist.

Nevertheless, in practice, certain questions could be considered within a European framework. To take the field of social security as an example, it was probable that if the existing systems had been con-
ceived on a European scale and at a European level they would have been different and simpler, and that better solutions would have been achieved if they had not been viewed on a world scale. It would thus be useful to examine such problems. The question of whether Europe was in the process of integration or disintegration was open to argument. Some years ago a European conference such as the Office proposed would have been a conference on European integration. In the circumstances in which the conference now proposed might meet, however, it was difficult to say what would be the result of an experiment which would involve elements that were not present some years ago.

He believed that such a meeting would be useful and that, especially in the social field, an exchange of views could lead to appreciable results.

Mr. Sen said that he could not speak with any authority on European problems but he did not wish his silence to be interpreted as a sign of indifference.

He believed that the arguments put forward by Mr. Roberts had great weight and were a reflection of the thoughts of a large number of workers in Europe, so that it would be unwise to brush them aside on theoretical grounds. Of course, the agenda should be clearly set out if confusion were to be avoided, but the title of European Regional Conference would make it quite clear that the matters to be dealt with would be European problems. Everyone understood the interest and urgency of the problems which concerned a great number of workers in Europe. Coming as he did from an Asian country, he would not presume to say that, although the problems were interesting, the conference should not take place because the necessary time and resources ought not to be devoted to it.

He therefore supported the proposal to convene a European Regional Conference and reserved his position on the financial aspects of the problem until the appropriate time.

Mr. Valladao said that the Brazilian Government fully supported the convening of a European Regional Conference.

Mr. Calderon Puig expressed his agreement with the arguments put forward by Mr. Garcia Oldini. The Mexican Government was also in favour of convening a European Regional Conference.

Mr. Uzcategui, on behalf of the Venezuelan Government, also supported the proposal to convene a European Regional Conference, for the reasons expressed by Mr. Garcia Oldini.

Sir Guildhaume Myrdin-Evans had intended to suggest the adjournment of the matter to the autumn 1954 Session of the Governing Body, but he withdrew this proposal in view of the support for the European Regional Conference expressed by the representatives of non-European States.

Mr. Waline asked whether the composition of the European Regional Conference would be as indicated in paragraph 14 of the Office document.

The Chairman pointed out that the principle of convening a European Regional Conference was to be decided first. He called on the Governing Body to take a decision on subparagraph (a) of paragraph 17 of the Office document.

By 21 votes to 4, with 4 abstentions, the Governing Body decided to convene a European Regional Conference.

Composition.

The Chairman invited the Governing Body to decide on subparagraph (c) of paragraph 17 of the Office document concerning the composition of the conference.

Mr. Sen asked why two Government delegates were proposed when one should be enough; secondly, he wished to know whether Turkey was included in the list of States to be represented at the conference; and lastly, he expressed the view that the States to be invited to participate should be the States which were Members of the Organisation at the time when invitations were sent and not at the present time. It was to be hoped that an important country which had applied for membership of the Organisation would have become a Member and might participate in the European Regional Conference.

The Director-General said that, according to current practice, all the States belonging to the region concerned which were Members of the Organisation at the time when the meeting took place would be invited. He added that Turkey would be one of the States to be invited.

With regard to the representation of governments, the proposal made by the Office was in conformity with the usual practice.

Sir Guildhaume Myrdin-Evans asked that the question of whether non-metropolitan territories should be invited to participate in the conference should be left open for the time being.

The Chairman said that if there were no objection the suggestion of Sir Guildhaume Myrdin-Evans could be accepted.

It was understood that the question of possible invitations to non-metropolitan territories to participate in the European Regional Conference could be taken up later.

The Governing Body decided that the European Regional Conference should be composed in the manner proposed in paragraph 14 of the Office document, namely, that all States in Europe which were Members of the Organisation at the time of the conference should be invited to be represented by tripartite delegations consisting of two Government delegates, one Employers' delegate and one Workers' delegate, assisted by such advisers as were considered necessary.

Place.

The Chairman called on the Governing Body to decide on subparagraph (d) of paragraph 17 of the Office note concerning the place of the conference.

Mr. Wallin was instructed by the Belgian Government to inform the Governing Body of its desire that the first European Regional Conference should meet in Brussels. He hoped that the Governing Body would be able to accept this invitation, which he was happy to extend on behalf of his Government.

He added that his Government, in accordance with tradition, would bear the difference between the cost of a meeting held in Geneva and the cost of a meeting held in Brussels, so that the I.L.O. budget would not have to bear any additional expense.
Sir Guildhaume Myrddin-Evans suggested that it would be desirable for the Director-General to undertake negotiations with the Belgian Government with a view to making definite proposals to the Governing Body at its next session.

Mr. Sen expressed his gratitude to the representative of the Belgian Government for its generous offer.

The Director-General said that as a result of the invitation from the Belgian Government consultations would be necessary concerning material arrangements and the exact place of the meeting. In these circumstances he thought that it would be better to leave the question open so that a final decision could be taken by the Governing Body at the next session, when it would have before it all the relevant information concerning the financial implications and the material arrangements.

The Governing Body expressed its appreciation of the generous invitation from the Belgian Government to hold the European Regional Conference in Brussels and instructed the Director-General to discuss with the Belgian Government the arrangements to be made for the conference and to report to the Governing Body at its 124th Session.

Date.

The Chairman asked the Governing Body to decide on the date of the European Regional Conference.

Mr. Miller repeated that the United States Government desired that this conference should take place in 1955, so that it could be financed within the regular budget of the Organisation.

Mr. Sen said that the Government of India had no strong views about the date of the conference, which could be held in 1954 provided the money could be found from savings on other items in the budget.

Mr. Roberts said that the Workers’ group wished the conference to be held in 1954, as the Office document proposed. The Workers would have preferred that it should be held early in 1954 but, because of the amount of preparatory work necessary, they would agree to its being convened towards the end of the year.

He could not, in any circumstances, accept the suggestion that the question should be postponed until the next session so as to allow the Financial and Administrative Committee to consider it, for if this Committee did not make any provision for the meeting in the 1955 budget the whole position would be prejudiced.

Sir Richard Snedden pointed out that as the Governing Body would be meeting in November 1954 and as a large number of its members would also be attending the European Regional Conference, the latter could only take place in December 1954, which was not a suitable time.

By 18 votes to 6, with 5 abstentions, the Governing Body decided that the European Regional Conference should be held towards the end of 1954, at a date to be fixed later.

Agenda.

The Chairman called on the Governing Body to decide on the agenda of the European Regional Conference. He proposed to consult the Governing Body on the various items which it had been suggested should be included in the agenda.

The Governing Body decided to include in the agenda of the European Regional Conference the Report of the Director-General.

The Chairman pointed out that in the proposed second item of the agenda it would be necessary to add to the wording in the Office document the words “in Europe”.

By 19 votes to 1, with 7 abstentions, the Governing Body decided to include in the agenda of the European Regional Conference the following item: “The role of employers and workers in programmes to raise productivity in Europe”.

Sir Guildhaume Myrddin-Evans, referring to the question of methods of financing social security benefits, said that in his opinion an exchange of views on this subject could serve no useful purpose. It would be preferable to prepare a study on the question and to circulate it to all the governments concerned, not only to the governments of European countries but to those of all States Members of the Organisation. If, however, the Governing Body decided to retain this question he would not oppose it.

Mr. Roberts did not entirely share the doubts of Sir Guildhaume Myrddin-Evans on this point. If, however, members of the Governing Body considered that it should not be retained, there were two other items which, from the Workers’ point of view, could usefully be included in the agenda—manpower problems in Europe and housing in Europe.

Sir Guildhaume Myrddin-Evans, in order to facilitate the decision of the Governing Body, withdrew his objection.

By 22 votes to 1, with 7 abstentions, the Governing Body decided to include in the agenda of the European Regional Conference the following item: “Methods of financing social security benefits”.

Sir Richard Snedden said that he would vote against the inclusion in the agenda of the question of the age of retirement because he believed that a European discussion of this problem would retard progress in individual countries.

By 21 votes to 4, with 4 abstentions, the Governing Body decided to include in the agenda of the European Regional Conference the following item: “The age of retirement”.

The agenda of the European Regional Conference was thus fixed as follows:

I. Report of the Director-General.
II. The role of employers and workers in programmes to raise productivity in Europe.
III. Methods of financing social security benefits.
IV. The age of retirement.

Mr. Hadji Vassiliou recalled that, as he had previously indicated, his Government believed that if the European Regional Conference did not succeed in working out a plan of co-ordination for the purpose of a division of labour among the various European organisations dealing with social questions, the confusion which had hitherto existed in the efforts...
to achieve the social integration of Europe would continue. Moreover, the Conference would fail to achieve positive results and would give the impression that the I.L.O. was competing with the other organizations dealing with social problems. With this reservation, his Government agreed that the European Regional Conference should be convened towards the end of 1954.

SEVENTH ITEM ON THE AGENDA

Report of the Meeting of Experts on Systems of Payment by Results in the Construction Industry

Mr. Waline believed that it would be better to allow the members of the Governing Body the necessary time to study the conclusions contained in this report and to have consultations on the subject with representatives of the building industry from various countries. On behalf of the Employers' group, he therefore proposed that the question should be postponed until the 124th Session.

Mr. Roberts saw no objection to dealing with the question at once, but would not oppose the suggestion made by Mr. Waline. The Governing Body decided to postpone to its 124th Session the examination of the report of the Meeting of Experts on Systems of Payment by Results in the Construction Industry.

EIGHTH ITEM ON THE AGENDA

Record of the Asian Regional Conference

Miss Stemberg said that she had attended this Conference as the representative of the Government group of the Governing Body, and had earlier attended in another capacity the Asian Regional Conference held in Nuwarla Eliya. While the latter Conference had been a successful one, she thought that the results of the Tokyo Conference were even more satisfactory, perhaps because the items on the agenda were of more interest for the peoples of Asia. The Tokyo Conference had been held in a most favourable atmosphere. Naturally there had been differences of opinion among the several groups, but thanks to the spirit of mutual understanding and collaboration that had prevailed the Conference had succeeded in reaching unanimous conclusions.

The items on the agenda were of great interest to all Asian countries, where problems of housing, wages, and education of young workers were urgent. The work of the Tokyo Conference would help to make the nature and scope of these problems better known in Asian countries; the resolutions unanimously adopted pointed to possible solutions and should receive full consideration by the Governing Body. It was to be hoped that the conclusions of the Conference would contribute towards the improvement of the living conditions of Asian workers.

She wished to add that the Japanese authorities had done everything possible to enable the Conference to do its work under the most favourable conditions and to ensure that the members of delegations enjoyed their stay in Tokyo.

Mr. C. E. Shaw wished, together with Mr. Allana, to associate himself with the statement made by Miss Stemberg. The Japanese Government had shown great hospitality to all the delegations and the Japanese employers had also been most hospitable to their colleagues from other countries. All who had participated in the Conference had learnt a great deal.

Although the Employers had not been entirely satisfied with all the decisions that were reached, the latter had nevertheless been reached unanimously. One resolution concerning productivity had, however, finally been withdrawn because one Workers' delegate had raised such strong objections to it. In general, he believed that the Conference had had important results and that it would contribute to the promotion of good relations between the countries concerned.

Mr. Sen wished, on behalf of the Indian Government, to thank the Japanese people for making it possible for the Conference to be held in Tokyo and for contributing to its success.

He drew attention to the passage in the resolution concerning workers' housing which dealt with the possibility of establishing two regional housing research centres. He hoped that the Director-General would be able to meet this request as quickly as possible and report progress to the next session of the Governing Body, or at the latest to the 125th Session.

With reference to the resolution concerning the ratification of Conventions, he noted that of the 103 Conventions and 97 Recommendations adopted up to the present time, many had greater relevance to conditions in industrially advanced countries and could be applied only with difficulty to the Asian countries. In requesting these latter countries to make reports on the various Conventions and Recommendations, he suggested that the Director-General should make a selection of those which were particularly relevant. It would involve unnecessary labour for the Office and for the governments concerned to ask the latter to explain in detail the considerations which prevented them from accepting certain Conventions and Recommendations; the Office was in any case fully informed in this respect.

Concerning the resolution on the establishment of an international flow of capital, he did not believe that it was enough merely to transmit it to the General Assembly of the United Nations and the Economic and Social Council. In his opinion, the Governing Body should support this resolution and request the Economic and Social Council to take steps to ensure action on the lines suggested.

Mr. Waline expressed certain reservations concerning the suggestion made by Mr. Sen regarding the selection, on the basis of greater or less interest for the Asian countries, of the Conventions and Recommendations in respect of which these countries should be requested to make reports. He recalled that international labour Conventions adopted by the Conference at which all States Members were represented should be submitted for ratification to the competent authorities of all States Members. The Constitution provided for the possibility of including in the text of a Convention particular provisions for a given country.

Mr. Roberts, who had been a member of the Governing Body delegation to Tokyo, fully endorsed the statement of Miss Stemberg. He also associated himself with the tribute which she and Mr. Shaw had paid to the hospitality of the Japanese authorities. The Workers' representatives also had had a most cordial and generous reception from the Japanese workers.
Mr. Yllanes Ramos said that it was interesting to see the results achieved by a truly regional conference, just as it would be interesting to see what conclusions could be arrived at on a regional basis by the proposed European conference.

He called attention to a passage in the resolution concerning the establishment of an international flow of capital which stated that, in order to encourage the participation of private capital in the development of less advanced areas, conditions should be created which, whilst conforming to national legislation in the social and fiscal fields, would make investment attractive to the private investor. The expression "whilst conforming to" was not very fortunate, for it was evident that if foreign capital were to be invested in a given country this must be done in conformity with the whole of the legislation of that country.

In general, the resolutions adopted by the Tokyo Conference which referred to subjects peculiar to Asia were of the greatest interest and could serve as models to the conference which was to be held for another region.

Mr. Aftab Ali thought that the remarks made by Mr. Aftab Ali were of a purely negative character, coming as they did at a time when general agreement about the usefulness of the Asian Regional Conference. He saw no objection to Mr. Aftab Ali making concrete suggestions to remedy the situation of which he complained, but the extremely vague remarks on wage issues which he had made were out of place. Coming from a responsible trade union leader these remarks might do a great deal of harm to the cause of trade unionism, especially the reference to the wage levels obtaining in Asian countries without any reference to the economic conditions of those countries or to the population problems with which they were faced. He hoped to hear Mr. Aftab Ali propose concrete remedies for the inequality in wage levels to which he had referred, which might help to improve the conditions of the working classes.

Mr. Aftab Ali replied that after 30 years in the trade union movement he was not prepared to take lessons on the subject of trade unionism. He maintained that wage policy—the main issue before the Asian Regional Conference—had not received the attention it deserved. Whatever might be the opinion of other persons who had participated in the Conference, he repeated, as he had done on several occasions in the Asian Advisory Committee, that he saw no hope for Asia unless an appropriate and humane wage policy was substituted for the present policy, which was based on the situation existing when industrial progress was starting in India during the imperialist period.

Mr. Aftab Ali remained convinced that unless a wage policy such as he had suggested were introduced, it would be impossible to check the progress of communism, and he appealed to his colleagues both from Asia and from other countries to take note of what he was saying.

Mr. Miller thought that he was able to view the results of the Conference objectively, because his Government had been represented there only as an observer.
The Government of the United States wished to associate itself warmly with the tribute paid to the courtesy and hospitality which the Japanese Government had constantly shown towards the delegations at the Conference. He had never before attended a regional conference, but he could not imagine a more cordial reception in any country than that which had been given not only by the Government but also by the employers and workers of Japan.

He believed that at that Conference there had been established a sense of community of action and community of thought which would lead to valuable results for the Asian peoples. The unanimity that had been achieved in such a complicated field as that of economic and social problems was without precedent. This unanimity had not been bought at the cost of any surrender of fundamental principles; it was because there was agreement on fundamental principles that it had been possible to reach unanimous conclusions.

The representatives of the Office at Tokyo had done extraordinarily good work. In spite of the inevitable material difficulties, the secretariat, under the direction of Mr. Rens and Mr. Rao, had succeeded in re-creating in Tokyo the atmosphere of an I.L.O. meeting. He paid tribute to the part played by the secretariat in the success of the Conference.

The reports on the results of the Conference, which had been submitted not only to the Secretary of Labor, but also to the President of the United States, had contributed to strengthening the interest in the new administration in the I.L.O. and its faith in the work it was accomplishing. His Government attached the greatest importance to the role played by the I.L.O. in the field of international collaboration, and considered the I.L.O. to be an important part of the structure of the foreign economic policy of the United States Government.

As Mr. Roberts had emphasised, the Tokyo Conference had had great educational value. It would not, of course, produce the millennium, but it had achieved extremely useful results and had certainly contributed to a better understanding of the great problems facing the countries of Asia to which he hoped the I.L.O. would give increasing attention in the days ahead.

Sir Richard Snedden, following up the remarks made by Mr. Sen on the resolution concerning the ratification of Conventions, believed with Mr. Waline that it would be unfair to place on the Director-General the duty of deciding which were the most important or appropriate Conventions and Recommendations for Asian countries on which reports should be requested. In fact, the situation was bound to vary from country to country. He did not believe that on reflection the Governing Body would desire to place such a burden on the Director-General.

Mr. Delaney had also attended the Tokyo Conference as a member of the delegation of observers from the United States, and associated himself with the remarks that had been made concerning the constructive results of the Conference.

He hoped that in view of the statement made by Mr. Miller on behalf of the United States Government, that Government would give serious consideration to making a more substantial financial contribution to the work of the International Labour Organisation.

Mr. Calderón Puig supported the remarks made by Mr. Yllanes Ramos concerning the wording of the resolution on the establishment of an international flow of capital, with reference to conformity with fiscal and social legislation in the countries concerned, which in fact gave the impression that investors could neglect to conform to this legislation. He did not believe that this had been the intention of the authors of the resolution, and suggested that more appropriate wording should be found, particularly in the Spanish text.

Mr. Sen explained that he had not intended that the Director-General should be charged with deciding which Conventions were more or less applicable to the Asian countries, but simply that the Director-General should give informal guidance, in order to assist in carrying out the resolution. It was for the Director-General to say whether he could undertake this task.

Sir Guildhaume Myrdhin-Evans associated himself with the members of the Governing Body who had expressed their appreciation of the hospitality of the Japanese Government during the Tokyo Conference, and also paid tribute to the material arrangements made for the Conference. He agreed entirely with Mr. Miller that the secretariat of the Conference, and in particular Mr. Rens and Mr. Rao, had played a great part in making the Conference a success. In his view the organisation of a conference and the work of the staff had never reached a higher level.

As he had pointed out in his report to his Government, the Tokyo Conference had certainly been the most successful of the three Asian Regional Conferences yet held, and he looked forward to even more successful conferences in future, both in Asia and in other regions.

Referring to paragraph 5 (iii) of the Office document concerning the resolution on young workers, he drew attention to the fact that the wording of this passage appeared to imply that the Governing Body should consider the desirability of drawing up a co-ordinated programme on the lines laid down in the resolution, whereas in fact, as the text of the preamble of the resolution made clear, this request was addressed to the governments and not to the Governing Body. He wished to make this clear so as to avoid any future misunderstanding.

The Director-General thought that effect could be given, as rapidly as circumstances permitted, to the suggestions made by Mr. Sen concerning, on the one hand, the possibility of establishing two regional housing research centres, and on the other hand, the means of giving effect to the resolution on the ratification of international labour Conventions. With regard to the resolution concerning the establishment of an international flow of capital, this was a particularly complex problem which required reflection and negotiation. He suggested that Mr. Sen might be prepared to discuss it with him personally, on the understanding that he was, of course, free to reopen the question on a future occasion if he so wished.

The Governing Body decided to express its appreciation to the Japanese Government for its generous assistance in connection with the Asian Regional Conference.

The Governing Body authorised the Director-General to communicate to governments the text of the six resolutions adopted by the Asian Regional Conference.
The Governing Body noted that the Director-General intended to submit proposals concerning workers' housing in due course and decided to postpone its consideration of this resolution until it had these proposals before it. It was understood that the Director-General would take the action proposed in paragraph 6 of the Office document as quickly as possible and would report to the Governing Body on this subject at an early session.

The Governing Body authorised the Director-General, in communicating to governments the text of the resolution concerning young workers, to commend to their attention the objectives contained in the preamble of the resolution and to urge them to consider the desirability of setting up a co-ordinated programme for the implementation thereof on the lines laid down in the body of the resolution.

The Governing Body noted that the Director-General would submit proposals in due course concerning the best procedure for pursuing the examination of the question of ratification of Conventions at the next Asian Regional Conference. It was understood that the Director-General would take into account the proposal made by Mr. Sen that the attention of governments should be drawn to the Conventions and Recommendations which were of particular interest to them.

The Governing Body authorised the Director-General to transmit to the Secretary-General of the United Nations the text of the resolution concerning the establishment of an international flow of capital, with the request that it should be brought to the attention of the General Assembly and of the Economic and Social Council.

The sitting closed at 7 p.m. A. M. MALIK.
MINUTES OF THE FIFTH SITTING

(Thursday, 26 November 1953—10.20 a.m.)

The Governing Body was composed as follows:

Chairman: Mr. Malik.

Mr. Aftab Ali, Mr. Calderón Puig, Mr. Campanella, Mr. Cheyban, Mr. Cingolani, Mr. Côté, Mr. Delaney, Mr. Fernandes, Mr. García Oldini, Mr. Gemmill, Mr. Jouhaux, Mr. Malik, Mr. Miller (replaced during part of the sitting by Mr. Zempel), Mr. Möri, Sir Guildhaume Myrddin-Evans, Mr. Pequeno, Mr. Pons, Mr. Ramadier, Mr. de Rego Monteiro, Mr. Roberts, Mr. Sen, Mr. Shastri, Mr. C. E. Shaw, Sir Richard Snedden, Mr. Solvén, Mr. Tata, Mr. Tuan, Mr. Uzcátegui, Mr. Waline, Mr. Wallin, Mr. Wuori, Mr. Yllanes Ramos.

Welcome to Mr. de Rego Monteiro

The Chairman welcomed the newly-appointed representative of the Brazilian Government, Mr. de Rego Monteiro, who had just arrived in Geneva.

NINTH ITEM ON THE AGENDA

Report of the Fifth Session of the Asian Advisory Committee
(Nuwara Eliya, 2-3 October 1953)

The Governing Body adopted the proposals contained in this report without discussion.

TENTH ITEM ON THE AGENDA

Record of the Asian Maritime Conference
(Nuwara Eliya, 5-15 October 1953)

Mr. Calderón Puig, as the representative of the Government group on the Governing Body delegation to this Conference, wished to record the very favourable impression which the Conference had made on him. Problems closely affecting the life of thousands of Asian seafarers had been discussed, special attention being given to the questions of welfare and recruitment. The discussions had been vigorous and constructive and had demonstrated a real desire to find solutions for the problems existing. There had been good faith on both sides and the delegates to the Conference deserved hearty congratulations on the zeal with which they had accomplished their work.

As the document laid before the Governing Body showed, the Conference had adopted five resolutions, nearly all of them unanimously, dealing respectively with welfare facilities for Asian seafarers in Asian ports, review of maritime legislation in Asian countries, shipowners' and seafarers' organisations, the recruitment of Asian seafarers, and machinery for the recruitment of Asian seafarers.

In reporting to the Governing Body on the mission with which it had charged him, he wished to pay tribute not only to the hospitality extended to the Conference by the Government of Ceylon and the municipal authorities of Nuwara Eliya, but also to the personal friendliness and courtesy of individual officials. He wished also to express his sincere appreciation of the manner in which Mr. Rens, as Secretary-General of the Conference, and the staff of the secretariat had carried out their duties to meet the requirements of the Conference and had thus ensured its full success.

Mr. Aftab Ali thought that the Governing Body could congratulate itself on having convened this Conference, which had brought the Asian seafarers and shipowners closer together and had opened a new chapter in their relationship. The success of any conference must be measured by the results obtained in improving the conditions of those concerned, and important negotiations in this field were already being carried on. Maritime conferences were traditionally lively, and the Asian Maritime Conference had been no exception to this rule.

He fully associated himself with the tributes paid by Mr. Calderón Puig to the Government and authorities of Ceylon, who had made the delegates' stay most pleasant, and to the Secretary-General and secretariat of the Conference.

Mr. Campanella had no comments to make on the document under discussion, but merely wished to thank the Governing Body for having given him the opportunity of taking part in a conference which had been of the greatest interest both to himself and to the Employers' group as a whole. The Conference had given the various groups the opportunity of expressing their views on the very difficult subjects with which it had dealt.

He had also greatly appreciated his visit to Ceylon and the cordial welcome provided by the Government of Ceylon and by the municipal authorities of Nuwara Eliya.

Sir Richard Snedden agreed almost entirely with the remarks made by Mr. Calderón Puig and was content to leave the record of the Conference to speak for itself. A far greater measure of agreement had been achieved at the Conference than had seemed possible beforehand, and all parties deserved credit for this result. Unanimity had been secured on four out of the five resolutions and there had been no attempt at any time to burke a free and frank discussion.

Mr. Sen wished to associate himself with the expressions of appreciation to the Government of Ceylon and to the municipal authorities of Nuwara Eliya for their contribution to the success of the Conference.
The Governing Body expressed its gratitude to the Government of Ceylon and to the municipal authorities of Nuwara Eliya for the cordial welcome they had extended to the Asian Maritime Conference.

The Governing Body authorised the Director-General to communicate the five resolutions adopted by the Asian Maritime Conference, together with the report of the Committee on Recruitment, to the governments of States Members in the Asian region which have maritime interests.

The Governing Body instructed the Director-General to give further consideration to the request contained in paragraph 2 of resolution No. II concerning the review of maritime legislation in Asian countries and to make a subsequent report to the Governing Body in the light of any requests which might be received for technical assistance in formulating measures to give effect to maritime Conventions and Recommendations.

Eleventh Item on the Agenda

Reports of the Committee on Freedom of Association

General Discussion.

The Chairman invited Mr. Drinkwater, observer representing the World Federation of Trade Unions, to make a statement on behalf of his organisation.

Mr. Drinkwater thanked the Chairman for allowing him an opportunity of laying before the Governing Body the general views of the World Federation of Trade Unions in regard to the I.L.O. and to the question of trade union rights, which was one of great and unceasing concern to the W.F.T.U. As both these matters had been dealt with fully by the President of the W.F.T.U., Mr. di Vittorio, at the 36th Session of the International Labour Conference, it was unnecessary to restate the point of view of the W.F.T.U. in detail, and he would confine himself to quoting Mr. di Vittorio's remarks to the effect that the W.F.T.U. urged that, in accordance with its own Constitution, the Declaration of Philadelphia and the Charter of the United Nations, the I.L.O. should at last take effective action to safeguard the trade union rights of the workers of all countries.

A study of the Eleventh Report of the Committee on Freedom of Association had led him to the conclusion that the I.L.O.'s procedures were as far removed as ever from such effective action. Taking only one case dealt with in this report, in order to illustrate the criticisms of the present I.L.O. procedures expressed by the W.F.T.U. on many occasions, he noted that the Committee proposed to dismiss Case No. 59 concerning Cyprus although the report showed that substantially a case had been made and the complaint was therefore justified. The Government did not deny that the Cyprus mineowners had dismissed miners merely for paying their trade union contributions or that the mineowners had refused to bargain collectively, and this in spite of the fact that Convention No. 84 had been ratified in respect of Cyprus. It would indeed be difficult to deny the facts, since it was notorious that the mineowners in Cyprus had been and still were conducting a relentless fight against the workers and their trade unions. Nevertheless, the Committee proposed no further action and confined itself, in paragraph 63, merely to drawing attention to the desirability of further measures, while in paragraph 67 it further expressed its satisfaction at the attention which the Government was devoting to these problems and its confidence that it would take all practicable and possible measures to improve the situation. As he had himself recently visited Cyprus, he was able to assure the Governing Body that the trade unions did not share the Committee's satisfaction and confidence but, on the contrary, were facing exactly the same situation and the same problem as before. Although they were represented on the Government's labour advisory board, referred to in the Committee's report, they had received no indication that the Government was prepared to take effective action to make Convention No. 84 a reality and to put an end to the anti-trade union practices of the mineowners. It should be remembered that the workers' trade union rights were not an abstract legal question but the only guarantee of their livelihood and their human dignity. In Cyprus, for example, the real meaning of the lack of trade union rights for mineworkers was that many workers, including women, had to walk for two hours to work and for two hours back before and after a long day's work because their wages were so low that they could not afford the bus fare. These were intolerable conditions which the workers would no longer accept and against which they would revolt.

With regard to the Ninth Report of the Committee on Freedom of Association, the revisions proposed were, as the report itself stressed, limited to the internal procedures of the Governing Body. While, therefore, they might be good enough in themselves, these revisions did not go to the root of the matter and would still leave the worker without effective action by the I.L.O. to safeguard his trade union rights, at a time when the fight for trade union rights was becoming not less but ever more important for the mass of the workers.

At the recent Third World Trade Union Congress convened by the W.F.T.U. in October 1953 in Vienna and attended by 819 delegates representing some 88,600,000 workers from 79 countries, including 342 delegates from organisations not affiliated to the W.F.T.U., the question of trade union rights had received the closest attention. The Congress had denounced before world public opinion the attacks on trade union rights and on democratic liberties perpetrated by the most reactionary forces of the capitalist world and had called on all workers to strengthen their united action and to develop by practical means all forms of action for the defence of democratic principles and trade union rights. It had further proposed a new international campaign for trade union rights on the lines of the great international battle for the eight-hour working day and had instructed the W.F.T.U. to draw up a charter of trade union and democratic rights of the workers.

In the name of the 88,600,000 workers represented at the Free World Trade Union Congress and in the interests of the workers of the world he urged that the I.L.O. should take effective action at last to safeguard the trade union rights of the workers of all countries.

Mr. Roberts proposed that for the time being the Governing Body should confine its discussion to the Ninth Report of the Committee on Freedom of Association and should defer consideration of the Eleventh Report until the Workers' Group had had an opportunity of considering it.

This proposal was adopted.
Ninth Report

Proposals concerning the Procedure for the Preliminary Examination of Complaints regarding Alleged Infringements of Freedom of Association.

General Discussion.

Mr. Gemmill, in view of his impression that the proposals in this report aimed at handing over to the Committee on Freedom of Association a number of functions that had been intended by the Conference to be exercised by the Fact-Finding and Conciliation Commission, asked whether the Governing Body could be satisfied that it could properly adopt these proposals without the authority of the International Labour Conference.

The Director-General said that the Committee on Freedom of Association itself had been satisfied that its proposals had not gone beyond the matters that could properly be considered by the Governing Body.

Sir Guildhaume Myrdin-Evans wished to make some general remarks, reserving his detailed comments for a later stage in the discussion.

The United Kingdom Government failed to understand the need for the new and very drastic proposals submitted by the Committee on Freedom of Association relating to the method of dealing with allegations of violation of freedom of association and trade union rights. These proposals would in effect, as Mr. Gemmill had indicated, involve a complete change in the present machinery and the functions of the Governing Body Committee on Freedom of Association which had been set up to consider in the first place whether there was a case which merited further action. If they were adopted, the Committee on Freedom of Association, far from confining itself to that preliminary examination, would in fact become something resembling a court and that was precisely what was not wanted.

The Committee on Freedom of Association of the Governing Body had been more effective and had done better work than could possibly have been foreseen when it had first been set up. It had gone into each of the individual cases which had been brought before it with the utmost care and with great expense of time and trouble. He believed that in the future those who looked back upon the work of this Committee might well regard it as a model of the way in which problems of this kind ought to be tackled, and that its reports would provide a lasting monument to the sensible approach of the I.L.O. to a problem which was full of difficulties and which, if not dealt with very carefully, would inevitably give rise to a great deal of friction not only between States Members of the Organisation but between the various groups of the Organisation also. If such friction should arise it could be of no service only to those who were concerned not, as had been suggested, with the establishment and maintenance of trade union rights but merely with disrupting the progressive forces in the world.

The Governing Body should ask itself what was the primary purpose of the work that the I.L.O. was doing in regard to freedom of association. He believed that the answer was to be found in the name of the Commission which would have to consider any case which, in the view of the Governing Body Committee, merited further consideration, namely, the Fact-Finding and Conciliation Commission, and he wished to stress the word "conciliation". The primary objective of the I.L.O. and of the United Nations, which was a partner with it in this work, was to try to ameliorate conditions where they were found to be unsatisfactory. It was not to find any government or party guilty; although this might be necessary in a particular case, it had not yet been found necessary.

The only result which the proposals made in the Ninth Report could have would be an attempt to obtain verdicts against the governments concerned. The proposals would mean transferring to a Committee which was never intended for the purpose the functions originally intended for the Fact-Finding and Conciliation Commission. Although the Governing Body had so far had before it only a single case, that of Czechoslovakia, in which it had been necessary to contemplate asking the Commission to investigate the matter, it was now proposed to transfer the functions intended for this Commission to a lower level and to hand them over to the Governing Body Committee.

He appealed to the Governing Body to consider very carefully before abandoning a procedure which had worked extremely well for one which would be full of dangers.

Mr. Ramanier said that this question obviously involved two contrary sets of dangers, and sometimes it was the same persons or groups who issued warnings against both. There were on the one hand those who argued that on no account must there be any violation of national sovereignty, and that the Constitution of the International Labour Organisation could not be accepted if it involved the slightest encroachment on the absolute sovereignty of a State. On the other hand, it was asked, and sometimes by the same persons, why the I.L.O. did not make use of more effective instruments to ensure respect for freedom of association wherever and by whomsoever it was violated.

While it was somewhat ridiculous that the same persons should issue warnings against the dangers of both Charybdis and Scylla, it was nevertheless clear that the two dangers did exist and that it was difficult to steer a safe course between respect for national sovereignty, in so far as this was expressly safeguarded, and the need to secure the observation of one of the fundamental principles of the I.L.O. Constitution and of its declarations.

He wondered, however, whether the Committee had really courted either of these dangers in the proposals which it had placed before the Governing Body. The Committee's recommendations were extremely moderate. It neither possessed nor sought any power of decision, but simply confined itself to reporting that in its opinion a case should be examined more thoroughly or should be dismissed, thereafter leaving the Governing Body to take any further action. The Committee had never made any attempt to study the cases themselves or to inquire into the truth of allegations, to carry out investigations, hear witnesses, or collect any evidence which was not spontaneously offered. It had only two sources of information: first, the complaint containing the allegations, and, secondly, the replies of governments.

The purpose of the proposals put before the Governing Body was not to provide the Committee on Freedom of Association with a third source of information which would enable it to collect such particulars and evidence as might constitute an inquiry, but merely to allow the Committee a little more latitude in its contacts both with the complainants and with the governments against which complaints
were made. Hitherto, the Committee had been confined by such strict and formal rules that ridiculous situations had arisen. To take one instance: among the cases now before the Governing Body there was one in which a trade union organisation had complained of proposed governmental legislation. The government had stated in its reply that the trade union had since changed its mind and now withdrew its complaint, and under its present procedure the Committee was not entitled to refer back to the complainant to ask if this was true without first asking the Governing Body's permission to do so. It was, however, a matter of elementary fairness that a statement by one party against the other could not be accepted without some further verification.

The Committee was not seeking to introduce a third party into its relations with governments on the one hand and complainants on the other. It was merely trying to ensure that these relations should be entirely definite and should be such as to allow the Committee to submit to the Governing Body a coherent statement of fact and, where the allegations were contradictory, to bring out the contradictions clearly enough for the Fact-Finding and Conciliation Commission to appreciate the precise points on which an investigation was required. Hence no principle was involved, but only the most modest practical considerations, and he appealed to Sir Guildhaume Myrddin-Evans not to condemn the Committee on Freedom of Association to complete darkness in which it would be unable to see its way ahead, but to allow it to obtain enough information to distinguish between the shadow of what were perhaps exaggerated allegations and the substance of evident facts. In this way the Committee would be able to advise the Governing Body when a dispute was of minor importance and also, in the rare cases in which there was a serious problem, to recommend that it be referred to the Fact-Finding and Conciliation Commission.

Mr. Zempel agreed with Sir Guildhaume Myrddin-Evans that the achievements of the Committee on Freedom of Association under the procedure operated so far should not be underestimated and that they would stand as a monument in the procedure of international law. The Committee had reached significant results based on a thorough legal analysis, establishing new precedents and following new ways, which had been made by the legal experts of the International Labour Office. It should be remembered also that the procedure had been in effect only for a relatively short period of time.

On the other hand, the United States Government felt that several of the changes proposed in the Ninth Report went further than Mr. Ramadier had appeared to indicate; they would extend the authority of the Governing Body substantially beyond its existing terms of reference and overlap the jurisdiction and functions of the Fact-Finding and Conciliation Commission. For these reasons the United States Government considered that many of the proposed changes were basic to the whole procedure and that they should not be adopted at the present time.

Mr. Gemmill, speaking in his personal capacity, expressed the view that in spite of Mr. Ramadier's persuasive statement the Ninth Report proposed some very important changes. The most vital of these changes was that, whereas the operations of the Fact-Finding and Conciliation Commission were bound by the consent of governments, it was now proposed that a government's reply to a complaint might be sent to the complainant without the consent of that government. The Governing Body should realise that the new proposals involved not merely procedure but very important factual changes, which Sir Guildhaume and Mr. Zempel had already pointed out.

Mr. Pons felt that in view of the remarks made by Sir Guildhaume Myrddin-Evans, Mr. Zempel and Mr. Gemmill he should, as a member of the Committee on Freedom of Association, support the excellent statement made by Mr. Ramadier. The Committee had indeed been given certain terms of reference which must be carried out, but it had found from experience that the problems from all over the world which were referred to the Committee became more and more complicated and that more information was needed in order to throw light upon them. The Committee on Freedom of Association played a part corresponding to that of the examining magistrate in ordinary law in preparing the reports which would later be submitted to the Governing Body and to the United Nations. If it was not to have access to the information necessary for it to form an opinion and to study the problems before it properly, it was not worth while for the Committee to exist or for the Governing Body to deal with these extremely important questions.

He therefore urged the Governing Body to approve the proposals in the Ninth Report as representing the only way in which the difficult problems of freedom of association could continue to be dealt with.

Mr. Waine felt that the members of the Committee, of which he was one, were sometimes in a very difficult situation and that the reason why they had hitherto always been able to reach unanimous decisions lay in the excellent guidance they had received from their Chairman over the difficult ground on which they had to tread. He believed that a general discussion of the problems raised was necessary, but attention should also be given to the particular proposals which the Committee had made. He therefore suggested that the Chairman should direct the discussion to each of the particular problems raised in the report. It was quite possible that the members of the Committee might have gone too far in their desire to carry out their functions honourably, but they were the representatives of the Governing Body and expected to receive its guidance. On the other hand, the Governing Body should remember, as Mr. Pons and Mr. Ramadier had pointed out, that in order to carry out its examination of the complaints with a view to ascertaining whether they had a reasonable basis the Committee was obliged to ask certain questions; otherwise the Governing Body would find itself embarrassed by a series of details of which it had wished to relieve itself by referring them to a special committee.

Mr. Roberts said that the question of freedom of association was not a group issue. The Workers were very gravely concerned with the question of how a good job could be done in this extremely difficult field. He agreed with Sir Guildhaume that the whole purpose of the freedom of association machinery was to correct and remove injustices and the invasion of trade union rights, and therefore the point at issue was that of what machinery could be provided to do this essential work. It was common
knowledge that, although the Fact-Finding and Conciliation Commission itself had certain functions, it had never yet been allowed to exercise those functions and there had not been a single case referred to the Governing Body Committee in which any government had agreed to investigation by the Commission. If the Commission itself could not function, was the Governing Body to attempt some measure of conciliation or at least to reach some preliminary judgment on the merit of the complaints, or was it to refrain from doing so on the ground that it would be taking on the functions of the Fact-Finding and Conciliation Commission? This raised the difficult question of national sovereignty, with which the Governing Body had tried to deal at its 110th Session when the question had first been discussed. The Workers' group thought that the defect of the whole machinery was the fact that governments were afraid, or refused for some other reason, to allow the Commission to function.

The real question at issue was whether the Governing Body, through its Committee on Freedom of Association, should attempt conciliation in some of the cases which demanded it, or whether it should allow the whole of the machinery to fall into disuse. It was indisputable that the prestige of the International Labour Organisation had been considerably diminished by the inability of the Organisation to deal effectively with the cases referred to it. In no single case that had come before the Governing Body had he himself found any measure of satisfaction in the decision taken. There had been innumerable cases of complaints in which the issue had been decided on the replies of the governments, and he wished to say quite deliberately that in some of these cases the government replies had been inaccurate in some respects, a situation that was inevitable since a government was bound to attempt to justify itself.

The Workers' group regarded the proposals made in the Ninth Report as an attempt to arrive at an independent objective judgment both of the complaint and of the reply, and believed that the Committee should have the power to secure all the necessary information or to check the information available if it felt that that was necessary. The Workers were convinced that unless the Governing Body adopted some such procedure, subject to the necessary safeguards for national sovereignty, and attempted to do the work which the governments were preventing the Fact-Finding and Conciliation Commission from doing, it might as well abandon the whole procedure and confess openly to the world that this was a job that the I.L.O. could not tackle.

Mr. Calderón Puig, as a member of the Committee on Freedom of Association, recognised that the problem was a very serious one. The international protection of the rights of man had been the subject of a big discussion in the United Nations and agreement had been very difficult to reach because, whenever an international organisation undertook to protect individual rights inside national territory, the problem of sovereignty always arose.

On the other hand, once the governments themselves had established the machinery for the protection of a fundamental right of the workers such as freedom of association, the difficulties encountered by the Committee should be examined realistically. The weighty and constructive arguments put forward by Sir Guildhaume certainly deserved attention, but he wondered whether the Governing Body should retain indefinitely a procedure which was obviously not giving good results. He doubted whether the Committee could contribute very greatly to achieving conciliation, although he agreed with Sir Guildhaume that the principal objective was to improve the situation rather than to hold the governments up to judgment.

If the Committee on Freedom of Association were to confine itself to receiving the complaints, asking the governments whether they were justified and studying the governments' replies, it would be able to do very little, and in fact in the majority of cases it found itself bound to conclude that the case should be dismissed or that no further action by the Committee was required, although every one of its members was convinced that there was some foundation for the complaint and that the explanations were not wholly satisfactory.

He therefore wondered why the procedure should be so restricted. He did not think that governments would be offended if the complainants were asked for further information in respect of the complaint; in fact this would be in the interests of governments themselves, since it was no secret that although many of the complaints that came before the Committee originated in genuine infringements of freedom of association, many others were purely political. In some countries the political parties carried their battles on to the international plane and sometimes submitted complaints which were without any foundation. If the government stated that these complaints were unfounded and the Committee, after referring back to the complainants, received no further proof from them, it would have a better basis for making a recommendation. Under the present procedure he agreed with Mr. Ramadier that the Committee's hands were tied and that it could not carry out its main function of conciliation, nor was it proper that it should be turned into a court to pass judgment on governments.

He therefore suggested that the Governing Body should consider each of the specific proposals made by the Committee with a view to improving its procedure.

Mr. Ramadier wished to reply to the point raised by Mr. Gemmill concerning the communication of the replies of governments to the complainants and to illustrate the difficulties of the Committee by reference to a case he had already mentioned.

In this particular case a government had replied that a complainant had withdrawn his complaint on a specific point, but under the present procedure the Committee was not entitled to refer back to the complainant for confirmation and was obliged to report to the Governing Body which in virtue of its superior powers could then take up this elementary question. In certain other cases the government had replied that the person mentioned in the complaint did not exist, and consequently when the reports came up for discussion in other bodies the Committee was accused of having been held up by details and appeared to have acted frivolously in dismissing a case on the basis of a mere spelling mistake which it was supposed not to have noticed. It was obvious that if the Committee was not to make itself ridiculous by recurrent cases of this kind it must be in a position to clear up these points, and that implied that when a government's reply was in obvious contradiction to the statement of the complainant it must be able to clear up the position at least sufficiently to enable the Fact-Finding and Conciliation Commission to carry on with the case if necessary.

The Committee had in fact been extremely cautious and respectful of every kind of sovereignty.
Nevertheless respect for sovereignty should not be carried to the point where one was not even allowed to address the sovereign authority and where one was not entitled to believe the evidence of one's own senses. To push respect for sovereignty to such extremes would be automatically to render it inoperative.

Mr. Mōri supported the proposals contained in the Ninth Report which would enable the Committee henceforth to communicate the reply of the government to the complainant and even to hear the complaint if this were considered necessary. These changes would undoubtedly improve the existing procedure and should be acceptable. Although he supported these proposals he did not believe that the procedure would in future be entirely satisfactory. He was, however, obliged to have regard to the means which were placed at the Committee's disposal. In spite of the defects of the recommendations made to the Governing Body by the Committee on Freedom of Association on the various cases before it, he believed that the Committee had nevertheless helped to improve the situation in many cases and in many countries and he wondered whether the Office could not on some future occasion draw up a tabular statement of the relatively successful results it had achieved. The World Federation of Trade Unions spoke of drawing up a code for the protection of freedom of association, but if constructed by that organisation it was more likely to turn into a gravestone for freedom of association in those parts of the world in which it held sway. The members of the free trade unions were deeply concerned with the protection of trade union rights and with securing an improvement in the existing situation, but so long as it was impossible to carry out investigations within the countries concerned—and the I.L.O.'s work depended on the goodwill of governments—they would have to continue to be satisfied with partial results and with compromises such as those reached by the Committee on Freedom of Association.

It was therefore with due regard to these circumstances, to the means available, to the Freedom of Association Convention and to national legislation, that he supported the present recommendations.

Mr. Gemmill, while noting that Mr. Ramadier's remarks had seemed to imply that the only replies of governments to be communicated to the complainants would be those relating to mistakes in spelling, nevertheless wished to draw attention to the recommendation in paragraph 29 of the report, which stated that "the Committee considers that the wisest course would be to give it discretion to decide, in each specific case and taking all the circumstances into consideration, whether a particular reply from a government should be communicated or not to the complainant for comment ". This appeared to be a proposal to grant a general authority to the Committee which represented a complete change in the present procedure.

Mr. Vermeulen said that to understand the proposals it was necessary to consider the position of the Committee on Freedom of Association. No action could be taken by the Fact-Finding and Conciliation Commission unless the government had ratified the Freedom of Association Convention, which had so far been ratified by only a very few governments, or gave its consent for the matter to be referred to the Commission; and although it would facilitate the operations of the Commission if governments would give their consent when a complaint was made, or even prior consent expressed in general terms, no government had done this so far. Consequently the way in which a complaint was handled depended entirely on the facts found by the Governing Body's Committee on Freedom of Association.

The trade union representatives on the Committee and on the Governing Body had responsibilities towards the workers' organisations which they represented and also to the I.L.O. How could they accept those responsibilities, which meant basing their conclusions solely upon the facts, if they could not obtain exact information about the facts from the governments? Experience had shown that at least 80 per cent. of the cases which had been before the Committee had had to be referred back to the Governments for further information because, although the Governments gave formal legal information, this failed to throw any light on the substance of the matter. In spite of these difficulties the Committee had to reach decisions because no alternative method was open. As Mr. Roberts had said, however, if no better procedure were adopted the Workers would no longer be able to accept the responsibility for dealing with this question in the I.L.O. As the Chairman of the Committee had explained, all the Committee was asking for was to have authority to establish the facts, and after considering in each case whether supplementary information was necessary, to be empowered also to apply both to governments for such information, and to complainants for fuller particulars in respect of the information supplied by governments.

If the Governing Body wished to reach its objective, as defined by Sir Guildhaume Myrdin-Evans, of trying to change conditions for the better without bringing verdicts against governments, this new procedure was the only possible way of doing it, since, in view of the circumstances it had already mentioned, the Committee on Freedom of Association was still the only operative body for the protection of trade union rights. He therefore urged the Governing Body to adopt the report.

Mr. Jouhaux said that what he had foretold as the result of the decision taken at the ioth Session had now come to pass, and Mr. Ramadier, in a speech which was penetrating despite its literary lightness, had correctly described the ridiculous situation in which the Governing Body now found itself. The Committee on Freedom of Association had certain facts which were reported to governments; those governments replied as they wished and the Committee was not entitled to try to establish the truth but must assume that the facts were such as the governments wished them to be. In these circumstances no rules of procedure could be effective and they were all bound to lead to the present ridiculous situation. This applied quite generally to all the cases examined and to all the protests received, in spite of the ingenuity expended on trying to find a more effective procedure.

So long as the principle that international law was conditional on international supervision was not accepted, it would be impossible to obtain results either in this field or in many others. This principle had been accepted in some measure by all the governments after 1920, but since then it had lost ground and there was at the present time a deliberate counter-attack on behalf of national sovereignty with
Mr. Harry wished to make two dispassionate and unemotional comments on the broad principles involved in the Committee's proposals and upon two assumptions which appeared to underlie those proposals.

In the first place, he thought that the statement made by the Committee in paragraph 14 of its report that it might be able, by making suggestions to governments and having them accepted, to establish a customary rule of international law, was a somewhat extraordinary statement to be made by a Committee of the Governing Body. It was apparently the desire of the Committee, by expanding its field and widening its discretion, to increase its chances in the realm of international law-making. It was, however, the firm view of the Australian Government that trade union rights were a matter of domestic jurisdiction except in so far as they might have become the subject of binding international conventions or agreements, and that if governments, for their own good and sufficient reasons, were not prepared to ratify such conventions it was certainly not the function of a Committee of the Governing Body to attempt to establish general rules of international law.

Secondly, it had been suggested that, because the Fact-Finding and Conciliation Commission had not been invoked, the Committee on Freedom of Association should have greater authority and wider discretion so that it might embark on the role of conciliator. This was a dangerous suggestion which implied that if governments were unwilling to accept conciliation by the Fact-Finding and Conciliation Commission they should be led to do so by a Committee of the Governing Body. It was a situation which could not be paralleled to submit to definitive investigation of the facts or toconciliation it was most unwise, indeed impossible, for a Committee of the Governing Body to try to force them to do so.

Mr. Waine, replying in particular to the remarks made by Mr. Jouhaux, said that it should not be thought that the governments stood strictly on their rights in these matters. On some occasions, for instance, in the case of Czechoslovakia and Poland, governments had replied categorically or had shown by contemptuous silence that they recognised the competence neither of the Fact-Finding and Conciliation Commission nor of the Committee on Freedom of Association. These cases, however, which had not caused much surprise, had fortunately been the exception and, as stated in the summary of the Employers' views in paragraph 8 of the report, in most instances governments to which complaints had been communicated had shown a genuine desire to cooperate. In this connection, he wished to refer specifically to the Government of the Union of South Africa which, although it had raised very specific legal objections to the whole procedure at the time of its establishment, had set an example by replying very precisely when a complaint had recently been communicated to it. Mr. Motti had implicitly referred to this point in suggesting that the Office might be asked to draw up a table of the results achieved by the Committee.

The reason why it had not been possible for the Committee to do more was that it had not been given the necessary powers. He felt that his own functions as a member of the Committee on Freedom of Association imposed upon him and upon his colleagues a sufficiently heavy responsibility. So far, the discussion had turned particularly on paragraph 29 and the following paragraphs of the report in which the Committee had asked for a little more latitude to communicate to the complainant the reply received from the government in certain cases. What the Committee had had in mind was exactly what Mr. Ramadier himself had explained, namely, it wanted to have the opportunity of ascertaining, for instance, whether a government was right in saying that the complainant had withdrawn his complaint, and whether there was an error in the spelling of a proper name, without referring back to the Governing Body itself. He did not think that detailed questions of this kind could endanger national sovereignty.

No doubt the present discussions had arisen out of the fact that the manner in which the Committee's proposals had been drafted had given the impression that the Committee on Freedom of Association was seeking the right to communicate the reply of the government to the complainant in every case, whereas in fact this would be done only in one case out of ten or 20. The last sentence in paragraph 29 of the report might well give this impression to governments since it suggested that every time an allegation was communicated to them for their observations they should be informed of these arrangements, and this they might perhaps regard as a threat, although in fact the eventuality would arise only in exceptional cases.

To meet the misgivings expressed by governments, therefore, he suggested that the last sentence in paragraph 29 should be deleted and that it might even be stipulated that the reply of the government would be communicated to the complainant only with the consent of that government. It seemed unlikely that a government could refuse its consent in the kind of case to which he had already referred without making itself ridiculous, whereas under the present procedure it was the Committee which was obliged to make itself ridiculous by halting its inquiry when faced with such small difficulties. If the discussion were reduced to its proper proportions a form of words could no doubt be found to allay the misgivings which had some justification in respect of the present drafting of the proposals.

Mr. Delaney said that he had originally been one of those who had opposed Mr. Jouhaux's proposals
concerning reference of cases to the Fact-Finding and Conciliation Commission without the consent of gov-
ernments, but he had since become convinced that Mr. Jouhaux had been and still was in the right on
this matter.

Although he did not believe that the proposals in the Ninth Report would enable the I.L.O. substan-
tially to achieve what Sir Guildhaume Myrddin-Evans had described as its primary objective of reducing or
eliminating violation of trade union rights, he would nevertheless support those proposals. With regard to
the achievements claimed for the Committee on Freedom of Association of the Governing Body, he con-
gratulated the members of the Committee on their work and fully appreciated that it would have been
impossible for them to achieve any greater degree of success in view of the complex difficulties of
their task and under their present terms of reference. Nevertheless, he was convinced from the reports
available to him that, through no fault of the Committee, the number of violations had increased rather
than diminished since the Committee had been established. He doubted whether the tabular information
requested by Mr. Møri on this point would be of any material value to the Governing Body.

Mr. García Oldini agreed with Mr. Waline that the discussion should be given its proper propor-
tions, but the issues raised should not be reduced merely to difficulties in respect of the spelling of
proper names. No special powers or procedure were needed to clear up difficulties of that order, and the
real problem was that of the conflict between the need to defend freedom of association and the need
to maintain national sovereignty. The sovereignty of the State was not usually attacked directly by
civilised organs such as the Governing Body, but by subtle and indirect means, and that applied to the
present case. The States were jealous of their sovereignty as individuals were jealous of their fun-
damental rights, and it was natural that they should defend it; their notions of sovereignty might some-
times be exaggerated, but on the other hand it was impossible for them to accept any infringement of it.

This conflict was a serious one because at the pre-
sent time the need to defend trade union rights was as great as the need to defend national sovereignty.
There might be States which could permit themselves the luxury of tolerating some small infringe-
ment of their sovereignty, but there were others which had to be constantly vigilant in this respect.
If they gave up some part of their sovereignty in one sector it would be difficult for them to hold out in
others; therefore they did not want a precedent to be created and could not accept the proposals
which had been submitted to the Governing Body.

That did not mean that all doors were closed, since the States, being masters in their own houses, could
by a deliberate act of sovereignty give up some part of that sovereignty. This had already been done
more than once, and there was no reason why it should not be done again. Consequently, the proper
way to establish a procedure which would safeguard both freedom of association and national sovereignty
would be to obtain from the States a voluntary renunciation of a given part of their sovereignty. The
Governing Body could not take a decision invol-
volving disregard of national sovereignty and hope
that it would be respected by governments, because
if it did so it would not only be infringing a major
national right but its decision would be void since
any government could in future, as others had done
in the past, refuse to reply on the ground that it was
defending its national sovereignty.

He suggested, therefore, that the best course would be for the Governing Body to try to persuade States
to renounce part of their sovereignty as they had
done on previous occasions, in order to permit the
investigations which the Governing Body desired to be
carried out through its Committee.

Mr. González Barros said that several of the
members of the Committee on Freedom of Associa-
tion, in discussing the proposed new procedure, had
referred to the case of a spelling mistake which had
occurred in connection with the complaints submitted
by five agricultural trade unions of Albania, Poland,
Bulgaria, Italy and France against the Colombian
Government. These complaints had been answered
by the Colombian Government which had stated that
there was no record in the trade union lists of Colom-
bia of the name of the man who was the subject of all
the complaints, either as a trade union leader or as
a person who had been prosecuted. Since, however,
there might have been some confusion with regard
to the spelling of the name, which was a common one,
the Government had stated that there were three
trade union leaders with a similar name who were
carrying on their work normally. He wished to
make this explanation in order to correct any infer-
ence which might have been drawn from Mr. Waline's
reference to this case.

With regard to the substance of the proposals
under discussion, the Colombian Government had
no objection to the adoption of the new procedure
proposed by the Committee on Freedom of Associa-
tion.

Sir Richard Snadden, as one who had not taken part
in many of the previous discussions on the freedom
of association machinery, thought that the present
discussion was somewhat unrealistic because it was
ignoring some of the real issues involved. On the
one hand, the Governing Body was spending a great
deal of time on trivial matters such as variations in
spelling, while on the other hand it was elevating
the whole of the discussion to the question of sove-
ignty.

He felt that there must be some middle way. He
doubted whether the question was quite as complex as
some of the speakers had tried to make it appear,
nor was it as simple as others had suggested. There
were certainly two points which needed serious con-
sideration. The first of these was the communication
to complainants of the replies of governments, and
at first sight it might seem natural that there should
be a completely free exchange of information. Both
the nature of the governments which were being
attacked and the nature of some of the complainants
should, however, be clearly borne in mind. "Some of
the complaints emanated from what might be called
"professional complainants" having no connection
with the country in which the difficulty had arisen,
so that unless great care was taken the procedure
might become a mere propaganda vehicle and govern-
ments which might have replied quite openly would
either refuse to reply or give a merely formal answer.
There might well be a way out of this difficulty, and
perhaps the suggestion made by Mr. Waline might
command itself to the Governing Body.

The second point, of which there had as yet been
no mention, was the question of hearing the com-
plainants. Here again, the same considerations arose
since some of the complaints emanated from pro-
fessional complainants who were aiming merely at
propaganda and at disrupting the whole idea of freedom of association. Freedom of association was not just a phrase; it was a reality in which nearly all those attending the present discussion believed, but there were others who used the phrase either without any real meaning or in exactly the opposite sense to what it was normally used. He appreciated the force of the contribution to the discussion made by the Australian Government representative, who had put forward some very strong objections to certain parts of the report. Nevertheless, he was convinced that there were some points on which general agreement might be secured provided that the debate were narrowed down to some common ground between the two extremes of national sovereignty and merely trivial matters.

Mr. Sen agreed with Sir Guildhaume Myrdin-Evans that the primary purpose of the I.L.O.’s activity in the field of freedom of association should be to achieve conciliation, but he wondered how this could be done if the necessary information was not available. While the proposed procedure was not very much better than the existing procedure, it had certain possibilities which should not lightly be ignored. The problem did in fact involve the vital issue of whether international organisations should be supra-national organisations or not.

It was not entirely true to say that the governments alone took shelter under the excuse of political difficulties or legal formalities, since the complainants did in fact sometimes indulge in political activities, as Sir Richard Snedden had pointed out. It was not so much the procedure or machinery that counted in this matter as the men who were responsible for dealing with the problem, and it could be safely assumed that the Chairman and members of the Committee on Freedom of Association had definite ideas on the subject of national sovereignty and would take no action which would give real offence to governments. So far as he knew, no government had hitherto complained that its sovereignty had been infringed by any inquiry made by the I.L.O., so that it seemed improbable that the application of the new proposals would cause national governments to invoke their sovereignty more often than in the past. There was the further problem of what type of protection could be given to the right of association. In fully free and sovereign countries such protection could be provided by parliament, but in many countries this safeguard did not apply. The function of the I.L.O. in this field was therefore a twofold one: to provide a forum where complaints could be heard and examined, and to try to bring about improvement with the co-operation of the government. The proposals in the Ninth Report did not appear to run counter to these two principles. With regard to the further problem of securing the co-operation of governments, it was clearly not possible to force governments to co-operate against their will; but if the Governing Body reached the conclusion in any particular case that the government could only defend itself by claiming the prerogative of national sovereignty, some result would have been achieved.

Sir Guildhaume Myrdin-Evans, replying to one of the points made by Mr. Sen, agreed entirely that the powers proposed in the Ninth Report could safely be entrusted to Mr. Ramadier and to the present members of the Committee on Freedom of Association; but the Governing Body could not proceed in a matter of such importance on the assumption that the persons who were handling it at present would continue to do so indefinitely, and if such powers were granted to the Committee it would be practically impossible to withdraw them later.

It was clear that every member of the Governing Body had freedom of association at heart, and equally clear that there were certain deep divisions between the various members with regard to the present proposals. Personally he was opposed to these proposals as a whole because he was convinced that some of them led to a backward movement rather than to the forward movement which was desired by those who had made the proposals. As Sir Richard Snedden had suggested, however, there might well be some points on which the Governing Body could come to that general agreement which was vital in a matter of this kind, and he therefore expressed the hope that, before the Governing Body, was asked to take a decision on the specific proposals before it, an opportunity would be provided to its members of consulting each other with a view to exploring the possibility of finding an area of general agreement.

Mr. Miller said that the United States Government was genuinely interested in the protection of trade union rights. The broad principle of freedom of association was guaranteed in the Bill of Rights of the Federal Constitution adopted in 1783, but it was an old principle in constitutional law that where there was no remedy the substantive rights might be of little value. It was in conformity with its interest in the protection of trade union rights that the United States Government had originally supported the establishment of the Fact-Finding and Conciliation Commission. Nevertheless, in the judgment of that Government, there were some clearly defined limits to the action that could be taken by an international organisation without infringing the sovereignty of national governments and interfering with what were essentially domestic matters.

As already stated, several of the proposed changes, which would no doubt be discussed individually, would both alter the original purpose and extend the authority of the Governing Body Committee on Freedom of Association beyond its existing terms of reference and overlap the jurisdiction and functions of the Fact-Finding and Conciliation Commission. They would make the procedure more formal and more complex and would impose further obligations on governments which they might be unprepared to assume.

The United States Government was prepared to support certain changes which would expedite the procedure of the Committee on Freedom of Association and weed out certain unfounded complaints, and agreed with the principle that every case should be considered on its own merits; but it was opposed to any changes which would turn the Committee on Freedom of Association into a judicial tribunal.

The Chairman said that in response to Sir Guildhaume Myrdin-Evans’ suggestion he would propose adjournment of the discussion until a later sitting in order to give members of the Governing Body an opportunity to explore the possibility of reaching general agreement.

The debate was adjourned to a later sitting.¹ The sitting closed at 12.50 p.m.

¹ See below, Seventh Sitting, p. 61.
MINUTES OF THE SIXTH SITTING

(Thursday, 26 November 1953—3.10 p.m.)

The Governing Body was composed as follows:

Chairman: Mr. Malik.

Mr. Agg, Mr. Aftab Ali, Mr. Calderón Puig, Mr. Campanella, Mr. Cheybi, Mr. Côté, Mr. Delaney, Mr. Fernandes, Mr. García Oldini, Mr. Gemmel, Mr. Hauck, Mr. Jouhaux, Mr. Malik, Mr. Miller (replaced during part of the sitting by Mr. Zempe), and subsequently by Mr. Mulliken), Mr. Móri, Sir Guildhaume Myddin-Evans (replaced during part of the sitting by Mr. Walker), Mr. Pequeno, Mr. Pons, Mr. de Rege Monteiro (replaced during part of the sitting by Mr. de Souza e Silva), Mr. Roberts, Mr. Sen, Mr. Shastri, Mr. C. E. Shaw, Sir Richard Snedden, Mr. Solvén, Mr. Tata, Mr. Tuan, Mr. Uzcatégui, Mr. Waline, Mr. Wallin, Mr. Wuori, Mr. Yllanes Ramos.

Twelfth Item on the Agenda

Report of the Technical Assistance Committee

Mr. C. E. Shaw said that the report made no mention of the statement made on his behalf in the Technical Assistance Committee, in which he had complimented the Office on the excellent report it had prepared for the Committee, a report which was concise, to the point, and easy to read. He hoped that other divisions in the Office would follow this example.

Mr. Miller associated himself with Mr. Shaw's remarks. The members of the Committee had also had the opportunity of hearing a very informative description of the work done by the Office in the field of technical assistance. He was aware that the I.L.O. had been doing pioneering work in this field for many years past and he welcomed the opportunity for it to continue in the vanguard of the movement.

He suggested, however, that in the reports submitted to the Technical Assistance Committee an attempt should be made to discuss the philosophy of technical assistance more fully, rather than to deal with it primarily as a matter of procedure. The I.L.O. was in a position to play a leading part in technical assistance and he hoped that there might be a wide extension of its activities in this field.

He wished also to draw the attention of the Governing Body to an observation he had made in the Technical Assistance Committee regarding the importance of extending technical assistance activities in Africa where they were so greatly needed.

The Governing Body authorised the Director-General to submit directly to the Conference the report on technical assistance prepared for the 37th (1954) Session of the International Labour Conference.

Thirteenth Item on the Agenda

Report of the Manpower and Employment Committee

Mr. de Souza e Silva, Reporter of the Committee, said that the report did not call for any decision and the Governing Body was merely asked to take note of it.

The Governing Body took note of the report of the Manpower and Employment Committee and, in particular, of the views expressed by the Committee on the importance of developing the Office's information activities in the field of migration.

Fifteenth Item on the Agenda

Report of the Subcommittee of the Committee on Industrial Committees

Terms of Reference and Membership of the Subcommittee.

Aims of the Industrial Committees.

The Governing Body took note of these sections of the report.

Conduct of Discussions and Form of Conclusions.

Sir Richard Snedden said that the amendment to this report submitted by certain members of the Employers' and Workers' groups was intended to help the Governing Body to overcome certain difficulties that had arisen out of the Subcommittee's report. He hoped that the Government members would not be surprised that the representatives of the other two groups should have met informally for this purpose. The fact was that a deadlock had been reached in the Subcommittee on the subject of the conduct of discussions and form of conclusions of the Industrial Committees and the Employers' and Workers' members of the Subcommittee, who had helped to create that deadlock, had felt it to be their duty to try to break it.

The joint amendment submitted as a result of these informal discussions represented the highest common measure of agreement that could be obtained and was a fair compromise. Personally, he believed that the successful working of the Industrial Committees depended less on the Standing Orders or on the Document for the Guidance of Industrial Committees than on the spirit in which the members of the Committees themselves worked. If any guidance could be helpful, however, he felt that the proposed amendment might be of value.

Mr. Delaney fully concurred with Sir Richard Snedden's remarks.

Mr. Roberts explained that if the amendments were adopted they would supersede paragraphs 12 to 24 of the Subcommittee's report. The paragraph mentioned in the amendment was paragraph 13 of the Document for the Guidance of Industrial Committees.
Mr. C. E. Shaw would not oppose the amendment but had made certain reservations with regard to it which he felt bound to maintain after consulting the United States employers' organisations. Experience would show whether the proposed changes were useful; for the time being, however, he would abstain from the vote.

After an exchange of views concerning the procedure to be followed in respect of the amendment submitted by certain members of the Employers' group and of the Workers' group, Sir Richard Snedden proposed that the Governing Body should take note of paragraphs 12 to 24 of the report and should decide to amend the Document for the Guidance of Industrial Committees in accordance with the proposals made in the amendment.

The Governing Body took note of this section of the Subcommittee's report and of the amendments submitted by certain members of the Employers' group and of the Workers' group and decided that paragraphs 13 and 14 of the Document for the Guidance of Industrial Committees should be altered as proposed in that amendment.

Periodicity of Meetings.

Tripartite Character of Industrial Committees.

Technical Assistance to Industrially Underdeveloped Countries.

The Governing Body took note of these sections of the Subcommittee's report.

Functions of the Representatives of the Governing Body.

The Governing Body took note that the Subcommittee had been unable to formulate any definite recommendations on this point.

Size of Industrial Committees.

Mr. García Oldini noted that the Subcommittee recommended that the number of members of each Committee should be fixed by the Governing Body, but he thought that the first part of paragraph 39 of the report prejudged any decision that the Governing Body might take in this respect. He proposed that the Governing Body should simply adopt the specific recommendation of the Subcommittee, without regard to the considerations expressed in the first part of paragraph 39.

Mr. Uzcátegui drew attention to the statement in paragraph 40 of the report that in determining the membership of each Committee the Governing Body would take various factors into account. The Venezuelan Government considered that, in addition to the factors mentioned, account should also be taken of the geographical distribution of the countries represented on the Industrial Committees. The principle of universality, which was characteristic of the I.L.O., should not be ignored. He pointed out, by way of example, that the Building, Civil Engineering and Public Works Committee represented industries which existed in virtually every country and not merely in a limited number of countries or in a particular region. At the recent session of this Committee, 24 countries had been represented, of which 13 were European countries, although it could hardly be claimed that the building industry was a specifically European industry. It was true that a country which, like his own, had been represented on the Committee for the first time might not be able to make a very useful technical contribution to its work, but if this was used as an argument against admitting new countries to the Committee, such countries would never have an opportunity of gaining the experience necessary to enable them to make a useful contribution.

The preponderantly European character of the Committee did not help to make its work more useful. He emphasised the fact that in Venezuela, in respect of the number of workers employed, the building industry came foremost.

Mr. Delaney pointed out that paragraph 40 dealt with the actual size of the various Committees, whereas the points raised by Mr. Uzcátegui were covered by the section of the report dealing with guiding principles governing membership, the principle of appropriate geographical distribution being dealt with in paragraph 52.

Mr. Waline said that when the Industrial Committees were reorganised account would necessarily be taken of the factor of geographical distribution, as stated in paragraph 52 of the report. He did not think that the overseas countries need have any anxiety on this score.

He hoped that the Governing Body would not alter paragraph 43 of the report, which fixed the maximum size of each Industrial Committee.

Mr. García Oldini supported Mr. Uzcátegui's remarks. He thought that the criterion of geographical distribution should be mentioned in paragraph 40, even if it did appear in a later paragraph as well, because it was one of the factors affecting the determination of the number of members in each Committee.

It seemed obvious that in the case of an industry which was mainly concentrated in a particular geographical region, the relevant Industrial Committee would be much smaller, whereas in the case of an industry which was widely developed in most countries in all continents, a larger number of countries would need to be represented. In this respect, the factor of geographical distribution was relevant. He could not accept Mr. Waline's suggestion that no change should be made in paragraph 43 of the report. Paragraphs 39 to 42 implied that full freedom should be left to the Governing Body to decide in every case, in the light of the agreed criteria and with due regard to the particular circumstances of each Committee; but if paragraph 43 were adopted the size of the various Committees would be strictly limited in advance. The Governing Body should not have its hands tied in advance but should be left free to take into account the various circumstances which might not be foreseeable.

The Chairman, in reply to a question put by Mr. Calderón Puig, said that 26 countries would be represented at the forthcoming Fifth Session of the Coal Mines Committee and 19 at the Third Session of the Advisory Committee on Salaried Employees and Professional Workers, including the countries invited solely for those particular sessions.

Mr. Calderón Puig thought that the figures proposed in paragraph 43 for the future membership of these two Committees were already very low and did not seem to adhere to any definite criteria for the selection of States Members.

The Industrial Committees were one of the most important branches of the I.L.O.'s activities and appropriate geographical distribution should be observed in their composition. To favour certain
regions because their industries were well developed would mean discriminating against countries which could benefit very substantially from participating in the work of the Committees for the purpose of developing their own national industries. As Mr. Uzcátegui had pointed out, an industry such as building could not be regarded at any given time as the virtual monopoly of one particular region. The progress made in Europe and its achievements in reconstruction were generally recognised, but an equally great effort had been made on other continents as well. The same considerations applied to other industries. It would therefore be premature for the Governing Body to try to restrict the size of the Industrial Committees at the present stage and he suggested that the factor of geographical distribution should be introduced in paragraph 40 of the report and that the recommendations in paragraph 43, which he regarded as definitely restrictive, should be reserved.

Mr. Bergenström understood that paragraph 43 related to the size of the Industrial Committees, whereas the various arguments put forward related to the composition of the Committees. He agreed with Mr. Walle that appropriate geographical distribution should be taken into account in determining the membership, but the Governing Body would be required to take a decision on that point in connection with a later paragraph of the report.

Personally, he attached a great deal of importance to the factors enumerated in paragraph 40 of the report, which dealt with practical problems. Having attended the recent session of the Building, Civil Engineering and Public Works Committee as the Swedish employers' delegate, he had come to the conclusion that the Committee was too large to do effective work. The question of an optimum size for Industrial Committees had been raised some time ago when the Governing Body had first considered the problem, and his personal view was that the optimum size was considerably less than the membership of 25 which was suggested for the Inland Transport Committee. The problem was purely a practical one; in order for a Committee to be able to work effectively, its size must be limited.

He did not intend to oppose the Subcommittee's report, but he nevertheless had some doubt as to the desirability of fixing the size of the Inland Transport Committee at 25 members.

Mr. Roberts thought that it might have been better for the recommendations made in paragraph 43 to be presented in the report after paragraph 52, which dealt with geographical distribution. It should be remembered that, whatever might be decided about the size of the Industrial Committees, the criteria for membership still remained to be settled at some future stage, and so long as no maximum membership figure had been fixed it would always be possible to add new members for political or other reasons until a point was reached at which it was impossible for the Committees to do good work because they had been turned into small conferences.

He did not agree with Mr. Bergenström that a membership of 25 was more than the optimum size, nor that the Building, Civil Engineering and Public Works Committee was too large. The Subcommittee had considered these matters and had reached the conclusions set out in paragraph 43 of the report, and the Workers' group would stand by those recommendations. He could assure the Government members of the Governing Body that the question of geographical distribution would be taken into account, together with the other criteria, and it might well be that, as a result of the application of the new criteria, some States which were now represented on certain Committees would cease to be so represented. Having regard to the fact that agreement had been arrived at in the Subcommittee after long discussion, he did not think that any amendment should be made to the recommendations in paragraph 43 at the present stage.

Mr. Uzcátegui agreed that paragraph 43 was somewhat badly placed in the report because there was a close connection between the membership of the Committees and the number of seats available on each Committee. The nature of the industry in question should be taken into account in every case. In any event, it was hardly possible to take a decision on paragraph 43 before considering the question of the membership of the Committees. Personally, he thought that the Building, Civil Engineering and Public Works Committee should be larger because that industry was more important and more widely developed throughout the world than many others, such as the petroleum industry.

Mr. Calderón Puig recognised the practical value of the points made by Mr. Bergenström and Mr. Roberts, who were anxious to ensure that, after their reorganisation, the Industrial Committees should be able to carry out their functions more efficiently. In a spirit of co-operation his Government was prepared to support their views, but in order to make paragraph 43 more acceptable he suggested that at the end of paragraph 40 the following words should be added: "(d) appropriate geographical distribution".

Mr. Roberts said that if specific mention was to be made of geographical distribution it might also be necessary to mention other factors, such as the importance of a particular industry to a particular country and the population of the countries concerned. He suggested that when the Committee on Industrial Committees, which still had to deal with the question of criteria for membership, had submitted its recommendations on this subject, with due regard to the various appropriate criteria, there would be an opportunity for the Governing Body to discuss whether the criteria adopted were correct.

Mr. Fennema said that as paragraphs 39 to 43 dealt with the size of the Industrial Committees and not with their membership, it would be illogical to mention appropriate geographical distribution in paragraph 40, since that had nothing to do with the size of the Committees and was relevant only to their membership.

Mr. Harry said that, logically, a Committee should be large enough to make possible an appropriate geographical distribution among its members. He suggested that Mr. Calderón Puig's amendment might be reworded as follows: "(d) the possibility of making an appropriate geographical distribution". This idea was, in fact, already implicit in paragraph 40 under the letter (a) as "the extent to which the industry concerned was localised in a relatively few countries, or, on the other hand, was important to nearly all".

Mr. Delaney said that the Workers' group would accept the amendment to paragraph 40 proposed by Mr. Calderón Puig.
Mr. Walker thought that it was unnecessary to mention geographical distribution specifically in paragraph 40 since, as Mr. Harry had pointed out, this idea was already implicit in clause (a).

Sir Richard Snedden suggested that the Governing Body's decision should be worded as follows: "The Governing Body approved the criteria for membership of Industrial Committees set out in paragraphs 49, 51 and 52, and agreed that the size of the Industrial Committees should not exceed the following: . . . ."

Mr. Calderón Puig said that he would not be able to vote for paragraph 43 unless appropriate geographical distribution was specifically mentioned in paragraph 40.

The Chairman noted that the Workers had accepted the amendment proposed by Mr. Calderón Puig and that the Employers' group, as a whole, did not appear to have any strong objection to it.

The Governing Body approved paragraphs 39 to 43 of the Subcommittee's report, subject to the addition at the end of paragraph 40 of the following words: "(d) the possibility of making an appropriate geographical distribution".

Mr. Garcia Oldini asked that his opposition to paragraph 43 should be placed on record.

Membership of Industrial Committees.

The Governing Body took note of paragraphs 44 to 52 of the Subcommittee's report.

It was agreed that the Governing Body should undertake a periodical review of the membership of all Industrial Committees.

Pending Applications.

The Governing Body took note of paragraphs 53 and 54 of the Subcommittee's report.

The Governing Body noted that it had already taken action on the recommendations contained in paragraphs 55 to 57 of the Subcommittee's report.

Advisory Committee on Salaried Employees and Professional Workers.

The Governing Body took note of paragraphs 58 to 61 of the Subcommittee's report.

It decided that the terms of reference and the structure of the Advisory Committee should not be modified, that the size of the Committee should be limited to 20 members, and that its membership should be reviewed at the same time and in the same manner as that of Industrial Committees.

Mr. C. E. Shaw said that the question of the reconstitution of the Industrial Committees ought to be settled promptly because new requests for membership were likely to be made. It was obvious that some of the Industrial Committees would have to be reduced in size. Some countries, particularly those which had not sent delegations or had not sent complete delegations to previous sessions, might not wish to continue their membership, and perhaps the Governing Body might authorise the Office to carry out inquiries with a view to certain eliminations.

He therefore proposed that the Director-General should be instructed to communicate with governments, informing them of the criteria already adopted and of the Governing Body's decision to reconstitute the Committees, and inquiring diplomatically whether those countries which were now members of the Committees wished to continue their membership.

Mr. Delaney did not object to the Office's informing governments of the action it had already taken in respect of Industrial Committees, but he hoped that there would be no suggestion that it was desired that any State should relinquish its membership of an Industrial Committee. That was a matter for each government to decide for itself and the Governing Body would subsequently have to determine, in the light of the criteria adopted, which countries should be represented on the various Committees.

Mr. Walker expressed the view that as yet the Governing Body had not actually adopted criteria for the membership of Industrial Committees, but had merely approved the Subcommittee's report which recommended that certain matters, which did not constitute criteria, should be taken into account in reconstituting the Industrial Committees. He thought that it would be premature to ask governments whether they wished to continue their membership of particular Industrial Committees. Not all the Committees were too large and it might be invidious to consult the governments which happen to be members of those Committees which were too large, without taking similar action in respect of the members of other Committees. He suggested that the most practical course would be to deal as soon as possible with the question of reconstitution of the Committees and of the considerations that were to be taken into account in that connection.

Mr. González Barros drew Mr. Shaw's attention to paragraph 53 of the Subcommittee's report, which recommended that all pending applications should be considered at the time of the initial review of membership, present members and applicants being considered on an equal footing. The governments of the States concerned would thus be able to put forward their claims to membership of the various Committees in accordance with these criteria. In these circumstances he did not think that it would be necessary to consult governments in the manner suggested by Mr. Shaw.

Mr. Bergenström thought that at least part of Mr. Shaw's proposal could be carried out by asking those countries which had not hitherto sent delegations to Industrial Committees whether they really wished to participate in the Committees in future. Some countries were only formally members of Committees and had not been present at any of their sessions.

Mr. C. E. Shaw said that the purpose of his suggestion was simply to clarify the situation. If it was not acceptable he would not press for an immediate decision, although he still thought that it would be useful to inform governments of the position so that they might have time to make such comments as they thought fit.

Mr. Delaney noted that Mr. Shaw had not insisted on his proposal and considered, for his own part, that Mr. Walker's arguments were valid.
Committee on Work on Plantations.

Mr. Zempel drew attention to paragraph 65 of the report in which it was stated that the United States Government member had suggested that it would be desirable to include the Committee on Work on Plantations in the same system as the Industrial Committees and the Advisory Committee on Salaried Employees and Professional Workers, and to make a recommendation concerning the size of that Committee also, but that the Subcommittee had taken the view that this question was not within its terms of reference.

As the Plantations Committee was of a similar character to the Industrial Committees, he thought that it should be treated in the same way. Accordingly, he suggested that, having regard to the figures adopted for the other Committees, the Governing Body might consider fixing a maximum size of 15 members for the Committee on Work on Plantations.

Mr. Delaney said that the Workers' group was not in a position to discuss this suggestion at the present time. He proposed that the Office should prepare a report on it for submission to the next meeting of the Committee on Industrial Committees.

Mr. Zempel agreed to this suggestion. The Governing Body instructed the Director-General to prepare for the next session of the Committee on Industrial Committees a document concerning the size of the Committee on Work on Plantations.

The Governing Body took note of paragraphs 65 to 69 of the Subcommittee's report.

Eighteenth Item on the Agenda

Reports of the Financial and Administrative Committee

First Report

Financial and Budgetary Situation on 30 September 1953.

The Governing Body took note of the information provided on this subject.

Proposed Transfers within the 1953 Budget.

The Governing Body approved the transfers proposed in paragraph 5 of the report.

The Governing Body authorised the Director-General to make such transfers as might be necessary within the 1953 budget, subject to the approval of the Chairman of the Governing Body and on the understanding that the formal approval of the Governing Body would be requested at the spring session.

Financial Situation of the Expanded Technical Assistance Account on 30 September 1953.

Report of the Administrative Board of the I.L.O. Staff Pension Fund.


The Governing Body took note of these sections of the report.

Implementation of the Scheme for Alleviation of Hardship Involved to Pensioners of the I.L.O. Staff Pension Fund by Increase in Cost of Living.

The Governing Body authorised a supplementary credit of £21,594 to cover expenditure under this scheme in 1953.

The Governing Body decided that the rates of adjustment to be applied in 1954 in the case of pensioners resident in countries which devalued their currencies on or after 18 September 1949, whose pensions are fixed in Swiss francs, should be as set forth in paragraph 15 of the report.

Jurisdiction of Appeals on United Nations Joint Staff Pension Questions.

The Governing Body decided—

1. that the I.L.O. should accept the jurisdiction of the United Nations Administrative Tribunal in matters involving the United Nations Joint Staff Pension Fund;

2. that the Director-General should be authorised to take the necessary steps to bring about this acceptance;

3. that the expenses incurred in the financial year 1954 should be charged to Item 22.08 (Miscellaneous) of Part II of the budget and financed by savings within that Part.

Payment under Article 18 of the Financial Regulations.

The Governing Body authorised the payment to Mrs. Lesba of 400 Swiss francs for the period 1 May to 31 December 1949 in accordance with article 18 (3) of the Financial Regulations.

Proposed Amendment of Article 7 of the Financial Regulations.

Mr. Walker pointed out that amendment of this article of the Financial Regulations depended on the decision taken by the Governing Body on the corresponding part of the report of the Committee on Standing Orders and the Application of Conventions and Recommendations, which had not yet been considered. He did not object to the adoption of the recommendation contained in paragraph 32 of the First Report of the Finance Committee, on the understanding that this approval was subject to the decision taken on the report of the Standing Orders Committee.

Subject to any decision it might take on paragraph 15 of the report of the Committee on Standing Orders and the Application of Conventions and Recommendations, the Governing Body decided to recommend to the Conference the deletion of article 7, paragraph 7, of the Financial Regulations.

Financial Implications of the Postponement until 1954 of the Meeting of the Committee of Experts on Indigenous Labour.

Mr. Gemmill said that the Employers' group abstained in respect of paragraph 41 of the report.

The Governing Body decided that if the convening of the meeting of the Committee of Experts on Indigenous Labour in 1954 was approved, it should be financed in the manner indicated in paragraph 41 of the report.

The Governing Body noted the abstention of the Employers' group in respect of this decision.

1 See below, Minutes of the Eighth Sitting, p. 82.
Financing of the Proposed Meeting of the Committee of Experts on Conditions of Work in the Fishing Industry.

Mr. C. E. Shaw said that the Employers’ group would abstain in respect of the recommendations contained in paragraph 50 of the Committee’s report.

Mr. Sen pointed out that the recommendations made by the Financial and Administrative Committee on this subject would have to be modified as a result of the decision taken by the Governing Body to reduce the number of experts from 18 to 12 and of the understanding that the length of the meeting should be decided by the Director-General.

The Chairman said that the recommendations contained in paragraph 50 would be modified to take account of the points mentioned by Mr. Sen.

The Governing Body took note that the estimated expenditure for this meeting would have to be revised to take into account the decisions taken by the Governing Body at its Third Sitting concerning the composition of the meeting.1 It was understood that the Director-General would submit a revised estimate for the meeting at a later stage.

Subject to this reservation, the Governing Body decided that the meeting should be financed in the manner proposed in paragraph 50 of the Committee’s report.

The Governing Body took note of the abstention of the Employers’ group in respect of this decision.

Financing of the Proposed Meeting of a European Regional Conference.

Mr. C. E. Shaw said that the Employers’ group would abstain in respect of the recommendation contained in paragraph 56 of the Committee’s report.

Mr. Sen said that the Government of India hoped that it would be possible to finance the meeting of the Committee of Experts on Indigenous Labour, the Meeting on Conditions of Work in the Fishing Industry and the meeting of a European Regional Conference without recourse to the Working Capital Fund.

Mr. Walker recalled that the Governing Body would be required to consider at its next session the question of the place at which the European Regional Conference should be held. He assumed that there would also be an opportunity at that time of considering any revised estimate that might be necessary as a result of its decision with regard to the place of the Conference.

Mr. Mulliken supported Mr. Sen’s remarks and drew attention to the summary of the views expressed by the United States Government representative in the Financial and Administrative Committee as set forth in the report. He would not repeat those views, but expressed the hope that the Office would make every effort to finance the proposed expenditures without recourse to the Working Capital Fund.

The Chairman said that the Governing Body would be informed of the position at a later session.

1 See above, Minutes of the Third Sitting, pp. 25-30.

The Governing Body decided to finance the European Regional Conference to be convened in 1954 in the manner proposed in paragraph 56 of the Committee’s report.

The Governing Body took note of the abstention of the Employers’ group in respect of this decision.

Exchange Rate between the U.S. Dollar and the Swiss Franc.

The Governing Body took note of this section of the report.

Request of the World Meteorological Organisation concerning the Administrative Tribunal of the International Labour Organisation.

The Governing Body approved the application of the Statute of the Administrative Tribunal to the World Meteorological Organisation in accordance with paragraph 5 of article II of that Statute.

Financing of the Admission of Additional Members to the Inland Transport Committee and the Advisory Committee on Salaried Employees and Professional Workers.

Mr. C. E. Shaw said that the Employers’ group abstained in respect of the recommendations contained in paragraph 66 of the Committee’s report.

The Governing Body decided that, if it approved the additional requests for membership of Industrial Committees, the expenditure involved should be financed in the manner proposed in paragraph 66 of the Committee’s report.

The Governing Body took note of the abstention of the Employers’ group in respect of this decision.

Sale of Furniture at North Hills.

The Governing Body authorised the Director-General to transfer the sum of $2,551.82, being the net amount received from the sale of the North Hills furniture, to the credit of the Building and Accommodation Fund.

Financing of the Meeting of Experts on the Protection of Dockers against Accidents.

Mr. C. E. Shaw said that the Employers’ group abstained in respect of the recommendation contained in paragraph 75 of the Committee’s report.

The Governing Body decided to finance this meeting in the manner proposed in paragraph 75 of the Committee’s report.

The Governing Body took note of the abstention of the Employers’ group in respect of this decision.

Financing of the Proposed Meeting of the Committee of Statistical Experts on the Determination of the States of Chief Industrial Importance.

The Governing Body decided to finance this meeting in the manner proposed in paragraph 78 of the Committee’s report.

The Governing Body took note of paragraph 79 of the Committee’s report.

Staff Questions.

The Governing Body took note of paragraph 79 of the Committee’s report.

Occupation of Budgetary Posts on the 1953 Budget.

The Governing Body took note of paragraph 80 of the Committee’s report.
Retirement Provisions for the Auxiliary Staff.

The Governing Body authorised the Director-General to deduct from the wages of the members of the auxiliary staff and to pay from the budget of the Office contributions at the rate of 5 per cent. for the staff and of 7 per cent. for the Office on the wages of the members of the auxiliary staff as from 1 January 1954, and to pay these contributions into a suspense account pending a final decision of the Governing Body on the retirement provisions to be applied to the auxiliary staff.

Second Report

Report of the Building Subcommittee

Mr. Sen wished to know the total cost of the improvement and enlargement of the Governing Body room and the amount already available to finance it.

The Treasurer said that the estimates previously submitted to the Governing Body amounted to $158,891, and the amounts at present available added up to $118,622. The difference was thus not exactly $50,000, but a round figure on the high side had been quoted to allow for the possibility of some variation between the actual cost, as established after the submission of tenders, and the amount estimated for the purpose in the budget.

Mr. C. E. Shaw recalled the reservations he had made in the Financial and Administrative Committee. When the decision to enlarge and improve the Governing Body room had originally been taken against the Employers' votes, it had been understood that the work would be financed by the money received from the sale of the North Hills property. As that sale had not been terminated, the question ought perhaps to be reconsidered.

Mr. Sen did not think that it was necessary to reopen a discussion on the merits of the question. However, he suggested that a credit of $40,000 only should be provided since $7,000 was already available from the deposit forfeited by a prospective buyer of the North Hills property and $2,500 from the sale of the furniture, making a total of nearly $10,000.

The Treasurer said that the figures he had quoted allowed for the $7,000 deposit, but not for the $2,500 received from the sale of furniture because the latter sum had still been subject to a decision by the Governing Body.

The Governing Body authorised the Director-General to proceed with the extension and improvement of the Governing Body room in accordance with the decision taken at its 122nd Session and decided that the question of additional financial provision should be considered, if necessary, at a later date in the light of the facts then existing.

The sitting closed at 5.40 p.m.

A. M. Malik.
The Governing Body was composed as follows:

*Chairman*: Mr. Malik.

Mr. Aftab Ali, Mr. Calderón Puig, Mr. Campanella, Mr. Cheyban, Mr. Cingolani, Mr. Côté, Mr. Delaney, Mr. Fernandes, Mr. García Oldini, Mr. Gemmill, Mr. Jouhaux, Mr. Malik, Mr. Miller, Mr. Mori, Sir Guildhaume Myrdodd-Evans (replaced during part of the sitting by Mr. Hauck), Mr. de Rego Monteiro, Mr. Roberts, Mr. Sen, Mr. Shastri, Mr. C. E. Shaw, Sir Richard Snedder, Mr. Sölven, Mr. Tata, Mr. Tuan, Mr. Uzcátegui, Mr. Waline, Mr. Wallin, Mr. Wuori, Mr. Yllanes Ramos.

Eleventh Item on the Agenda

Reports of the Committee on Freedom of Association

(continued) ¹

Ninth Report (continued)

Proposals concerning the Procedure for the Preliminary Examination of Complaints regarding Alleged Infringements of Freedom of Association (continued)

Mr. Ramadier said that as a result of informal consultations in regard to the objections raised to the recommendations of the Committee on Freedom of Association it had been found that the difficulties related to two points: the question of the communication to complainants of the replies of governments, and that of the hearing of complainants.

The Governing Body would remember that under the present procedure the Committee on Freedom of Association could address itself to governments and request them for information but could not approach the complainant, while at the same time making it possible for the Committee to examine the case more fully.

Mr. Calderón Puig seconded the proposal made by Mr. Ramadier for the reasons he had stated earlier in the debate. He had laid special stress on the need for enabling the Committee to obtain further information from the parties, and all the governments had concurred in emphasising the importance of safeguarding their national sovereignty. The amendment proposed by Mr. Ramadier would meet both these points since it specifically stated that the replies of governments should not be disclosed, which implied that they would not be communicated to the complainant, while at the same time making it possible for the Committee to examine the case more fully.

Mr. Gemmill said that the new proposal fully met the objections he had raised and he accepted it.

Mr. Roberts said that the Workers' group had given long and serious consideration to this question, which affected the workers more closely than it did any other group.

The Workers' group understood that the phrase "without disclosing the replies of governments" implied that the complainant would be asked for further information on the basis of the government's reply.

The position appeared to be that the Government representatives who had raised objections in the previous debate were prepared to accept all the recommendations in the Ninth Report except the two to which Mr. Ramadier had referred, and that

¹ See above, Minutes of the Fifth Sitting, p. 46-53.
with regard to those two points it was proposed that the Governing Body should accept a compromise in respect of the communication of the governments’ replies to complainants and should adjourn consideration of the recommendation concerning the hearing of parties. The Workers were not satisfied with this compromise and did not believe that it would solve the problem on a permanent basis. In the interests of unanimity, however, they were prepared to accept it as an interim measure on the understanding that the question should remain open for further consideration together with the question of the hearing of complainants and of governments.

Mr. Garcia Oldini said that, subject to the interpretation already given by Mr. Calderón Puig, he also accepted the proposal of Mr. Ramadier, and expressed his appreciation of the efforts made by the members of the Governing Body to find a form of words which would safeguard the important principle of national sovereignty.

Mr. Miller said that the United States Government wished to reserve its position with reference to paragraph 23 of the report. It would also prefer to postpone discussion on paragraphs 38, 39 and 40 of the report concerning the form of the Committee’s recommendations as well as those concerning the hearing of parties. Subject to these reservations the United States Government fully supported the proposals made by Mr. Ramadier.

The Chairman said that the United States Government could raise these points again when the further discussions to which Mr. Roberts had referred took place at a later session.

The Governing Body approved the procedure proposed in paragraphs 23 and 24 of the Ninth Report of the Committee on Freedom of Association with regard to the presentation of complaints.

The Governing Body approved the proposal contained in paragraph 28 of the Ninth Report concerning the governments’ replies.

The Governing Body rejected the proposals in paragraphs 29 to 32 of the Ninth Report concerning communication of the governments’ replies to complainants and decided that the Committee should be authorised, without disclosing the replies of governments, to seek further information in writing from the complainant in regard to questions concerning the terms of the complaint requiring further elucidation.

The Governing Body took note that the Workers’ group accepted this decision as an interim solution only and that the matter would remain open for further consideration.

The Governing Body decided to defer to a later session consideration of the proposals contained in paragraphs 33 to 37 of the Ninth Report concerning the hearing of parties.

The Governing Body approved the proposals in paragraph 38 of the report concerning the form of the Committee’s recommendations.

Eleventh Report

Mr. González Barros, referring to the statement in paragraph 6 (c) of the report that the Committee had asked the Director-General to obtain further information from the governments concerned with regard to eight cases, including Case No. 68 concerning Colombia, said that the Government of Colombia had no objection to this proposal. He wished, however, to draw the attention of the Governing Body and of the Committee on Freedom of Association to the fact that the complaints presented by various agricultural trade unions of Albania, Poland, Bulgaria, Italy and France were of a political and tendentious character and had nothing to do with freedom of association. The source from which these complaints came was sufficient to indicate the nature of their objective.

The Colombian Government was particularly concerned to defend trade union rights and had consequently investigated these complaints, with the result that it had ascertained that no trade union member corresponding to the case cited in the allegations by the complainant unions existed under the name reported by them, and the three trade union leaders of the same name who appeared on the registers were in full possession of their trade union rights.

In those circumstances it was difficult to see what further information the Colombian Government could supply to the Committee on Freedom of Association or how any unprejudiced person could suppose that there was any serious basis for the complaints, which had been made for political purposes with the obvious intention of damaging the Government’s social policy.

The Chairman asked members of the Governing Body to confine themselves to the matters requiring a decision and not to deal with those which were included in the Committee’s report for information only or the examination of which had not yet been completed.

Mr. Roberts said that the Governing Body had just had an illustration of the difficulty with which the Committee and the Governing Body were faced in dealing with complaints. The Workers’ group as a whole deprecated very strongly the fact that any Government representative involved in a case submitted to the Committee on Freedom of Association should be able to state the position of his government in the Governing Body merely because he happened to be present at the session. This raised the issue of the hearing of the complainant, which was a very important point.


The Governing Body decided to adjourn to its next session the further examination of Case No. 58 concerning the complaint presented by the International Confederation of Free Trade Unions against the Government of Poland.

Fifth Item on the Agenda

The International Labour Organisation and Non-Metropolitan Territories

Mr. Miller wondered whether this item was a matter of urgency and would be prepared to move that it should be postponed to the next session of the Governing Body if this proposal were acceptable.

Mr. Roberts said that he could not agree to the adjournment of this item. The question had been before the Workers’ group and the Director-General for 18 months or more and the relevant documents...
had been in the hands of members of the Governing Body for some time before the opening of the session. He regretted that the item had been delayed until so late in the session, but in the circumstances he was obliged to press for its consideration.

Sir Guildhaume Myrdam-Evans pointed out that, although it was true that the Office document had been in the hands of members of the Governing Body for some weeks before the opening of the session, the amendment submitted by the Workers' group, which was far more fundamental to the future action of the I.L.O., had been submitted only at the beginning of the session. The matter was one which affected governments closely, and it had not been possible in the time available for the Government members of the Governing Body to receive instructions upon it. The reason why consideration of the item had been delayed until late in the session was that the Governing Body had had other matters of urgent importance to discuss, and the time spent on reaching a compromise on the recommendations of the Committee on Freedom of Association, for instance, had certainly not been wasted. He would not, however, press for the adjournment of the item if this was not generally acceptable.

Mr. Roberts pointed out that the amendment submitted by the Workers' group did not commit Government representatives since it merely asked that the Office should prepare a report for future consideration. The Workers' group could not agree to postponement of the discussion.

It was agreed that the discussion on the fifth item on the agenda should proceed.

Mr. Roberts, as the author of the letter written on behalf of the Workers' group to the Director-General which had given rise to the document submitted to the Governing Body, intended to confine his introductory remarks to the points requiring discussion and decision. He wished to emphasise at the outset that the question was not a group issue, but affected all the three groups equally and also had an important bearing on the universality of the International Labour Organisation.

The Office was to be congratulated on the well-drafted document which it had submitted to the Governing Body. That document set out very fully the *de jure* and *de facto* relations between the I.L.O. and non-self-governing territories, although it was not quite so clear on the question of the possible amendments to the Constitution which the Workers' group had suggested in order to provide for associate membership.

With regard to the points of detail in the document, he observed that while it was true, as stated in paragraph 5, that article 3, paragraph 3, of the Constitution could be applied and had in fact been applied on occasion, the Workers considered that it had not been used as widely as it could and should have been. Furthermore, the meaning of subparagraph (b) of article 3 (3) of the Constitution was not entirely clear. If, as appeared to have been the case in the past, this subparagraph was interpreted as applying only to matters which affected non-self-governing territories, it was much too restrictive; if, on the other hand, it could be invoked to provide advisers from non-self-governing territories on all matters coming before the Conference, it would be much more helpful from the Workers' point of view. He would be glad to receive some clarification with regard to the scope of this provision.

With reference to the statement regarding the position at regional conferences of non-self-governing territories in certain areas, the Workers' group welcomed the fact that non-self-governing territories in both the American and Asian regions could attend regional conferences and exercise the right to vote in them. It must be remembered, however, that these conferences had a very limited function, since they could vote only on resolutions intended for consideration by the Governing Body or by governments. Furthermore, the Workers' group was not satisfied that this provision gave full opportunity to all non-self-governing territories to attend regional conferences in a sovereign capacity. In the case of Africa, for instance, where there were more non-self-governing territories than in any other part of the world, none of those territories, so far as the Workers were aware, had had an opportunity of taking part in regional conferences and they saw no reason why a distinction should be made between territories which happened to be in one particular region and those which happened to be in another region.

The Workers' group could not accept the suggestion that so far as regional conferences were concerned non-self-governing territories had more rights under the present arrangements than they would have if the Constitution were amended to provide for associate membership. It would be quite feasible to draft an amendment to the Constitution providing for associate membership without voting powers at the International Labour Conference, but with voting powers at regional conferences. That, however, was a point to be determined at a later stage when the Governing Body had before it the further report for which the Workers' group had asked.

With regard to the question of the self-governing powers of certain non-self-governing territories dealt with in paragraph 25 of the document, the position was that those territories had powers to deal with industrial and social questions, and under the present Constitution the metropolitan territory concerned merely acted as a post office for the non-self-governing territory when a Convention was adopted. The Workers' group believed that when a territory had reached such a stage of economic, industrial, social and political development that it could conduct its own affairs in the spheres of competence of the International Labour Organisation, it should have a right and a responsibility in respect of the determination of the legislative problems which were brought before the Conference.

In respect of Recommendations, it was admitted in paragraph 28 of the document that, except in the case of the two Recommendations concerning social policy in dependent territories, there were no special provisions dealing with their applicability to non-metropolitan territories and that it remained within the province of the metropolitan government itself to decide whether Recommendations should even be forwarded to non-self-governing territories.

Turning to the specific proposals made by the Workers' group, Mr. Roberts thought that there could be no objection to the first part, which proposed to add to the recommendation in subparagraph 1 of paragraph 35 of the Office document the following words: " and to draw the special attention of governments to this problem in the letters of invitation for the 37th Session of the International Labour Conference ". The agenda for the next session of the Conference included two items which were of par-
particular interest to many non-self-governing territories, and it might well be regarded as an obligation and a responsibility upon the metropolitan governments themselves to bear this fact in mind in appointing their delegations for that session. All that was proposed by the Workers' group was that this point should be specifically mentioned in the letters of convocation.

The second part of the proposal of the Workers' group was to add to the recommendations in paragraph 35 of the report a request to the Director-General to prepare a new report for submission to the next session of the Governing Body based on—

(a) a more detailed study of the possibility of granting membership, within the framework of the Constitution as it now stands, to those non-metropolitan territories which have reached a certain stage of political, economic and social development and which enjoy autonomy in the field of labour and social legislation;

(b) a study of the constitutional changes which would be needed with a view to granting associate membership to those territories;

(c) the more immediate possibility of inviting certain non-metropolitan territories to attend the International Labour Conference as observers, it being understood that they would be represented by full tripartite delegations.

As regards clause (a) of this proposal the Workers were prompted to raise the question in a more fundamental form than in their original letter because they believed that there were certain distinct possibilities in this field. There were certain precedents pointing in this direction. For instance, India had become a full Member of the International Labour Organisation while still under foreign domination, although special circumstances and considerations had perhaps applied in that case. Similarly, there were the cases of Japan, the Federal Republic of Germany and Viet-Nam which had become Members of the Organisation when they were not fully sovereign powers; in the first two cases in virtue of the agreement of the occupying powers that the countries concerned should have sovereign control over the matters and obligations related to the International Labour Organisation, and in the case of Viet-Nam in virtue of an arrangement with the French Government that Viet-Nam should have control over such questions in so far as they affected the International Labour Organisation. The Workers' group therefore thought that in the case of a non-self-governing territory which had full autonomy in labour and social matters there was no reason why a similar arrangement should not at least be considered.

It was not necessary for the time being to pursue the question of the constitutional changes needed to grant associate membership which was raised in clause (b) of the Workers' proposal. This had been explained in the original letter sent to the Director-General on behalf of the Workers' group, and the necessary study could presumably be made only when the Governing Body had a further document before it setting out all the possibilities.

With regard to clause (c) of the proposal, however, the Workers' group saw in this suggestion the prospect of a more immediate closer association of non-self-governing territories with the I.L.O. than in either of the other two cases. Here again precedents existed. In 1948 the Governing Body and the Conference had decided to grant observer status on a tripartite basis to Japan at a time when the occupying powers controlled the whole of the economic, political and social system of the country, and similar action was taken in the case of Western Germany in 1949. Furthermore, the Saar Territory had been granted observer status by the International Labour Organisation for the past three years, and the Governing Body had before it at its present session a proposal for the continuance of that arrangement. There was little essential difference between these cases and the non-self-governing territories which had autonomous powers in so far as the functions and competence of the International Labour Organisation were concerned.

The position of the Workers' group on this matter was entirely realistic. It had never suggested that its proposals should apply to all non-self-governing territories, but only to those territories which had autonomous powers in all or most of the matters with which the International Labour Organisation was concerned. The Workers believed that it was desirable to encourage the gradual development of a sense of responsibility in these countries and that they should be able to associate themselves more closely with the International Labour Organisation directly rather than through the metropolitan government concerned acting as a mere post office. The political situation could not be ignored; certain organisations and certain countries were doing their utmost to create discontent and disruption in some of the territories concerned, and the Workers' group believed that nothing should be left undone that might help to steer these territories on to the right course and to keep them on it, and that free association with the International Labour Organisation would help them very materially in their own endeavours to this end.

It was therefore in the context he had described that the Workers' group had made its proposals, and in the belief that possibilities existed for the future which had not been fully explored in the past, with a view to establishing an increasingly close relationship with non-self-governing territories. Many applications for attendance at the International Labour Conference had been received both from workers' organisations and from individual workers. The contribution made by representatives of non-self-governing countries from all three groups at the recent Asian Regional Conference, which had been of a very high and statesmanlike quality and might serve as an example to the representatives of many sovereign countries, had provided sufficient evidence that such territories had reached a stage of economic, social and political development which well fitted them to take their place in the International Labour Organisation, and to gain from the experience and to the Organisation placed upon them. It was in this spirit that the Workers' group asked the Governing Body to give serious consideration and support to its proposals.

Mr. de Rego Monteiro fully associated himself with the views on which the proposals of the Workers' group were based. It was inconceivable that an organisation such as the I.L.O., with its universal outlook and its function of drawing up international labour Conventions, could contemplate leaving such large masses of mankind outside the scope of its own social legislation and in fact of international social law. He believed that it was entirely possible to develop the constitutional arrangements of the I.L.O. in such a way as to adapt them to present world
conditions and to the rightful claims of the workers.

While he did not wish to say anything that would damage the solidarity between the States Members, he nevertheless believed that the problem was even more serious than had been suggested by the Workers’ group. There were non-metropolitan territories which formed an integral part of States Members which exercised trusteeship over them and represented them internationally. Nevertheless the universal human value of the workers, in whatever part of the world they might be, must be borne in mind. An international organisation which aimed at universal peace and social justice could not ignore the vast multitudes of men who were still deprived of the protection of labour legislation. A first step towards giving satisfaction to the Workers’ group would be to amend article 35 of the Constitution of the I.L.O. This article laid down a principle which was totally incompatible with the universality of the International Labour Organisation since it made it possible for non-metropolitan territories to be excluded from the application of Conventions, and left the decision in this respect to the entire discretion of the State Member responsible for administering the territory and for conducting its political affairs. It introduced a most important restriction, which had not been dealt with in the letter of the Workers’ group, by providing that States Members should undertake that ratified Conventions should be applied to their non-metropolitan territories “except where...the Convention is inapplicable owing to the local conditions”.

In the light of these observations, the Brazilian Government fully supported the proposals of the Workers’ group and believed that, contrary to the conclusions set forth in the Office document, it was necessary for the Constitution to be amended and for the problem to be solved by means of constitutional changes as well as by practical measures. He also believed that the deletion of the part of article 35 of the Constitution to which he had referred should be considered in addition to the amendments proposed by the Workers’ group.

Sir Guildhaume Myrddin-Evans associated himself with the congratulations expressed by Mr. Roberts to the Office on the excellent report which it had submitted and with which the United Kingdom Government was in complete agreement. The United Kingdom Government did not share the criticisms that Mr. Roberts had offered and was prepared to accept as they stood both the report and the recommendations it put forward. He would, therefore, address his remarks more particularly to the amendment to the Office’s proposals submitted by the Workers’ group.

With regard to the first part of the proposals of the Workers’ group, namely, that the Director-General should be instructed to draw the special attention of governments to the problem in the letter of convocation to the 37th Session of the International Labour Conference, this was a suggestion which the United Kingdom Government could accept at once. With regard to the second part, however, he expressed the hope that the Workers’ group would not press their proposals at the present time. Mr. Roberts in his persuasive speech had made these revolutionary proposals sound reasonable, but he had slurred over, if not completely ignored, the constitutional difficulties involved. It was all very well to say that a request for a report was not a proposal for action, but once a process of this kind was started it could not be controlled. The suggestion first made by Mr. Roberts in his letter to the Director-General on behalf of the Workers’ group related to associate membership, whereas now the question of full membership for non-metropolitan territories was being raised. It was because the United Kingdom Government felt that the proposal was a dangerous one to start upon that he was obliged to oppose even the examination of suggestions of the Workers’ group proposed in the second part of the amendment.

These suggestions, which would undoubtedly be translated into proposals in due course, involved the greatest possible dangers not only for the International Labour Organisation but for the relations between the Organisation and its present Members. While it was true that many people disliked the fact that non-metropolitan territories existed, it was not the purpose of the present debate to argue the merits of the case and the facts had to be faced as they stood at present. So long as non-metropolitan territories existed the metropolitan States had responsibilities for and obligations towards their non-metropolitan territories which they were bound and were determined to carry out. The I.L.O. would be grossly abusing its power if it tried to ignore these obligations and responsibilities. If the present suggestions were translated into proposals, the position would be that an international organisation of its own volition was seeking to alter and, if the proposals were carried out, would succeed in altering the constitutional relationships between metropolitan States and their non-metropolitan territories. Whatever reasons there might be for altering these constitutional relationships, the I.L.O. was not the proper body to attempt such an alteration and it would be intolerable for it to do so. If any such attempt were made the metropolitan States could not remain indifferent and their attitude towards the International Labour Organisation would inevitably be affected.

Secondly, the suggestions, and particularly that relating to the possibility of granting membership to certain non-metropolitan territories, would completely change the nature of the I.L.O. as a treaty-making organisation since it would enable territories which had no treaty-making powers to participate in the making of treaties. This would be a clear case of power without responsibility.

Thirdly, if States without treaty-making responsibility were to participate in the making of treaties, how could any governments, whether metropolitan governments or other Members of the Organisation, fail to regard the I.L.O. and its instruments with very different eyes from those with which they regarded them at present? Any such development would turn the I.L.O. into a debating society and would mean that its instruments would be ratified, accepted and implemented by the States Members of the Organisation far less than they were today. In fact, it could be predicted that if the suggestions of the Workers’ group were translated into action the Conventions and Recommendations of the I.L.O. would have no more weight than resolutions.

Some reference to the political aspects of the matter was also called for since Mr. Roberts had already mentioned them. Sir Guildhaume recognised that, as was common knowledge, the Communist front was making a determined attacks on the colonial territories, but, unlike Mr. Roberts, he believed that, far from helping to fight communism, to embark on such a course would be to play the game of the Communists. It would give access to the territories in question to more and more trouble makers.
Furthermore, there was no surer way of ensuring dissonance among the democratic States Members of the Organisation than by pursuing a proposal of this kind.

All the members of the Governing Body had at heart the objective of associating non-metropolitan territories more closely with the work of the International Labour Organisation; the difference was only on the question of method. In the view of the United Kingdom Government the right method was a development of the present constitutional and practical provisions and procedures, whereas in the view of the Workers' group it was to associate non-metropolitan territories in some form of membership of the Organisation, either associate membership or full membership according to the territory. He suggested, however, that the proposal of the Workers' group was based not merely upon a misconception but upon an ignorance of what was already being done and what could be done under the present constitutional arrangements. Nothing was further from the truth than to say that the metropolitan territories were ignoring their responsibilities in the field of the I.L.O. in regard to the non-metropolitan territories. So far as the United Kingdom Government was concerned, it could claim that its record of application of Conventions and Recommendations to non-metropolitan territories, as it stood in the reports made annually to the Committee of Experts on the Application of Conventions and Recommendations, would bear comparison with that of any country, and was indeed far better than that of some completely sovereign States. In fact, a member of the Workers' group had stated in the Governing Body after a meeting of the Committee of Experts on Social Policy in Non-Metropolitan Territories that he had been surprised to find how far in advance of the sovereign States were conditions in many of the non-metropolitan territories. With regard to those Conventions and Recommendations which referred particularly to non-self-governing territories, the United Kingdom Government had ratified, in respect of its non-self-governing territories, every such Convention subject to a few modifications to meet special conditions in one or two particular territories.

The kind of association which already existed between the I.L.O. and non-metropolitan territories could be illustrated by many examples. In the case of the United Kingdom Government, for instance, colonial labour department officials had been included in the United Kingdom Government delegation to the International Labour Conference for a long period of years. At least two advisers on colonial matters were attached to the delegation, one drawn from the Colonial Office, which had a special responsibility for the non-metropolitan territories, and the other or others from the non-metropolitan territories themselves. There was no reason why, within the bounds of available finance, this practice should not be developed and he could give an undertaking that the United Kingdom Government would be prepared to consider such development. It was also the practice and policy of the Employers' group of the United Kingdom delegation to the International Labour Conference to include a representative of colonial employers. Although the Workers' group had followed the same practice for a number of years, he understood that in recent years the group had felt that in view of the limited numbers of advisers allowed it had not been possible to include a representative of labour from the colonial territories. Here again, however, the United Kingdom Government would certainly be prepared to examine any proposals which the Workers' representatives in the United Kingdom might make with a view to providing for additional advisers representing colonial workers.

With regard to other I.L.O. meetings, at the recent session of the Committee on Work on Plantations the United Kingdom Workers' delegation had been composed wholly of trade unionists from Malaya and the West Indies and three advisers from the West Indies had also been included in the Government delegation. At each session of the Asian Regional Conference there had been a full tripartite delegation of representatives from Hong Kong, Malaya and Singapore and, at the last two sessions, an additional adviser from another part of the colonial territories in Asia. The United Kingdom delegation to the A.R.C. at Tokyo in 1948 included a representative from British colonial territories in the West Indies, West Africa and South-East Asia; and lastly, one of the members of the Committee of Experts on the Application of Conventions and Recommendations was Mr. Grantley Adams, who was the equivalent of Prime Minister in Barbados.

The examples he had cited showed that practically no recognition had been given to what had already been done, and what could still be done, in associating the non-metropolitan territories with the work of the International Labour Organisation. The Governing Body should therefore give attention to what further action could be taken within the framework of the existing constitutional provisions and of the practices which had grown up in the past before beginning to consider the revolutionary proposals submitted by the Workers' group.

He appealed to the Workers' group and to the Governing Body as a whole not to put the metropolitan territories on the defensive or to force them to think in legalistic and formal terms about their constitutional rights and obligations and their constitutional relationships with their non-metropolitan territories. There was plenty of scope in the existing circumstances for further improvement on what had already been done and he firmly believed that that was the right way to proceed rather than embarking on a revolutionary proposal of which the consequences for the I.L.O. could not be foreseen.

*Mr. Calderón Puig* said that the Mexican Government regarded this question as one of great importance and would have been prepared to support a proposal to adjourn it to the next session in order that it might be thoroughly discussed and satisfactorily settled. As the Governing Body had not accepted the proposal for adjournment of the debate, he wished to make a few general observations, with all due respect to the views expressed for and against the proposals of the Workers' group.

The general position of the Mexican Government in regard to colonial questions was well known and had been stated in the United Nations, in the other specialised agencies and at the Conferences of American States. Sir Guildhaume Myrdin-Evans had reminded members of the Governing Body that colonialism existed whether one liked it or disliked
it and that the problems it involved had accordingly to be faced realistically. He agreed that the facts must be faced, but felt bound to point out that while non-metropolitan territories existed there also existed a desire on the part of the international community that the powers responsible for non-metropolitan territories should help those territories to achieve full independence and sovereignty. This desire was embodied in the Charter of the United Nations and in the Declaration of Human Rights and was the highest aspiration of mankind today.

The International Labour Organisation, as the oldest international organisation, could not, without neglecting its responsibilities, lag behind the other agencies which had already dealt with the question of the representation of non-metropolitan territories. It was not merely a question of teaching the peoples of the non-metropolitan territories to read and write or of providing them with medical aid, and therefore the problem could not be dealt with merely in relation to U.N.E.S.C.O. and the World Health Organisation; it must be studied urgently and seriously within the I.L.O.

Both Sir Guildhaume and Mr. Roberts in their admirable speeches had referred to the political aspect of the question and to the danger of the infiltration of totalitarian agents into non-metropolitan territories to undermine democratic institutions. But poverty, neglect of the basic needs of men and disregard of their desire for freedom created the most fertile ground for the growth of totalitarianism, and when the masses felt themselves abandoned, desperate and without prospects for the future they were an easy prey for demagogues and for totalitarian agents. He did not believe that increased participation of the non-metropolitan territories in deciding the destinies of their people would complicate relations within the International Labour Organisation; on the contrary, it would, as the representative of the Brazilian Government had pointed out, strengthen the universality of the Organisation which was generally desired. Certain powers which had hitherto held aloof had recently shown a desire to participate in the work of the Organisation, and he wondered whether it would not be wiser to deal with the problem of non-metropolitan territories once rather than wait until other powers, setting themselves up as champions of this cause, tried to show the I.L.O. how to lead them along the path of freedom, which was in fact the objective assigned by the United Nations to those countries which bore the heavy responsibility of administering non-metropolitan territories.

He had the greatest respect for the arguments put forward by Sir Guildhaume and had appreciated in the Committee on the Application of Conventions and Recommendations the conscientious manner in which the United Kingdom Government fulfilled its international obligations in respect of the application of I.L.O. instruments to non-metropolitan territories; but the United Kingdom was only one of the several colonial powers. It was not his intention to make charges against any other power, but simply to emphasise that the problem called for immediate action. It was the desire of all governments to follow a consistent policy in the United Nations and in the various other specialised agencies. The proposals of the Workers' group were therefore acceptable to the Mexican Government, which would give them its support.

Mr. Roberts said that the Workers' group had held a consultation during the adjournment and had come to the conclusion that in view of all the circumstances it would be undesirable to press the proposals to a vote in the short time available. The Workers therefore suggested that the first part of their proposal, which was non-controversial, should be accepted, and that the second part should be postponed for discussion as a substantive proposition at the next session of the Governing Body. If this suggestion were accepted, the approval of the paper and of the recommendations contained therein would not be affected.

Mr. Garcia Oldini congratulated the Workers' group on this proposal, which he believed would be acceptable to the Governing Body. He suggested in addition that the Governing Body might ask the Director-General, in the light of the discussion and of the views expressed, to prepare a supplement to the report which he had submitted to the present session.

Mr. Aflab Ali specified that if the proposals of the Workers' group were adjourned to the next session the general discussion should also be reopened at that time since there was still much to be said, particularly with reference to Sir Guildhaume's remarks.

Mr. Sen said that he had no objection to deferring the question if there was general agreement to that effect, but expressed his regret that this important subject had not been taken up earlier in the session. He supported Mr. Garcia Oldini's suggestion that the Director-General might wish to elaborate his report in the light of the discussion. He also expressed his concern at the introduction into the discussion of arguments of a political nature.

Sir Richard Snedden supported the suggestions made on behalf of the Workers' group, on the clear understanding that the only action taken would be that proposed by Mr. Roberts. He did not think that it would be reasonable to ask the Director-General to prepare a paper on the basis of a discussion in which many members of the Governing Body had not had an opportunity of taking part. With reference to Mr. Sen's remarks, he did not think it was possible to keep political issues entirely outside a discussion of that kind.

Mr. Fernandes supported Sir Richard's remarks and agreed that it would be undesirable to ask the Director-General to submit a further report on the basis of the views that had been expressed by only a minority, however important, of members of the Governing Body.

Mr. Roberts suggested that the difficulty might be met by asking the Director-General to place the minutes of the discussion before the Governing Body at the next session together with the proposals of the Workers' group.

Sir Guildhaume Myddin-Evans said that he was happy to accept Mr. Roberts' proposal and expressed his gratitude to the Workers' group for the consideration it had shown in this matter.

Mr. Sen supported the suggestion made by Mr. Roberts. He suggested also that the Director-General might consider the possibility of preparing

The sitting was suspended at 12.20 p.m. and resumed at 12.40 p.m.
some information on the record of the various colonial powers as regards the application of Conventions and Recommendations in their non-metropolitan territories.

The Chairman said that as Mr. Roberts' proposal had been supported by speakers from all three groups he would consider it adopted.

The Governing Body instructed the Director-General:

(1) to invite the interested governments to explore, in consultation with the most representative organisations of employers and workpeople concerned, and in such manner as appears to them appropriate, methods of developing in practice the powers already existing under article 3(3) of the Constitution of the International Labour Organisation enabling States Members to appoint, in appropriate circumstances, additional advisers from non-metropolitan territories to each of their delegates, and to draw the special attention of governments to this problem in the letters of convocation for the 37th (1954) Session of the International Labour Conference;

(2) to continue the study of appropriate methods of promoting the application of Conventions and Recommendations in non-metropolitan territories;

(3) to keep under continuing review the possibilities of further developments in working relations with such regional organisations as the Caribbean Commission, the South Pacific Commission and the Commission for Technical Co-operation in Africa South of the Sahara which are largely concerned with matters affecting non-metropolitan territories, and of other solutions tending towards the more effective application of I.L.O. policies in regions where non-metropolitan territories predominate.

The Governing Body adjourned for consideration at its 124th Session the proposal made by the Workers' group that the Director-General should be instructed to prepare a new report for submission to the next session of the Governing Body based on—

(a) a more detailed study of the possibility of granting membership, within the framework of the Constitution as it now stands, to those non-metropolitan territories which have reached a certain stage of political, economic and social development and which enjoy autonomy in the field of labour and social legislation;

(b) a study of the constitutional changes which would be needed with a view to granting associate membership to those territories;

(c) the more immediate possibility of inviting certain non-metropolitan territories to attend the International Labour Conference as observers, it being understood that they would be represented by full tripartite delegations.

It was agreed that in circulating the proposals of the Workers' group for discussion at the 124th Session the Director-General should append the minutes of the discussion which had taken place at the 123rd Session.

Fourteenth Item on the Agenda
Report of the Committee on Industrial Committees
General Discussion.

Mr. Fennema wished to make two general observations concerning the Industrial Committees. In the first place, he noted that the documents for some Industrial Committees had grown very considerably in size. At the last meeting of the Plantations Committee the delegates had had to study more than 500 pages of documents in all, and the same applied to the forthcoming session of the Coal Mines Committee. As a result, only a very few delegates really read all the papers and he urged the Director-General to try to reduce the volume of these reports so that delegates might get a proper understanding of the matters under discussion.

Secondly, he recalled that the time limit set for the advance distribution of the papers for the Industrial Committees was three months for reports on the special item on the agenda and two months for the general report. He drew the Director-General's attention to the fact that in the case of the Coal Mines Committee only one report had been distributed to the delegates in time; the other four reports had been late and the last would be received by the majority of delegates only when they arrived at the meeting. This situation was most unsatisfactory and he urged the Director-General to take every possible step to ensure that the reports were published and distributed in time.

Mr. C. E. Shaw supported the remarks made by Mr. Fennema and reminded the Director-General that he had given a commitment to the Governing Body with regard to the convening of Committees when the documents could not be produced in time.

Mr. Roberts said that the decisions of the Financial and Administrative Committee made it very difficult for the Director-General to carry out his commitments in this respect and expressed the hope that that Committee would bear this fact in mind when considering budget estimates at the next session.

Sir Richard Snedden did not believe that financial considerations had anything to do with the case.

I. Fourth Session of the Building, Civil Engineering and Public Works Committee.

Mr. Waline said that the reservation expressed by Mr. C. E. Shaw at the meeting of the Committee on Industrial Committees and recorded in paragraph 3 of the report was shared by the Employers' group as a whole. The Employers held the view that the reports, resolutions and memoranda adopted by Industrial Committees should not be passed on to governments, and through them to the various organisations, before the Governing Body itself had had an opportunity of considering them. The meeting of the Building, Civil Engineering and Public Works Committee had only just been held in Geneva, and although he himself had had an opportunity of seeing the reports and resolutions it had adopted, very few of his colleagues were in that position. It was not proper for the Governing Body merely to act as a post office in respect of these documents and he would have wished the decision that the Governing Body was being asked to take to be postponed to the next session.

Mr. C. E. Shaw said that he reserved his position on this matter because the Industrial Committees had been established as committees of the Governing Body and not as independent conferences, and they should therefore report to the Governing Body and not directly to governments.

Mr. Roberts said that no question of principle was involved, and there were precedents for the action
proposed. It was merely a question of avoiding long delays in transmitting the resolutions to governments, since the Governing Body might not be able to consider the resolutions until six or seven months after the meeting had been held. The position was safeguarded by the terms of the recommendation suggesting that they should be transmitted to governments with a clear indication that the Governing Body had not considered them and therefore had not yet expressed any opinion about them. If Mr. Waline wished to indicate that the Employers’ group as a whole would object to this procedure at the next meeting of the Committee on Industrial Committees, he was fully entitled to do so; but that did not affect the proposal now before the Governing Body and any motion to postpone consideration of it would be opposed by the Workers’ group. Furthermore, he wished to place on record the opposition of the Workers’ group to the interpretation given by Mr. Shaw of the functions of the Industrial Committees, which had not been established as advisory committees of the Governing Body.

Mr. Waline did not insist on pressing the matter to a vote, but was surprised that the Governing Body should treat the conclusions of an Industrial Committee so lightly. It was not necessary in every case to delay for months the communication of the resolutions of a Committee to governments, but in the present case the Committee in question had met only a fortnight before and it had been impossible for any member of the Governing Body to form an opinion on its work. He was convinced that the Governing Body would be voluntarily forfeiting its right of supervision over the work of the Industrial Committees if it forwarded their conclusions to governments without prior consideration.

Mr. Bergenström strongly supported the views expressed by Mr. Waline.

Mr. Delaney said that the present discussion was merely a repetition of an argument which had taken place many times before. Those governments and workers’ and employers’ organisations which had participated in the work of the Committee were already in possession of its conclusions and it seemed fair and appropriate that governments which had not participated in the work of the Committee should be able to study the conclusions at a reasonably early date, provided that they were forwarded with a clear indication that no decisions had been taken by the Governing Body. He therefore supported the proposal in paragraph 3 of the report.

Mr. Wuori thought that the object of the proposal was to expedite the handling of the results of the work of the Industrial Committees. The Industrial Committees were tripartite organs and official representatives of the Governing Body attended their meetings so that there could be little danger in forwarding their conclusions to member States. He thought that to adopt the suggestion of the Employers’ group would mean that it would be a very long time before member States were able to study the results of the work of the various Industrial Committees, and therefore he supported the position taken by Mr. Roberts.

Mr. Campanella, in supporting Mr. Waline’s remarks, pointed out that the matter was not one of such urgency that it could not be postponed to the next session of the Governing Body.

Mr. Mori appealed to the Employers to take a more conciliatory attitude. The results of the Committee’s work had been made public in the official documents and in press reports, and after attending the session as a representative of the Governing Body he had himself written an article about its work. It was therefore difficult to justify further delay in communicating the documents in question to the governments which had not been represented on the Committee.

Mr. García Oldini did not think that the objection of the Employers’ group was well founded. It was merely proposed that the Governing Body should forward certain documents without taking a decision upon them, and the right of the Governing Body to take decisions at a later date was expressly reserved.

Mr. Waline did not wish to pursue the matter further for the time being and merely took note that the Governing Body was authorising the Director-General to communicate the documents in question to governments, without taking any decision concerning the action to be taken in the light of the Committee’s conclusions.

He wished, however, to record his complete opposition to the view expressed by Mr. Roberts that Industrial Committees were not advisory committees of the Governing Body.

By 21 votes to 8 the Governing Body authorised the Director-General to communicate the reports, resolutions and memoranda adopted by the Building, Civil Engineering and Public Works Committee at its Fourth Session to governments, inviting them to communicate these documents to the employers’ and workers’ organisations concerned. It was agreed that when communicating these conclusions to the governments, the Director-General would make it clear that the Governing Body had not yet had an opportunity of considering them and that its observations would be formulated at a later session.

The sitting closed at 1.15 p.m.

A. M. Malik.
MINUTES OF THE EIGHTH SITTING

(Friday, 27 November 1953—3.50 p.m.)

The Governing Body was composed as follows:

Chairman: Mr. Malik.

Mr. Ago, Mr. Aftab Ali, Mr. Bergensström, Mr. Calderón Puig, Mr. Campanella, Mr. Cheyban, Mr. Cofiño, Mr. Côté, Mr. Delaney, Mr. Fernandes, Mr. García Oldini, Mr. Gemmill, Mr. Hauck, Mr. Jouhaux, Mr. Malik, Mr. Miller, Mr. Möri, Mr. de Rego Monteiro, Mr. Roberts, Mr. Sen, Mr. Shastri, Mr. C. E. Shaw, Sir Richard Snedden, Mr. Sölven, Mr. Tata, Mr. Tuân, Mr. Uzcátegui, Mr. Wallin, Mr. Walker, Mr. Wallin, Mr. Wuori, Mr. Yllanes Ramos.

Welcome to a Distinguished Guest

The Chairman welcomed the presence of Mr. Urdaneta Arbeláez, former President and currently Vice-President of the Republic of Colombia, who had taken advantage of a visit to Geneva to attend a sitting of the Governing Body.

Mr. Urdaneta Arbeláez had been closely associated with the work of the United Nations and of the I.L.O. and the Governing Body would be gratified at his interest in its proceedings.

FOURTEENTH ITEM ON THE AGENDA

Report of the Committee on Industrial Committees

(continued)

II. Inland Transport Committee: Standard Set of Rules for International Road Transport in Europe.

The Governing Body approved paragraph 6 of the Committee's report.

III. Committee on Work on Plantations: Resolution No. 29 concerning the Need for International Action in the Field of Commodity Regulation.

Mr. García Oldini had no doubt that the recommendation made in paragraph 9 of the report would be adopted. He felt some anxiety, however, at the fact that so many different proposals were being dealt with in one and the same document because this might prevent them from receiving all the attention they deserved. He drew the special attention of the Director-General to the need for the I.L.O. to take an active part, as indicated in paragraph 9 of the report, in all the various and sometimes unco-ordinated activities which were being carried on in the field of commodity regulation. As he had already stated in the Committee on Industrial Committees, this was a field in which I.L.O. action was essential and it was important to ensure that this action should not be merely formal but should aim at revealing trends and bringing about the adoption of resolutions.

The Governing Body approved paragraph 9 of the Committee's report.

IV. Advisory Committee on Salaried Employees and Professional Workers: Performers' Rights.

The Governing Body took note of this section of the report.

V. Advisory Committee on Salaried Employees and Professional Workers: Problems concerning Nursing Staff.

The Governing Body approved the recommendation in paragraph 16 of the report and accordingly, (a) noted the request made by the International Federation of Unions of Employees in Public and Civil Services, and (b) invited the Director-General to submit a further report to the Committee on Industrial Committees in the light of any views which the Advisory Committee on Salaried Employees and Professional Workers might express on this matter at its Third Session.

VI. Proposed Amendments to the Agreement concerning the Conditions of Employment of Rhine Boatmen.

The Governing Body took note of this section of the report.

VII. Agenda of the Third Session of the Committee on Work on Plantations.

The Governing Body approved the agenda for the Third Session of the Committee on Work on Plantations as set forth in paragraph 23 of the report.

VIII. Agenda of the Fourth Session of the Chemical Industries Committee.

The Governing Body approved the agenda for the Fourth Session of the Chemical Industries Committee as set forth in paragraph 26 of the report.

IX. Agenda of the Fifth Session of the Petroleum Committee.

Mr. C. E. Shaw wished to record his disappointment at the fact that three subjects instead of two had been placed on the agenda for this meeting and that the subject of visual aids for training and instructional purposes had been relegated to a secondary position.

Mr. Delaney said that there was some reluctance in the Workers' group to accept the subject of human relations in the petroleum industry because of a difference of opinion as to the precise definition of the term "human relations". The Workers would therefore like to substitute the words "industrial relations" for the words "human relations" if this could be unanimously agreed upon, on the understanding that human relations would be the subject actually to be discussed.

Mr. C. E. Shaw said that the Petroleum Committee had clearly defined the difference between human relations and industrial relations; the latter term
covered collective bargaining, a matter which was not included in human relations. As there had been an understanding in the Petroleum Committee on that basis he could not accept Mr. Delaney’s suggestion.

The Governing Body approved the agenda for the Fifth Session of the Petroleum Committee as set forth in paragraph 30 of the report, including the recommendation concerning the subject of visual aids for training and instructional purposes.

X. Textiles Committee: Studies Proposed at the Fourth Session.

Mr. Wallin, Chairman of the Committee on Industrial Committees, drew attention to the last sentence in paragraph 33 of the report, which had been introduced at the request of several members of the Committee and which stated that it was understood that the recommendation in paragraph 33 would not prejudice the Governing Body’s discretion in subsequently fixing the agenda for the Fifth Session. Speaking in his personal capacity, and not as Chairman of the Committee, he deprecated the inclusion of this sentence and he wished it to be understood that in future the omission of a phrase of this kind in connection with the fixing of the agenda of any Industrial Committee should not be taken to imply any restriction of the authority and autonomy of the Governing Body in this respect.

The Governing Body approved the proposals in paragraph 33 of the report.

XI. Requests for the Establishment of New Industrial Committees.

The Governing Body took note of this section of the report.

XII. Requests for Membership of the Industrial Committees and of the Advisory Committee on Salaried Employees and Professional Workers.

Mr. Harry asked whether countries invited to attend sessions of Industrial Committees on an ad hoc basis paid the expenses of their own delegations. This query applied also to paragraph 43 of the Committee’s report concerning requests for representation at the Third Session of the Advisory Committee on Salaried Employees and Professional Workers.

The Director-General said that the governments concerned paid the expenses of the Government representatives and the I.L.O. paid the expenses of the Employers’ and Workers’ representatives.

The Governing Body approved the recommendations in paragraphs 40 and 43 of the report.

XIII. Requests for Representation by Observers at Meetings of Industrial Committees and of the Advisory Committee on Salaried Employees and Professional Workers.

Request for Representation at the Fifth Session of the Inland Transport Committee.

The Governing Body approved the recommendation in paragraph 45 of the report.

Requests for Representation at the Third Session of the Advisory Committee on Salaried Employees and Professional Workers.

Mr. Waline was surprised at the number of organisations that had asked to be represented by observers at this meeting. He was aware of the proposed suggestion that these organisations should be urged to arrange for one person to represent and to speak on behalf of several organisations, but he still thought that a dangerous course was being followed, since the number of requests for representation was constantly growing and there would soon be as many observers as members of the Committee. Furthermore, the observers tended to take an active part in the discussions. While recognising that the attendance of observers might be justified, he thought nevertheless that their numbers should be limited since otherwise the character of the Committee itself might be altered.

Mr. Sen supported Mr. Waline’s remarks and asked for particulars of the “Pax Romana” organisation.

Mr. Roberts agreed that the number of observers wishing to attend this session of the Committee was particularly large and that the Governing Body might find it necessary in due course to impose some restrictions, but he did not think that the time to do so had yet come. In fact the list now before the Governing Body contained only one more organisation than had attended the last session of the Advisory Committee. It should be remembered that one of the items on the agenda affected the teaching profession and about half the organisations mentioned in the list in paragraph 48 of the report were connected with the teaching profession. He thought that the Governing Body should welcome the interest taken by so many organisations in the work of the I.L.O. Complaints were made that the I.L.O. did not receive enough publicity, and yet when certain organisations expressed a desire to follow its activities they were discouraged. All the observers could in any case follow the meetings from the public gallery and the only difference involved in authorising them to attend was that they could be allowed to speak if the Chairman and Vice-Chairmen of the Committee so agreed. Thus every precaution was taken to ensure that the right of such representatives to speak would not be abused.

Mr. Wuori in general supported Mr. Waline’s observations. He wondered whether the Office might not consult the various organisations concerned by correspondence when preparing the papers for the meeting. Their participation in the work of the Committee might well be much more effective in this way than by sending representatives to the meeting.

Mr. Möri said that the composition of the Advisory Committee on Salaried Employees and Professional Workers was much more complicated than that of any other advisory committee or Industrial Committee and that the Committee was of interest to much wider circles than any other. He appreciated the force of the apprehensions expressed, but believed that most of the organisations listed in paragraph 48 were justified in asking for representation. The only two doubtful cases, in his view, were the “Pax Romana” and the World Union of Catholic Women’s Organisations. If the differences between the various confessions were to be taken into account, still more organisations, Protestant, Jewish or others, might also ask for representation. However, having
regard to the fact that, as Mr. Roberts had pointed out, almost as many organisations had been represented at the preceding session, he thought that the Governing Body might approve the list while maintaining a vigilant attitude in future.

Mr. Bergström supported the views expressed by other members of the Employers' group. He pointed out further that the organisations in question were apt to try to give an exaggerated idea of their own importance. Some of those which called themselves international organisations were in reality European organisations at the most, and many of them duplicated each other. Thus, to his own knowledge the World Confederation of Organisations of the Teaching Profession, the International Federation of Teachers' Associations and the International Federation of Secondary Teachers were all members of the Joint Committee of International Teachers' Federations. He did not think that requests for representation should be granted in the case of organisations affiliated to other organisations which were already represented.

Mr. Walin would not press his objections but would raise the matter again on some appropriate occasion. He asked, however, that in future, when proposals of this kind were submitted, the nature, importance and aims of the organisations in question should be briefly indicated.

The Chairman said that this information was submitted to the Committee on Industrial Committees when it considered such requests.

Mr. Wallin said that the Committee had considered this matter very carefully and had taken into account the fact that 15 of the organisations in question had previously attended the Second Session of the Advisory Committee, while information had also been received concerning the representative character of the other organisations. In deciding to transmit the list to the Governing Body the Committee had been influenced by the fact that it contained only one more organisation than had been represented at the previous session.

It had been suggested in the Committee on Industrial Committees that consultations might take place between the International Labour Office and the various organisations in regard to the particular item on the agenda in which they were interested, and this suggestion would no doubt be taken up at a later meeting of the Committee. In any case, he gave an assurance that the Committee was fully conscious of the need for vigilance.

Mr. C. E. Shaw said that at the 120th Session of the Governing Body he had expressed the view that the number of observers authorised to attend the meeting of the Advisory Committee was too large. He would again vote against the proposal which the Governing Body was now considering.

Mr. Sen now understood that "Pax Romana" was a worldwide organisation for Catholic intellectuals with headquarters at Fribourg. He nevertheless maintained his view that the Governing Body should not be asked to decide upon such requests without fuller information.

Mr. García Oldini said that it was not the first time that this subject had been discussed in the Governing Body. He thought that it was essential to lay down criteria for the invitation of observers since otherwise there would always be differences of opinion.

He proposed that the Governing Body should accept the Committee's recommendations, on the understanding that at the next session the Director-General would submit proposals concerning criteria for the invitation of observers.

Mr. Walker thought that it was preferable for the Governing Body to take an ad hoc decision in each case in the light of the relevant circumstances. The Advisory Committee on Salaried Employees and Professional Workers was the only Committee which raised a problem of this kind, and he therefore thought that it was not really necessary, or was in any case premature, to ask the Director-General to make a study of the question of criteria for observers.

Mr. Roberts said that the Committee on Industrial Committees was already faced with a tremendous task in connection with the definition of criteria for membership of the Industrial Committees themselves. The Committee ought not to be asked to try to establish criteria for observers at the present stage.

Mr. Walin merely asked that the Office should study the question of theoretical criteria and should in future provide the Governing Body with full particulars of the various organisations which requested to be represented by observers. It was necessary to know at least what was the membership of each organisation and in what countries it operated.

The Employers' group would agree that the organisations mentioned in the list contained in paragraph 48 of the Committee's report should be invited to be represented by observers provided that this was not regarded as a precedent.

The Director-General said that he would be glad if the Governing Body were to agree to the Committee's recommendations, leaving the question of criteria to be considered at a future date. To meet the suggestion made by Mr. García Oldini and Mr. Walin, he suggested that the Office might submit appropriate proposals to the Committee on Industrial Committees in due course, as well as all the relevant information to enable the Governing Body to take an informed decision in future cases.

It was so agreed.

The Governing Body approved the recommendations in paragraph 48 of the report.

XIV. Other Questions.

The Governing Body took note of this section of the report.

SEVENTEENTH ITEM ON THE AGENDA


Mr. Gemmill recalled that the Governing Body had had this matter before it at its last session but had deferred it to the present session. Unfortunately the report of the Ad Hoc Committee on Forced Labour had been made public, with the result that wide publicity had been given to various allegations made against the Union of South Africa. He would deal only with the most important of these, namely, the suggestion of the Committee that the South African Government, through its pass laws, exerted
pressure on the Native population which created conditions similar in effect to a system of forced labour for economic purposes. This allegation had been widely published in the press and even broadcast by the British Broadcasting Corporation. He hoped to show that it was entirely erroneous and unfounded.

He drew attention to the following passage which appeared in paragraph 341 of the report of the Ad Hoc Committee:

It can indeed be argued that if, by such devices as passes, freedom of movement is sufficiently restricted to prevent large numbers of persons from being able to move where they are, they will be forced to accept work at the conditions offered at their place of residence. Furthermore, the existence of such laws may also enable the Government to direct workers towards areas where labour is required. Legislation of this kind may, therefore, be held to have a direct or indirect means of carrying out the economic plans or policies of the Government or of private interests important for the economy of the country.

The Committee came to the conclusion, in paragraph 349 of the report, that the pass legislation in the Union of South Africa constituted a serious handicap to the freedom of movement of the Native population and that it had or might have important economic consequences. Finally, in paragraph 351 of the report the Committee stated that:

The former pass laws and the Natives (Abolition of Passes and Co-ordination of Documents) Act, 1952, which replaces them, may therefore be considered as an indirect means of implementing economic plans and policies, whether emanating from the Government or from private interests powerful enough to command Government support. The State, through the operation of this legislation, is in a position to exert pressure upon the Native population which might create conditions of indirect compulsion similar to those in a system of forced labour for economic purposes.

In the comments submitted by the Union Government of South Africa to the Ad Hoc Committee it had been pointed out that compelling reasons had forced the Government to take steps to control the further influx of the Bantu people into the towns. Faced with conditions of overcrowding and unemployment resulting in a serious decline in the health of the population and an increase in crime, the Government had had no alternative but to convert the existing pass system into a means of controlling, and often preventing, the influx into the urban areas.

In setting aside the reasons given by the Union Government to justify the pass laws, the Ad Hoc Committee seemed to have ignored the problem facing South Africa. The following figures would illustrate the scope of the movement from the rural to the urban areas. In 1921 the figure for the Native population forming part of the urban population was 587,000; in 1936, 1,141,642; in 1946, 1,794,212 and 1951, 2,325,388.

The Native Laws Commission had found that this extraordinary growth in the size of the urban population was due primarily to the deliberate movement of the population from country to town and was an economic phenomenon. The sudden transition of such vast numbers to the foreign and complex environment of the towns had created many problems; housing and other facilities were totally inadequate, and conditions threatened to become chaotic. Local authorities had been encouraged, and in some cases virtually compelled, to provide additional housing with funds advanced by the Central Government at the cost of the taxpayer and more land had had to be acquired at considerable expense in an effort to relieve the pressure of over-population. In spite of these efforts it had been estimated that at the end of 1951 no less than 165,000 houses were required to accommodate the homeless people already within the urban areas and that within the following ten years 200,000 additional dwellings would be necessary to meet only normal expansion.

The precious mineral and metal deposits of the Union of South Africa were located at a considerable distance from the Native areas, as also was secondary industry, which had developed in the same areas as the primary industries either for the purpose of processing by-products or because of an established market, available sources of power, water and efficient means of distribution and transportation. As a result Native workers were required to undertake a journey of up to 500 miles or further to secure employment in the mines or in industry. Hence unless some system of control, namely, the pass system, was in operation, a person from the Native areas would have to proceed at no small expense to a specified area in order to find work, or from an industrial area without any guarantee that on his arrival work would be available and, equally important, that there would be a place for him to live.

If the Union Government were indeed endeavouring to divert labour into particular industries, surely the gold mining industry would have been selected for such favourable treatment because of its importance to the economy of the country as a whole and of the role it was playing in the production of uranium. On the contrary, however, the gold mines had to look to the spontaneous influx of labour from outside the Union for no less than 50 per cent. of their labour requirements, while in agriculture the supply of labour during recent years had actually diminished rather than increased, as one might be inclined to assume from the findings of the Ad Hoc Committee.

The measures to control the movement of the Bantu people were not used to prohibit persons seeking work from accepting work in any employment where it was available, and no compulsion whatsoever was exercised in persuading any person to go to a particular area or to take up employment in a specified industry.

He wondered whether the Ad Hoc Committee seriously contended that the Union Government should shut its eyes to these problems and through its inaction should allow the inhabitants to bring misery upon themselves. The plight of the refugees in Europe during and after the last war, in Palestine, the Arab countries, India and Pakistan, provided ample proof of the suffering caused through lack of accommodation, employment, health and other facilities when many thousands of people suddenly descended upon any country or area.

In spite of the existing pass laws in the Union of South Africa the situation in the towns had, as already indicated, become serious. Yet although South Africa was often criticised abroad for its lack of housing facilities in the towns, it was now being urged to open the dykes and allow the flood waters to spread disaster and suffering. In these circumstances it was difficult to appreciate any reasoning which would attribute the motive of forced labour to the efforts of the Union Government to save the Bantu people and the country as a whole from such grave consequences.

He asserted that the steps taken in South Africa to control the influx of the Bantu to the towns were
entirely reasonable and in the best interests of the people concerned. The lamentable failure of the Ad Hoc Committee to recognise this almost self-evident fact and its misrepresentation of the system by a completely erroneous conclusion tended to discredit the Committee and brought its whole report into disrepute.

In conclusion, he asked the Director-General to circulate to the Governing Body the letter he had received from the South African Government giving full information and commenting on all the allegations of the Ad Hoc Committee as they affected the Union of South Africa.

Mr. Wallin said that the Ad Hoc Committee on Forced Labour had had a clearly defined task and had investigated a number of allegations and passed judgment upon them on its own responsibility. From the standpoint of information the report was of considerable value, but he thought that the Governing Body should consider it purely from that angle. The Governing Body was not called upon to discuss each of the allegations and to give its opinion as to the soundness of the Committee's conclusions upon them. If that were the case, he would be obliged as representative of the Belgian Government to comment on a number of points arising out of the conclusions of the Committee concerning the existence of forced labour for economic purposes. He interpreted the object of the present discussion as being to consider whether the I.L.O., which was the competent body in the field of forced labour for economic purposes, had in the past fully carried out its duty to fight against forced labour and what, in the light of the information contained in the report of the Ad Hoc Committee, it should do in future to strengthen its action in this field.

He therefore suggested that the Governing Body should examine the recommendations unanimously adopted by the Committee and set forth in paragraph 13 of its report. Unless the discussion was limited in this manner there would be nothing to prevent the representative of each of the governments concerned from speaking in defence of his government's position.

Mr. Fennema expressed his surprise that the Ad Hoc Committee on Forced Labour should have thought fit to change its own terms of reference as laid down in the resolution adopted by the Economic and Social Council. That resolution had referred to "systems of forced or 'corrective' labour, which are employed as means of political coercion or punishment...and which are on such a scale as to constitute an important element in the economy of a given country"; but the Committee had interpreted these terms in such a way as to substitute the word "or" for "and". This constituted a dangerous precedent and it would have been more proper for the Committee, which had had plenty of time for its work, to have asked the Economic and Social Council for further clarification of its terms of reference.

Further, he was equally surprised that the Committee should also have dealt with penal sanctions. There was in his view a very clear distinction between forced labour and penal sanctions, as could be seen from the two relevant I.L.O. Conventions. Penal sanctions were applied in respect of a contract which had been voluntarily accepted by the worker and there was no reason to regard work under such an agreement as forced labour.

He deplored the Committee's action in thus exceeding the terms of reference laid down for it.

Mr. Sen agreed that the Governing Body was not required to sit as an appellate body on the findings of the Ad Hoc Committee on Forced Labour, and he had therefore been somewhat surprised to hear Mr. Gemmill's defence of the Government of South Africa. Mr. Wallin had suggested that it was not appropriate for a government to defend itself in the Governing Body against statements made in the report of the Ad Hoc Committee, and Mr. Gemmill's statement had had the appearance of a government defence. He noted that South Africa had tried to justify its position by reference to the suffering which Pakistan and India had borne in a certain respect, and also that although the population of South Africa had increased alarmingly during the past few years the South African Government had found it necessary, no doubt for economic reasons, to restrict it from flowing into the important towns. He did not know whether this tendency had ever been evident in New York or London or other large towns, but he did not believe that any government had ever thought it necessary to restrict the movement of population merely because of economic considerations. Such a policy might ultimately have the result of suppressing freedom of movement entirely because of economic considerations.

He agreed with Mr. Fennema that the interpretation by the Ad Hoc Committee of its terms of reference left much to be desired and even impaired the value of its findings, particularly in regard to the relative importance of the incidence of forced labour in various countries. It must be recognised, however, that the resolution of the Economic and Social Council had not been entirely clear, and that the political emphasis given to the Ad Hoc Committee's terms of reference had made its work very difficult. The intention of the Economic and Social Council had seemed to be that the Committee should condemn all forms of political forced labour but should not concern itself with forced labour which was carried on for economic purposes, which was tacitly recognised by law or administrative practice or which was insignificant in volume. The Government of India believed that forced labour must be condemned wherever and in whatever volume, form or nature it existed; otherwise silence on the subject might give the impression that certain kinds of forced labour were accepted as inevitable or even desirable. He believed that forced labour was intolerable even if the number of cases involved was quite small, and on behalf of his Government he formally declared that it was illogical and wrong to accept forced labour if it was sanctioned by law and administrative practice. If this view were accepted, forced labour would continue to exist in many parts of the world not only without objection but almost with the approval of the Economic and Social Council and the I.L.O., and various governments would be able to continue forced labour on this pretext. He thought it still more extraordinary that forced labour should be tolerated if it was on a small scale and had no political purpose. He would develop this argument on some other occasion, however, and would conclude by reaffirming his conviction that forced labour must be absolutely denounced without any qualification whatever the reason or excuse advanced for it.

Mr. Wallin was surprised at the very discreet manner in which reference was made in paragraphs 11 and 12 and subparagraphs (d) and (e) of paragraph 13 of the report of the International Organisations Committee to a matter of such notoriety.
Personally he was convinced that the I.L.O. ought to concern itself with the problem of forced labour elsewhere than in non-metropolitan territories. It was intolerable that there should be what amounted to a relapse into barbarity in States whose peoples claimed to be self-governing. The problem was one which the Governing Body could not neglect, although it was open to discussion whether it should be taken up at once. He thought, however, that the passages in the report which he had mentioned might strike outsiders as being over-timid.

Mr. Delaney said that the Workers' members of the International Organisations Committee had hoped that the discussion on this item would have been confined to the recommendations made to the Governing Body. Many members of the Governing Body would no doubt take exception to some of the findings in the report of the Ad Hoc Committee, but that report nevertheless represented substantial progress on the matter because it contributed greatly to an understanding of the extent and use of forced labour. He believed that most of the members of the Governing Body would agree that they owed a debt of gratitude to the members of the Ad Hoc Committee, who had shown remarkable courage and forbearance and to whom the Governing Body had already had an opportunity of expressing its appreciation.

The Workers did not intend to discuss the merits of each of the recommendations made by the Ad Hoc Committee because they did not feel themselves competent to undertake such an arduous task. It was no doubt to be expected that those governments to which certain of the findings of the Ad Hoc Committee might be embarrassing should defend themselves in the Governing Body, but they had had ample opportunity to present their case, whether in writing or in person, before the Ad Hoc Committee itself.

With regard to the criticism of the Ad Hoc Committee's interpretation of its terms of reference, he did not see what could be done at the present stage once the Ad Hoc Committee had been dissolved.

The Workers' group thought that one of the most significant questions raised in the report of the International Organisations Committee was that of the early revision of the Forced Labour Convention. If there was only one person in the world to whom forced labour applied, it would still be necessary to do something about it. He thought, however, that the Governing Body would no doubt have before it the conclusions reached by the Governing Body of the I.L.O. and by the Economic and Social Council. He hoped that the Governing Body would be able to adopt unanimously the recommendations of the International Organisations Committee, which were of a practical nature and proposed specific studies and activities together with the maintenance of contact between the International Labour and the Secretary-General of the United Nations with regard to the future decisions of the Economic and Social Council.

Mr. Tuan noted that in paragraphs 4 and 5 of its report the International Organisations Committee had stated that so far as systems of forced labour as a means of political coercion were concerned it did not wish to make any further recommendations to the Governing Body, and had then proceeded to consider systems of forced labour for economic purposes. This implied that the I.L.O. washed its hands of forced labour for political purposes and considered that it need concern itself only with forced labour for economic purposes. He thought that it was very difficult to draw a distinction between the political and economic issues and that if the political issues had a direct bearing on the aims and purposes of the I.L.O., the I.L.O. should deal with them.

Forced labour was a problem which affected tens of millions of persons and because of its magnitude the I.L.O. would be failing in its duty if it did not deal with it on an international level. He appreciated that international organisations must necessarily be cautious and that the possibility of improving the situation was limited, but he was convinced that the I.L.O. was bound to try to do something in the matter if it wished to keep the support of all those who were in need of its help.

He wished to express his deep dissatisfaction with paragraphs 4 and 5 of the report of the International Organisations Committee.

Mr. Gemmill, referring to Mr. Sen's remarks, said that he was not a Government representative but that it was open to Employers' and Workers' representatives to defend their own country if they saw fit and that they could sometimes do this better than the Government representatives.

He reiterated that he had always supported Mr. Delaney in advocating revision of the Forced Labour Convention.

Mr. Walker expressed his agreement with those speakers who had said that it was not the present function of the Governing Body to examine individual cases but that it should confine itself to discussing the practical methods of achieving the objective which every member of the Governing Body had at heart. He also agreed that at the present stage no useful purpose could be served by discussing the Ad Hoc Committee's interpretation of its terms of reference. He was sorry that Mr. Waline had had the impression that Mr. Walker had had the impression that the International Organisations Committee had shown excessive timidity and was convinced that practical and realistic action was possible in the matter. It was the view of the United Kingdom Government that the proposals submitted to the Governing Body by the International Organisations Committee represented the outline of a programme of action which was both realistic and constructive and which might be expected to yield concrete results.

Mr. Sen said that he had not intended to criticise the findings of the Ad Hoc Committee but had simply pointed out that it had interpreted its terms
of reference restrictively and had been unrealistic in its approach to its work.

Mr. Fernandes had considered that only the report of the International Organisations Committee and the recommendations contained therein should be discussed by the Governing Body, and these recommendations were entirely acceptable to the Portuguese Government. As, however, certain speakers had commented on the merits of the report of the Ad Hoc Committee, he was afraid that his silence might be interpreted as an acceptance by the Portuguese Government of the conclusions of the Committee in respect of the Portuguese territories. That was not the case, and without any lack of respect to the work and the impartiality of the Ad Hoc Committee the Portuguese Government could not accept those conclusions. Although he had a volume of documents providing evidence that no forced labour in any form was practised in any Portuguese territory, he would confine himself to a brief comment on the only two concrete allegations which had been sustained by the Committee.

With regard to the recruitment of indigenous workers in Mozambique for the mines in the Union of South Africa, it was suggested that conditions of forced labour could be created by the combined application of pressure at the recruiting stage and of the South African legislation covering breaches of labour contracts. He wished to stress the fact that all the measures undertaken by the Portuguese authorities in this connection aimed at preventing the emigration of too many workers to South Africa; there was an agreement allowing for the emigration to South Africa of 100,000 workers and the Portuguese authorities tried to ensure that this number was not exceeded. He recalled that at the 1951 Session of the Conference, at which he had been the leader of the Portuguese delegation, Portugal had been accused of taking measures which prevented the emigration of workers from the Portuguese colonies to neighbouring territories. This accusation was incompatible with the conclusions of the Ad Hoc Committee. In fact it was known that tens of thousands of clandestine emigrant workers managed to cross the frontier of Portuguese territories in order to contract their services in the neighbouring territories, a fact which showed that no pressure was brought to bear on them in respect of their recruitment.

The second allegation was that certain Native workers recruited in Angola for work in the San Tomé Islands had not been repatriated at the conclusion of their contracts. That was a fact, but it had been due to wartime navigation and transport difficulties and the Portuguese authorities had not been able to secure the necessary transport to repatriate a certain number of workers punctually. It could not, however, be assumed from an isolated event that had taken place some years ago that forced labour existed at the present time in the islands of San Tomé.

Mr. García Oldini appreciated that the Governing Body might be unwilling to involve itself in a political discussion of the question of forced labour, but there had been a reference to the political aspects of the question in the report of the International Organisations Committee and he therefore thought that the members of the Governing Body were entitled to express their views as to the desirability of including that reference and the appropriateness of its terms.

Personally he regarded it as regrettable that the I.L.O. should give the impression that it was not concerned with forced labour for political reasons when the United Nations had condemned that type of forced labour much more severely than forced labour for economic purposes. He wondered whether it would not be possible to delete paragraph 4 of the report of the International Organisations Committee. It was true that it was not usual for the Governing Body to amend the terms of the reports of its committees, but in this particular case he thought it highly undesirable for the I.L.O. to state that it did not intend to deal with a problem which affected so large a part of humanity. He suggested that the phrase "it did not wish to make any further recommendation to the Governing Body" in paragraph 4 of the report should be amended to the effect that the Committee, having regard to the development of the situation, was not in a position to make any further recommendations, or considered that it would be premature for it to make any further recommendations, or wished to reaffirm its former recommendations. In that way the I.L.O. would not give the impression that it was not interested in the problem. He suggested that the Chairman of the Committee or the Director-General might make a formal statement on the subject in order to avoid the possibility of any unfortunate misinterpretation of this passage in the Committee's report.

The Director-General said that once the political aspect had been raised it might be useful for him to explain the position as clearly as possible. As was suggested in paragraph 2 of the report of the International Organisations Committee, the Governing Body at its 122nd Session had taken a unanimous decision on this subject and had supported the recommendation of the Committee that an appeal should be addressed to all the governments which in one form or another maintained or might maintain a system of forced labour of a political type. In addition, he had himself, on behalf of the Governing Body, communicated the views of the States Members of the I.L.O. on this political decision to the General Assembly of the United Nations. Hence it was not quite correct to say that the political aspects of the problem had been neglected. However, in view of the opinions expressed it might be useful, following a suggestion made by Mr. García Oldini, for the Governing Body to reaffirm the decision it had taken at its 122nd Session, thus emphasising the importance it attached to the political aspects of the problem.

Mr. Uzodugui said that the recommendations contained in paragraph 13 of the report of the International Organisations Committee were acceptable to the Venezuelan Government. It was his duty to point out, however, that in paragraph 214 of the report of the Ad Hoc Committee reference was made to allegations by the representatives of Poland and the U.S.S.R. and by the World Federation of Trade Unions against various Latin American countries, including his own, and the following pages were full of false allegations concerning Venezuela in particular. The Ad Hoc Committee had in fact come to the conclusion that its examination of the allegations and of the documents put before it did not indicate the existence of a system of forced labour as defined in its terms of reference in any of the specified nine Latin American countries.
He wondered whether the I.L.O. ought to continue to provide a platform for these political attacks under the guise of concern for economic problems.

Mr. Wuori thought that subparagraph (e) of paragraph 13 of the report of the International Organisations Committee covered the point raised by Mr. García Oldini.

Mr. García Oldini said that the formula suggested by the Director-General would meet his point and would be in harmony with subparagraph (e) of paragraph 13 to which Mr. Wuori had referred.

Sir Richard Snedden thought that the governments concerned were fully entitled to rebut some of the points raised in a report which had been submitted to the Governing Body. He agreed with Mr. Uscategui that the I.L.O. should not be used as a platform for political campaigns and he hoped that this would be borne in mind in connection with other matters brought before the Governing Body.

The Governing Body reaffirmed the support it had given at its 122nd Session to the recommendation of the Committee that an appeal be addressed to all governments, whether in the same form or another maintain a system of forced labour of a political type, to the effect that they re-examine their laws and administrative practices in the light of present conditions and of the increasing desire of the peoples of the world "to reaffirm faith in fundamental human rights and in the dignity and worth of the human person".

The Governing Body approved the recommendations contained in paragraph 13 of the report of the International Organisations Committee.

Thirteenth and Fifteenth Reports of the Administrative Committee on Co-ordination.

The Governing Body approved the recommendations contained in paragraph 15 of the report of the International Organisations Committee.

Study of the Position of Girls and Women in Relation to Apprenticeship.

The Governing Body took note of this section of the Committee’s report.

The Role of the Council of Europe in the Social Field.

Mr. Tennfjord, representative of the Council of Europe, recalled that the Chairman of the Committee on Social Questions of the Consultative Assembly of the Council of Europe had asked the Governing Body to give its opinion on the proposed programme of the Council of Europe in the social field. The memorandum on this subject had been laid before the Governing Body at its 121st Session as an appendix to the report of the International Organisations Committee, but it might be useful to restate the highlights of the programme.

In the first place, in connection with certain observations made in the course of the discussion on the proposed European Regional Conference, he emphasised that the Council of Europe was certainly not an organisation alien to the I.L.O. since all its members were also Members of the I.L.O., except the Saar Territory, which was nevertheless closely linked with the I.L.O. Four of the Member Governments of the Council of Europe were represented on the Governing Body by regular members and two by deputy members. There was in fact no substantial difference between the social aims and ideals of the two organisations, although the Council of Europe placed great emphasis not only on social progress in itself but on greater unity between its members. The Council of Europe had already established close links with two important international federations of trade unions and was contemplating similar arrangements with other non-governmental organisations. However, the Council of Europe was at last partially operating on a level different from that of the I.L.O. owing to the existence of its Consultative Assembly, composed of members of 15 European parliaments, which provided the Council with an opportunity of exercising a direct influence on these parliaments.

The Council of Europe shared the I.L.O.’s concern with the elimination of duplication and overlapping of activities and with the most effective use of the resources available to international organisations. The limited budget of the Council of Europe alone would prevent it from indulging in activities which could be undertaken just as well by other organisations.

The Council of Europe was not a technical organisation and had neither the means nor the ambition to undertake work of the kind which the I.L.O. performed so well. The two organisations had different structures and different methods of operation although they shared the same social ideals, and it was therefore natural that they should have concluded an agreement for mutual collaboration and assistance.

He would mention two examples of this collaboration. The Council of Europe wished to abolish as far as possible all discrimination on grounds of nationality with regard to social security rights. This was a task which was partly of a political and partly of a technical nature, since it involved on the one hand inducing the various parliaments and governments to adopt the necessary measures, which might require amendments to existing legislation, and, on the other hand, establishing technical instruments in the form of agreements. The Council of Europe had requested and obtained the assistance of the I.L.O. in drawing up these technical instruments, which would be signed in December.

Secondly, the Council of Europe, on the recommendation of its Consultative Assembly, had undertaken the establishment of a European code of social security which would be based on international labour Convention No. 102 but would go somewhat further than had been possible on the broad international level. If this project was successful it would be due very largely to the assistance of the experts of the I.L.O.

The work of the I.L.O., and particularly its collaboration with the Council of Europe, was greatly appreciated in Strasbourg, as was evident from the reply of the Consultative Assembly to the last report presented to it by the I.L.O. On the other hand, the I.L.O. might also derive certain advantages from its collaboration with the Council of Europe; thus, for example, the Council of Europe was interested in securing a higher rate of ratification of international labour Conventions and had adopted at its last session a recommendation to the Committee of Ministers concerning the speedy ratification of seven such Conventions, selected on the advice of the I.L.O., because they were considered to be of particular importance.

It could be seen from the proposed social programme that the Assembly was envisaging broader action in this field. As was indicated in the report of the

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1 Social Security (Minimum Standards) Convention, 1952.
International Organisations Committee, the programme was still in the nature of a draft because the Committee of Ministers of the Council of Europe had not yet had an opportunity of considering it.

The main headings of the draft programme suggested by the Secretariat general were as follows: (1) European Social Charter; (2) harmonisation of social legislation; (3) harmonisation of social administration, practice and techniques; (4) abolition of discrimination in the social field between nationals of the Member States of the Council; (5) co-ordination of the activities of Member States in the framework of other organisations; (6) collaboration with other organisations, governmental and non-governmental; (7) creation of the necessary machinery for the implementation of the programme.

The Consultative Assembly had approved the idea of a European social charter and had broadly outlined its purposes, which were to define the social aims of the Members of the Council of Europe and to serve as a guide for the future activities of the Council in the social field. The charter could be regarded as a supplement to the European Convention on Human Rights which was now in force. The drafting of such a document was of course a long-term operation upon which the Council of Europe would not embark without collaborating closely with the I.L.O. as well as with other interested organisations. This subject would in his opinion be well suited to a regional tripartite meeting of the kind envisaged in the agreement between the I.L.O. and the Council of Europe.

The purpose of the harmonisation of social legislation was to adopt the legislation in question to certain accepted international standards. It was not a question of standardising social legislation so much as of attempting to harmonise the advantages derived from it in such a way as to ensure a reasonably uniform level in each country. The means which could be employed to this end included joint and general action for the ratification of international labour Conventions. Since these Conventions covered large and important sectors of social policy such action should lead to an interesting and fruitful exchange of views within the European framework. Owing to its particular character, the Consultative Assembly of the Council of Europe might exert a very useful influence on the parliaments which were ultimately responsible for ratification.

The Member States of the Council of Europe might also consider the conclusion of European conventions on the basis of international labour Conventions. The latter Conventions laid down general international standards which might be improved upon in Europe. Thus the European social security code would be based on Convention No. 102 but would try to raise it to its best. The Council of Europe would of course consult the I.L.O. on the subject, as it had already done, and would seek its active collaboration.

With regard to the abolition of discrimination on grounds of nationality between nationals of the various Member States, an important step forward had already been taken through the interim agreements on social security concluded with the collaboration of the I.L.O. The Assembly of the Council of Europe had recommended that this type of action should be expanded and extended to all social rights and advantages and had suggested as a first step that a comparative table showing the present extent of discrimination in the social field should be drawn up in collaboration with the I.L.O. and the O.E.E.C.

The report of the International Organisations Committee referred to the possibility that the Council of Europe might set up a European economic and social council. This idea, which was still in a preliminary stage, had originated in the European Movement, a private organisation which had adopted resolutions on the subject that had undoubtedly influenced the preparation of the draft treaty of the European political community. One provision of the draft treaty provided that the community should establish an economic and social council and that if the Council of Europe should set up an economic and social council the former should constitute a section of the latter. The economic and social council would therefore constitute an organic link between the Council of Europe and the proposed political community.

Subparagraph 9 of paragraph 25 of the report of the International Organisations Committee reaffirmed the I.L.O.'s wish to collaborate with the Council of Europe, a statement that would be greatly appreciated in Strasbourg. For the rest, however, the conclusions submitted to the Governing Body were of a very general character and the speaker suggested the addition between subparagraphs 2 and 3 of paragraph 25 of a recommendation of a more positive character on the following lines: "With the above reservations, and with due regard for the need for avoiding unnecessary duplication of effort as indicated below, note that the action recommended in Opinion No. 5 of the Consultative Assembly of the Council of Europe would contribute to social progress in Europe and further the development towards European unity ".

Mr. Waine said that the Employers' group supported the conclusions contained in paragraph 31 of the Committee's report.

He expressed the view, however, that these conclusions were expressed in an "international style" that was both timid and verbose. A more concise and vigorous form of expression would make the recommendations a great deal clearer.

Mr. Hauch thought that the Governing Body as a whole appreciated the need for full collaboration between the I.L.O. and the Council of Europe. Even before the Council had been set up, the signatory Powers of the Brussels Treaty had based their collaboration in social matters on the action and achievements of the I.L.O., and there was therefore some foundation for the belief that no European action was possible without sustained collaboration with the I.L.O.

The Governing Body for its part must give the European agencies all the help it could. Although expressed in a slightly different form, the recommendations of the International Organisations Committee were on the right lines. For the time being the Governing Body could hardly do more than communicate to the Council of Europe its preliminary views on the points brought before it. Nevertheless, this collaboration should be expanded in the future since although the problems arose in a somewhat different form, the I.L.O. was bound to give the countries of Europe the same help as it had given to the countries of Asia and Latin America. Personally he was convinced that the present session, at which the Governing Body was about to settle the terms of its relationship with the Council of Europe and had already decided to convene a European Regional Conference, would mark a significant stage in fruitful collaboration between the European agencies and the I.L.O.
Mr. Hadji Vassiliou said that if the I.L.O. had been decentralised and regionalised to the same extent as other international organisations, such as the W.H.O., the Council of Europe would not have taken certain steps which had caused some apprehension. That apprehension, however, seemed to be unfounded, and for his own part he was convinced that the Council of Europe tended rather to strengthen the action of the International Labour Organisation, an opinion which was borne out by more than one recommendation of the Consultative Assembly of Strasbourg urging Member States to ratify international labour conventions.

The recommendations of the International Organisations Committee were reasonable, but they were only of a preliminary and somewhat static character. The time had come to adopt some final conclusions, since otherwise the I.L.O. might find itself faced with irreversible decisions taken by the Council of Europe. It was not enough merely to take steps to prevent duplication and he would like to see some more constructive proposals placed before the Governing Body, in particular a plan for coordinating and defining the fields reserved for the I.L.O., the Council of Europe and the O.E.C.D., respectively, indicating the social, political and economic reasons on which this delimitation was based.

In order to understand the manner in which the Strasbourg organisation operated, it should be remembered that in the Consultative Assembly of the Council of Europe every member spoke in his personal capacity and not on behalf of any parliament or party, and could introduce any kind of proposal. If such a proposal received a majority of votes it became a recommendation to the Council of Ministers, which could thus decide to transmit a recommendation concerning the social activities of the Council of Europe to some body other than the I.L.O. It was therefore important that definite steps should be taken to forestall such an eventuality, and to this end he proposed that the Office should submit suggestions in connection either with the report mentioned in paragraph 34 of the Committee’s report or with the report to be prepared by the International Organisations Committee at its next session, or again with the report which the Director-General would submit to the European Regional Conference.

Mr. Tata said that the International Organisations Committee had found itself in a difficult position in regard to the attitude that the Governing Body ought to take towards the rapidly multiplying new organisations. Paragraph 34 of the report drew attention to this difficulty, and the Governing Body would have an opportunity of considering the whole situation in the light of the report which was to be prepared by the Office. He believed that any discussion on this subject at the present time would be premature but hoped that after full consideration it would be possible to define clearly the I.L.O.’s policy in this domain.

Mr. Wohori was in favour of co-operation between the I.L.O. and the various international organisations, and specifically with the Council of Europe, but he felt bound to stress the fact that for the time being Europe was unfortunately still divided. Certain countries which were Members of the I.L.O., including his own, were not Members of the Council of Europe. Nevertheless his Government saw no objection to co-operation between the I.L.O. and the Council of Europe on all questions in the social field. New problems might, however, arise for the I.L.O., particularly if another organisation composed of the European States Members of the I.L.O. were to come into being.

The Governing Body approved the proposals contained in paragraphs 25, 31 and 32 of the Committee’s report, and took note of paragraph 34 of the report concerning further action by the Committee.

Slavery, the Slave Trade and Other Forms of Servitude.

The Governing Body took note of paragraph 35 of the Committee’s report.

Nineteenth Item on the Agenda

Report of the Allocations Committee

The Governing Body noted that no meeting of this Committee had been held in connection with the 123rd Session.

Twentieth Item on the Agenda

Composition of Committees (continued) 1

Mr. Waline repeated a request he had made on previous occasions that proposals concerning the composition of committees should be communicated to the members of the Governing Body long enough in advance of the session to allow them to make up their minds about them.

This request was noted.

Mr. Bergenström said that it would also be of interest for an indication to be given of the size of each of the committees for which new nominations were laid before the Governing Body.

It was agreed that this would be done in future.

The Governing Body approved the proposals contained in the note and supplementary note on the composition of the following committees: Correspondence Committee on Juvenile Work; Committee of Experts on the Application of Conventions and Recommendations; Correspondence Committee on Occupational Safety and Health; Correspondence Committee on Recreation; Correspondence Committee on Co-operation; Committee of Experts on Indigenous Labour; Correspondence Committee on Women’s Work; Committee of Experts on Social Policy in Non-Metropolitan Territories.

Twenty-first Item on the Agenda

Report of the Director-General (continued)


Mr. Cheyani wished, in connection with the discussion of the Director-General’s Report, to express to the Director-General his very sincere congratulations on the zealous, impartial and authoritative manner in which he was carrying out his functions. He also took the opportunity of asking the Director-General and the Office to devote even greater efforts to bringing about the social improvements which the countries of the Near and Middle East so urgently needed.

With regard to the proposed fusion of the two Governing Body Committees in question, he stressed

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1 See above, Minutes of the Second Sitting, p. 23.
the fact that both the Technical Assistance Committee and the Manpower and Employment Committee had a broad field of action and an important function to perform. Because of the nature of the problems involved he did not think that the fusion of the two Committees was desirable and he therefore supported the Director-General’s suggestions.

Mr. Walker said that the United Kingdom Government also supported the Director-General’s suggestions, but thought that the proposal in regard to the frequency of meetings of the Committees was perhaps somewhat too rigid. He suggested that the conclusions might be modified to provide that the Manpower and Employment Committee should normally meet once a year but that the Governing Body might decide whether any other meetings were necessary in the light of unforeseen activities.

The Governing Body decided that the Manpower and Employment Committee and the Technical Assistance Committee should both continue in existence, but that the Manpower and Employment Committee should normally meet only once a year, preferably in connection with the autumn session of the Governing Body, and that its proceedings should be confined to a systematic periodical review, from a technical standpoint, of progress in manpower organisation in different regions.

It was agreed that the Governing Body should decide, in the light of unforeseen activities, whether any further meetings were necessary.

II. Terms of Reference of the Committee of Experts on the Protection of Dockers against Accidents.1

Mr. Sen said that the Government of India would like the Director-General to ascertain the views of States Members on the exact lines on which revision should be undertaken and to submit their comments to the Committee before it carried out its study.

Sir Richard Snedden wondered whether this would be practicable. The purpose of the Committee of Experts was to produce a report for submission to the Governing Body, and if necessary to States Members, indicating whether the Convention should be revised, and if so in what manner.

Mr. Sen thought that in order to help the experts in their work it would be essential to ask governments for their suggestions.

Mr. Roberts hoped that in this connection the statement made in the discussion of the agenda of the 38th Session of the International Labour Conference would be borne in mind, namely, that it would be within the power of the Committee of Experts to propose either the revision of the existing Convention or the adoption of a supplementary Convention.2

The Governing Body approved the definition of the terms of reference of the Committee of Experts on the Protection of Dockers against Accidents as proposed in paragraph 7 of the Report of the Director-General.

It was agreed that it would be open to the Committee to recommend either revision or the preparation of a supplementary Convention.

III. Proposal for the Creation of a Joint Aviation Commission.

Mr. Waline said that this matter, which was also referred to in the Second Supplementary Report of the Director-General, had already been the subject of an exchange of views between the I.L.O. and the International Civil Aviation Organisation. The problem was a complicated one requiring due consideration, and he suggested that it should be adjourned to the 124th Session.

Mr. Roberts had hoped that the Governing Body might have reached a unanimous decision on this subject, which was one of great importance. There was an international organisation to look after the interests of passengers and safety questions, but social questions were completely neglected. If, however, there was likely to be a long discussion, he would agree to Mr. Waline’s proposal for adjournment.

The Governing Body adjourned to its 124th Session consideration of paragraphs 9 to 11 of the Report of the Director-General.1

IV. Communication to the Governing Body: Resolutions Adopted by the Third World Congress of the International Confederation of Free Trade Unions.

V. Determination of the States of Chief Industrial Importance.

The Governing Body took note of these sections of the Report of the Director-General.

FIRST SUPPLEMENTARY REPORT

I. Composition of the Governing Body

II. Progress of International Labour Legislation

III. Publications

The Governing Body took note of these sections of the First Supplementary Report.


The Governing Body, in taking note of the decision of the International Labour Conference, considered that it was unnecessary to refer to the Committee on Standing Orders and the Application of Conventions and Recommendations the question of the measures to be taken to ensure that States newly admitted to membership in the Organisation submitted to the competent national authorities, within a reasonable period, certain of the basic Conventions and Recommendations adopted by the Conference before their admission to the Organisation.

V. Results of the Meeting of Experts on the Prevention and Suppression of Dust in Mining, Tunneling and Quarrying

Mr. Roberts was glad to note, in view of the opposition to the convocation of this meeting, that it had been so successful.

The Governing Body took note of paragraph 22 of the First Supplementary Report.

SECOND SUPPLEMENTARY REPORT

I. Committee of Statistical Experts on the Determination of the States of Chief Industrial Importance

(The substance of the Fourth Supplementary Report was incorporated into Part I of the Second Supplementary Report.)

1 See also below, Second Supplementary Report.
2 See above, Minutes of the First Sitting, p. 13.
The Governing Body approved the appointment to this Committee of the experts proposed in paragraph 3 of the Second Supplementary Report and in the Fourth Supplementary Report.

II. Committee of Experts on the Protection of Dockers against Accidents: Appointment of Experts

The Governing Body approved the appointments proposed in paragraph 6 of the Second Supplementary Report.

The Governing Body authorised the Director-General to complete the composition of the Committee by appointing two more experts after consultation with the Officers of the Governing Body.

III. Proposal for the Creation of a Joint Aviation Commission (continued)

The Governing Body adjourned paragraphs 9 to 11 of the Second Supplementary Report for consideration at its 124th Session in connection with paragraphs 9 to 11 of the Report of the Director-General.1

IV. Position of Refugee Seafarers

The Governing Body approved the proposals contained in paragraph 15 of the Second Supplementary Report.

V. Meeting of a Panel of the Correspondence Committee on Co-operation (continued)

The Governing Body noted that at its Second Sitting it had already taken action on paragraphs 18 and 19 of the report.2

THIRD SUPPLEMENTARY REPORT

Relations with the Intergovernmental Committee for European Migration

The Governing Body took note of this report.

FIFTH SUPPLEMENTARY REPORT

I. Participation of the Saar Territory in I.L.O. Meetings and Activities

Mr. Hauck proposed that the Governing Body should continue the previous arrangements it had made on this subject.

Mr. Roberts seconded this proposal.

The Governing Body decided that the Government of the Saar Territory should continue during 1954 to be invited to take part as an observer in the activities and meetings of the I.L.O. in which it might be interested.

II. Communication to the Governing Body: Resolution Adopted by the Council of the International Federation of Christian Factory and Transport Workers

The Governing Body took note of this section of the Fifth Supplementary Report.

SIXTH SUPPLEMENTARY REPORT

Instrument for the Amendment of the Constitution of the International Labour Organisation, 1953

Mr. Wallin said that a Bill concerning the instrument of amendment had been introduced in the Belgian Parliament on 17 November and that the Minister for Foreign Affairs would see that it came up for approval at the earliest possible date.

Mr. de Rego Monteiro said that the President of the United States of Brazil had forwarded a message asking for the approval of the instrument of amendment.

Mr. Fernandes said that the instrument of ratification of the amendment by Portugal was being printed and that the Portuguese Legation in Berne had been instructed to notify the Office that ratification would take place in the near future.

Mr. Cheybani said that the Government of Iran, which was always anxious to support the I.L.O., was faced with a constitutional difficulty in regard to the ratification of the instrument in the absence of Parliament. He understood, however, that in this particular case notification of ratification by the Government would be regarded as sufficient, and in those circumstances he could assure the Director-General that he would shortly receive notification of the acceptance of the amendment by the Iranian Government.

Mr. Malik said that the Government of Pakistan was also contemplating the early ratification of the instrument of amendment.

The Governing Body approved paragraph 4 of the Sixth Supplementary Report and took note of the additional information supplied to it.

SEVENTH SUPPLEMENTARY REPORT

Invitation to the Organisation for European Economic Co-operation to the Fifth Session of the Coal Mines Committee

The Governing Body authorised the Director-General to extend an invitation to the Organisation for European Economic Co-operation to be represented by an observer at this meeting.

TWENTY-SECOND ITEM ON THE AGENDA

Programme of Meetings

Sir Richard Snedden said that he was personally in agreement with the dates suggested for the meetings of the Tripartite Subcommittee of the Joint Maritime Commission and of the Joint I.L.O.-W.H.O. Committee on the Hygiene of Seafarers, but he assumed that it would be in order for the Director-General to vary the date by a day or two provided that the reports of the meetings could be put before the Governing Body at its May Session.

On the other hand, it would be a personal convenience to him if the Governing Body session in November 1954 could be held either a week earlier or a week later than the date proposed.

The Director-General thought that it would be possible to move the date of the Governing Body session forward by one week.

Mr. Hauck thought that the date of the Governing Body's session would depend to some extent on the date selected for the European Regional Conference;
that being so, he suggested that the decision might be postponed until a later session.

Sir Richard Snedden said that it was most desirable that the programme of meetings should be fixed as far in advance as possible.

Mr. Waline asked that an interval of at least a week should be allowed between the European Regional Conference and the session of the Governing Body since many of the members would have to attend both meetings irrespective of the order in which they were held.

After an exchange of views, the Governing Body approved the proposals contained in the programme of meetings submitted in the Office document, subject to the following amendment to the Annex 1: 127th Session of the Governing Body (provisionally): 10-20 November 1954 (instead of 17-27 November 1954).

Subject to this modification, the Governing Body approved the programme of meetings contained in the Annex to the Office document. It was agreed that when proposing a date for the European Regional Conference the Director-General should take into account the request made by Mr. Waline.

SIXTEENTH ITEM ON THE AGENDA

Report of the Committee on Standing Orders and the Application of Conventions and Recommendations

Periodical Reports on the Working of Conventions.

The Governing Body approved the proposals in paragraphs 4, 6, 8, 10 and 12 of the report.


Mr. Walker noted that subparagraph (c) of paragraph 2 of the proposed new article 7 bis, as proposed in paragraph 15 of the report of the Committee, mentioned as one of the duties of the Finance Committee of Government Representatives that it should examine any request or proposal to permit a Member which was in arrears in the payment of its contribution to vote. This duty was already provided for in article 31, paragraph 1, of the Standing Orders, and he suggested that to put the matter in order the article 31, paragraph 1 of the Standing Orders" should be inserted after the words "requests or proposals".

The Governing Body approved paragraph 15 of the Committee's report together with the text of the new article 7 bis of the Standing Orders of the Conference, subject to the amendment proposed by Mr. Walker.

The Governing Body approved the proposals in paragraphs 16 and 18 of the report.

Clarification of Article 26, Paragraph 4 (a) of the Standing Orders of the Conference.

The Governing Body approved the proposals in paragraphs 24 and 25 of the report.

Mr. Shastri said that the procedure with regard to the examination of credentials at regional conferences required consideration. At the present time regional conferences were not competent to take a final decision in regard to any credentials which might be challenged, because even if the Conference came to the conclusion that the credentials of a particular delegate were not valid, it had no power to prevent him from taking his seat. He considered that regional conferences should be placed on the same footing as the International Labour Conference in this respect.

The Chairman said that this matter was before the Standing Orders Committee.

Clarification of Article 55 of the Standing Orders of the Conference.

The Governing Body approved the proposal contained in paragraph 28 of the report.

TWENTY-THIRD ITEM ON THE AGENDA

Appointment of Governing Body Representatives on Various Bodies


Mr. Hauck, on behalf of the Government group, proposed Mr. Calderón Puig, Mexican Government representative, as Chairman and Government group representative at this meeting.

Mr. Roberts proposed Mr. Pequeno as representative of the Workers' group, with Mr. Vermeulen as substitute.

Mr. Waline, on behalf of the Employers' group, proposed Mr. Bergenström, with Mr. Campanella as substitute.

The Governing Body approved these appointments.

Advisory Committee on Salaried Employees and Professional Workers (Third Session, Geneva, 29 March-10 April 1954).1

Mr. Hauck, on behalf of the Government group, proposed Mr. Kaufmann, Swiss Government representative, as Chairman and Government group representative at this meeting.

Mr. Roberts, on behalf of the Workers' group, proposed Mr. Möri.

Mr. Waline, on behalf of the Employers' group, proposed Mr. Kuntschen, with Mr. Fennema as substitute.

The Governing Body approved these appointments.


Mr. Hauck said that the Government group thought it desirable that the Governing Body should be represented at this meeting.

Mr. Roberts said that for financial reasons the Workers' group did not desire to appoint a delegation to this meeting.

By 11 votes to 8, with 5 abstentions, the Governing Body decided not to appoint a delegation to represent it at the Second Session of the Committee of Experts on Indigenous Labour.

1 This Annex is not reproduced in the appendices to the present session.

1 Date subsequently changed to 10-22 May 1954.
Twenty-fourth Item on the Agenda

Date and Place of the 124th Session of the Governing Body

The Director-General said that in the draft programme submitted to the Governing Body provision was made for four sittings of the Technical Assistance Committee, but owing to the decision taken by the Governing Body to refer the report on technical assistance directly to the Conference it would be sufficient to arrange for one sitting, which might be held on the morning of Saturday, 6 March.

Mr. Waline said that the Employers' group hoped that no meetings would be held on Saturday, 13 March after the close of the 124th Session. On the other hand, the Employers' group considered that two days instead of one should be allotted to the meetings of the Committee on Industrial Committees.

In addition, the members of the Committee on Freedom of Association requested that this Committee should not sit at the same time as any other Committee and for this purpose were prepared to meet for the whole of Saturday if necessary.

Mr. Roberts pointed out that it was on the recommendation of its Committee on the Working of the Governing Body and its Committees that the Governing Body had decided to arrange for meetings to be held immediately after the close of its sessions. This decision could of course be reconsidered on some future occasion.

He did not see how it was possible to avoid simultaneous meetings of committees unless the total number of days provided for the session were to be increased.

Mr. Delaney supported Mr. Waline's suggestion that two days should be allotted to the Committee on Industrial Committees.

Mr. Roberts proposed that the first meeting of the Committee on Industrial Committees should be held on 27 February.

Mr. Waline accepted Mr. Roberts' suggestion and asked that Saturday, 6 March should be kept free for meetings of the Committee on Freedom of Association and that no other meeting should be fixed for that day.

Mr. Hauck supported this proposal.

After a further exchange of views, the Director-General suggested that the Committee on Industrial Committees should meet on Saturday, 27 February and Friday, 5 March, that the meeting of the International Organisations Committee should be moved forward from 6 to 5 March and that the Committee on Freedom of Association and the Technical Assistance Committee should meet on Saturday, 6 March.

The Governing Body decided that its Committees should meet from Saturday, 27 February to Monday, 8 March and on Saturday, 13 March 1954, and that its 124th Session should be held from Tuesday, 9 to Friday, 12 March.

It approved the programme of committee meetings for the session subject to the modifications suggested by the Director-General.

Closing of the Session

The Chairman said that Mr. de Rego Monteiro, representative of the Brazilian Government, who had not been present at the opening of the session, wished to address the Governing Body.

Mr. de Rego Monteiro was happy that he had returned as representative of the Brazilian Government to the Governing Body, after having been associated with its work during the difficult period following the last war. It was in 1939, at the Second Conference of American States Members of the I.L.O. in Havana, that he had first participated in the work of the I.L.O., an organisation which was indeed inspired by high ideals of social peace and justice. Since that time he had been in constant contact with the work of the Organisation, in particular at the time of the adoption of the Declaration of Philadelphia, while more recently he had several times been head of his country's delegation to the International Labour Conference. He was very glad to find so many old friends on the Governing Body and wished in particular to pay tribute to the Chairman, who was carrying on a long and distinguished tradition. He also saluted the memory of the various Directors of the International Labour Office, to whom Mr. Morse was a worthy successor.

Under the leadership of President Getulio Vargas, the social development of Brazil was proceeding rapidly and efficiently, inspired by the principles of modern encyclicals and by the legislative achievements of the International Labour Conference which were so widely influential. The prestige of the I.L.O. rested mainly on the International Labour Code which it had so patiently built up and which had introduced order into conflicting juridical conceptions. Only the reign of law could put an end to the bloody and remorseless struggles between men. In this respect the ideals of Christianity and of Indian philosophy were at one. He himself believed profoundly in peace and social justice, ideals which were embodied in the maxims of the I.L.O. He recalled the noble words spoken in this connection at the 36th Session of the International Labour Conference by the Director-General, and he believed, with the Director-General, that by reason of its democratic and tripartite character the I.L.O. was destined to play a leading part in the solution of social problems and in the establishment of peace. To this great task his country would bring its fullest and most sincere collaboration.

Mr. Miller associated himself with the eloquent speech made by Mr. de Rego Monteiro. He also wished to pay tribute to the distinction and courtesy with which the Chairman of the Governing Body had conducted the proceedings.

He had already had occasion to inform the Governing Body of the importance attached by the United States Government to the role of the I.L.O. in the international community. Since then he had received a copy of an address delivered at Cornell University by Senator Ives, who had presided over the 86th Session of the International Labour Conference, which contained the following passage: "I firmly believe that the I.L.O., with a membership of 66 nations and representative not only of governments but also of the vast cross-section of populations which consists of workers and employers, can exercise an influence on world economy and world society which no other international organisation, not even the United Nations, is in a position to exercise". 
This statement was typical of the thinking of the people of the United States and also represented the considered judgment of those who had studied the I.L.O.'s record since its foundation.

He wished to pay tribute to the memory of those who had devoted their best efforts to the Organisation, and in particular to Samuel Gompers, Albert Thomas, Harold Butler and John Winant. He hoped that the International Labour Organisation would go forward from strength to strength. It was just 30 years since the foundation stone of the International Labour Office building had been laid, at a ceremony at which Albert Thomas had said: "There will be a living soul in the house which we are here building", as he laid in the foundations of the building a parchment on which was inscribed the maxim: Si vis pacem, cole justitiam. These words must never be forgotten by those who laboured together in the work of the Organisation.

The session was declared closed at 7:10 p.m.

A. M. Malik.
APPENDICES
APPENDIX I

Agenda

1. Approval of the Minutes of the 122nd Session.
2. Date, Place and Agenda of the 38th (1955) Session of the International Labour Conference.
3. Action to Be Taken on the Resolutions Adopted by the International Labour Conference at Its 36th Session.
5. The International Labour Organisation and Non-Metropolitan Territories.
6. European Regional Conference.
8. Record of the Asian Regional Conference (Tokyo, 14-25 September 1953).
18. Reports of the Financial and Administrative Committee.
20. Composition of Committees.
22. Programme of Meetings.
23. Appointment of Governing Body Representatives on Various Bodies.
24. Date and Place of the 124th Session of the Governing Body.
APPENDIX II

Second Item on the Agenda: Date, Place and Agenda of the 38th (1955) Session of the International Labour Conference

Date.

1. In accordance with the decision taken by the Governing Body at its Second Sitting (see p. 23), this item was included in the agenda of the 38th Session of the Conference. The substance of the above-mentioned law and practice report will appear in the report to be submitted to the Conference in connection with this item, and for this reason the document submitted to the Governing Body has not been reproduced here.

Place.

2. It is proposed that the session should be held in Geneva.

Agenda.

3. The agenda of the session will necessarily include:

- Report of the Director-General.
- Financial and budgetary questions.
- Information and reports on the application of Conventions and Recommendations.

4. The following items are likely to be carried over, for second discussion, from the 37th (1954) Session: Vocational rehabilitation for the disabled. Migrant workers (undeveloped countries). Penal sanctions for breaches of contract of employment.

5. At its 122nd Session (Geneva, May-June 1953), the Governing Body requested the Director-General to submit to its 123rd Session law and practice reports on the following subjects:

- Welfare facilities.
- Regulation of the employment of children and young persons in agriculture.
- Vocational training in agriculture.

These reports are annexed. At the same session the Governing Body decided that the ten-yearly report on the Protection against Accidents (Dockers) Convention, 1932, should be regarded as a law and practice report for the purpose of deciding the agenda of the 1955 Session of the Conference.

6. At its 122nd Session the Governing Body also reserved to its 123rd Session a decision whether technical assistance should be placed on the agenda of the 1955 Session of the Conference as a specific item.

7. It is desirable to remind the Governing Body, as it has become customary to do in recent years, of certain considerations which have to be borne in mind when fixing the agenda of the Conference. It will be remembered that the view has often been expressed, both in the Governing Body and the Conference, that in determining the number of questions which can usefully be dealt with simultaneously by the Conference, one of the primary considerations was the practical possibility of effective national action for the ratification and application of Conventions and the application of Recommendations. Experience has shown that the speed at which the work of ratification can successfully proceed is governed by the capacity of the competent authority in each State Member to discharge the obligations laid on it by the Constitution of the I.L.O.; and that adequate parliamentary examination of the Conference’s decisions is equally essential to the successful working of the Organisation. It has also to be remembered that legislation is not the only function of the Conference; it has to review the progress made by the Organisation in all its undertakings and particularly the progress made in operational activities.

Technical Assistance.

8. The Governing Body has already decided that operational activities should be reviewed at the 37th (1954) Session of the Conference by means of a report on technical assistance to be submitted to the Conference. The Governing Body may think it desirable to continue the practice of reviewing operational activities, and it is therefore suggested that the subject of technical assistance might be placed on the agenda of the 38th Session as a formal item, which would be dealt with by the Conference in the same manner as it deals with financial and budgetary questions and with information and reports on the application of Conventions and Recommendations. It will be recalled that in recent years it has become the practice to include financial and budgetary questions and information and reports on the application of Conventions and Recommendations on the agenda as specific items, in order to make possible the appointment of special advisers for these questions, and so to enable the Conference to deal with them without prejudice to its other work. The question of the frequency with which such items should be included in the agenda could be decided later in the light of experience. It is suggested that as the inclusion of the question of technical assistance in the agenda in this manner would permit of the appointment of additional advisers to deal with the question, the decision taken on this subject should be regarded as independent of, and without prejudice to, the number of technical items to be included in the agenda.

9. In considering the number of technical items to be included, the Governing Body will no doubt wish to have regard both to the general considerations outlined in paragraph 7 above and to the desirability of avoiding undue delay in the consideration by the Conference of important questions which have become ripe for international action. The suggestions given below are an attempt to balance these considerations as a basis for the Governing Body’s examination of the matter.

10. The four questions on which the Governing Body has requested law and practice reports consist of one industrial question having a general character, two agricultural questions, and one question specially concerning an important but limited group of workers, namely, dockers. It is suggested that the Governing Body may think it appropriate to select for the agenda the industrial question having a general character, two agricultural questions, and one question specially concerning an important but limited group of workers, namely, dockers. It is suggested that the Governing Body may think it appropriate to add a third question, this might be the protection against accidents of dockers. Suggestions in regard to the manner in which these various questions might be defined and the way in which they could be dealt with are contained in the following paragraphs.
Welfare Facilities.

11. The law and practice report on this subject submits for the consideration of the Governing Body the suggestion that, with a view to the adoption of a Recommendation, the item might be defined as follows:

Welfare facilities for workers: (a) feeding facilities in or near the undertaking; (b) rest and recreation facilities in or near the undertaking (excluding holiday facilities); and (c) transportation facilities to and from work where ordinary public transport is inadequate or impracticable.

Regulation of the Employment of Children and Young Persons in Agriculture.

12. As the Governing Body will observe, the law and practice report on this question makes the suggestion that the whole field of regulation of the employment of children and young persons in agriculture may be considered too wide for the Conference to deal with at one time and that it may therefore be thought preferable to restrict the item so as to extend to children and young persons in agriculture general measures of protection such as those which the Conference has already adopted for the protection of children and young persons in industry and commerce. The effect of such a restriction would be to leave aside for the time being the questions of hours of work and rest periods and to place upon the agenda, with a view to the adoption of a Recommendation, the questions of minimum age of admission to work in agriculture; employment of children outside school hours; prohibition for children and young persons of hazardous agricultural occupations; medical examination to determine fitness for employment in agriculture; and administrative provisions for the enforcement of all these regulations.

Vocational Training in Agriculture.

13. The law and practice report on this question endeavours to provide the Governing Body with the necessary background information to enable it to decide whether the subject should be placed on the agenda of the Conference, with a view to the adoption of a Recommendation. In this case it does not seem that the working of the Convention presents any difficulty, but co-ordination of action with the other organisation interested will be of special importance.

Protection against Accidents (Dockers).

14. The ten-yearly report on the Protection against Accidents (Dockers) Convention, 1932, will be found below.¹ At its 122nd Session the Governing Body further decided that a Committee of Experts should be appointed to examine the proposals of the International Transportworkers' Federation for the revision of the Protection against Accidents (Dockers) Convention, 1932, and to review the effects on the practical application of the Convention of developments since 1932 in the methods of loading and unloading ships. It will be called upon at its present session to decide the composition, date of meeting and terms of reference of the Committee. The Governing Body also reserved to its present session a decision upon the inclusion of the item on the agenda of the Conference.

15. In the light of the foregoing considerations and of the law and practice reports, the Governing Body is invited to decide whether all or any of the following items should be placed on the agenda of the 1955 Session of the Conference:

Technical assistance.

Welfare facilities for workers:

(a) feeding facilities in or near the undertaking;
(b) rest and recreation facilities in or near the undertaking (excluding holiday facilities);
(c) transportation facilities to and from work where ordinary public transport is inadequate or impracticable.

Regulation of the employment of children and young persons in agriculture:

(a) minimum age of admission to work in agriculture;
(b) employment of children outside school hours;
(c) prohibition to employ children and young persons in hazardous agricultural occupations;
(d) medical examination to determine fitness for employment in agriculture;
(e) administrative provisions for the enforcement of the above regulations.

Vocational training in agriculture.

Revision of the Protection against Accidents (Dockers) Convention (Revised), 1932.

Annex

REPORT ON THE LAW AND PRACTICE CONCERNING THE REGULATION OF THE EMPLOYMENT OF CHILDREN AND YOUNG PERSONS IN AGRICULTURE

Introduction

1. At its 122nd Session (May-June 1953), having examined a note prepared by the Office concerning the agenda of the 38th (1955) Session of the International Labour Conference, the Governing Body requested the Director-General to submit to its 123rd Session a law and practice report on the subject of employment of young persons in agriculture.

2. It will be recalled that at its 122nd Session the Governing Body also took note of the report of the Fourth Session of the Permanent Agricultural Committee (Geneva, 6-16 May 1953) which contained, inter alia, the proposals of the Committee concerning the employment of children and young persons in agriculture.¹ In addition the Permanent Agricultural Committee at its Third Session in 1949 adopted a resolution concerning the compulsory health examination of children and young persons for fitness for employment in agriculture. These texts are given below.

3. No Convention or Recommendation on the employment of young persons in agriculture has been adopted by the Conference since the Minimum Age (Agriculture) Convention, 1921 (No. 10), and the Night Work of Children and Young Persons (Agriculture) Recommendation, 1921 (No. 14), although in 1945 the Conference adopted a resolution concerning the protection of children and young workers in general.

4. Up to date the Minimum Age (Agriculture) Convention has been ratified by 22 States—i.e, by six American States (Argentina, Chile, Cuba, Dominican Republic, Nicaragua and United States of America), 14 European States (Austria, Belgium, Bulgaria, Czechoslovakia, Estonia, France, Hungary, Ireland, Italy, Luxemborg, Poland, Rumania, Spain, and Sweden) and by Japan and New Zealand. A ten-yearly report on the working of the Convention is now due and has been communicated in draft to the States Members of the Organisation for comment. It will be submitted to the Committee on Standing Orders and the Application of Conventions and Recommendations at the present session of the Governing Body.

5. The proposals adopted by the Permanent Agricultural Committee concerning the employment and the compulsory health examination of children and young persons in agriculture are as follows:

I. Proposals concerning the Employment of Children and Young Persons in Agriculture Adopted by the Permanent Agricultural Committee at its Fourth Session (Geneva, May 1953).

¹ For the text of these proposals, see Minutes of the 122nd Session of the Governing Body, Annex IV, pp. 76-78.
II. Resolution concerning the Compulsory Health Examination of Children and Young Persons for Fitness for Employment in Agriculture Adopted by the Permanent Agricultural Committee at its Third Session (Geneva, September 1949). ¹

III. Resolution concerning the Examination by the International Labour Conference of the Question of the Compulsory Health Examination of Children and Young Persons for Fitness in Employment in Agriculture. ²

6. It will be seen that these recommendations cover a wide field and provide the International Labour Organisation with a basis on which it can proceed, as may be found appropriate, to the consideration of appropriate proposals on these subjects. It is evident, however, that these questions are also of interest, within their spheres of competence, to other intergovernmental organisations, notably the Food and Agriculture Organisation and, as regards medical examination, the World Health Organisation. Consultation with these, and possibly other, organisations will therefore be necessary and is in fact required by article 39 bis of the Standing Orders of the International Labour Conference, which provides:

Where items are placed on the agenda of the Conference with a view to the adoption of a Convention or a Recommendation, the International Labour Office shall, at the same time as it is requesting governments for their comments on the proposed Convention or Recommendation, consult the United Nations and other specialised agencies in respect of any provision of the proposed Convention or Recommendation which affects the activities of such organisation or organisations, and the comments of such organisation or organisations shall be brought before the Conference, together with the comments received from governments.

7. Subject to these observations concerning procedure, the following information on law and practice is submitted to the Governing Body.

Utilisation of Children and Young Persons in Agricultural Occupations

8. Although information on the numerical importance of the labour of juveniles in agriculture is scarce, especially as regards the economically less-developed countries, there exist, nevertheless, fairly reliable estimates in certain countries showing the considerable part children and young persons play in the agricultural labour force. Particularly complete information is available for the United States, to which frequent reference is therefore made in this report. Of the Latin American countries, Brazil recorded 2,279,179 minors between the ages of ten and nineteen employed in agriculture in 1940.⁸ Since in most Asian countries approximately 70 per cent. of the economically active population is engaged in agriculture and kindred activities, it is in these occupations that the largest proportion of young persons is found. In India the number of children aged ten to nineteen years of age employed in agriculture has been estimated at seven million ⁴ and in Egypt it may be presumed from rough estimates based on the census of 1937 and 1938 that the number of children between nine and fifteen years of age engaged in agriculture amounted to over 800,000 in 1947. In the United Kingdom the number of young persons under 16 years of age employed in agriculture (in Great Britain alone) at the end of May 1952 was estimated at 61,650.⁶ In the United States in October 1950 nearly 900,000 children under 16 years of age were employed in agriculture, of whom about one-third were wage earners.⁹

9. The youth labour force in agriculture includes a considerable number of children of school age; where schools exist and school attendance is well enforced these children work outside school hours, but where school facilities are scarce or even non-existent, as in many rural areas in less developed and even in certain highly developed countries, great numbers of young children employed in agriculture are not enrolled in school and therefore can be found working in the fields full-time and mostly without any limitation of hours.

10. The types of work performed by children vary, not only with the age of the child and the nature of the cultivation but also with the size of the farm and the development of its technical equipment. On the small-scale farm children will be employed mostly at helping in or about the household, feeding of small animals, and cattle guarding, in addition to field work proper. The introduction of machinery on the larger farms has been reported to have led to a reduction of the employment of younger children in farm work. However, there are, even in large-scale agricultural enterprises, many possibilities for employing children on minor operations of a repetitive character and requiring little skill. Often the work performed by the children is strenuous, especially if the tender age of the children and the long hours of labour are taken into consideration. It frequently involves stooping or stretching, carrying of heavy loads or exposure to extreme temperatures or humidity. As examples of work of this kind performed by children may be mentioned, in the United States, the picking of cotton, fruits and vegetables and work done in the cultivation of tobacco and sugar-beet; in Latin America, weeding, ploughing and harrowing, planting of seeds, etc., on the plantations cultivating coffee, cocoa, rubber, sugarcane, bananas and coconuts; and in Asia, similar work in the rice fields and on plantations growing tea, coffee, rubber, etc. It is also well known that hours of work in agriculture tend to be long.

11. A great number of children and young persons are engaged in unpaid labour on the family farm. In the United States, for instance, of the 900,000 children under 16 years of age engaged in agriculture in October 1950, nearly two-thirds were unpaid family workers. In Latin American and Asian countries, it is common knowledge that many children in rural areas accompany parents to the fields.

12. The forms under which children and young persons are employed for remuneration outside the family farm vary considerably. They may hire themselves out as individuals for work as day labourers on large-scale farms or on smaller farms under farm servants’ contracts; in the economically less developed countries, especially, most of the paid child labour in agriculture is supplied by children working inside the family group engaged as a unit by the employer or in many cases by contractors.

13. The situation of the children working inside the family group of migrant agricultural workers is recognised as of particular importance in the United States where, during recent decades, migratory labour has been dealt with in many investigations and reports by federal and private agencies.¹² For more information see “The Application of Labour Law to Migratory Workers”.

¹ For the text of this resolution, see Minutes of the 11th Session of the Governing Body, Appendix IX, p. 197.
² Ibid., p. 198.
⁶ For the text of this resolution, see Minutes of the 11th Session of the Governing Body.
⁷ The American Child, May 1951.
⁸ For the text of this resolution, see Minutes of the 11th Session of the Governing Body.
⁹ For the text of this resolution, see Minutes of the 11th Session of the Governing Body.
¹⁰ The American Child, May 1951.
Regulation of the Employment of Young Persons in Agriculture

Minimum Age of Admission to Employment in Agriculture.

(a) International Regulations.

14. The Minimum Age (Agriculture) Convention, 1921 (No. 10), provides that, during the hours fixed for school attendance, children under the age of 14 years may not be employed or work in any public or private agricultural undertaking or in any branch thereof; that the child hours of work are fixed in such a way that it is not prejudicial to their attendance at school. For purposes of practical vocational education in agriculture the periods and the hours of school attendance may be so arranged as to permit employment of school children under 14 years of age in light agricultural work and in particular on light work connected with the harvest, provided that the total period of school attendance is not reduced to less than eight months in the year.

15. A resolution adopted by the Fourth Conference of American States Members of the I.L.O. in Montevideo, 1949, went beyond the text of the Convention in recommending that national laws and regulations should make provision for a legal minimum age of admission to employment for young workers in agriculture, and that where allowed outside school hours, legislation should fix lower limits to the age at which children may engage both in school work and in work in agriculture (except on home farms).

16. In view of the close inter-relation between child labour and free compulsory education, particularly in agriculture, the Montevideo resolution further recommends that compulsory free education should be made available to all children without exception, based on the poverty of the child or the distance of his home from school, and that school facilities should be widely extended in rural areas and provision made for the transportation of rural children between home and school; also, as soon as practicable, for free and low-cost meals in rural areas.

(b) Selected National Legislation.

17. The protection of children against full-time employment in agriculture at a premature age may be effected in two ways: by law setting a minimum age for admission to employment, and by compulsory school attendance laws under which children are required to receive full-time education until they have attained a certain age limit.

18. National laws explicitly fixing a minimum age of admission to work in agriculture are still relatively rare, although progress has been made in this respect in recent years. In the following analysis account has also been taken of those laws which, although not expressly mentioning agriculture within their scope, are of broad coverage (applying, for instance, to "all employment"), and which therefore should be interpreted as applying to agriculture.

19. The highest statutory minimum ages for admission to employment in agriculture—i.e., 14 to 16 years (the latter level being more and more frequently adopted) have been fixed by the laws of the United States as well as by one state of Australia and by New Zealand. In the United States federal legislation establishes a minimum age of 16 for work during school hours on farms, the products of which go into inter-state commerce, except for children employed on their parents' farm. In Australia three conditions for the payment of benefits to growers of sugar-beets and sugarcane include a minimum age limit of 14 years for persons cultivating and harvesting of such products. Thirteen of the United States as well as Hawaii, Puerto Rico and the District of Columbia also fix a minimum age of 14, 15 or 16 years for persons engaging in agricultural work during school hours. In Australia one state (Tasmania) has fixed the minimum age for employment during school hours at 16 years. Fifteen years is the minimum age for agricultural employment in New Zealand.

School attendance is compulsory in all these States, and all the states of Australia, as well as in all the provinces of Canada and the Union of South Africa, where the school-leaving age varies between 15 and 18 years. For the United States the Government reports that all the states and territories require attendance with limited exceptions up to 16, 17 or 18 years. Compulsory school-leaving age is 14, 15 or 16 years in the different states of Australia and in the provinces of Canada. In the Union of South Africa the school-leaving age for European children is fixed at 16 years in three provinces, and 15 years in one province; a lower limit (14 years) is fixed for coloured children in certain provinces.

21. The great majority of the countries of Europe which have established a statutory minimum age for admission to work in agriculture have set this age at 14 years, e.g., Austria, Belgium, Czechoslovakia, Denmark (for work in dairies), Hungary, Luxembourg and the Netherlands; there is, however, a tendency to fix the age at 15 years, as is already the case in Poland and in the United Kingdom. In the latter country the raising of the minimum age to 16 years whenever practicable is foreseen.

22. All the countries of Europe provide for compulsory school attendance, as a rule up to the normal age fixed for admission to employment. In the countries where no statutory minimum age of employment seems to exist, the school-leaving age varies between 12 (Greece and Portugal), 14 (Finland, France, Iceland, Italy, Sweden) and 15 years (Bulgaria, Ireland and Norway).

23. In Latin American countries the statutory minimum age of employment is, in general, established at 14 years (Argentina, Costa Rica, Haiti, Mexico and in Uruguay); even where the age is fixed at 14 years, as in Chile, Cuba, Dominican Republic, Ecuador, Guatemala, Panama, El Salvador, Peru and Venezuela, children may, in many cases, under exceptions provided for in the law, be admitted to full-time agricultural work at 12 years of age, for light work or for economic reasons permitting that certain educational requirements are fulfilled.

24. Compulsory school attendance laws exist in practically all countries of Latin America. In those where setting a statutory minimum age of admission to work in agriculture the school-leaving age generally corresponds to the minimum age of admission to work. Most of these laws also provide that children may leave school at 12 years of age if they have reached a certain minimum educational standard.

25. A few Asian countries have laws which regulate the minimum age of admission to employment in agriculture or may be interpreted as doing so. In Japan the statutory minimum age for employment in general is 15 years (12 years for work outside school hours). In the Philippines and in Viet-Nam, the corresponding age for admission to agricultural work is 14. The age for work on plantations is 12 years in India and ten years in Ceylon.

26. Facilities for free and compulsory primary education are still relatively rare in Asian countries, owing mainly to the difficulties created by the lack of finances, the vastness of the territories and the widely dispersed population. Compulsory school attendance, if provided at all, is therefore often applied by stages under programmes covering a period of 10 to 20 years, so that at present it frequently applies to a limited part of the national territory or to certain age groups of children only. School-leaving ages range between 12 (Afghanistan, Burma, the Philippines), 12 (China), 14 (Ceylon, Thailand, Viet-Nam) and 15 years (Japan). In India the age varies, where schooling is already pro-
provided, between 10, 11, 12 and 14 years, according to the different states.

27. In the Near and Middle East minimum age regulations applying to agriculture are very scarce. Iran and Syria have legislation fixing a minimum age of 12 years for agricultural employment.

28. Compulsory school attendance laws seem to exist in practically all Near and Middle East countries, the school-leaving age varying between 10 (Syria, Iran), 11 (Lebanon), 12 (Egypt, Iraq and Turkey) and 14 years (Israel).

29. The protection afforded by the laws analysed above is considerably restricted by the numerous exceptions which are provided under both minimum age of admission and school attendance regulations. Especially are the so-called leaving age regulations for the employment of children at an age below the statutory minimum; often there are no minimum age requirements. Such exceptions are, for instance, provided for light agricultural work in Austria and Czechoslovakia (for children aged 10 years); for employment by parents or guardians (in Austria, Poland, the United Kingdom and the United States); and where the child has reached a specified educational standard (in numerous countries). In a considerable number of countries, including most of the Latin American countries, Ceylon, the Philippines, Australia (Western Aus-

30. The complete prohibition of all child labour in agriculture, even outside school hours, can be set for the great number of children working in sparsely populated rural areas. It may be assumed that the number of children thus left unprotected against premature labour in agricultural production forms a strain of the child and to interfere as little as possible with the periods during which it is customary to employ children on seasonal work, provided that a certain minimum of school attendance is guaranteed during the year (460 school half-days). In certain cases children may be exempted for certain periods during the school year from the obligation to attend school in order to allow them to work in the fields, as is done, for instance, in various provinces of Canada, as a rule for six weeks; in Belgium, for 35 days of the year; in France, for six weeks; and in the Netherlands for 15 days.

31. Agricultural work often involves special dangers to the life and health of the worker and particularly of young workers. Statistics compiled by the U.S. Depart-

32. A few countries have regulated the minimum age of admission to dangerous work in agriculture: 18 is the age of admission to work for handling tractors, steam engines, harvesters or other dangerous machinery in Argentina; for machine-minding in Norway; for logging and sawmilling occupations and the operation of power-driven woodworking machines in the United States (under federal legislation and in a number of states). In Italy a minimum age of 17 years is prescribed for all employment, including agriculture, which involves the use of machinery, or driving of livestock. In Austria: full-time employment of young children admitted for reasons of poverty is made subject to the condition that the child must have received a certain minimum of compulsory education, such provisions may hardly be sufficient to ensure a satisfactory level of instruction and to protect children against overstrain. All States where birth registration does not yet exist or is not yet complete, sometimes all the children below a certain age are exempted particularly affecting children living in sparsely populated rural areas. It may be assumed that the number of children thus left unprotected against premature labour in agricultural production forms a high percentage of the children in certain areas.

(c) Employment of Juveniles outside School Hours.

30. For the employment of school-age children outside school hours minimum age laws frequently set no age limits, or lower age limits than for full-time employ-

31. The principal purpose

Medical Examination to Determine Fitness for Employment.

33. The causes of ill-health in rural areas may be of a general or special character. The general causes are closely related to the conditions of life, including housing and nutrition, which tend to be of low standard in many rural areas, especially in the economically less-developed countries.

34. The special causes of ill-health among workers in rural areas are closely related to the systems of work and the kinds of occupations to be found in each region. They can only be understood when the local customs and conditions—especially during harvesting seasons, although such adjustments should be designed so as to prevent overstrain of the child and to interfere as little as possible with the normal school programme—principles which have also been laid down in the Minimum Age (Agri-

35. It may be pointed out in this connection that where birth registration does not yet exist or is not yet
sufficiently widespread, as is the case in the majority of the less developed countries (especially as regards the sufficient spread as is the case in the majority of the less developed countries), as regards the sufficient spread as is the case in the majority of the less developed countries

36. The adoption of the international regulations concerning medical examination of young workers in industrial and non-industrial occupations (Conventions Nos. 77 and 78 and Recommendation No. 79 of 1946) led the International Labour Conference in 1946 to request that the Permanent Agricultural Committee be instructed to deal with the question of extending medical examination to young persons employed in agriculture.

37. The basic principles of the resolution are the same as those contained in the Conventions on the medical examination of young persons in industrial and non-industrial occupations, but as regards details, account has been taken of the special conditions prevailing in agriculture. The resolution calls for a free health examination of young persons under 18 years of age as a condition of their employment in agriculture, with the purpose of establishing the general state of the prospective young worker's health, particularly as regards his resistance to fatigue, strain and weather; it calls for special examination when that is needed for special circumstances and for particular attention, whenever the appropriate facilities exist, to the detection of tuberculous infection. Young persons found unfit for employment should be referred for medical care, treatment and follow-up by the health services available. The continued employment of young persons should be subject to regular examination, the nature and frequency of which would be determined by national legislation.

38. For countries where national regulation of health examination of young workers in agriculture cannot practicably be undertaken, the resolution suggests the utilization of medical services provided by social security schemes, rural health centres, co-operative and collective health services, and similar bodies to supervise the health of young agricultural workers. It also recommends the co-ordination of the health examination with other preventive health services and the dissemination of health, nutrition and safety education among rural populations.

39. The Committee also adopted a resolution recommending the Governing Body to place the question of compulsory health examination of young persons for fitness for employment in agriculture on the agenda of an early session of the International Labour Conference, with a view to the adoption of international regulations on the subject.

40. Provisions for medical examination to determine fitness for employment in agriculture exist at present in Argentina, Brazil, India (for plantations), Japan, the Philippines, Sweden and Uruguay, in a number of states of the United States, and in the province of Nova Scotia in Canada. In two other countries, Denmark and Peru, medical examination for agricultural employment is provided to a limited extent; it applies exclusively to dairies in Denmark and to farms using mechanical power in Peru. In all these cases medical examination is mandatory up to the age of 16, and in the case of Japan, where employers must assure the medical examination of all workers upon their initial engagement.

41. Re-examination is required, mostly at an interval of one year, in Argentina, Brazil, India, Japan, the Philippines and Sweden.

42. Detailed provisions concerning the type of the examination are contained in the law of Argentina, where the examination not only has to include a general physical check-up, but also X-rays of the lungs, electro-radiograph examination, a special examination relating to hearing and vision and an analysis of urine and blood. In Brazil a certificate of vaccination is prescribed in addition to the medical certificate.

43. The following countries, although not yet providing for medical examination of young persons in agriculture, have regulations calling for such examination in industry or commerce as may practically be extended to include agricultural employment of young persons, as suggested in the resolution of the Permanent Agricultural Committee. In Belgium, Bulgaria, France, Hungary, Italy, Paraguay and Poland legislation requiring medical examination covers young workers both in industrial and commercial employment. In a greater number of cases, including, for instance, Australia (Western Australia), Bolivia, Chile, China, Cuba, Denmark, Finland, Greece, Ireland, Mexico, the Netherlands, Norway, Portugal and the United Kingdom, medical examination is required exclusively in the case of industrial or specified factory employment. In the United States, a considerable number of states call for the medical examination of children working during school hours in industry or commerce.

Hours of Work, Rest Periods and Paid Holidays.

(a) International Regulation.

44. No international Convention concerning hours of work in agriculture has been adopted. However, a resolution on hours of work in agriculture applying to workers of all ages was adopted by the Third Session of the Permanent Agricultural Committee, calling for regulations, providing for the limitation of normal hours of work to a maximum number of hours per year, with the possibility of distributing such hours during the different periods of the year, provided they do not at any period of the year exceed a certain daily limit. As regards young persons particularly, a resolution adopted by the Fourth Conference of American States Members of the I.L.O. in 1949 concerning conditions of employment of agricultural workers in the Americas, stipulates that the hours of work of young persons in agricultural employment should be regulated, their employment in night work prohibited and adequate provision made for rest periods sufficient to ensure their health and normal development and to allow opportunities for their continued education. As regards hours of work on plantations, the Committee on Work on Plantations, at its First Session in Bandung in 1950, adopted a resolution strongly rejecting the practice of allowing the employment of children between 12 and 14 years of age should be regulated with a view to protecting their health, and in any case should not be more than six per day.

45. The night rest of children and young persons was the subject of a Recommendation adopted in 1921...
was drafted to ensure a minimum period of rest rather than to establish a more rigidly defined night period of prohibited employment for young persons. It should be noted that the Recommendation, taking account of the special conditions of agricultural work, was drafted to ensure a minimum period of rest rather than to establish a more rigidly defined night period of prohibited employment for young persons.

46. In respect of holidays with pay for agricultural workers, it will be recalled that the Conference, at its 35th Session in 1952, adopted a Convention (No. 101) and a Recommendation (No. 93) dealing with this question and containing special provisions calling for more favourable treatment of young workers, including apprentices. The length of the holiday is specified in the Convention but the Recommendation calls for a minimum of one working week for all workers, suggesting that the competent authorities should consider the possibility of making more favourable provision for young workers under 18 years of age, including apprentices, after they have left school for a period of a year to farm life during the period of physical development, and stipulating a minimum length of two working weeks for young workers under 16 years.

(b) Selected National Legislation.

47. Agriculture is often explicitly excluded from the scope of legislation restricting the hours of work of young persons. In a few cases, however, such hours have been restricted by national legislation by providing for a maximum working day or working week. Sometimes provision is also made for a six-day week or for restricting or forbidding work on Sundays, especially as regards school-age children.

48. In the United States federal legislation, which, it will be recalled, forbids the employment of young persons under 16 years of age in agricultural undertakings working for interstate commerce, limits the length of the working week to 40 hours and regulates overtime compensation for all persons over 16 years of age. State labour standards for young agricultural workers range from a ten-hour day and six-day week for minors under 18 years of age in New Jersey, to a four-hour day and 24-hour week for children under 14 years of age in Massachusetts.

49. In Latin America, where a statutory working day of eight hours applies to agricultural workers in the majority of countries, a working day of six hours has been laid down in Mexico for children over 12 and under 16 years of age in all employment. In Guatemala legislation which might be interpreted as covering agriculture requires the normal eight-hour working day to be reduced by one hour a day and six hours a week for children under 14 and two hours a day and 12 hours a week for children under 14 years of age.

50. In India the working day of young persons under 18 years of age working on plantations has been fixed at 40 hours a week (54 hours for adults).

51. In certain countries the hours of work of children working in agriculture outside school hours have been regulated (for instance, a maximum of two hours on school days and on Sundays in the United Kingdom).

52. In some instances night work in agriculture is prohibited for young persons. In the United States night work is prohibited: in Nebraska for minors in the beet fields between 8 p.m. and 6 a.m.; in Wisconsin for minors under 14 years of age between 7 p.m. and 7 a.m. in Puerto Rico for young persons under 16 years of age between 6 p.m. and 8 a.m. and young persons between 16 and 18 years of age between 10 p.m. and 6 a.m. in any gainful occupation, including agriculture.

53. In Europe, Czechoslovak legislation provides that children employed in agriculture must enjoy an uninterrupted night rest of ten hours, including the interval between 8 p.m. and 6 a.m., and in the United Kingdom the general employment of children between 12 and 15 years of age is authorised outside school hours, provided that they are not allowed to work between 8 p.m. and 6 a.m.

54. Night work is also prohibited for young persons under 18 years of age in Argentina (between 8 p.m. and 7 a.m. in winter and between 8 p.m. and 6 a.m. in summer), Brazil (10 p.m. to 5 a.m.), and for persons of any age in Venezuela (ten hours uninterrupted night rest, including the hours between 7 p.m. and 5 a.m.).

55. In India night work is prohibited on plantations for young workers under 18 years of age between 7 p.m. and 6 a.m.

56. Where holidays with pay are provided by legislation covering agricultural workers, more favourable provisions are sometimes prescribed for young workers, e.g., in Austria, 24 working days a year (adults 12 days); in Bulgaria, 18 days (adults 14 days); in Czechoslovakia, additional leave (duration not specified); in France, for young persons under 18, 2 days for each month of service up to a maximum of 24 working days a year, and for young persons between 18 and 21, 1½ days up to a maximum of 18 working days a year (adults 1 day for each month of service, maximum 12 working days a year). In India for young persons on plantations (except those between 15 and 18 years declared fit to work as adults), 1 day for every 15 days (adults 1 day for every 20 days).

Administration of Laws and Regulations Affecting Young Persons in Agricultural Employment

57. The adverse factors which, in many cases, prevent a satisfactory enforcement of the protective measures for children and young workers are particularly strong in the agricultural field. Since living standards are notoriously low in agricultural areas, parents are often compelled to hire their children out at a low age or to use their labour inside the family group in order to increase the family income; school facilities are often inadequate owing to lack of school accommodation and teachers, or, in many countries, are non-existent, as in numerous less advanced areas; labour laws and school attendance regulations are inadequately enforced, owing to the lack of effective inspection services; where such services exist their work is impeded by the fact that workplaces are widely scattered and transportation facilities insufficiently developed. Moreover, where children are employed by contractors or inside the family group, employers often consider themselves free of any responsibility towards these children. The action of most of these factors is still further enhanced in the case of special groups of children, such as the children of migrant farm workers in the United States.

Enforcement Authorities.

58. The importance of adequate inspection services entrusted with the protection of children and young workers in agriculture was emphasised by a resolution adopted by the Fifth Conference of American States Members of the I.L.O. in Petropolis in 1952, urging that special attention should be devoted to the development of such services, which should exercise particular supervision over the conditions of work and employment of apprentices.

59. The enforcement of the legal provisions concerning the employment of children and young persons in agriculture is, in most cases, the responsibility of the general labour inspection services, depending on the Ministry of Labour, or similar government departments. In certain countries, especially where employment in agriculture is regulated by special laws, special inspection services for agriculture exist whose duties include the supervision
of the work of children and young persons (e.g., in Austria and France). In other countries special bodies have been created, entrusted alone or in collaboration with the agricultural authorities, with the supervision of the application of the law concerning youths in all branches of employment including agriculture (e.g., in Uruguay and Venezuela the Children’s Council and in Costa Rica, the National Child Welfare Board). In Cuba compliance with the relative provisions of the Constitution is ensured by the Ministry of Labour, the National Labour Office for Women and Minors and its provincial offices. In Japan, the Women’s and Minors’ Bureau was established in the Labour Ministry in an advisory capacity as regards the enforcement of the law relating to women and minors, and in the Philippines the Women and Child Labour Section of the Labour Inspection Division of the Bureau of Labor is primarily entrusted with the proper enforcement of the law concerning the employment of women and children.

60. The effective protection of young workers in agriculture will also largely depend on the degree to which school attendance laws are enforced. An inquiry undertaken in 1950 by the International Bureau of Education 1 shows that in the majority of the 47 countries covered both enrolment and attendance at schools are less satisfactory in rural than in urban areas. In various countries whose agricultural workers are not covered by the provisions of the federal Act concerning young persons in agriculture, the enforcement of the law relating to women and minors, and in the Philippines the Women and Child Labour Section of the Labour Inspection Division of the Bureau of Labor is primarily entrusted with the proper enforcement of the law concerning the employment of women and children.

61. Control of school attendance is, as a rule, carried out by the education authorities through teachers, headmasters, inspectors, local committees, etc., and in some countries (Australia, Canada, Ceylon, India, Union of South Africa, United Kingdom and United States), by specially appointed attendance officers. In the United Kingdom the administration of the law concerning young persons in agriculture is, in particular, entrusted to the local education authorities, and in the United States it is usually a local school official who issues employment and age certificates to young persons intending to take up employment in agriculture.

62. Co-ordination of the activities of the various bodies designed to enforce child labour laws and school attendance regulations concerning agricultural workers and other public and private agencies concerned with youth questions, is of great importance for the protection of young workers in agriculture. Such collaboration is, for instance, established in Austria, where the law governing the employment of children in agriculture and forestry provides that the communal authorities, school masters and inspection officers, as well as public welfare offices and the organisations for child protection and juvenile welfare, shall assist the local enforcement authorities; public and private school teachers, medical practitioners and all public and private bodies concerned with juvenile welfare, in particular, must inform the communal authorities concerning any contraventions of the provisions of the law which should come to their notice. In the United States the Federal Department of Labor also endeavours to call the attention of teachers, farmers, parents, social agencies and citizen groups generally to the provision of the federal law prohibiting the employment of children under 14 years of age on commercial farms during school hours. Educational campaigns of this kind, drawing attention to the needs of children and youth for education and protection against overstrain and health risks, would seem to be of special importance as regards children working on the home farm who cannot be effectively covered by labour legislation.


63. Frequently the laws providing for the protection in employment, including agriculture, contain a number of provisions designed to facilitate enforcement, such as the keeping by the employer of a register of young persons employed by him (e.g., in Argentina, Brazil, Norway and Uruguay), or of other documents showing that the employment is in conformity with the law, the issuing of work books or work permits to the young persons (e.g., Argentina, Austria, Brazil and in the United States under federal legislation and in approximately 20 states concerning the conditions for contravention, etc. In Austria the employer has to give notice of the employment of children other than his own to the competent local authority.

The Application of Labour Law to Migratory Workers.

64. The application of labour law to the children of migratory agricultural workers constitutes a special problem, as for example, in the United States, where these children start helping to supplement the low income of their parents at almost any age by working inside the family group in the fields during crop seasons, often for long hours a day. The children of migrant workers are usually exempted from state child labour laws and from school attendance laws. They are, however, exonerated, covering regulations, etc., which sets a 16 years’ minimum age for hired work in agriculture during school hours on farms whose products go into inter-state commerce.

65. However, especially in cotton-growing areas, various methods have been devised to circumvent the law. In addition, school attendance by migratory children is poor even where provision is made for it. Parents are poor and want their children to help earn a living; older children sometimes must stay at home to look after their young brothers and sisters; schools do not always want to admit them, either because they are not equipped for a seasonal overload or because the children are educationally retarded, or have no adequate clothing, etc.

66. Various proposals for improving the situation have been made by official and private agencies. The Commission on Migratory Labor, appointed by President Truman in 1950, for instance, recommended, inter alia, that the provisions of the Federal Fair Labor Standards Act concerning hours of work in agriculture be vigorously enforced and amended so as to restrict the employment of children under 14 years of age on farms outside school hours, that state child labour laws should be brought at least up to a level equal to the Fair Labor Standards Act and made fully applicable to agriculture, and that a plan should be developed providing an adequate programme of education for migratory workers and their children including, if necessary, federal grants for aid to the states.

Social Welfare Measures and Community Services.

67. As regards the prevention of premature employment, social welfare measures designed to raise the standard of living are fundamental. Foremost among these are the provision of family allowances, the provision of a living wage for all workers, and policies calculated to secure full employment. It will, of course, not be possible to achieve measures of this kind rapidly, especially in respect of the rural population of the less developed countries. There are, however, certain social welfare measures which may prove useful for the restriction of premature full-time employment of children by facilitating their school attendance. In particular, mention should be made of the school lunch programmes existing at present in a great number of countries, including those where agriculture is an important branch of activity, for example certain Latin American countries, especially

1 This paragraph is based upon data from the United States, since only United States reports on migrant child workers are available to the Office.
Chile; the United States; and, in Europe, Czechoslovakia, Denmark, France and the United Kingdom. It must indeed be borne in mind that the wages the children earn are as a rule extremely low and therefore can often be replaced by the value of a free school meal.

68. Providing poor children of school age with free clothing, as for instance in Mexico, the granting of school equipment, as for instance in the United States, and provision of free or low-cost transport facilities to and from school also prove a valuable economic aid to promote school attendance.

69. In some countries, especially in Latin America (e.g., Bolivia, Brazil, Mexico and Venezuela) the owners of industrial and agricultural establishments over a certain size and situated far from centres of population are legally obliged to create and maintain, at their expense, schools for primary education of the children of their employees. Certain Asian countries also, particularly India and Ceylon, require employers on plantations to provide schools for the children of their workers.

70. In some cases, certain categories of social relief measures are granted only on the condition that the school attendance regulations are observed. This is the case, for instance, in Canada and France as regards family allowances.

71. As regards the health supervision of young workers in agriculture, the situation may be briefly summarised as follows. In many countries school health services provide health examinations of the pupils, these examinations frequently taking place within the 12 months preceding the first possible employment opportunity, as is the case in Argentina, Bulgaria, Czechoslovakia, Ireland, Luxembourg, New Zealand, Norway, Sweden, United Kingdom and Uruguay. It would seem that a system of employment certification might well be combined with the final medical examination at school, in particular if a general examination is considered sufficient for employment in agriculture. In various countries health insurance and other public health schemes provide preventive care, and even compulsory medical examination for the beneficiaries and their children, and health supervision under cooperative and collective schemes in rural areas has also developed in recent years.

72. As regards the provision of both educational facilities and health services in rural areas, mention should be made of the rural community health and welfare cen- tralisation which are increasingly recognised as a means of improving social and economic conditions, particularly in rural areas and in the less developed countries. It would greatly facilitate the development of an integrated programme of child and youth welfare if these centres could be utilised more fully to provide community education as to the problems of youth employment in agriculture.

Conclusions

73. Two possible courses are open to the Governing Body, in the event of its deciding to place on the agenda an item regulating the employment of children and young persons in agriculture. It can decide to place on the agenda the whole range of questions covered by the Permanent Agricultural Committee’s proposals, including hours of work and rest periods; or it can select a more clearly defined part of those proposals. While the subjects covered by a Recommendation may evidently be of a much wider range than those dealt with in a Convention, it may be felt prudent to adhere to a principle which has been consistently followed in the past, namely, that the Conference should deal with one subject at a time and should not endeavour to cover too wide a field on any single occasion. No comprehensive action has yet been taken by the Conference upon hours of work and rest periods for children and young persons in industry or commerce. It may therefore be thought preferable to deal first with the extension to agriculture of measures which the Conference has already adopted for industry and commerce. If the Governing Body should take this view, the question to be placed on the 1955 agenda might be defined as covering the questions of minimum age in agriculture; the employment of children outside school hours; the prohibition for children and young persons of hazardous agricultural occupations; medical examination to determine fitness for employment in agriculture; and administrative provisions for the enforcement of all these regulations. Definition of the subject in this way would not, of course, in any way prejudice the possibility of dealing at a later session with the other points discussed by the Permanent Agricultural Committee.
APPENDIX III

Third Item on the Agenda: Action to Be Taken on the Resolutions Adopted by the International Labour Conference at Its 36th Session


2. This resolution invites the Governing Body (1) to pay the closest attention to the working and living standards of young workers and to the further action by the Organisation which may be necessary in order to afford the young worker opportunities for employment at adequate rates of remuneration, to develop facilities for vocational guidance and training, including the education of young persons to permit workers to participate in the most efficient manner in the economic and social life of modern society; (2) to consider the possibility of initiating a study as a guide to future action by the International Labour Organisation and in all countries into the future measures which may be required for the purpose of ensuring to young workers the best possible conditions of employment and progress; and (3) to transmit the resolution to the United Nations and to other specialised agencies which are concerned with aspects of the social conditions of young persons not within the competence of the International Labour Organisation.

3. The Governing Body will no doubt desire to bear in mind the recommendation made in point (1) above, particularly when it has to consider the agenda of sessions of the Conference and of Industrial Committees.

4. Action upon the lines contemplated under point (2) has already been initiated by the Technical Meeting held at Kandy in December 1952, which considered the question of the organisation of industrial medical services by States Members. It was recommended that the question of the organisation of industrial medical services by States Members shall be sufficiently advanced. It will therefore be recalled to the attention of the Governing Body at an appropriate time in connection with the agenda of sessions of the Conference. The Governing Body is also invited to authorise the Director-General to discuss with the World Health Organisation the means by which progress in this field is most likely to be advanced, with the possibility in view of bringing the question once more before the Governing Body when the question seems ripe for consideration at a session of the International Labour Conference.

5. The Governing Body is invited to authorise the Director-General to transmit the resolution to the Secretary-General of the United Nations and to the Director-General of the United Nations Educational, Scientific and Cultural Organisation, as proposed in point (3) above, and to note the Director-General’s intentions as regards future action.

Resolution concerning an International List of Notifiable Occupational Diseases

6. This resolution invites the Governing Body to authorise the Office to prepare, with appropriate technical advice and in consultation with the World Health Organisation, a list of notifiable occupational diseases or classes of cases with accompanying materials which may be used by the competent authorities, and to keep this list and the accompanying materials up to date from time to time as may be necessary. The Governing Body is invited to authorise the Director-General to undertake the necessary preparatory work, in consultation with W.H.O., and to keep the Governing Body informed of developments.

Resolution concerning the Placing on the Agenda of an Early Session of the Conference of the Question of Holidays with Pay with a View to the Revision of Convention No. 52

7. This resolution requests the Governing Body to give consideration to the inclusion of the question of holidays with pay with a view to the revision of Convention No. 52 in the agenda of an early session of the Conference. It will therefore be recalled to the attention of the Governing Body at an appropriate time in connection with the agenda of sessions of the Conference.

Resolution concerning Industrial Medical Services

8. This resolution invites the Governing Body to consider the desirability of placing on the agenda of a session of the International Labour Conference the question of the organisation of industrial medical services, as and when measures for the training of physicians qualified in occupational health and the study of the organisation of industrial medical services by States Members shall be sufficiently advanced. It will therefore be recalled to the attention of the Governing Body at an appropriate time in connection with the agenda of sessions of the Conference. The Governing Body is also invited to authorise the Director-General to discuss with the World Health Organisation the means by which progress in this field is most likely to be advanced, with the possibility in view of bringing the question once more before the Governing Body when the question seems ripe for consideration at a session of the International Labour Conference.

Other Resolutions

9. None of the remaining resolutions adopted by the Conference calls for action by the Governing Body.

SUPPLEMENTARY NOTE

1. The Governing Body already has before it a paper concerning the action to be taken on the resolutions adopted by the 36th (1953) Session of the Conference. There is, however, another conclusion reached at that meeting to which it may be desirable to draw attention.

2. The Conference adopted, on 24 June 1953, the "Observations and Conclusions regarding the Organisation and Working of National Labour Departments" submitted to it by the Committee set up to consider that item of the agenda.1 It also adopted the Committee’s report, which contained the following paragraph:

tion and working of national labour departments. The Committee’s observations and conclusions, setting out as they do the considered view of the Committee, do not, nevertheless, exhaust the subject under discussion. Believing that additional valuable information would be appreciated by the governments of member States, the Committee recommends to the Conference that it request the International Labour Office to apply its usual working methods and resources toward the analysis of comparable data concerning the practices in various countries with respect to the organisation and working of labour departments, and to prepare comparative studies which would be of practical value to member States in organising and developing, and in regard to the functioning, of national labour departments. It also recommends the Conference to request the governments of member States to make available to the Office the maximum information so as to facilitate its analysis and studies. All of this will also enable the International Labour Office to perform its normal functions of technical assistance to member States whenever the latter, confronted with problems of organisation and development of national labour departments, seek its assistance.

3. It will be seen that the Conference thus requested action by the Office. The Director-General proposes to give effect to this request so far as budgetary limitations make it possible and will keep the Governing Body informed of any publications which are issued in consequence.
Fourth Item on the Agenda: Conditions of Work in the Fishing Industry

**APPENDIX IV**

**Introduction**

1. The Governing Body, at its 200th Session (Geneva, June 1949), authorised the Director-General to undertake a further short consultation of governments concerning the feasibility of establishing an international fishermen’s charter by means of Conventions and/or Recommendations similar to those which have been adopted by the International Labour Conference concerning merchant seamen and which, taken together, form a comprehensive International Seafarers’ Charter. This decision was taken without prejudice to any future decision concerning the establishment of a committee of experts on fishing questions.

2. It will be recalled that the 28th (Maritime) Session of the International Labour Conference (Seattle, 1946) adopted a resolution requesting the Office, in cooperation with the governments concerned, to undertake the necessary studies and preparations with a view to considering the possible adoption of such an international fishermen’s charter. The Director-General therefore sent to 44 States Members in January 1947 a detailed questionnaire concerning the organisation of the fishing industry and the conditions of employment of fishermen as a preliminary to considering what international action was possible.

3. In March 1952 a report concerning conditions of work in the fishing industry 4, which was based on the replies to the questionnaire received from 24 governments was published by the Office, both in order to make available generally the information concerning fishermen’s employment conditions, and more specifically to provide member States with a more comprehensive basis for determining what type of international action appeared feasible at the present time.

4. In order to facilitate the latter, and in accordance with the decision of the Governing Body referred to in paragraph 1, the Director-General sent in May 1952 to 56 States Members a further short questionnaire in tabular form, based on the general lines of the Seafarers’ Charter, which the governments were requested to complete by entering a mark, or inserting a brief commentary in the appropriate squares. If this type of questionnaire was considered unsuitable for expressing a government’s opinion concerning the point under reference, any alternative method of communicating its views could be employed.

**Replies of Governments**

5. By 1 August 1953 a total of 34 replies had been received by the Director-General. Although a majority of the replies referred to the question of possible international action in the field of fishermen’s conditions of employment, some of them contained information concerning the local conditions of work of the fishermen in a particular country only and offered no opinions concerning the international aspects of the question. This was the case with regard to the information furnished by the Governments of China, Egypt, Greece (except for a short comment at the conclusion of its reply referred to later in this paper), Lebanon, Peru, Philippines, and Viet-Nam. While this information will be of use to the Office in its study of fishermen’s conditions of employment in the various countries, it provides little basis on which a decision may be taken concerning possible international action, and, except in the case of a portion of the reply of Greece, it has therefore been omitted from the present paper.

6. As will be seen from the information given in the Annexes 5, the widest measure of agreement with regard to those aspects of fishermen’s conditions of employment now considered ripe for international action by means of Conventions or Recommendations, was attained in respect of points 7 (minimum age of entry), 11 (articles of agreement) and 13 (food on board). An almost equally high number of governments considered that points 8 (medical examination on entry), 15 (safety provisions on board fishing vessels) and 16 (d) (accident insurance) were also ripe for action by this means. Some of the governments appeared to favour the submission of the questions referred to in points 7, 11, 13 and 16 (d) directly to a session of the International Labour Conference without prior study by another body, as seen from the fact that on all four points a greater proportion of governments favoured immediate action by means of Conventions or Recommendations as opposed to further examination of these questions by a committee of experts before submission to the Conference.

7. Among those questions which the largest number of governments considered should be studied further by a committee of experts are points 1 (minimum basic wage), 2 (overtime pay), 14 (welfare facilities on board and ashore), 15 (safety provisions on board fishing vessels), 16 (b) (unemployment insurance), and 16 (f) (family allowances). Three other questions which should, in the opinion of many governments, be studied further include points 3 (c) (hours of work in port between voyages), 5 (manning) and 12 (accommodation on board). As several of these questions were marked by some of the governments in the column referring to action by Conventions or Recommendations as well as in the column referring to action by means of Conventions or Recommendations, it may be assumed that although these governments considered the questions ripe for international action at the present time, they felt that the form and scope of such action should be examined further before being submitted to the Conference for discussion.

8. Those aspects of fishermen’s conditions of employment which were considered by the largest number of governments as being not yet ripe for international action were the following: points 6 (continuity of employment), 3 (b) (hours of work at the fishing ground), 5 (manning), 16 (b) (unemployment insurance), 16 (f) (family allowances).

Again, as several of these points were marked by some of the governments both in the column recommending no action at present and in the column recommending further study by a committee of experts, it might be assumed that although these questions were not considered by these governments to be ripe for action at present, further study might be useful in regard to

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possible future action. However, in some cases, the governments have stated that, by placing a mark in column VIII, they wished to indicate that they did not consider these questions suitable for international action at present or in the foreseeable future.

9. Additional information was received from ten of the governments which completed the tabular questionnaire either on the form itself or in accompanying statements. The Governments of Argentina, Belgium, Italy and Japan qualified their replies to some questions by indicating tonnage limits or other details which would define the scope of any international legislation which might subsequently be adopted. The statement of the Government of Cuba and part of that made by the United States Government referred to the provisions which apply to all workers, in respect of hours of work and sick leave in the former country, and of social security in the latter. The introduction of legislative provisions concerning these matters which would apply only to specific groups of workers, such as fishermen, would therefore be difficult. The Government of Canada, however, considered that any international action which might be taken should be limited in its application to deep-sea fishermen only, and should be studied by a committee of experts at the first stage. The Belgian and French Governments are opposed to extending the provisions of existing maritime Conventions so as to cover fishermen and even of the special conditions obtaining in the fishing industry. This is also the general view of the Norwegian Government, which considers that although questions relating to social security for fishermen are ripe for international action by means of Conventions, these should be kept distinct from those applying to merchant seamen. Further, the Norwegian Government considers that as working conditions in the fishing industries vary greatly from country to country, a few questions should be selected for preliminary discussion by a committee of experts. Moreover, priority should be given to the consideration of points 7 (minimum age), 8 (medical examination), 11 (articles of agreement), 15 (safety provisions), 16 (hours of work) and 19 (accommodation on board). The Government went on to suggest that some of the aspects of fishermen's conditions of employment fall into natural groupings and should be studied together. In the opinion of the United States Government, the subjects referred to in points 1, 2, 3, 4, 6 and 9 of the questionnaire do not lend themselves to international action because of the varied conditions which exist in the different countries, while the remaining subjects, which do appear suitable for international action, should first be considered by a committee of experts before submission to the Conference. Finally, it recommends that any international legislation which may ultimately be drafted on these subjects should take the form of a Recommendation.

10. The Governments of Belgium and the United States make specific recommendations concerning the type and scope of future international action they consider desirable. The Belgian Government believes that the Government of Canada does not itself understand that any international action which might be taken should be limited in its application to deep-sea fishermen only, and should be studied by a committee of experts at the first stage. The Belgian and French Governments are opposed to extending the provisions of existing maritime Conventions so as to cover fishermen and even of the special conditions obtaining in the fishing industry. This is also the general view of the Norwegian Government, which considers that although questions relating to social security for fishermen are ripe for international action by means of Conventions, these should be kept distinct from those applying to merchant seamen. Further, the Norwegian Government considers that as working conditions in the fishing industries vary greatly from country to country, a few questions should be selected for preliminary discussion by a committee of experts. Moreover, priority should be given to the consideration of points 7 (minimum age), 8 (medical examination), 11 (articles of agreement), 15 (safety provisions), 16 (hours of work) and 19 (accommodation on board). The Government went on to suggest that some of the aspects of fishermen's conditions of employment fall into natural groupings and should be studied together. In the opinion of the United States Government, the subjects referred to in points 1, 2, 3, 4, 6 and 9 of the questionnaire do not lend themselves to international action because of the varied conditions which exist in the different countries, while the remaining subjects, which do appear suitable for international action, should first be considered by a committee of experts before submission to the Conference. Finally, it recommends that any international legislation which may ultimately be drafted on these subjects should take the form of a Recommendation.

11. Although the United Kingdom Government did not use the tabular-type questionnaire, its views concerning possible future action appear to be rather similar to those expressed by the Governments of Belgium and the United States, mentioned in paragraph 10 and may therefore appropriately be summarised here. Emphasising the importance of existing international agreements of the different countries and even between sections within certain individual countries, the United Kingdom Government expressed doubts as to the feasibility of adopting additional international regulations concerning the conditions of work of fishermen which would receive wide support. However, it would be willing to consider what might be done to improve and amplify existing measures for the protection of fishermen, and suggested that, if possible, agreement should be reached on a limited number of subjects to be examined further in greater detail to determine their suitability for international action. The following subjects were suggested in this connection: minimum age on entry; medical examination of young persons; and articles of agreement. These suggestions for future action would apply only to deep-sea fishing.

12. The Government of Ceylon stated that as far as the fishermen in that country are concerned none of the points referred to in the questionnaire was ripe for international action at that time. On the other hand, this Government returned the tabular form with marks in column IX (recommending further study by a small committee of experts) in respect of points 1, 2, 6, 7, 8, 9, 14, 15 and 19.

13. Except in the case of the replies received from the Governments of Canada, the Federal Republic of Germany, Greece, the United Kingdom (discussed in paragraph 11) and the Union of South Africa (which stated that the questionnaire could not be answered until the investigations into the fishing industry now being carried out by the Wages Board were completed), the governments which replied to the questionnaire but did not complete the tabular form indicated that it was not possible for them to furnish the information requested concerning international action in this field, either because the fishing industry in the country concerned was not sufficiently developed, or because it was too small, presented special characteristics, or was still being conducted on a co-operative basis. Thus, the replies received from the Dominican Republic, Guatemala, India and Pakistan fall into this category. The Governments of Denmark, New Zealand and Sweden consider that the points in the questionnaire refer to conditions in countries in which a more industrialised type of fishing is carried on, and not to those in their countries in which fishing is mainly of the coastal or cutter type. The Danish Government would, however, not oppose international action in this field if it is desired by other countries, but reserves its position concerning the type of action that might be taken. In Australia and Greece, the industry is organised mainly on a cooperative, or owner-operator basis, in which fishermen are paid according to a share in the catch. In the former case the conditions vary in different places and in the latter case the industry has been regulated by labour tribunals only in respect of steam trawlers, and as the fishermen concerned often change their employment between fishing and merchant vessels, they are already covered to that extent by the provisions of the maritime Conventions. In the foregoing circumstances, the Australian Government does not comment on the points of the questionnaire, while the Greek Government considers that, having regard to the conditions existing in that country, it would not be advisable to adopt international regulations in this field. In its reply the Government of Canada gives a brief but comprehensive review of the law and practice in that country regarding the various aspects of fishermen's conditions of work set forth in the questionnaire, and concludes with the following statement: "Bearing in mind the difficult situation presented by the fishing industry, due to the nature of the employment, in so far as the application of any regulations may be possible, and in mind of the particular difficulties which have been encountered in regard to regulations up to this time, our conclusion is that Canada does not see the need for international regulation of conditions of work in the fishing industry at the present moment. There does not appear to have been any request put forward by industry generally in regard to employment in the fishing industry. Nevertheless, continued study is being given to the problem of accommodating the particular situation in the fishing industry to the various provisions for regulating conditions of employment similar to those which already apply in industry generally." The reply received from the Federal Republic of Germany states that in the opinion
of that Government, the following questions affecting fishermen are deemed ripe for international regulation:

points 1 (minimum wage); 2 (overtime rates); 3 (hours of work); 4 (leave); 7 (minimum age); 8 (medical examination); 9 (placing of fishermen); 10 (certification of officers and crews); 12 (accommodation); 13 (food on board); 14 (welfare facilities); 15 (safety provisions); and 16 (national security—except for old-age pensions).

It concludes by commenting that as the employers' and workers' organisations which were consulted are not unanimous in their opinions as to all of the aspects considered ripe for international action and what form (Conventions or Recommendations) such action should take, it suggests that a committee of experts should be set up to study the matter further and make proposals concerning future action. Finally, the Government of Yugoslavia has replied that in its opinion the international regulation of the conditions of work of fishermen should take the form of a Recommendation, but that if a majority of States Members favours the adoption of a Convention concerning this question, the Government will not object.

Conclusions

14. Most of the countries of chief fishing importance have replied to the recent questionnaire in one form or another. Of the 27 replies considered pertinent to the present inquiry, only two, those received from Canada and India, contained no information regarding international action concerning the question should be taken at present, while nine governments considered it inappropriate, in view of local conditions, to offer comments. A total of 17 governments indicated that some type of international action should be taken concerning certain aspects of fishermen's conditions of employment. From the additional information given it is clear that of the governments which commented on the question, the majority consider that fishermen's conditions of employment should be regulated by means of separate Conventions or Recommendations rather than by extending the scope of existing maritime Conventions. However, suggestions vary widely concerning the form such action might take, from those implying that most of the aspects of fishermen's employment conditions referred to in the questionnaire appear ripe for international action at the present time by means of Conventions and Recommendations, to those suggesting that none of these aspects is yet ripe for international action and that national action at the present time by means of Conventions or Recommendations is the only appropriate course. The majority seem to agree that existing maritime Conventions should be extended to cover fishermen.

The Government of Belgium is the only one of the governments which considered the questions to be ripe for international action and that they be given preliminary study by a committee of experts before being submitted to the Conference.

16. It will be noted that the suggestions made by the majority of governments that completed the tabular forms to those aspects of fishermen's conditions of employment considered most ready for international action by means of Conventions or Recommendations, namely, points 7, 8, 11, 13, 14, 15 and 16 (d), comprise four of the six points recommended for priority by the Government of Belgium, all of the points recommended for further study by the United Kingdom Government, and most of the points considered suitable for international action by the United States Government. The Director-General therefore ventures to draw the conclusion that those aspects of fishermen's conditions of employment upon which it would appear most likely that substantial agreement for the purpose of drafting appropriate international regulations could be obtained in the first instance are those referred to in points 7, 8, 11 and 15 (minimum age on entry, medical examination, articles of agreement and safety provision on board fishing vessels) and in the second instance those referred to in points 13, 14 and 16 (d) (food on board, welfare facilities and accident insurance).

17. It remains for the Governing Body to decide, on the basis of the particulars contained in this paper, on the type of action that should be taken in regard to fishermen's conditions. In this connection, it will be recalled that at its 17th Session (Geneva, May 1952) the Joint Maritime Commission, with the abstention of the Shipowners' group, adopted a resolution urging that as soon as the governments had indicated the points on which international regulation seemed possible, the Governing Body should consider the possibility of convening a tripartite committee of experts on the subject or should take other steps to have the question placed on the agenda of a session of the Conference not that the points referred to in points 7, 8, 11 and 15 (minimum age on entry, articles of agreement and safety provision on board fishing vessels) and in the second instance those referred to in points 13, 14 and 16 (d) (food on board, welfare facilities and accident insurance).

18. It may also be of interest to members of the Governing Body to know that the Congress of the International Transportworkers' Federation held at Stockholm in July 1952 adopted a resolution in the following terms:

This Congress .

Expresses its great appreciation of the excellent work already done by the International Labour Office in studying conditions in the fishing industry throughout the world;

Emphasizes the need for speedy action in arriving at international legislation dealing with the working conditions of fishermen; and therefore

Requests the Governing Body of the I.L.O. to proceed without further delay to the setting up of the International Committee of Fishery Experts and requests governments to respond promptly to the

inquiry addressed to them by the I.L.O. concerning the fishing industry, in order that the question of an international convention relating to fishermen's conditions of employment may be discussed by an International Labour Conference at the earliest possible date.

19. Even though a number of governments have indicated that they consider some aspects of fishermen's conditions of employment to be ripe at the present time for submission to a session of the International Labour Conference with a view to the adoption of appropriate Conventions or Recommendations, there is no unanimity of opinion on this matter. As, however, 17 governments have indicated that in their opinion some of the aspects of fishermen's conditions of work appear ripe for international action either by means of Conventions, Recommendations or by further study by a committee of experts before submission to the International Labour Conference, the Director-General ventures to suggest that the Governing Body may wish, in the first instance, to set up a small tripartite committee of experts to examine the question further.

20. If this course of action is taken, it will be necessary to decide whether to submit for the consideration of the committee of experts a limited number of aspects of fishermen's conditions of employment, as suggested in the replies of the Governments of Belgium, the United Kingdom and the United States, or whether the committee should be asked to consider all aspects of fishermen's conditions of work and to indicate to the Governing Body those aspects which it considers ripe for international action and, where appropriate, the form and scope which such action might take.

21. If the Governing Body should agree with the proposal to set up such a committee, it is suggested that it should be composed of a minimum of six tripartite delegations from countries representing the different geographical areas of the world.

22. This proposed meeting was not foreseen when the 1954 budget was prepared and no credit for it is provided therein. Accordingly, a paper dealing with the problem of financing the proposed meeting is being submitted to the Financial and Administrative Committee.

23. The Governing Body is therefore invited to decide—

(1) whether, in view of the replies of the governments to the recent questionnaire concerning international action regarding fishermen's conditions of employment, to set up a tripartite committee of experts on fishing questions to be composed of 18 members (six from each group); and, if so

(2) whether the committee should be asked to consider all aspects of fishermen's conditions of employment and make recommendations to the Governing Body concerning those aspects which appear ripe for international action and, where appropriate, the form and scope of such action;

(3) whether the Committee should be asked, in the first instance, to consider only certain aspects of the conditions of work of fishermen, such as any or all of those suggested in paragraph 16 (minimum age on entry, medical examination on entry and periodically thereafter, articles of agreement, safety provisions on board fishing vessels and accident insurance) and make recommendations to the Governing Body concerning those aspects which appear ripe for international action and, where appropriate, the form and scope which such action might take;

(4) to authorise the Director-General to request the nomination of one expert representing the Government of each of the following countries: Chile, France, Japan, Norway, the United Kingdom and the United States, and to request the Employers' and Workers' groups of the Governing Body to arrange for the nomination of six experts representative of fishing-boat owners and six experts representative of fishermen, to be selected from countries with a major interest in fishing, with due regard to geographical representation;

(5) to convene the first meeting of the Committee of Experts on Conditions of Work in the Fishing Industry to meet during the spring of 1954.
APPENDIX V

Fifth Item on the Agenda: The International Labour Organisation and Non-Metropolitan Territories

1. The Director-General of the International Labour Office has received a request from the Workers’ group of the Governing Body that the question of closer association of non-metropolitan territories with the work of the International Labour Organisation should be placed on the agenda of the Governing Body.

2. This request suggests that, in placing the question on the agenda, the Director-General should lay before the Governing Body information on: (a) the de jure and de facto relations between the I.L.O. and the non-metropolitan territories; and (b) legal aspects of amending the I.L.O. Constitution with a view to granting associate membership to non-self-governing territories. Since, however, the information requested relates to aspects of the same subject, the matter is treated in this note as a composite whole.

3. The views of the Workers’ group on the question are set out in the extract from a letter from the Chairman of the group to the Director-General, dated 28 June 1952.

4. The constitutional provisions directly relating to non-metropolitan territories are contained in articles 3 and 35 of the Constitution of the I.L.O.

5. Article 3 (3) of the Constitution deals with representation at general conferences of representatives of I.L.O. Members and provides that each Member responsible for the international relations of non-metropolitan territories may appoint as additional advisers to each of its delegates: (a) persons nominated by it as representatives of any such territory in regard to matters within the self-governing powers of that territory; and (b) persons nominated by it to advise its delegates in regard to matters concerning non-self-governing territories.

6. It is important to note that: (i) there is no restriction as regards the numbers of such additional advisers who may be appointed by any Member; (ii) in regard to matters within the self-governing powers of any territory such additional advisers act as representatives of the territory.

7. Hitherto the provisions of article 3 (3) (a) have not been formally applied by any of the Members concerned. Article 3 (3) (b) has been used, to a limited extent, by certain Members. From 1944 to 1947, in particular, when various aspects of social policy in non-metropolitan territories were under consideration, several Members included in their delegations advisers with special knowledge and experiences of conditions in non-metropolitan territories, including advisers coming from these territories. In certain instances this practice has been repeated in succeeding years.

8. The limited use made of these existing constitutional provisions relating to attendance of “non-metropolitan” advisers to delegates at general conferences of the I.L.O. is likely to have sprung from considerations and difficulties of an essentially practical nature such as the large number of non-metropolitan territories—there are over 100 of them—and the financial burdens involved in representation at conferences on the bases envisaged in article 3 (3). The attitude of certain governments may also have been influenced by the fact that legislative power in regard to matters of general labour policy relating to their non-metropolitan territories is in the hands not of local territorial legislatures but of the metropolitan law-making body and that labour policy is directed largely from the metropolis. In such cases article 3 (3) (a) is clearly not applicable. In other cases, where the views of local territorial administrations are regularly sought by the member Governments concerned on relevant matters and are taken into account in the attitude adopted by them at the conferences on those matters, the need for more than the limited action taken may not have appeared to outweigh the practical difficulties involved.

9. As regards regional conferences of the I.L.O., in particular the Asian Regional Conference, the practice is more advanced than in relation to general conferences. Delegations from non-metropolitan territories in the area participated in the Asian Regional Conferences of 1947 and 1950 on the invitation of the Governing Body and had full voting powers. They will do so again at the Asian Regional Conference to be held in Japan this year. Rules adopted by the General Conference in 1948 enable this procedure to be adopted, where appropriate, in connection with all regional conferences. The need for similar arrangements in connection with meetings of subsidiary bodies, such as industrial committees, has not so far arisen.

10. The letter from the Chairman of the Workers’ group, already referred to, indicates the view that the arrangements for representation of non-metropolitan territories provided by the I.L.O. are more conservative than those existing in the United Nations and in some of the other specialised agencies, and in effect suggests the introduction, in the International Labour Organisation, of a system of associate membership of non-metropolitan territories, on the lines already adopted by the World Health Organisation and by U.N.E.S.C.O.

11. The letter adds:

If the admission to associate membership of dependent territories were made dependent upon application by their metropolitan countries and if, furthermore, as in the case of ordinary membership, a two-thirds majority of the International Labour Conference would be required for admission, it can be safely assumed that only such dependent territories would be admitted to associate membership whose social and economic development calls for their direct participation in the work of the I.L.O.

12. The Governing Body will no doubt agree that there is nothing sacrosanct in the expression “associate member” itself and that it is the effectiveness in practice of the method chosen to bring non-metropolitan territories into association with the work of the organisation, whether it be the I.L.O. or any other international organisation, which is important. The appropriate method may vary in accordance with the general set-up, operation and purposes of the organisation concerned.

13. Accordingly, it may be pertinent to examine the situation as it exists in other international organisations, so as to enable the Governing Body to assess the suitability of the solutions adopted to the circumstances prevailing in the I.L.O.

14. The Constitutions of the International Telecommunication Union, the Universal Postal Union and the

1 See below Annex, p. 106.
World Meteorological Organisation accept the concept of full membership for non-self-governing territories or groups of territories. All three, however, differ profoundly from the I.L.O. in that they deal with highly technical subjects where there is urgent need for worldwide co-ordination of services, irrespective of the status in international relations of the country or territory in which they exist and which are of such a nature that they do not involve political issues to a very high or an international character. It will probably be agreed, therefore, that they do not lend themselves to effective comparison with the I.L.O.

15. Two regional organs of the United Nations—the Economic Commission for Asia and the Far East, and the Economic Commission for Latin America—provide for association with their activities of the non-self-governing territories situated in the regions concerned. This is described as associate membership, but in fact it cannot be regarded as a matter of constitutional recognition. It is not granted to other subordinate bodies and not in the commissions themselves. Only the Economic Commission for Asia and the Far East in practice has associate members. It would seem, therefore, that the de facto position in regard to the territories concerned in relation to these commissions is considerably less favourable than exists in practice in the same non-metropolitan territories in relation to regional conferences of the I.L.O. for the same areas as described in paragraph 9.

16. The World Health Organisation and U.N.E.S.C.O. have also made constitutional provision for associate members. In the case of the W.H.O. the terms are as follows (Article 8 of the Constitution):

Territories or groups of territories which are not responsible for the conduct of their international relations may be admitted as associate members by the Health Assembly upon application made on behalf of the territory or group of territories by a national or other authority having responsibility for their international relations. Representatives of associate members to the Health Assembly should be qualified by their technical competence in the field of health and should be chosen from the native population. The nature and extent of the rights and obligations of associate members shall be determined by the Health Assembly.

The U.N.E.S.C.O. provision, adopted in 1954, is in similar terms.

17. There has as yet no practical experience of the operation of the associate member system in connection with the W.H.O. nor should it, however, that in contrast to the position in the W.H.O., which introduced the system at its inception, associate members have been given no voting rights, even in subordinate bodies of the Conference.

18. The World Health Organisation has three Associate Members: Southern Rhodesia, Morocco (French and Spanish Zones) and Tunisia. They participate without vote in the Health Assembly and in its main committees, and have been granted certain consultative voting rights. They cannot serve on the Executive Board. In regional committees, while they may be represented and participate in the proceedings, they have no vote in plenary meetings or in subdivisions dealing with financial or constitutional matters. Their representatives must be qualified by technical competence in the field of health and must be chosen from the native population. Other territories or groups of territories not associate members may be admitted to regional committees. They have the rights of associate members, subject only "to consultation between the States Members in the region and the Member or other authority having responsibility for the international relations of these territories".

19. Apart from the formal status conferred by the title "Associate Member", it seems, therefore, that as far as the main organ of the W.H.O. is concerned, the practical right of such a member is that of participating in the discussions of the Health Assembly. Even in regional committees (which have considerable power and autonomy) the lack of voting rights on financial and constitutional matters, together with the complete lack of voting power in plenary meetings, would, in practice, to limit the effective participation of associate members to discussion of technical matters and comments on regional policy without the power to support those comments by vote. The Associate Members of the W.H.O. therefore exercise fewer rights in W.H.O. regional committees than the non-metropolitan territories already have in the I.L.O. at Asian regional conferences.

20. The Workers' group considers that associate membership of the I.L.O. should be instituted for non-self-governing territories on the following basis:

1. Representation at the International Labour Conference and at other conferences and commissions should be tripartite in the same way, and to the same degree, as for the ordinary members.

2. Special provisions should be made for the application by associate members of I.L.O. Conventions and Recommendations.

3. For the rest, associate members should have the same rights and obligations as ordinary members, except for the right to vote.

21. Points 1 and 3 of paragraph 20 may now be considered together. The Governing Body may feel that the real point to be examined is whether the right of representation on a tripartite basis at the General Conference and at other conferences and commissions without voting rights would really provide powers of greater practical value to non-metropolitan territories than exist under the present constitutional arrangements. In the first place it would represent fewer rights than they already have in I.L.O. regional conferences, where they have in practice voting powers. In the second place, as far as the International Labour Conference is concerned, it would certainly enable any territories which might be admitted as associate members to take part in the debates and voting on the basis of law or recommendations. General and in committees, the latter being largely concerned with the drafting of international legal instruments in the form of Conventions and Recommendations which carry with them, on adoption by the Conference, legal obligations on the Member States. On the other hand, it would confer no right to influence by vote the final form of these obligations. Moreover, it would presumably carry with it financial obligations on those territories which became associate members irrespective of their attendance at particular conferences. Yet in practice the object to be attained by associate membership in the form suggested could equally be attained by Associate Members having fewer rights than they already have in I.L.O. according to Article 3 (1) of the Constitution. It remains to develop them in accordance with the actual relationships which exist, and which differ in the case of each member State concerned, between the home country and the non-metropolitan territories involved.

22. If the Governing Body is in agreement, therefore, it may be felt that, at this stage at least, it would be more profitable to explore, in the first place possibly by tripartite discussions on the national level, methods of developing in practice the powers already possessed by a State under Article 3 (3), as amended, of the I.L.O. Constitution to appoint, in appropriate circumstances, additional advisers from non-metropolitan territories to each of its delegates. It may be, however, that provided there was some evidence of a desire on the part of non-metropolitan territories to share more actively in the work of the I.L.O. some of the existing difficulties could be overcome on the initiative of the member States concerned and in particular that arrangements could be made, when appropriate, to secure representation of non-metropolitan territories on a regional basis. This would lighten the financial burden. Arrangements might also be made for some form of rotation of representation of individual territories or of selective representation having regard to the subjects under discussion at
the Conference. Arrangements of this kind are clearly possible within the ambit of the present article 3 of the Constitution.

23. The letter from the Chairman of the Workers' group, in suggesting that special provisions should be made for the application, by associate members, of I.L.O. Conventions and Recommendations, examines and comments on various provisions of article 35 of the Constitution.

24. It is stated, in particular, that the constitutional provisions of the I.L.O., set out in article 35 of the Constitution, requiring declarations to be made as to the extent of application of Conventions to non-metropolitan territories, operate only in the case of Conventions ratified by the State Member concerned. It is true that article 35 (2) applies only in these circumstances. It is, nevertheless, a most helpful provision since it obliges States Members to make declarations regarding the extent to which the obligations of any Convention ratified by that Member will be applied in different non-metropolitan territories. Thus, it enables non-metropolitan territories to benefit progressively from the protection of the Convention. In this respect they are better placed than are metropolitan territories at a comparable state of development, which are deprived of the protection afforded by any Convention unless and until it can be applied to them in its entirety.

25. However, in regard to Conventions, the subject matter of which is within the self-governing powers of any non-metropolitan territory, under article 35 (4), the Member responsible for the international relations of its territory must bring the Convention to the notice of the Government of the territory as soon as possible with a view to the enactment of legislation or other action by such government. Thereafter, the Member, in agreement with the Government of the territory, may communicate to the I.L.O. a declaration accepting the provisions of the Convention on behalf of such territory. Similar declarations may be made by two or more Members of the Organisation in respect of any territory which is under their joint authority or by any international authority responsible for the administration of any territory (article 35 (5)). As an example of the former, the Government of Italy, in agreement with the administration of Somaliland under Italian trusteeship, recently communicated to the I.L.O. a declaration accepting the obligations of the Penal Sanctions (Indigenous Workers) Convention, 1939 (No. 65), on behalf of the territory. Article 35 (6) of the Constitution makes it clear that the Member taking such action is vicariously responsible for any loss, injury or damage resulting from the acceptance of the obligations stipulated by the terms of the Convention and the obligations under the Constitution of the Organisation which apply to ratified Conventions. The declaration may, however, specify such modifications as may be necessary to adapt the Convention to local conditions.

26. It is important to note that the possibility of making a declaration under article 35 (4) is not dependent on the Convention concerned being ratified by the Member responsible for the international relations of the non-metropolitan territory concerned. Action under article 35 (4) may be taken irrespective of ratification.

27. Furthermore, even in the case of non-metropolitan territories where the subject matter of the Convention is not within their self-governing powers, the Labour Standards (Non-Metropolitan Territories) Convention, 1947 (No. 83), has enabled the Member concerned, on making a declaration accepting the obligations relating to or partial application in its territories of the provisions of thirteen Conventions of universal application adopted at previous sessions of the Conference. This action may be taken even though one or more of the individual Conventions themselves have not been ratified by the State Member concerned. The United Kingdom Government has ratified Convention No. 83 and has communicated to the I.L.O. a declaration indicating in respect of each of its non-metropolitan territories and for each of the thirteen Conventions the extent to which their obligations are accepted.

28. As regards Recommendations, it is a fact that, as is implied in the letter from the Chairman of the Workers' group, the Constitution contains no special provisions dealing with their applicability to non-metropolitan territories. However, it must be recalled that the Social Policy in Dependent Territories Recommendation (No. 70), adopted at Philadelphia in 1944, and the Social Policy in Dependent Territories (Supplementary Provisions) Recommendation, 1945 (No. 74), adopted in Paris in the following year, both contain positive obligations to bring the Recommendation before the authority or authorities competent to make effective in each territory the minimum standards set out in the Recommendation and to report thereon to the Office.

29. The obligations expressed in Recommendation No. 74 are defined as follows:

1. Each Member of the International Labour Organisation which is responsible for any dependent territory should take all steps within its competence to secure the effective application in each such territory of the minimum standards set forth in the Annex to this Recommendation, and in particular should bring this Recommendation before the authority or authorities competent to make effective in each such territory the minimum standard set forth in the Annex.

2. Each Member of the Organisation should, if it approves this Recommendation, communicate to the Director-General of the International Labour Office at the earliest possible date particulars of the action taken to make effective the minimum standards set forth in the Annex in respect of each dependent territory for which the Member in question is responsible, and thereafter should report to the International Labour Office, from time to time, as requested by the Governing Body, concerning the action taken to give effect to the Recommendation.

30. No similar obligations exist in regard to other I.L.O. Recommendations nor would it be realistic to seek to apply similar provisions to all Recommendations. Nevertheless, consideration might be given to the possibility of which might be adopted to promote the application of other selected Recommendations in non-metropolitan territories.

31. This point will naturally be borne in mind, for example, in regard to the subjects of penal sanctions and migrant labour which figure on the agenda of the 1954 Conference with a view to the eventual adoption of Recommendations. While these two subjects are not concerned exclusively with conditions in non-metropolitan territories, they are of special interest to those territories.

32. Apart, however, from these practical developments on the operational side, both in the matter of representation of non-metropolitan territories at I.L.O. meetings and in promotion of the application in them of Conventions and Recommendations, these territories have the opportunity of sharing in the benefits of the I.L.O. programme of technical assistance on the same basis as underdeveloped metropolitan countries, and to the fullest extent of their needs, subject to the over-all financial limitations on the programme itself. Thus, there are no restrictions of a constitutional nature on the access by non-metropolitan territories to outside expert assistance in the solution of their problems in the labour field.

33. At the regional level, in addition to regional conferences, the I.L.O. has established effective cooperation with the appropriate organisations in those

2 Ibid., Vol. XXVIII, 15 Dec. 1945, pp. 4-16.
areas where non-metropolitan territories predominate. Its collaboration with the Caribbean Commission is particularly apparent in the papers submitted to the West Indian Conference, the opportunities of practical collaboration between the Commission or its component territories and the I.L.O. have been repeatedly stressed. Co-operation between the South Pacific Commission and the I.L.O. has developed to the stage when the working out of a large project of technical assistance providing for a survey of industrial development possibilities (including particularly the possibilities of co-operatives and handicrafts) in the area is under active consideration. Such a project has immense possibilities for the future of the many territories concerned. In Africa close liaison has been established with the Commission for Technical Co-operation in Africa South of the Sahara and its organ in the labour field, the Inter-African Labour Institute. Observers from the I.L.O. have taken part in the last two Inter-African Labour Conferences, and it is the policy of the Office, whenever possible, to participate in C.T.C.A. meetings on all subjects within I.L.O. competence and to extend through field missions its knowledge of conditions in Africa and in other areas where non-metropolitan territories predominate. The role which further technical and other meetings in these areas, under the auspices of the I.L.O., can play in bringing internationally accepted principles to bear on the solution of local and regional problems is strongly felt desires for social progress is fully recognised.

34. The Committee of Experts on Social Policy in Non-Metropolitan Territories, now being strengthened by the addition of further experts from the territories themselves, is broadening the field of its discussions and will meet in Lisbon in December 1953 to consider such subjects as productivity and housing.

35. The Governing Body may therefore feel that in the immediate future the most promising developments in the association of the non-metropolitan territories with the work of the I.L.O. lie rather in improving methods of practical co-operation than in changing their formal constitutional position within the I.L.O. framework. It may, therefore, wish to instruct the Director-General—

(1) to invite the interested governments to explore, in consultation with the most representative organisations of employers and workers concerned, what such powers of any non-metropolitan territory, the Member responsible for the international relations of that territory and economic conditions of labour.

(2) to continue the study of appropriate methods of promoting the application of Conventions and Recommendations in non-metropolitan territories;

(3) to keep under continuing review the possibilities of further developments in working relations with such regional organisations as the Caribbean Commission, the South Pacific Commission and the Commission for Technical Co-operation in Africa South of the Sahara, which are largely concerned with matters affecting non-metropolitan territories, and of other solutions tending towards the more effective application of I.L.O. policies in regions where non-metropolitan territories predominate.1

ANNEX

Extract from a Letter Dated 28 June 1953 Addressed to the Director-General of the International Labour Office by Mr. A. Roberts, Chairman of the Workers' Group of the Governing Body

Dear Mr. Morse,

The I.L.O. and the Non-self-governing Territories

With regard to this question, the I.L.O. has so far proved to be much more conservative than the United Nations itself and some of the other specialised agencies. Representation of the non-self-governing territories is admitted by the I.L.O. only in a roundabout way: advisers from such territories may be appointed by their metropolitan governments, in addition to others advisers. In contrast to this meagre substitute for true representation, the United Nations has admitted associate membership of dependent territories in regional commissions of the Economic and Social Council. The Fifth Session of the Council of July and August 1947 agreed that certain Asian and Far Eastern countries which at that time were dependent territories (Brunei and Sarawak, Burma, Ceylon, Hong Kong, Indo-China, Malayan Union and Singapore, Netherlands Indies, North Borneo), were to be admitted as associate members of the Economic Commission for Asia and the Far East upon application by their metropolitan countries.

Special agencies which admit dependent territories as associate members are U.N.E.S.C.O. and the World Health Organisation. U.N.E.S.C.O. at its General Conference of 1951 amended its Constitution to give dependent territories the opportunity to acquire associate membership. It appears that the main provision about associate membership which was adopted by U.N.E.S.C.O. would also, by and large, be applicable for the I.L.O. This provision reads as follows:

TERRITORIES or groups of territories which are not responsible for the conduct of their international relations may be admitted as Associate Members by the General Conference by a two-thirds majority of Members present and voting, provided that the majority shall be based on behalf of such territory or group of territories by the Member or other authority having responsibility for their international relations.

If the admission to associate membership of dependent territories were made dependent upon application by their metropolitan countries and if, furthermore, as in the case of ordinary membership, a two-thirds majority of the International Labour Conference would be required for admission, it can be safely assumed that only such dependent territories would be admitted to associate membership whose social and economic development calls for their direct participation in the work of the I.L.O.

As is the rights and obligations of associate members, it may be sufficient to make the following recommendations:

1. Representation at the International Labour Conference and at other conferences and commissions should be tripartite in the same way, and to the same degree, as for the ordinary members.

2. Special provisions should be made for the application by associate members of I.L.O. Conventions and Recommendations.

3. For the rest, associate members should have the same rights and obligations as ordinary members, except for the right to vote.

As far as I.L.O. Conventions and Recommendations are concerned the Constitution of the I.L.O. is silent about the applicability of Recommendations to non-self-governing territories, and confines the applicability of Conventions in such territories to those Conventions which have been ratified by their metropolitan countries. This restriction means a restriction of the scope of international action for the improvement of the social and economic conditions of labour.

It appears, therefore, well warranted to recommend that the functions which certain non-self-governing territories can exert on the basis of article 35, Section 4, of the I.L.O. Constitution be extended, first, to Conventions to which they have been ratified by their metropolitan countries; second, to any Recommendations whether or not they have been followed in their metropolitan countries. Article 35, Section 4, stipulates that where the subject matter of a Convention which has been ratified by a metropolitan country is within the self-governing powers of any non-metropolitan territory, the Member responsible for the international relations of that territory...
shall bring the Convention to the notice of the Government of the territory as soon as possible with a view to the enactment of legislation or other action by such government ".

Since this provision, which was added to the I.L.O. Constitution in 1946, applies only to dependent territories which already have received a certain measure of self-government, there should be no reason to refuse dependent territories of such an advanced stage of development the right to apply Conventions and Recommendations which, for any reason whatsoever, have not yet been ratified or followed by their metropolitan countries.

The Workers' group is well aware of the fact that the adoption of such a rule may give rise to certain specific legal objections which do not apply to the same extent to those specialised agencies which have already adopted some constitutional provisions concerning associate membership.

Yours sincerely,

(Signed) A. ROBERTS,
Chairman.
Sixth Item on the Agenda: European Regional Conference

1. The Governing Body will remember that in accordance with a decision taken at a previous session, it had before it at its 118th Session (Geneva, March 1952) a proposal for the convocation of a European tripartite regional conference, similar to those already held in Asia and Latin America.1

In examining this proposal the Governing Body recognised the value of holding this conference, but at the same time it was generally of the opinion that the items suggested for inclusion in its agenda required further consideration. The Governing Body therefore requested the Director-General to submit at an appropriate time amended proposals for the agenda of a European regional conference.2

2. By letter dated 8 June 1953 (Annex A), the Workers' group of the Governing Body invited the Director-General to submit to the Governing Body new proposals for the convocation of a European regional conference and suggested that the agenda of such conference should include questions concerning social housing in Europe; and in particular minimum standards of workers' housing; the problem of readjustment (with equalisation towards higher levels) of wages and social security benefits, with a view to facilitating economic co-operation between the countries of Europe in certain sectors; and the question of productivity especially as regards the conditions under which the European workers would be prepared to lend their full co-operation.

A request for the convocation of an I.L.O. regional conference was also sent to the Director-General on 27 May 1953 by the International Federation of Christian Trade Unions (Annex B), proposing the following items for the agenda: the security of housing (as a comparative study taking into account the work of the Council of Europe in connection with a European code of social security); manpower problems in Europe (unemployment, migration, mobility of labour, long-term repercussions of rearmament, hours of work and vocational training); wages policy in Europe (a comparative study of the regulations and wage levels in Europe); the increasing of productivity in Europe (especially the social aspects of this problem); the problem of workers' housing in Europe; and utilisation of holidays with pay and workers' spare time.

The Governing Body may therefore wish to re-examine this question in the light of these requests and of the following considerations.

3. The Governing Body is aware that several European organisations, such as the Council of Europe, the Organisation for European Economic Co-operation, the Brussels Treaty Organisation and the European Coal and Steel Community, have already devoted considerable attention to European social problems, and in considering the question of the convocation of an I.L.O. European regional conference, the Governing Body will undoubtedly bear in mind that it has always been an essential principle of its policy that the programmes of the various international organisations should avoid duplication and overlapping.

4. In this connection it may be recalled that the I.L.O. has entered into formal agreements or maintains working arrangements with various European regional organisations with a view to achieving the greatest possible degree of co-ordination, and that the I.L.O. has made important contributions to their work by supplying them with information or technical reports on particular matters concerning European social policy in which they are concerned. However, this form of participation by the I.L.O. in European social programmes should not overshadow the fact that initiatives and policy decisions as regards such programmes are being taken by organisations in which the interests of employers, employees and workers are not represented in the same manner as they are represented in the I.L.O.

5. It may also be noted that in many cases the functions of the European regional organisations in the social field are not as wide as those of the I.L.O., and that another limiting factor of the scope of their action in this field is that the geographical representation of European nations within these bodies varies from one to another.

6. In these circumstances it would appear that by virtue of its tripartite composition an I.L.O. European regional conference, without duplicating the work of the European regional organisations, could represent a new approach to European social problems, and, if circumstances are favourable, the fact that the geographical representation within the I.L.O. is wider than in any European regional body may enable such conference to make a special contribution towards the understanding of these problems.

7. If the Governing Body should decide to convene this conference it would seem desirable, in order to allow time for a thorough discussion, that the agenda of the conference should contain not more than three special items in addition to the Report of the Director-General. It is suggested that the Governing Body might, subject to certain questions of definition, select as such items three of the important aspects of European social policy which both the Workers' group and the I.F.C.T.U. have included in their proposals for the agenda of an I.L.O. European conference, namely, questions of productivity and certain aspects of social security, such as the question of the financing of social security benefits and the age of retirement.

8. It is suggested that, in order to give the discussion of productivity at the proposed conference an emphasis which would complement rather than duplicate the work of other organisations, the item should be defined as "the role of employers and workers in programmes to raise productivity". It is generally agreed that primary responsibility for action to raise productivity in individual establishments rests with management, but that higher productivity calls for concerted efforts on the part of all groups engaged in production. Such efforts are likely to be forthcoming only provided that adequate incentives exist for both management and workers, and in particular that there are convinced that higher productivity will serve to promote higher standards of living and social justice.

The attitudes and incentives of workers depend to a large degree upon how far there is effective joint con-

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1 See Minutes of the 118th Session of the Governing Body, Appendix II, pp. 66-68.
2 Loc. cit., Minutes of the First Sitting, p. 20.
sultation, how the benefits of higher productivity are distributed and what action is taken to ensure that higher productivity does not lead to unemployment and is not sought by means which involve a deterioration in conditions of work.

Opportunities for raising productivity in individual undertakings, and the willingness of managements and workers to grasp these opportunities, thus depend in part upon general economic and institutional factors and upon the policies of governments. Hence the importance of the efforts that are being made in European countries by governments, by various national and international agencies, and by a number of employers’ and workers’ organisations, to create an environment more favourable to the success of individual efforts to raise productivity. It is to be remembered that the benefit of productivity and in dealing with problems of redundancy and other problems which may be encountered in the course of efforts to raise productivity; (c) describe briefly the programmes and projects of the principal national and international agencies concerned with productivity and the progress of these efforts, should endeavour to assess their significance in relation to its own work and the objectives for which it stands, and should examine what it can do to assist these efforts. The conference would provide an opportunity for this.

It is suggested that the basic documentation for this item should be a report which would (a) give accounts of the results achieved in certain undertakings which have been particularly successful in raising productivity, and of the methods by which these results have been achieved; (b) give examples of methods which have in practice been found successful in securing an equitable and satisfactory distribution of the benefits of higher productivity and in dealing with problems of redundancy and other problems which may be encountered in the course of efforts to raise productivity; (c) describe briefly the programmes and projects of the principal national and international agencies concerned with productivity and the progress of these efforts, should endeavour to assess their significance in relation to its own work and the objectives for which it stands, and should examine what it can do to assist these efforts. The conference would provide an opportunity for this.

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people will, in practice, be able to remain in employment up to that age. It seems, indeed, that a great effort of organisation and education will be needed in order to secure work opportunities for the elderly. A distinct aspect of this question, and one which is almost as important, is the differentiation of the retirement age according to occupation. Objective examination may perhaps suggest that the privilege of a lower age is sometimes granted to occupations for which it is less justifiable than it would be for others, less influential or of smaller magnitude, which do not enjoy it. In general, it seems that existing provisions concerning the retirement age have been determined to a substantial extent by empirical or occasional considerations rather than by a scientific and comprehensive analysis of the problem.

12. The Director-General's Report would be designed to provide the basis for a discussion of the directions and the ways in which the work of the I.L.O. in the European region might be most fruitfully developed. As a background for such a discussion it would survey briefly some of the main long-term developments, achievements and current trends in social and economic policies, with particular reference to wages, employment, unemployment and the organisation of the labour market, migration, housing, conditions of work and labour-management relations. The Report would also describe the work of the I.L.O. in its internal organisations in the labour and social fields in Europe, indicate the arrangements for co-operation with such organisations already made, and afford an opportunity for fuller consideration of future developments in such co-operation.

13. It is suggested that the general object of the conference should be to reach as widely agreed conclusions as possible, providing guidance for future action by governments, employers and workers in their respective spheres of activity. With this in mind the conclusions reached by the conference might be as a general rule take the form of special reports or memoranda rather than of formal resolutions.

14. It is agreed that a conference is desirable for the consideration of the subjects suggested above, it will be necessary to determine how it should be composed. It is suggested that all States Members of the Organisation in Europe should be invited to be represented by tripartite delegations consisting of two governmental delegates, one employers' delegate and one workers' delegate, assisted by such advisers as are considered necessary.

15. It would seem desirable, if the Governing Body should approve in principle that the conference should meet, to allow time for the conference to be adequately prepared; it is therefore suggested that it should be held in Geneva towards the end of 1954.

Financial Implications

16. This proposed conference was not foreseen in the 1954 budget, and there is no credit available for it. If, therefore, the Governing Body decides that the conference should take place, it must necessarily be financed by savings within the budget, or if this is impracticable, by means of a supplementary credit. It is for the Financial and Administrative Committee to advise the Governing Body on the estimated cost of the proposals and on the manner of the financing of such cost.

17. The Governing Body is therefore invited—
(a) to decide whether it would be desirable to convene a European regional conference and, if so decides,
(b) to fix the agenda of the conference which it is suggested might be as follows:
   I. Report of the Director-General.
   II. The role of employers and workers in programmes to raise productivity.
   III. Methods of financing social security benefits.
   IV. The age of retirement.
   (c) to determine the manner in which the conference should be composed as suggested in paragraph 14; and
   (d) to decide that the conference should be held in Geneva towards the end of 1954, the exact date to be settled later.

Supplementary Note

1. By letter of 15 September 1953 the Director-General communicated to the Secretary-General of the Council of Europe and to the Secretary-General of the Organisation for European Economic Co-operation the note to the Governing Body concerning the convocation of a European regional conference and invited their comments on the proposals contained therein.

2. On 7 October 1953 the Secretary-General of the Council of Europe sent to the Director-General a letter the text of which is appended (Annex C). The Governing Body's attention is drawn to the following sentence contained in this letter: "I believe that the convocation of such a Conference may be very useful and I see no reason why the Conference, with the programme indicated in your letter, should lead to any duplication of work between the I.L.O. and the Council of Europe".

3. On 9 October 1953 the Secretary-General of the Organisation for European Economic Co-operation sent to the Director-General a letter the text of which is appended (Annex D). The Governing Body's attention is drawn to the sentence contained in this letter: "I should like to express the deep interest of the O.E.E.C. in the proposed Conference, which I think could be of great value".

ANNEX A

Letter to the Director-General from the Chairman of the Workers' Group of the Governing Body

Geneva, 8 June 1953.

Dear Mr. Morse,

I.L.O. European Regional Conference

The possibility of calling an I.L.O. European Regional Conference has already been discussed at various sessions of the Governing Body during the past year. In the last instance, the decision was postponed sine die, not because of the fact that the need for such a conference was not felt, but on account of certain difficulties in fixing a suitable agenda.

The Workers' group has given some attention to this problem and I am now suggesting, on its behalf, the following items:

I. Social housing in Europe, and in particular the minimum standards of workers' housing.

II. The problem of readjustment (with equalisation towards the higher levels) of wages and social security benefits, with a view to facilitating economic co-operation between the countries of Europe in certain sectors (coal and steel, transport, agriculture, etc.).

III. The question of productivity, especially as regards the conditions under which the European workers would be prepared to lend their full co-operation, which is recognised as indispensable both by the governments and by the employers themselves.

Following the remarks made by Mr. Jouhaux at the last Governing Body, I am now requesting you to put this item again on the agenda of the November 1953 Session, with reference to the above suggested agenda.

Yours sincerely,

(Signed) A. ROBERTS,
Chairman.

ANNEX B

Letter to the Director-General from the Secretary-General of the International Federation of Christian Trade Unions

(Translation)

Utrecht, 27 May 1953.

Sir,

We have the honour to refer to our letter No. 2288 of 13 October 1952, in which we informed you of the views of the Bureau of the I.F.C.T.U. concerning the convocation of a European regional conference and of the need for it.

Yours sincerely,

(Signed) A. ROBERTS,
Chairman.
The Bureau of the I.F.C.T.U. has re-examined the question in the light of the development of the economic and social situation in the various countries and more particularly in the light of recent developments in the field of European integration.

These developments have once more demonstrated that the resolution of a unified Europe largely depends on the harmonious integration of the social and economic life of the countries concerned. Up till now the social problems of European integration have not been satisfactorily examined by the various bodies concerned with European collaboration and integration.

The Bureau of the I.F.C.T.U. further considers that the representation of the workers in these bodies is not satisfactory. As a result, these bodies do not, in their work, take sufficient account of the interests of the workers, whose standard of living depends directly or indirectly on the action taken or to be taken in the field of European integration.

The I.F.C.T.U. is convinced of the primordial importance of drawing up, with the work of the Council of Europe in a social and economic programme based upon thorough studies and of a nature to guide any action towards the unification of Europe.

At present the I.L.O., which has the duty and responsibility of organising tripartite conferences, is the only institution which can ensure the full participation of the workers in drawing up such a programme. For that reason the Bureau of the I.F.C.T.U. considers that the International Labour Organisation should proceed as early as possible to convene a European regional labour conference.

The Bureau of the I.F.C.T.U. is of opinion that, in addition to the Director's Report, which should devote special attention to the task of the I.L.O. in the co-ordination of the social and economic policy of Europe, the agenda of this regional conference should include the following questions:

I. Social security in Europe (a comparative study, taking account of the work of the Council of Europe in favour of a European code of social security).

II. Manpower problems in Europe (unemployment—migration—manpower mobility—long-term effects of rearrangement—hours of work—vocational training).

III. Wage policy in Europe (comparative study of the regulation and of the amount of wages in the different European countries).

IV. Increase of productivity in Europe (particularly the social aspects of the question).

V. The problem of workers' housing in Europe.

VI. The utilisation of holidays with pay and workers' spare time.

We request you to submit these proposals of the Bureau of the I.F.C.T.U. to the next session of the Governing Body of the International Labour Organisation.

I have the honour to be, etc.,

(Signed) A. Vanistendael
Secretary-General.

ANNEX C
Letter to the Director-General from the Secretary-General of the Council of Europe

Strasbourg, 7 October 1953.

Sir,

I have the honour to thank you for your letter of 15th September 1953, relating to the proposals for a European Regional Conference, as well as for the enclosed document concerning this question.

I greatly appreciate your giving me this opportunity to comment on this proposal. I believe that the convocation of such a conference may be of great value and I see no reason why the Conference suggested in your letter should lead to any duplication of work between the I.L.O. and the Council of Europe.

In this connection I should like to draw your attention to the views expressed by the Consultative Assembly of the Council of Europe in its Recommendation No. 28 of August 1950, relating to the European Code of Social Security, concerning the financing of social security and the age of retirement. A copy of this Recommendation is enclosed.

With regard to the financing of social security, the Appendix to the Recommendation contains the following paragraphs:

Provisions of each country will be financed either on a contributory or non-contributory basis; the financial system should take into account, on the other hand, the nature of the risks incurred, the national customs, and the particular social conditions, whether economic or fiscal, peculiar to each country.

Such a system should aim at preventing the costs from exceeding the potential productive capacity and national income of each country.

But it must aim, above all, at ensuring the regular payment of the benefits authorised.

With regard to retirement age in so far as it is related to old-age pensions, the said Appendix contains the following paragraphs:

Schemes will be established in each country under which cash pensions will be payable for life to workers who have reached old age and who have retired from all but casual or temporary work; for the duration of substantial incapacity for work to workers who suffer from long-continued sickness or chronic invalidity; and for the duration of dependent widowhood or of childhood, the surviving wife and children of a deceased family breadwinner.

As in most of the European countries the retiring age is 65 years, this age should be adopted in principle. This principle should, however, be applied in such a way as to affect adversely the more favourable conditions in force in some countries, in particular for women and for workers employed in unhealthy industries, nor to render the ratification of the Code impossible for countries where the retiring age at present is higher than 65 years.

I should appreciate your kindness in keeping me informed of the further developments of the proposal to convene a Regional European Conference, in which we take a great interest.

I am, Sir, etc.,

(Signed) A. H. Lincoln.

ANNEX D
Letter to the Director-General from the Deputy Secretary-General of the Organisation for European Economic Co-operation

Paris, 9 October 1953.

Sir,

I have the honour to acknowledge your letter dated 15th September 1953, by which you transmitted to me a Memorandum to be discussed by the Governing Body of the I.L.O. at its next session in November 1953.

This Memorandum contains proposals for the convocation by the International Labour Organisation of a European Regional Conference. You have been kind enough to ask me to let you have any suggestions I might wish to make on the proposals contained in the Governing Body's paper.

First of all I should like to express the deep interest of the O.E.E.C. in the proposed Conference, which I think could be of great value.

I want also to state my agreement with the opinion you have expressed in your letter according to which, if the Conference is to be held, co-operation between I.L.O. and O.E.E.C. would be essential. I can assure you of our willingness to give every possible help.

In this connection, I would like to refer specifically to certain points which are dealt with in the Governing Body's Memorandum. The first item selected for the agenda of the Conference "the role of employers and workers in programmes to raise productivity" is in direct relation to the programme of work of the European Productivity Agency which is likely to include topics such as the training of senior officials of Trade Unions, the relations between employers and employees, systems of remuneration and pension schemes, questions concerning mobility of manpower and technological unemployment. We might therefore be in a position to provide some information on this subject for the general report you contemplate making.

I would also like to emphasize particularly the importance which the Manpower Committee attaches to the question of the age of retirement. The Committee examined earlier this year a report of consultants which stressed the fact that this problem was one of growing importance owing to the steady increase in the average age of member countries' working populations.

As an inquiry about long-term population trends is actually in course and will be available early next year, the Manpower Committee agreed to postpone consideration of a proposal to initiate a study on the problem of elderly workers to be undertaken in collaboration with the I.L.O., until the results of this inquiry were available. These results should be of assistance to you in preparing any paper on this subject.

I will be very interested to learn the decision reached by the Governing Body as to the proposed Conference in due course.

I have the honour to be, etc.,

(Signed) Guido Colonna,
Deputy Secretary-General.
Seventh Item on the Agenda: Report of the Meeting of Experts on Systems of Payment by Results in the Construction Industry

Examination of this report was postponed to the 124th Session of the Governing Body. The document relating to this item will be reproduced as an Appendix to the minutes of that session.

1 See above, Minutes of the Fourth Sitting, p. 41.
Eighth Item on the Agenda: Record of the Third Asian Regional Conference

1. In accordance with the decision of the Governing Body at its 120th Session (Geneva, November 1952) the Third Asian Regional Conference of the International Labour Organisation was held in Tokyo from 14 to 25 September 1953.

2. The Conference elected as its Honorary President Mr. Kosaka, Minister of Labour of Japan; as its President Mr. Malik (Chairman), Member of the Thai Chamber of Commerce, and as Vice-Presidents Mr. Abid Ali, Deputy Minister of Labour in the Government of India, Mr. Gunasekerm, Member of the Thai Chamber of Commerce, and Mr. Faiz Ahmad, General Secretary of the All-Pakistan Confederation of Labour. The Governing Body delegation which attended the Conference consisted of Mr. A. M. Ahmad, General Secretary of the All-Pakistan Confederation of Labour, Mr. Malik (Chairman), Miss Stemberg, Mr. C. E. Shaw, Mr. Allana, Mr. Shastri and Mr. Roberts. Delegations from Australia, Burma, Ceylon, China, France, Hong Kong, India, Indonesia, Japan, the Federation of Malaya, New Zealand, Pakistan, the Philippines, Portugal, Singapore, Thailand, the United Kingdom and Viet-Nam participated in the proceedings of the Conference. An observer was present on behalf of the Netherlands Government and a tripartite observer delegation on behalf of the United States. Representatives of the United Nations Educational, Scientific and Cultural Organisation and the World Health Organisation attended the Conference, and the following non-governmental international organisations having consultative status were also represented: International Confederation of Free Trade Unions, International Co-operative Alliance, International Federation of Christian Trade Unions and World Federation of Trade Unions. The total membership of the Conference was 137 and was composed as follows: 6 members of the Governing Body delegation; 35 Government delegates and 23 Government advisers; 16 Employers' delegates and 13 Employers' advisers; 16 Workers' delegates and 12 Workers' advisers; 5 observers; and 17 representatives of various organisations. The Conference was honoured by the presence of several visitors or active members of ministerial rank, including Mr. Kosaka, Minister of Labour of Japan, Mr. Okazaki, Minister of Foreign Affairs of Japan, Mr. Kotake, Parliamentary Vice-Minister of Foreign Affairs, Mr. Yasui, Parliamentary Vice-Minister of Labour, and Mr. Saito, Administrative Vice-Minister of Labour, all of the Government of Japan, Mr. Malik, Minister of Labour of Pakistan, and Lt.-Gen. Banyati Kotaki, Minister of the Interior of Thailand.

3. The Conference was able to carry on its work in favourable material circumstances. This was due in large part to the efficient arrangements made and the very adequate facilities provided by the Government of Japan, and more particularly by the Ministries of Foreign Affairs and Labour, the staffs of which spared no pains to ensure that every need arising was promptly and fully met. The Governing Body will no doubt desire to convey to the Government of Japan its appreciation of the assistance so generously and effectively provided.

4. The proceedings of the Conference were marked by a sober and practical approach and by a spirit of moderation and conciliation which enabled unanimous conclusions to be reached on all of the substantive matters under consideration. A resolution was adopted in connection with each of the three items on the agenda, namely, wages, workers' housing and the protection and vocational preparation of young workers, and three additional resolutions were adopted on other subjects, namely, the need for wider ratification of Conventions by Asian countries, the international flow of capital for economic development, and workers' suffrage and eligibility for election.

5. While most of the resolutions are intended primarily for transmission to governments, the attention of the Governing Body is drawn to the following points which will call for decision on its part:

(a) In the resolution on workers' housing the Conference suggests (section V) certain lines of future action by the International Labour Organisation. It invites the Governing Body to request the Director-General to pursue with the governments and the competent international organisations the question of the establishment of two research centres in the region on the lines suggested by the Inter-Secretariats Working Party on Housing and Building Materials in Asia and the Far East held in New Delhi in November 1952. It also requests the Governing Body to transmit the text of the resolution to the other international organisations concerned and to instruct the Office to continue and develop its studies and to disseminate information, in co-operation with the other agencies concerned, on a variety of aspects of housing.

(b) The resolution concerning wages declares that it should be the common objective of governments, employers and workers to establish wages at the highest possible level that the economic condition of each country permits; it affirms that collective agreements between employers and workers are normally the best means for the determination and adjustment of wages, and recommends the establishment of tripartite machinery to determine and adjust wages on a statutory basis in certain specified conditions. The Conference requests the Governing Body to transmit this resolution to the governments concerned.

(c) The resolution on young workers invites the Governing Body to commend to governments the objectives and ideals contained in its preamble and to consider the desirability of drawing up a co-ordinated programme for their implementation on the lines laid down in the body of the resolution.

(d) The resolution on ratification of Conventions requests the Governing Body to consider the best procedure for ensuring that the subject matter of the resolution may be discussed further at the next Asian Regional Conference. The Director-General will make proposals concerning this question for the consideration of the Governing Body in due course.

(e) The resolution on the international flow of capital requests the Governing Body to transmit the text of the resolution to the Secretary-General of the United Nations with the request that it be brought to the attention of the General Assembly and the Economic and Social Council.

6. With regard to workers' housing, it will be noted that the full implementation of the programme of activity outlined in the resolution would involve a substantial amount of research and other work involving co-operation.

APPENDIX VIII

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1 For the text of these resolutions, see I.L.O.: Official Bulletin, Vol. XXXVI, No. 4, 30 Nov. 1953, pp. 86-98.
between the Office and the other international organisations concerned. The Director-General intends to submit proposals to the Governing Body in due course on this whole subject after having had the necessary consultations and it is suggested that, apart from transmitting the resolution to governments, the Governing Body postpone all other decisions concerning the text until he has done so.

7. The Governing Body may wish to take a decision on the points mentioned in points (3), (4) and (5) of paragraph 5 above, relating respectively to the resolutions on young workers, the ratification of Conventions and the international flow of capital. The Governing Body will doubtless also wish to authorise the Director-General to communicate to governments the text of the six resolutions adopted by the Conference.
APPENDIX IX

Ninth Item on the Agenda: Report of the Fifth Session of the Asian Advisory Committee

1. In accordance with the decision of the Governing Body at its 122nd Session (Geneva, May-June 1953), the Fifth Session of the Asian Advisory Committee was held at Nuwara Eliya, Ceylon, on 2 and 3 October 1953. The session was attended by nine Government members (including two substitute members), three Employers' members and three Workers' members. Mr. Money-penny (Government member, Ceylon) was elected Chairman, and Mr. Srivastava (Government member, India) Reporter. The report of the Committee is reproduced below.

2. Members of the Committee expressed appreciation of the facilities for the meeting extended by the Government of Ceylon and welcomed the holding of the session in an Asian country. The Governing Body will doubtless wish to convey its thanks to the Government of Ceylon for its valuable assistance in this regard.

3. The Committee discussed the four items on the agenda as decided upon by the Governing Body. The conclusions reached were as follows.

I. Living and Working Conditions of Tenants, Share-Croppers and Similar Categories of Agricultural Workers in Asia

4. It was agreed that a comprehensive study of this question should be prepared by the Office as early as possible. The Governing Body may wish to approve this recommendation and to authorise the Director-General to proceed with the preparation of the study.

II. Seasonal Fluctuations in Agricultural and Allied Employment in Asia

5. The Committee recommended that the Office should continue to study this question in the course of its normal activities and to bring up the matter again when ripe for further discussion. The Governing Body may wish to take note of this suggestion.

III. Handicrafts and Small-Scale Industries and Their Importance for Combating Underemployment in Asia

6. The Committee suggested that the Office should pay attention to the various points raised during the discussion, and that information on the development of handicrafts should be published periodically. The question should be reviewed in due course when it was ripe for further consideration. The Governing Body may desire to take note of these proposals.

IV. Fair Wages in the Construction Industry in Asia

7. The Committee agreed that where statutory minimum wages were fixed they should apply not only to workers employed by private concerns but also to workers engaged by the government and other public authorities. Whatever method might be adopted for the fixation or settlement of wage rates in the construction industry, workers employed by the government or other public authorities or by contractors to government or public bodies should be assured rates of wages at least as favourable as those which are recognised as applicable in the construction industry generally. Because of the extent of government and semi-government construction work in most Asian countries and the influence which such employment must exert on employment generally, governments had a special responsibility as good employers. The Governing Body may wish to consider the Committee's conclusions in the light of the resolution on wages policy adopted at the Third Asian Regional Conference held at Tokyo in 1953, as well as any suggestions that may be offered by the Building, Civil Engineering and Public Works Committee in the course of its Fourth Session (October 1953).

Proposals concerning the Agenda of the Next Session of the Asian Advisory Committee

8. The Committee suggests the following items for the agenda of its Sixth Session:

I. Problems of increasing productivity in Asian countries, with particular reference to the improvement of workers' living standards and of mutual understanding and co-operation between employers and workers.

II. Agrarian reforms in Asian countries.

III. Progress report to review the effect given to the various recommendations of the Committee at its different sessions which were approved by the Governing Body.

IV. Report on the conclusions of the Asian Regional Conference held at Tokyo in September 1953, and on action taken by the Governing Body in respect of these conclusions.

As a result of consultation with the Food and Agriculture Organisation, it is suggested that the second item—Agrarian reforms in Asian countries—should be approached from the angle of the contribution which the I.L.O. can make to such programmes. The question is in fact one which is being dealt with in co-operation with a number of international organisations under the leadership of the Food and Agriculture Organisation. The item might therefore be worded "Examination of the contribution which the I.L.O. can make to the consideration of programmes of agrarian reform in Asian countries".

The Governing Body is invited to approve this agenda, with the proposed modification of the second item.

ANNEX

Report of the Fifth Session of the Asian Advisory Committee

(Nuwara Eliya, 2-3 October 1953)

The Fifth Session of the Asian Advisory Committee was held at Nuwara Eliya, Ceylon, on 2 and 3 October 1953. The following members attended:

Government members:

Australia: Mr. Sharp.
Ceylon: Mr. Money-penny.
France: Mr. Chaille.
India: Mr. Srivastava.
Indonesia: Mr. Samjono.
Pakistan: Mr. Mahmud.
United Kingdom: Mr. Tennant.
Employers' members:
- Mr. Benitez (Philippines).
- Mr. Burne (Australian).
- Mr. Tata (Indian).

Workers' members:
- Mr. Aftab Ali (Pakistani).
- Mr. Ko Ko Gy (Burmese).
- Mr. Monk (Australian).

Mr. Carthigesan and Mr. Tissevirasinghe were present as substitute members on behalf of the Government of Ceylon, while Mr. Ko Ko Gy acted as substitute for Mr. Shastri.

The Committee elected Mr. Moneypenny as Chairman and Mr. Srivastava as Reporter. The Secretary-General of the Committee was Mr. Rao.

The Committee had before it reports prepared by the Office on the four items of the agenda.

I. Living and Working Conditions of Tenants, Share-Croppers and Similar Categories of Agricultural Workers in Asia

The Government member of India supported the proposal that the Office should undertake a more detailed study of the question and that this study should include two aspects which were of particular interest in India: the fact that owners of large plots of land were also leaseholders of extensive holdings, and the need for consolidation of holdings in order to overcome the disadvantages of fragmentation.

The Government member of Pakistan mentioned that a labour survey had been decided upon in Pakistan in 1951 and that the services of an I.L.O. expert had been secured in 1953 in connection with a preliminary survey of agricultural labour problems on the same lines as those outlined in the Office report. The Pakistan Government strongly supported the proposal that a detailed inquiry should be made by the Office on the lines suggested.

The Indian Employers' member said that many Asian countries had already embarked on agrarian reforms, and that there was every advantage in undertaking a survey of these measures with a view to determining a uniform programme of action. Such a study would be international in scope in order to overcome, by precept and example, the survival of old-established prejudices. The objective should be the evolution of a common pattern for Asian countries in this respect.

The Government member of the United Kingdom desired that the proposed study should be practical and designed to provide guidance for action in respect of pressing issues. He suggested that the question might be tackled not on the basis of a comprehensive study but by separate surveys in selected countries with a view to affording the most effective immediate assistance to national action.

The Australian Employers' member supported the proposed comprehensive survey, but felt that the length of time needed for its completion would make it desirable to undertake an immediate survey into matters concerning tenancy and underemployment of tenants, and living conditions covering (a) housing, (b) health and nutrition, (c) education and recreation.

The Government member of Australia emphasised the need for preliminary consultation with other interested international agencies, such as F.A.O., in order to avoid duplication and to ensure the proper utilisation of the limited resources available.

The Pakistani Workers' member said that, despite the measures already taken by governments towards agricultural reform, the problems of tenants and share-croppers were increasing in severity and a comprehensive inquiry should be completed as soon as possible. The Burmese Workers' member urged that the proposed study should particularly reflect the current position in Asian countries, and added that, although some measure of uniformity of action in the region might be desirable, it had to be borne in mind that this was a matter which was determined for the most part by the local conditions obtaining in each country.

The Government member of France considered that, in dealing with these matters, the relations between the landlord and the tenant as well as the contracts regulating those relations and other similar questions had necessarily to be taken into account, with a view to their revision.

The Secretary-General expressed agreement with the observations made in the course of the discussion to the effect that this was a question mainly for national action. International assistance could only take the form of imparting information on action taken or contemplated and of a comparative analysis of the situation in different countries on the basis of available information. Where additional information was considered desirable governments might be requested to furnish it by undertaking the necessary investigations. As to the avoidance of duplication and the co-ordination of the efforts of different international organisations, consultation with the agencies concerned on matters of common interest was the normal practice by virtue of the standing agreements between the various organisations. These consultations would start at an early stage, the stage of the commencement of the preparation of the reports.

The Committee agreed to recommend to the Governing Body that the Office be instructed to undertake as early as possible a general study of the conditions of life and work of tenants and share-croppers in Asia, with particular reference to the agrarian reforms in process of implementation in the countries of the region with a view to providing practical assistance in the determination of policy.

II. Seasonal Fluctuations in Agricultural and Allied Employment in Asia

The Committee considered that this item was closely related to the preceding and following items on the agenda, the main issue being to ascertain the precise nature of seasonal fluctuations and to evolve corrective measures.

The Government member of India stated that, according to a recent inquiry covering 11,000 agricultural families from 790 villages, it appeared that the average number of days in the year spent in full employment amounted to 218, while 82 were spent as totally unemployed and 65 as partially unemployed.

The Pakistani Workers' member drew attention to the serious effects of crop failures on employment in the absence of any system of crop insurance, while the Indian Employers' member remarked that seasonal migration regularly occurred in agricultural districts surrounding industrial areas, which might account for a great deal of the existing fluctuations. Large under-takings like plantations should explore methods of avoiding such migration, and the possibility of introducing community and co-operative projects to fill periods of enforced leisure should be studied. The practice of the mobilisation of extra labour in Japan to cope with periods of high demand might also be studied with advantage.

The Committee agreed that the Office should pursue this question in the course of its normal activities and bring the results of any further study before the Committee when it was ripe for further discussion.

III. Handicrafts and Small-Scale Industries and Their Importance for Combating Underemployment in Asia

The Indian Government member stated that the authorities in India attached considerable importance to the fostering of cottage industries, as in the circumstances of Asian countries such industries were a source of income to a large section of the population. He agreed that this question had to be approached from the viewpoint of the number of persons involved rather than of income, and he stressed that the problem was being confronted with the aim of providing employment in India to assign certain types of production to small-scale industries—for example, it was proposed that the manufacture of dhotes should be allotted exclusively to the hand-loom industry. An All-India...
Khadi and Village Industries Board as well as a Handicrafts Board had recently been established, and it was proposed to introduce a cess of 3 annas per yard on mill-made cloth in order to use the proceeds of the cess to encourage cottage industries. The suggestion was also made that the future activities of the I.L.O. could assist this process in two ways—first, by studying the development of small-scale industries, and secondly, by providing experts on productivity and improved techniques.

The Ceylon Government member said that cottage industries were most vital for the country's economy and that precise information often lay buried until brought to light by special studies undertaken by such agencies as the I.L.O. The suggestion advanced in the Report of the Director-General to the Third Asian Regional Conference held at Tokyo in September 1953, to the effect that fresh patterns of technology adapted to conditions in Asia should be sought, was most valuable and it should be systematically pursued. Particular attention should be paid to rural rather than urban workers, and the possibilities of cottage industries underpinning types of production hitherto regarded as lying within the sphere of large-scale industries should be actively explored. In any necessarily detailed consideration of the subject due regard might be had to the following points: (1) the importance of implementing the objectives of public policy as mentioned in the Office report; (4) the desirability of further action within the framework of the Technical Assistance Programme to assist countries to develop small-scale industries; (5) the need to regulate conditions of work among handicraft workers in Asian countries; (6) the possibility of handling public relations by international agencies, or by manufacturing firms interested in promoting the use of their products in small-scale industries; (7) technical research to improve production methods in small-scale industries; (8) the determination of the scope of small-scale industrial activity by means of national commissions assisted by expert advisers; (9) propaganda in favour of using products of small-scale industries even at the risk of some sacrifice of quality and price; (10) formulation of international standards related to small-scale industrial products; (11) discouragement of the tendency to increase the size of industrial units at the expense of small-scale industries; (12) possibilities of dividing large undertakings into smaller units by means of compulsory profit-sharing or other fiscal measures; (13) removal of fiscal, political, or administrative barriers to the trade in products of small-scale industries throughout the world; (14) organisation of an international collection and delivery agency aimed at promoting the sale of small-scale industry products; (15) production and distribution of small machines by manufacturers of machine equipment; (16) collection and dissemination of information relating to the availability of technical instructors; and (17) establishment of research units to explore the possibility of decentralising large-scale industries in favour of small-scale industries.

The suggestion was also made that the future activities of the I.L.O. in this field might include (1) the publication of technical information at regular intervals; (2) the promotion of handicraft education in elementary schools; (3) the use of visual aids in the course of handicraft education; (4) the sale of handicrafts and industrial products; (5) co-operation between large-scale and small-scale producers, e.g., by allotting different stages in manufacture to each; (6) the establishment of demonstration projects in each country under I.L.O. auspices; and (7) the addition of an expert in handicrafts to the staff of the Regional Field Office.

The Indian Employers' member expressed the view that the scope of large-scale and small-scale industries should be clearly distinguished. It was generally agreed that cottage industries should be fostered, but it was feared that they might be sacrificed to the interests of large-scale industries. The encouragement of small-scale industries might take the form of tax remission in the early stages, and it was also essential that the marketing side should be reviewed carefully.

The Employers' member from the Philippines mentioned that in the Philippines a vocational bias had existed under the public school system prior to 1945 in that the production of garments had been discouraged at the expense of sound enterprises already in existence. A vocational bias towards education in favour of manual and other practical forms of activity was essential in existing circumstances in countries like India. The encouragement of small-scale industries might take the form of tax remission in the early stages, and it was also essential that the marketing side should be reviewed carefully.

The Australian Workers' member drew attention to the fact that the statement in the Office report, to the effect that small-scale industrialisation should be encouraged in order to employ more persons at lower levels of production, revealed the essence of the problem. While the development of small-scale industries might be a goal, this work must be undertaken in the context of the general circumstances, the ultimate objective must be wider industrialisation in order to increase the purchasing power of the people and meet the economic wants of the population. In no case should new industries be fostered through relaxation of controls, leading to depressed wage rates and numerous other abuses.

The Workers' member from Pakistan mentioned the difficulties of hand-loom weavers in East Bengal arising from the shortage of yarn, and suggested that specific measures be taken to restrict large-scale production of cloth in favour of smaller units.

The Committee agreed that due regard should be had to the various points raised in the discussion on the work of the Office in this field, that information on the development of handicrafts should be published from time to time and that this question should be reviewed again in due course when it was ripe for further consideration.

IV. Fair Wages in the Construction Industry in Asia

The Workers' member from Pakistan emphasised that the evils of subcontracting could only be abolished, in the context of the prevailing lack of organisation among construction workers, by effective measures to fix minimum wages.

The Government member of Ceylon said that wage boards had been established in the building and engineering trades, as well as 15 other industries in Ceylon, and that these boards had some features of collective bargaining insomuch as workers and employers were represented on them.

The Government member of France stated that in France wages were fixed freely either by means of collective bargaining in a trade or industry or through bargaining between individual employers and workers, provided, however, that the minimum wage scales fixed for various regions by the public authorities were not lowered. All contracts for public works projects or supplies contained stipulations regarding minimum wages which were based either on collective agreements in force in the trades in the regions concerned or on the findings of ad hoc committees as to what might be considered a normal wage.

The Government member of India said that the Indian Government considered that, while the regulation of wages in construction work, both on public and private account, was desirable, there were practical difficulties in doing this within the private sector. However, since labour was invariably unorganised even in the public sector, the Government considered that it would
be premature to consider the establishment of wage fixing machinery at this stage. They regarded the present arrangements for wage fixation as satisfactory. Contracts awarded by the Public Works Department always specified a fixed wage based on these calculations, and enforcement was effected by withholding payment from contractors until labour inspectors had certified that the correct amount of wages had been disbursed.

The Employers' member from the Philippines said that the Philippines Minimum Wage Act applied to all types of agricultural and industrial employment, and fulfilled the objectives mentioned in the course of the present discussion.

The Government members of Australia and the United Kingdom drew the Committee's attention to the resolution on wages policy adopted by the Asian Regional Conference held at Tokyo in September 1953, which applied to the construction industry as well as other industries, and the Australian Employers' member supported the view that the government where it was an employer should be a good employer. The Government member of Australia said that any statutory minimum wage arrangements in accordance with the Tokyo resolution should be binding on governments.

The Committee agreed that where statutory minimum wages were fixed they should apply not only to workers employed by private concerns but also to workers engaged by the government and other public authorities. Whatever method might be adopted for the fixation or settlement of wage rates in the construction industry, workers employed by the government or other public authorities or by contractors to government or public bodies should be assured rates of wages at least as favourable as those which are recognised as applicable in the construction industry generally. Because of the extent of government and semi-government construction work in most Asian countries and the influence which such employment must exert on employment generally, governments had a special responsibility to act as good employers.

Proposals concerning the Agenda of the Sixth Session of the Asian Advisory Committee

The Committee recommended to the Governing Body that the following items be placed on the agenda of the next session of the Committee:

I. Problems of increasing productivity in Asian countries, with particular reference to the improvement of workers' living standards and of mutual understanding and co-operation between employers and workers.

II. Agrarian reforms in Asian countries.

III. Progress report to review the effect given to the various recommendations of the Committee at its different sessions, which were approved by the Governing Body.

IV. Report on the conclusions of the Asian Regional Conference held at Tokyo in September 1953 and on action taken by the Governing Body in respect of these conclusions.

There was an exchange of views in respect of the first item in which the Government members of Ceylon and the United Kingdom, the Employers' members from Australia, India and the Philippines, and the Workers' members from Australia and Pakistan took part. The Workers' member from Pakistan particularly remarked that an essential preliminary to any consideration of productivity was a study of the wage structure in Asian countries. The present unbalanced structure was the product of a haphazard process of historical changes and needed urgent revision. Some other members, however, considered that increased productivity should result in the raising of the standard of living and wages of the workers. The Committee agreed that an increase in output was a means to the end of improving the conditions of workers and that this point had to be borne in mind in studies relating to productivity. The Committee accordingly decided to recommend to the Governing Body the inclusion of this item on the agenda of the next session of the Committee in the terms stated above. The Government member of Ceylon expressed the hope that item I would include cottage industries within its scope.

R. MONEY PENNY, Chairman.

C. SRI VASTAVA, Reporter.
APPENDIX X

Tenth Item on the Agenda: Record of the Asian Maritime Conference

1. The Asian Maritime Conference, which was convened by the Governing Body, met at Nuwara Eliya, Ceylon, from 5 to 14 October 1953.

2. The agenda of the Conference was as follows:
   I. Report of the Director-General.
   II. Methods of recruitment and engagement of Asian seafarers.
   III. Welfare facilities for Asian seafarers in Asian ports.

3. The Conference was attended by members of the following 12 delegations, of which ten were tripartite: Ceylon, France, Hong Kong, India, Indonesia, Japan, Netherlands, Norway, Pakistan, Singapore, United Kingdom and Viet-Nam. The Governing Body was represented by Mr. Calderon Puig, for the Government group; Mr. Campenella, for the Employers’ group; and Mr. Monk, for the Workers’ group. The Joint Maritime Commission was represented by Mr. Master and Mr. Lytras, for the Shipowners’ group; and by Mr. Becu and Mr. Tudehope for the Seafarers’ group. The World Health Organisation, the International Confederation of Free Trade Unions, the International Transportworkers’ Federation, and the World Federation of Trade Unions were also represented by observers. The total number of delegates, advisers and official observers attending the Conference was 82.

4. Mr. Kaleel, the Minister of Labour of Ceylon, was elected Honorary President and Mr. Salim, Government delegate of Pakistan and Minister of Commerce, Labour and Industries in the Government of East Bengal, was elected President of the Conference. Mr. Samjono (Indonesia), Mr. Dandeker (India) and Mr. Kageyama (Japan), representing the Government, Shipowners’ and Seafarers’ groups respectively, were elected Vice-Presidents of the Conference.

5. The Conference set up committees to deal with each of the two technical items on its agenda. It also devoted four sittings to the discussion of the Report of the Director-General. The conclusions adopted by the Conference are contained in five resolutions.

6. The first resolution, that concerning welfare facilities for Asian seafarers in Asian ports, requests the Governments of these countries to give special attention to certain principles in the establishment of welfare facilities.

7. Resolution No. II urges Asian Governments, in consultation with bona fide organisations of shipowners and seafarers, to keep under review the progress of their maritime legislation, keeping in mind how far the I.L.O. Maritime Conventions and Recommendations are applicable to their national circumstances. It further asks the Governing Body to arrange for the sympathetic consideration of any applications from Asian maritime countries for technical assistance in formulating measures to give effect to these Conventions and Recommendations.

8. Resolution No. III requests the Governing Body to draw the attention of maritime States Members in Asia to the desirability of fostering and recognising representative associations of shipowners and seafarers and to consult with such associations when maritime legislation is being drafted and in the application of regulations concerning maritime labour, as well as to associate such organisations in the work of government maritime institutions when appropriate.

9. Resolution No. IV requests the Governing Body to invite the governments concerned, in consultation with representatives of shipowners and seafarers, to review the present systems of recruitment, and, where existing arrangements are found to be unsatisfactory, to determine what machinery should be established to eliminate the defects of the present system, and to set that machinery up immediately, in such a way that no charge (other than an official fee) should be laid on the seafarer. It is suggested that the discussions which took place at the Conference should be taken into account in setting up this machinery (see Annex below). Finally, the resolution draws attention to the relationship between the development of shipowners’ and seafarers’ organisations and the type of recruitment machinery to be set up, and refers to resolution No. III in this respect.

10. Resolution No. V, which was adopted by 28 votes to 9, with 7 abstentions, gives detailed suggestions to the governments which find that their recruitment systems require improvements, concerning the type of machinery which may be set up. It further urges the Governing Body to invite the governments concerned to report to the Office at the earliest possible date the action taken to give effect to this resolution.

11. The Governing Body is invited—
   (a) to authorise the Director-General to send copies of the five resolutions adopted by the Asian Maritime Conference, together with the Report of the Committee on Recruitment, to the Governments of States Members in the Asian region which have maritime interests;
   (b) to instruct the Director-General to give further consideration to the request contained in paragraph 2 of resolution No. II (concerning the review of maritime legislation in Asian countries) and to make a subsequent report to the Governing Body in the light of any requests for technical assistance which may be received in this connection.

ANNEX

Report of the Committee on Recruitment

1. The Committee on Recruitment was set up by the Conference at its Third Sitting on 6 October 1953 to consider the second item on the agenda. The Committee was composed of 32 members (12 Government, 10 Shipowners’ and 10 Seafarers’ members). In order to maintain the principle

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1 For the text of these resolutions, see I.L.O.: Official Bulletin, Vol. XXXVI, No. 6, 30 Nov. 1953, pp. 102-104.

1 This report was adopted unanimously by the Committee.
of equality between the three groups it was decided to multiply
the number of Government votes by ten and each of the number of Shipowners' and Seafarers' votes by twelve.

2. The following Officers were elected by the Committee:
Chairman: Mr. K. M. Byrne (Government member, Singa-

Pore'), Vice-Chairmen: Mr. N. Dandeker (Shipowners' member, India), Mr. P. de Vries (Seafarers' member, Netherlands);

2. The Committee held before it Report II: Methods of
Recruitment and Engagement of Asian Seafarers. The Committee held six sittings.

4. During the general discussion the Committee covered
a number of basic points. The Committee was in general agree-
ment that there were abuses and malpractices in the systems of
recruitment of seafarers in certain Asian countries, although not
necessarily in all. The Committee agreed that prompt action
was necessary to remove these abuses and for practical systems of
recruitment to be established in order to do away with such
malpractices. The Committee was also in agreement that dif-
ferent conditions existed in the various countries of Asia and that
consequently it was improbable that any one particular system of
recruitment could be recommended for the region as a whole.
It was agreed that each country should examine its situation in each
of the different groups of activities and adopt a recruitment system which would work effectively in that
too. Certain members of the Committee held the view that the present system of recruitment should not be abolished but modified so that certain Seafarers' members explained that the
method of direct engagement was endless, to increase the freedom of choice of ship for the seafarer. One member
added a fourth possibility which had worked satisfac-
tory in certain cases, namely, direct recruitment by the shipowners.

5. One member suggested that there were three systems of
recruitment which could be contemplated: (1) a joint supply system;
(2) a system established by shipowners and seafarers under
the aegis of a central authority; (3) a system operated by the State in the absence of other systems.

6. Several members referred to the Placing of Seamen Con-
vention, 1920 (No. 9), and it was suggested that the Convention
contained certain provisions which were not wholly satisfactory or
which might be open to misinterpretation. Several members,
however, strongly supported the principle contained in that Con-
vention that seafarers be given the freedom of choice of ship for the ship-
owner and freedom of choice of ship for the seafarer. One member
pointed out that freedom did not mean a free-for-all but was
compatible with, and indeed required, a certain degree of organisa-
tion, co-ordination and control and a certain guarantee against exploitation of any party by another.

7. Reference was made in the Office report and by certain
members to the weakness of the seafarers' organisations in many
of the Asian countries. Members of the Seafarers' group main-
tained that this was not due to any inability to organise but was
in the nature of recruitment system which had been forced
upon the seafarers.

8. As the Shipowners' members were in general opposed to
state intervention, certain Shipowners' members explained that the
bipartite system had failed in India and that they desired govern-
ment intervention only in the absence of a strong and effective
organisation of the seafarers. They expressed their willing-
ness to conclude a collective agreement now if the Shipowners'
members were also prepared to do so. But if it was still impossible to
negotiate such an agreement they considered government action
essential.

9. Different views were expressed by certain members who
explained the systems of recruitment in force in their respective
countries. These different systems with which the members
expressed dissatisfaction included the open muster system, the joint
supply system, and a system organized by government-organised and controlled systems of
recruitment. It was pointed out that in practice it was not possible to draw a line
between the two interested parties, the governments which were
responsible for the development of "welfare States" and the
business organisations which were responsible for the organisation of the shipping industry, and that it was necessary to intervene in order to remove any existing abuses and
malpractices.

11. The Committee proceeded to examine the three draft
resolutions which had been submitted to it, one by the Shipowners' member of India (Document A), another
by the Seafarers' member of Pakistan (Document B), and the third
by the Shipowners' member of India, supported by the Shipowners' member of France, Hong Kong, Indonesia, Japan, the Netherlands, Norway,
Singapore and the United Kingdom (Document C). The second
by the Shipowners' members of India, supported by the Shipowners' member of India, and the third
by the Shipowners' member of India, supported by the Shipowners' member of

12. The Seafarers' member of Pakistan in supporting the
draft resolution submitted by the Seafarers' group (Document A)
pointed out that his group was opposed to the system of direct
recruitment as it was this system which had led to the present
abuses and malpractices. It was pointed out that although an
effective bipartite system would be welcomed by all
seafarers, events had shown that this system had failed in India and that
its application would merely serve to delay progress.
He stated that it was not a bipartite system, a tripartite type of system which was being advocated but
a practical system, which, in the present circumstances, would be successful in eradicating abuses and malpractices and in
promoting strong and healthy organisations of seafarers.

13. The Shipowners' member of the United Kingdom, in
explaining the purpose of the draft resolution submitted by the
majority of Shipowners' members (Document B), pointed out
that the resolution had been prefaced by two essential points:
the abolition of corruption and the maintenance of freedom of choice. In particular, it was pointed out that the method of direct engagement by the shipowners
was conditional on all malpractices being eliminated. The text of
the resolution had then suggested four methods of recruitment as
possibly suitable for the elimination of the abuses and malprac-
tices: (a) direct engagement, (b) engagement by an organisation in which government and shipowners and
seafarers were associated the participation of the government
should be purely temporary measure in the absence of an
effective local system.

14. The shipowners' member of India, in explaining the draft
resolution submitted by him (Document C), pointed out that the
proposals contained in the text served as a middle way between the other two resolutions. In paragraphs (a), (b) and (c)
the principles of a system of recruitment immediate government intervention was necessary to create a satisfactory system of recruitment in certain
Asian countries.

15. The Committee was in agreement that diff-
erent practices might vary in different countries, and
one particular system which was beneficial to one country could
benefit another. It was therefore felt that this clause should be
extended to delay progress.

16. It was pointed out by certain Shipowners' members that
direct engagement, which promoted company loyalty and excluded
abuses and malpractices, was probably the ideal system, and that
they were opposed to a limited freedom of choice which merely
paved the way for the subordination of freedom of choice to
administrative convenience. A system of recruitment by rotation
would not be possible to introduce it as it was the inactual
fact that more seamen than were required would have to be
substituted so that abuses and malpractices would not be
eliminated.
seafarers was the result of the direct recruitment system. On
the question of company loyalty and limited freedom of choice,
it was pointed out that loyalty was also due to seafarers and that
seafarers should also have the freedom to choose their ship.

The Governing Body should be requested to invite all the govern-
ments of the participating States to review the arrangements or
conditions in their countries in consultation with the shipowners' and
seafarers' representatives. Nothing need be done if condi-
tions were satisfactory, but if they were unsatisfactory the
government concerned, in consultation with the representatives of
the shipowners and seafarers, should decide on the measures
that would be most suitable to the particular country. It was
clear that, while the Committee would take a long time to make
such decisions, the question could be more easily and quickly
examined and decisions reached in consultation with the repre-
sentatives of the shipowners and seafarers in the different coun-
tries concerned. It was pointed out that a subcommittee might
be formed at this stage to examine the three resolutions and to
submit proposals to the Committee.

The shipowners' members supported the proposals of the
Government member of the United Kingdom, while certain
Seafarers' members felt that these proposals were too general,
and requested the Government group to try to lay down some
definite principles on which agreement could be reached at this
Conference.

The Committee decided to appoint a subcommittee
consisting of eight members from the Government group and
seven members from each of the other groups to examine the
tree draft resolutions and to submit proposals concerning them
to the Committee.

The subcommittee, seeing little possibility of agreement
on any of the three draft resolutions which had been submitted
to the Committee, proceeded to examine a new draft resolution
which had been put forward by the Government member of the
United Kingdom to serve as a practical basis for reaching an
unanimous agreement. As no definite conclusions were reached
in regard to this resolution, which some members thought did
not give sufficient guidance to governments, the Office sub-
mited certain suggestions, which, at the request of the subcom-
mittee, were later put forward in the form of a new draft
resolution which embodied in full the text of the draft resolution
submitted by the Government member of the United Kingdom as
a base. Certain basic principles that the Office felt were regarded
as of major importance by the shipowners and seafarers. The
result of this resolution is given below in Document D.

After further discussion of the two new draft resolutions
mentioned in paragraph 21 the subcommittee agreed to divide
the draft resolution which had been submitted by the Office
into two separate resolutions.

23. The first of these two separate resolutions consisted of the
resolution which had been submitted by the Government of the United King-
and of some additions which were subsequently proposed by
him. This resolution as modified was adopted unanimously
by the subcommittee and subsequently also by the Committee.

24. The second resolution, which consisted of the second
part of the draft resolution submitted by the Office, was
amended to meet the wishes of the Government member of
Japan and the Seafarers' group. This resolution as amended
was adopted by the subcommittee by 107 votes to 54, with
7 abstentions.1

1 As decided by the Conference the number of Government votes was
multiplied by seven and the number of shipowners' and seafarers' votes
by eight. The voting on the separate paragraphs of the second part of
this resolution in the subcommittee was as follows:

Paragraph 1 was deleted as being already covered by the first resolu-
tion.

Paragraph 2 was adopted by 100 votes to 40, with 21 abstentions.

Paragraph 3 was adopted, as amended, by 115 votes to 46, with
7 abstentions.

Paragraph 4 was adopted by 107 votes to 54, with 7 abstentions.

Paragraph 5 was adopted, as amended, by 115 votes to 46, with
7 abstentions.

Paragraph 6 was adopted, as amended, by 107 votes to 54, with
7 abstentions.

Paragraph 7 was adopted by 100 votes to 46, with 7 abstentions.

The final paragraph was adopted by 107 votes to 16, with 31 absti-

tions.

There were in addition a few undecided abstentions in some of
the above votes.

25. With regard to the second resolution submitted by the
subcommittee, the Committee, at the request of a number of
Shipowners' members, took a record vote as a result of which
the resolution was adopted by 224 votes to 94 with 42 abstentions.
The details of the voting are as follows:

**For**  |  **Against**  |  **Abstentions**
---|---|---
Government members:  |  |  |
Ceylon  |  |  |
France  |  |  |
Hong Kong  |  |  |
India  |  |  |
Indonesia  |  |  |
Japan  |  |  |
Netherlands  |  |  |
Norway  |  |  |
Pakistan  |  |  |
Singapore  |  |  |
United Kingdom  |  |  |
Viet-Nam  |  |  |

Partial totals: 8 1 3

**Votes (x10)**  80 10 30

Shipowners' members:

Mr. Ahmad (Pakistan)  |  |  |
Mr. Ameri (France)  |  |  |
Mr. Dandekar (India)  |  |  |
Mr. Hirai (Japan)  |  |  |
Mr. Knolles (Hong Kong)  |  |  |
Mr. Loenningen (Norway)  |  |  |
Mr. McNeill (Singapore)  |  |  |
Sir Richard Snedden (United Kingdom)  |  |  |
Mr. Soerapoetra (Indonesia)  |  |  |
Mr. van der Vries (Netherlands)  |  |  |

Partial totals: 2 7 1

**Votes (x12)**  24 84 12

Seafarers' members:

Mr. Afzal Ali (Pakistan)  |  |  |
Mr. An Yuen K.E. (Hong Kong)  |  |  |
Mr. Haugen (Norway)  |  |  |
Mr. Kageyama (Japan)  |  |  |
Mr. Richards (Singapore)  |  |  |
Mr. Serang (France)  |  |  |
Mr. Sukardi (Indonesia)  |  |  |
Mr. Vanizette (France)  |  |  |
Mr. de Vries (Netherlands)  |  |  |
Mr. Yates (United Kingdom)  |  |  |

Partial totals: 10 -

**Votes (x12)**  120 -

Government members  80 10 30

Shipowners' members  24 84 12

Seafarers' members  120 -

Result of vote  224 94 42

K. M. Byrne,  
Chairman.  
G. Tsuboi,  
Reporters.

Document A

**Draft Resolution on the Recruitment of Asian Seafarers**    (submitted by the Seafarers' group)

The Asian Maritime Conference of the International Labour
Organisation,

Having met at Nuwara Eliya, Ceylon, from 5 to 14 October
1953;

Having considered the report of the Office on the methods of
recruitment and engagement of Asian seafarers, which was the
second item on its agenda;

Recognising that the systems of recruitment and engagement
of seafarers at present existing in many of the Asian countries
have led to serious abuses and malpractices and have prevented
the development of bona fide and effective trade unions as well as
collective negotiation concerning conditions of employment;

Recognising further that this situation has existed for too long
and has impeded social progress, improved living standards
and better working conditions of Asian seafarers, and that it is
urgent and necessary to establish systems of recruitment and
engagement in such a way as to eliminate malpractices;
Requests the Governing Body to urge the governments of States Members in the Asian region to establish systems of recruitment and engagement of seafarers in the light of the following basic principles:

1. The intervention of intermediaries and the use of serangs or similar persons in the engagement of seafarers should be eliminated.

2. The determination of recruitment policy (including the regulation of entry into the industry) and the administration of the engagement of seafarers should be the responsibility of one of the following bodies:
   (a) a joint body of representatives of bona fide national shipowners' and seafarers' organisations,
   (b) a tripartite body consisting of representatives of the government and of the bona fide national shipowners' and seafarers' organisations.

3. In the absence of bona fide shipowners' and/or seafarers' organisations, the government should itself undertake responsibility for introducing machinery to attain these objectives.

4. The engagement of seafarers should be through the agreed registration procedures and there should be no direct engagement by shipowners, except as may be mutually agreed by bona fide shipowners' and seafarers' organisations.

5. There should be freedom of selection within certain prescribed limits and with due regard to the need for ensuring a fair rotation of employment.

6. Employment services shall in no case involve the payment of fees by the seafarer, or be run for profit.

7. The governments, in consultation with the shipowners' and seafarers' organisations, should submit annual reports to the International Labour Office.

8. The Governing Body of the International Labour Office should be authorised to make the necessary suggestions on the basis of such reports.

**Document B**

**Draft Resolution on Methods of Recruitment and Engagement of Asian Seafarers**

This Asian Regional Maritime Conference, having considered the existing methods of recruitment and engagement of Asian seafarers, and the directions in which they could be improved, is convinced that, whatever methods of recruitment and engagement may be adopted, they must conform to the following principles:

1. They must be so designed as to prevent bribery, corruption and extortion in connection with the recruitment and engagement of seafarers and should not oblige the seafarers to make any financial contribution, direct or indirect, save for nominal fees, of which the imposition is duly authorised for administration purposes in connection with the recruitment machinery.

2. There should be no serangs or other unauthorised intermediaries involved in the process of recruitment, authorised intermediaries being defined by law; engagement of seafarers by shipowners should be directly undertaken through whatever machinery of recruitment that may be best suited to the country without the intervention of unauthorised intermediaries.

3. There should be reasonable freedom of choice to shipowners in respect of their crew and to the seafarers in respect of their employers, consistent with the limitation inherent in any well-organised system of recruitment and with the need for rotation of available volume of employment among seafarers of different categories in those countries where the volume of employment is considerably short of the number of seafarers in those categories available for employment.

The Conference recognises that in achieving these objects the system of recruitment and engagement of seafarers may vary from country to country. In those Asian States in which satisfactory arrangements for the purpose do not already exist, the Conference recommends the following methods, or any suitable combination of them, as examples worthy of examination by the States concerned:

(a) selection through a joint supply system organised on a bipartite basis by shipowners and seafarers where both the groups are in the opinion of the government of the State concerned well organised on sound lines;

(b) selection through a tripartite organisation of government, shipowners and seafarers;

(c) selection through Employment Offices established by the government, with which should be associated, in a consultative capacity, representatives of shipowners and seafarers;

(d) direct engagement by the shipowner of his crews.

**Document D**

**Draft Resolution on the Recruitment of Asian Seafarers**

The Asian Maritime Conference of the International Labour Organisation, Having met at Nuwara Eliya, Ceylon, from 5 to 14 October 1953; Having considered the report of the Office on the methods of recruitment and engagement of Asian seafarers, which was the second item on its agenda; Notes that malpractices are prevalent in the recruitment of seafarers in a number of Asian countries, and resolves that steps should be taken without delay to abolish such malpractices; Recommends, therefore, that the Governing Body should invite the governments concerned at once to enter into consultation with the representatives of the shipowners and seafarers in order to revise the present system of recruitment, and, where the existing arrangements are found to be unsatisfactory, to determine with them, in the light of the circumstances obtaining in the country concerned, what machinery should be established to effect the results of the present system, and to set that machinery up straight away.

The Conference suggests that in the setting up of that machinery, governments which find that their systems require improvement may be guided by the following principles:

1. This machinery should be so designed as to prevent corruption and malpractices in connection with the recruitment and engagement of seafarers and should not oblige the seafarers to make any payment, direct or indirect, for obtaining employment.

2. This machinery should cover two sets of functions:
   (a) the registration of seafarers and the regulation of entry into the industry;
   (b) the recruitment and engagement of seafarers.
3. The registration of seafarers and the regulation of entry into the industry in the light of its needs and its capacity to provide reasonable stability of employment should normally be the responsibility of—
(a) either a joint body representing bona fide national organisations of shipowners or seafarers, or
(b) a tripartite body consisting of representatives of the government and of bona fide national organisations of shipowners and seafarers.

4. In the absence of bona fide national organisations of shipowners and/or seafarers the government should assume responsibility for introducing the necessary machinery, while aiming at developing bona fide organisations and associating them or entrusting them with this responsibility at the earliest opportunity.

5. The recruitment and engagement of seafarers should be the responsibility of bodies of the kinds enumerated in paragraphs 3 and 4 above, or may be undertaken by these same bodies.

6. Notwithstanding the above, systems of direct engagement by the shipowners should be permitted to continue where they are working satisfactorily from the point of view of avoiding malpractices.

7. Among the registered seafarers there should be freedom of choice for the shipowners in the selection of their crews and for the seafarers in the choice of ship.

The Conference further urges that the Governing Body invite the governments concerned to report to the International Labour Office at the earliest possible date the action taken to give effect to this resolution.
APPENDIX XI

Eleventh Item on the Agenda: Reports of the Committee on Freedom of Association


¹ Except for a passage concerning Case No. 58, examination of which was postponed to the 124th Session.

¹ For the Tenth Report, approved by the Governing Body at its 122nd Session, see loc. cit., pp. 173-174.
APPENDIX XII

Twelfth Item on the Agenda: Report of the Technical Assistance Committee

1. The Technical Assistance Committee met on 19 and 20 November 1953 under the Chairmanship of Mr. Malik (Pakistan).

2. The Committee took note of this report.

General Progress Report

3. The Committee had before it a general progress report giving an account of recent developments affecting the Expanded Programme of Technical Assistance as a whole and the main features of the I.L.O. activities under it. This was supplemented by a document summarising fellowship activities carried out under the regular I.L.O. budget, and by a document which described work done under certain selected projects in the different fields of competence of the I.L.O. There was in addition a third supplementary document which summarised briefly the I.L.O.'s proposed technical assistance programme for 1954 as submitted to the Technical Assistance Board. Finally, in order to supplement further the information in these documents, the Office had arranged for brief explanatory talks by two experts and one official who have been directly concerned in the implementation of three important projects.

4. The Committee expressed its appreciation of the complete and concise documentation provided by the Office and also recorded its satisfaction at hearing the talks given by experts from the field, in which they had described in concrete terms the nature of their mission, the work done and difficulties encountered. Certain members of the Committee expressed the hope that similar arrangements would be made from time to time in future.

5. The leader of the I.L.O. productivity mission in India, Professor Matthew, outlined in his talk the different activities of the mission, which may be summarised as follows: explanation to government representatives, employers and workers of the nature and content of the productivity studies contemplated; visits to a large number of textile and engineering establishments; training of selected workers' and employers' representatives in modern methods of work study; recommendations regarding improved workshop organisation, better working conditions, and elimination of unnecessary and difficult operations; and guidance and supervision of the work of the trainees on return to their plants. He gave illustrations of the increases in productivity which had resulted during this "demonstration" phase of the project. He also stated that the Indian Government was now considering the setting up of a national productivity centre with the assistance of the I.L.O. In conclusion he indicated some of the difficulties encountered in working in the textile industry in view of the general economic conditions of the industry.

6. The talk was followed by a discussion on the question of technical assistance in the field of productivity, during the course of which it was pointed out that it was necessary to proceed with due caution in providing assistance for the purpose of raising productivity in industries where strong opposition existed, arising from the probability that any increase in productivity would lead to unemployment. It was preferable to concentrate on industries which were likely to expand. This view was not shared by the Indian Employers' member who felt that, regardless of such limitation, productivity studies must be pursued, as productivity was inextricably connected with wages and higher standards of living of the workers. In reply to a question the Committee was informed that work along the lines of the Indian project had been undertaken in Israel and was under discussion with certain other governments.

7. Mr. Stephens, the I.L.O. expert in charge of the Technical and Clerical Centre in Tripoli, Libya, described in detail the growth of the centre. He gave an account of the nature of the training carried out in the technical and commercial sections of the Centre and said that the trainees who had been trained there had all been placed in various government departments, which had expressed appreciation of the work of the Centre. The instructors provided by the I.L.O. for the Centre come from Arab-speaking countries.

8. Mr. Thudichum, who spoke of the I.L.O.'s worker/foremen training programme in Yugoslavia, described some of the difficulties met with in the placement of worker-trainees in establishments abroad, and in the recruitment of instructors for Yugoslavia. The Committee noted that the success of this project had been largely due to the contacts with employers and workers established by the I.L.O. The Committee was informed that a few other countries had made similar requests and placement had already been undertaken or was in hand.

9. In reviewing the progress of operations, the Committee took note that in the first three-quarters of the year the I.L.O. had recruited, briefed and assigned to projects 70 experts and had awarded nearly 100 fellowships. In addition 100 worker-trainees had been placed abroad and 50 study grants had been made available to enable the organisation of group training courses and study tours. The total expenditure in the first nine months of the year had been $1,222,926 as against the total of $1,875,561 for the whole of 1952 and $336,316 for the first eighteen-month financial period. The Committee noted that considerable efforts had been made to keep at a minimum indirect operational and central administrative costs, which, for the 1953 financial year, were limited to $335,000. The Committee noted the distribution by fields of activity and by regions of the I.L.O. technical assistance programme. Some members of the Committee pointed out the key importance of food production and inquired what action the I.L.O. was taking in this field. It was explained on behalf of the Office that while the I.L.O. had a definite competence in this field and was active in it, another international agency was more specifically concerned with this field. It was also pointed out that in planning operations in future the relative needs of the different regions should be given due consideration and that in this connection there might be some scope for further expansion of technical assistance in Asia and Africa. It was recognised, however, that the programme was essentially based on requests made by the governments concerned and that this factor necessarily played an important part in determining the geographical distribution of the programme.
10. The Committee was concerned at the recent cuts in the programme made as a result of the decision by the Technical Assistance Board to reduce the credits earmarked for technical assistance. In a discussion in which one member of the Committee, it was explained that since actual operations depend on the availability of cash in hand, delays in payments by governments lead to serious repercussions on the programme. At its meeting in July and August 1953, the T.A.B., on the basis of revised estimates of funds likely to be available in 1953 and the earlier part of 1954, issued a policy directive as a result of which the organisations participating in the Expanded Programme had to reduce their scale of operations at short notice. The Committee noted that in carrying out cuts in the I.L.O. programme, the Director-General had worked on a system of priorities, being guided mainly by technical considerations. Concern was expressed by some members of the Committee that these cuts had affected the fellowships branch of the programme more than other branches. It was explained on behalf of the Office that this was often due to the fact that the postponement of fellowships had less serious consequences on a project than the recall of an expert or postponement of a mission. Moreover, in the case of experts and supply of equipment, firmer legal obligations had frequently been entered into by the Office than was the case in fellowship awards. The representative of the Director-General stated that the general effect had been a temporary slowing down of the programme and a postponement of implementation of certain projects rather than an actual cut in operations.

11. As regards the 1954 programme, the Committee was informed that at the Pledging Conference a sum of between 23 and 24 million dollars had been pledged and that further pledges might be expected. The Committee noted that the actual scale of operations would depend on the receipt of contributions and the amount of carry-over from 1953, which would be known only in the beginning of 1954. The Committee took note of a document which gave certain details of the I.L.O. programme submitted to the T.A.B. for 1954.

12. The Committee noted that the Technical Assistance Committee of the Economic and Social Council had appointed a Working Party to examine the financial procedures of the Expanded Programme, including the system of allocation of funds among the agencies. The Committee expressed the hope that, whatever the new arrangements might be, they would not involve any reduction in the scale of the I.L.O. It requested the Office to communicate to it the results of the deliberations of the Working Party.

13. The Government representatives of Belgium and France expressed the view that their Governments should be informed of the recruitment by the Office of their nationals as experts. There was also room for closer collaboration between the Office and the governments in order that they might give further assistance to the Office in recruiting experts.

14. The Government representative of France expressed concern that, under the present arrangements, the Governing Body exercised control over the I.L.O.'s technical assistance programme only on an a posteriori basis and did not participate in the planning of programmes to be undertaken in future. He pointed out that for the Expanded Programme as a whole there was a certain tendency towards centralisation, and stated that it would be easier for the I.L.O. to maintain its autonomy if the Governing Body were to exercise a closer control over the I.L.O.'s programme. He recognised, however, the difficulty of ensuring such supervision. He cited, nevertheless, the example of U.N.I.C.E.F., where a small Committee of the Executive Board had been set up to consider plans and prepare programmes. He wondered whether something similar could not be attempted in the I.L.O.

15. As regards the progress of the fellowships programme under the regular budget the Committee noted that all the fellowships offered in 1953 had not been taken up by the beneficiary countries. It was suggested that whenever possible the Office should give longer notice to the governments concerned in order to give them ample time to invite applications and go through the process of selection by a tripartite committee.

Report on Financial Questions

16. The Committee took note of a document on the Financial Position of the I.L.O. Expanded Programme of Technical Assistance. It noted that the document had also been submitted to the Financial and Administrative Committee.


17. Before proceeding to discuss the draft outline of the report which the Office had circulated, the Committee considered the question of procedure as to whether the full draft of the report should be re-examined by the Governing Body at its March Session or whether the Governing Body should authorise the Director-General to prepare the report in the light of the discussions at the present session of the Committee and the Governing Body and to submit it directly to the Conference. After a general discussion the Committee agreed that it was important that the report should be in the hands of the delegates in advance of the Conference and that this might be rendered impossible if it were to be re-examined by the Governing Body in March. It recommended, therefore, that the Governing Body should authorise the Director-General to submit the report directly to the Conference.

18. In considering the outline, members of the Committee made various suggestions. The United States Government member expressed satisfaction that the report was to deal with all operational activities of the I.L.O. and not merely those carried out under the Expanded Programme. He emphasised the key importance of continuing review by the Conference of the results of operational work and of the relationship between the operational and legislative work of the I.L.O. The French Government representative suggested that in the report reference should be made to the United Nations Concerted Plan of Action in the Social Field, which will have to be taken into account in planning technical assistance. The United Kingdom Government representative referred to the section on recruitment and suggested that mention should be made of the difficulties experienced in countries of recruitment, especially when receiving countries did not take prompt decisions on candidates submitted to them and the experts ceased to be available. Sometimes the job descriptions seemed to require that the qualifications of several experts should be possessed by a single individual. The Indian Government representative pointed to the needs of underdeveloped countries for equipment as part of technical assistance and suggested that the point should be adequately covered by the T.A.B. for March. It was expressed by some members of the Committee that it was important that the report should be in the hands of the delegates in advance of the Conference and that it might be rendered impossible if it were to be re-examined by the Governing Body in March. It recommended, therefore, that the Governing Body should authorise the Director-General to submit the report directly to the Conference.

A. M. Malik, Chairman.
Thirteenth Item on the Agenda: Report of the Manpower and Employment Committee

1. The Manpower and Employment Committee met on 19 November 1953 under the chairmanship of Mr. de Souza e Silva.

2. The Committee approved the minutes of its last session, held in Geneva on 26 May 1953.

**Progress Report**

3. The Committee had before it a progress report covering the period April-September 1953.

**Employment**

4. The Belgian Government member inquired regarding the publication by the Office of the handbook on the Belgian employment service which had been prepared by the Belgian authorities according to an outline submitted by the Office. The representative of the Director-General stated that the date of publication for this handbook had been set for 1954 by a recent decision of the Director-General. Handbooks on the employment services of the United States and of France were also scheduled for publication during the next year.

5. The Italian Employers' member, referring to the I.L.O. International Classification of Occupations for Migration and Employment Placement, stated that the Italian occupational classification system which had been used as one of the basic documents in comparing national occupational titles to the I.L.O. international titles had since been amended. Accordingly the Tables of Occupational Comparability were no longer up to date in regard to Italy. He wished to know whether an amendment to this part of the I.L.O. classification system was being considered. The representative of the Director-General pointed out, in reply, that the I.L.O. classification system was not considered a finished product, but rather the initial phase of a long-range effort. The point raised by the Italian Employers' member would certainly be considered in the future development of the classification system.

6. The Indian Workers' member warned the Office against overestimating the assistance which the employment service organisation in underdeveloped countries might give in arriving at comprehensive information on the manpower situation in these countries, in view of the fact that the overwhelming majority of agricultural and handicraft workers were not covered by employment service arrangements. The representative of the Director-General concurred with this remark and stated that assistance to underdeveloped countries in carrying out manpower surveys was a new experience for the Office and realistic account would be taken of the existing facilities in these countries, including any arrangements outside the employment service which might assist in furnishing information on the manpower situation.

**Vocational Training**

7. The Italian Employers' member expressed appreciation of the work done by the Office in the training of instructors in Italy. He pledged the full support of the Italian employers in the further development of this scheme.

8. Concerning the assistance given by the Office in connection with the Training Within Industry scheme, the representative of the Director-General read out some provisional figures on the volume of activities carried out so far in Ceylon, India, Israel, Pakistan and the Philippines. It was hoped that more complete quantitative and qualitative data on T.W.I. assistance given under the supervision of the I.L.O. Asian Field Office could be given at the next meeting of the Committee.

9. The Belgian Government member questioned the Office with regard to the re-investment in vocational rehabilitation activities mentioned in the Progress Report. The representative of the Director-General replied that this was due to the fact that technical assistance funds were no longer available for rehabilitation projects, and there was also at present no provision in the regular budget for such activities.

**Migration**

10. The representative of the Director-General gave an outline of the programme carried out by the Office in providing information in the field of migration. He mentioned in this connection the provision of guides on living and working conditions in countries of immigration. One such guide on Brazil had already been published and another on Uruguay would be published shortly. The guides for Argentina, Chile and Venezuela would be published as soon as governmental approval was obtained. He also mentioned the publication of Migration, a specialised supplement to Industry and Labour.

11. The Indian Government member stressed the need for more complete and improved statistical information on international migration movements and inquired whether the Office was in a position to publish an annual summary of migration statistics. It was stated on behalf of the Office that discussions between the Office, the Migration Committee and O.E.E.C. might result in the possibility of improving available statistics.

12. The Indian Workers' member referred to paragraph 88 of the report dealing with the Office's migration activities. This led to a thorough discussion of the implications of this paragraph. The Committee endorsed a suggestion put forward by the Indian Workers' member to draw the attention of the Governing Body to the need for continued development of information activities for migration purposes.

**Presentation of the Report**

13. The Australian Government member commended the Office for the new presentation of the Progress Report, which stressed the general trends and inter-relationship of the whole programme. He expressed the view, however, that more detailed information on projects could also usefully be included. The Chairman also voiced the fear that the Committee might lose control of the programme unless it was kept up to date, at least once a year, on the Office's activities in the manpower field. In reply, it was pointed out that the progress report to the Technical Assistance Committee furnished a detailed account of individual projects, and that this report in conjunction with the report to the Manpower and Employment Committee presented a fuller picture.
of Office policy and activities in the manpower field than could be obtained under the previous form of presentation. The Chairman felt that the terms of reference of the Committee justified a more detailed account in the progress report of those phases of manpower activities which were not covered in the progress report to the Technical Assistance Committee.

Financial Estimates of Costs

14. The Indian Government member inquired whether it would be possible for the Office to prepare financial estimates of the cost of implementation of complete programmes in each field, namely, employment, vocational training and migration, for submission to interested governments for purposes of planning practical action in these fields. The representative of the Director-General doubted whether such financial estimates could be established with any degree of accuracy by the Office, but added that in all discussions with governments concerning individual technical assistance projects the subject of budgetary provisions by the national authorities was taken fully into consideration, in order to establish a sound basis for the implementation of the project.

15. The Manpower and Employment Committee decided to take note of the Progress Report and to draw the special attention of the Governing Body to the importance of developing the Office's information activities in the field of migration.

C. de Souza e Silva, Chairman.
APPENDIX XIV

Fourteenth Item on the Agenda: Report of the Committee on Industrial Committees

1. The Committee on Industrial Committees met in Geneva on 21 November 1953, under the chairmanship of Mr. Wallin.

2. The Committee on Industrial Committees has had before it the note on the proceedings of the Fourth Session of the Building, Civil Engineering and Public Works Committee (Geneva, 26 October-6 November 1953). As the Fourth Session was held so recently, the Committee on Industrial Committees has not yet been able to examine the text of the General Agreement on Trade in Goods by Road and the observations of governments and international organisations thereon, and to invite the Director-General to continue to follow closely any further discussions in the appropriate organs of the United Nations with a view to securing the inclusion of suitable clauses in the Standard Set of Rules for International Road Transport.—

3. The Committee on Industrial Committees accordingly recommends that the Director-General be authorised to communicate the reports, resolutions and memoranda adopted by the Building, Civil Engineering and Public Works Committee at its Fourth Session to governments, inviting them to communicate these documents to the employers' and workers' organisations concerned. When communicating these conclusions to the governments, the Director-General would make it clear that the Governing Body has not yet had an opportunity of considering them and that the observations of the Governing Body will be formulated at a later session. Mr. C.E. Shaw wishes it to be recorded that he is not in agreement with the procedure of transmitting conclusions to governments before they have been considered by the Governing Body.

II. Inland Transport Committee: Standard Set of Rules for International Road Transport in Europe

4. The attention of the Committee on Industrial Committees was drawn to the revised text of the clauses on conditions of employment for inclusion in the Standard Set of Rules as adopted by the Working Party on the Improvement and Development of the Transport of Passengers and Goods by Road of the Economic Commission for Europe of the United Nations. The Committee notes with approval the observations of governments and international organisations in relation to these clauses and it understands that the Subcommittee on Road Transport of the Economic Commission for Europe is to meet in special session at the beginning of December 1953 in order that the final text of the Agreement (including the clauses on conditions of employment) might be adopted and be open for signature by governments.

5. This matter has been before the Committee on Industrial Committees on previous occasions. In view of the fact that the governments and organisations concerned are participating in the discussions on these clauses, the Committee on Industrial Committees feels that the Governing Body would not be in a position to examine them in detail. It suggests therefore that the matter be kept under review by the Director-General.

6. The Committee on Industrial Committees recommends the Governing Body (1) to note the text of the clauses as adopted by the United Nations Working Party on the Improvement and Development of the Transport of Passengers and Goods by Road and the observations of governments and international organisations thereon, and (2) to invite the Director-General to continue to follow closely any further discussions in the appropriate organs of the United Nations with a view to securing the inclusion in the Standard Set of Rules of suitable clauses on conditions of employment.

III. Committee on Work on Plantations: Resolution (No. 29) concerning the Need for International Action in the Field of Commodity Regulation

7. At its 122nd Session (Geneva, May-June 1953), the Governing Body decided on the recommendation of the Committee on Industrial Committees that it would examine, at its 123rd Session, resolution No. 29 concerning the need for international action in the field of commodity regulation, adopted at the Second Session of the Committee on Work on Plantations (Havana, March 1953), and instructed the Director-General to inform the governments that it had not yet come to a decision regarding the action to be taken in connection with this resolution. In taking this decision, the Governing Body was influenced by the fact that the question of prices of primary products was mentioned in a resolution concerning the economies of underdeveloped countries, which was at that time under consideration by the 36th Session of the International Labour Conference (June 1953) and has since been adopted.

8. The Committee on Industrial Committees has examined this question again in the light of the Conference resolution. The Committee recalls that resolution No. 29 of the Committee on Work on Plantations invited the Governing Body to consider as a matter of urgency: (a) what steps the International Labour Organisation might take, in consultation with the United Nations and other international agencies concerned, with a view to "promoting action" designed to assure to the workers engaged on plantations fair remuneration and protection of their standards of living, and (b) the possibility of approaching the United Nations and other international organisations concerned with a view to establishing the principles and conditions upon which the Organisation might "participate in the negotiation of agreements" regarding basic commodities, with a view to safeguarding the interests of the workers.

9. Accordingly, as regards subparagraph (a) of paragraph 8 above, the Committee on Industrial Committees notes that the Conference itself has already taken a step towards promoting action on the lines suggested by the Committee. With regard to subparagraph (b), it notes that it is already the practice for the International Labour Organisation to be invited to commodity conferences. It would indeed appear that existing policies and practices are such as to enable the Organisation to take appropriate action in particular cases. The Committee on Industrial Committees recommends that the Governing Body take into consideration the suggestions made in resolution No. 29.
of the Committee on Work on Plantations when examining the action to be taken in the light of the resolution concerning the economies of underdeveloped countries adopted by the International Labour Conference at its 56th Session (Geneva, June 1953).

IV. Advisory Committee on Salaried Employees and Professional Workers: Performers’ Rights

10. On the occasion of the 121st Session of the Governing Body (Geneva, March 1953) the Committee on Industrial Committees continued its examination of certain questions in regard to the rights of performers that arose from the conclusions adopted by the Advisory Committee on Salaried Employees and Professional Workers at its Second Session (Geneva, 18 February-1 March 1952). At the same session the Governing Body, on the recommendation of the Committee on Industrial Committees, took a number of decisions on this matter.1

11. On 22 April 1953, the Director-General communicated these decisions to the governments of the States Members of the I.L.O., and in particular requested them to inform him of their opinion whether it would be desirable for the I.L.O. to be associated with the arrangements for securing the observance of that part of the proposed international instrument which would be concerned with the protection of performers. Replies to this request have been received from the Governments of Austria, Ceylon, Finland, New Zealand, Portugal, Switzerland, Turkey, the United Kingdom and the United States. The Committee on Industrial Committees feels that it would be advisable to have the observations of a larger number of governments on this question before giving further consideration to it.

12. The Committee on Industrial Committees noted that the date by which governments were asked to submit their observations to the Berne Union concerning the proposed international instrument had been put back to 30 September, and that the Office of the Berne Union has been asked to communicate these observations to all the governments before the next session of the Mixed Committee of Experts of the Berne Union.

13. The Committee on Industrial Committees noted this information.

V. Advisory Committee on Salaried Employees and Professional Workers: Problems concerning Nursing Staff

14. In a letter of 26 May 1953 addressed to the Director-General, Mr. M. C. Bolle, General Secretary of the International Federation of Unions of Employees in Public and Civil Services, requested that the I.L.O. should appoint a committee of experts to examine the working conditions in hospitals and the training of nurses, with a view to preparing an international labour Convention or Recommendation.

15. The Committee on Industrial Committees notes that this request will be mentioned in the general report to be prepared for the Third Session of the Advisory Committee on Salaried Employees and Professional Workers (29 March-10 April, 1954) and that this will give the Committee an opportunity of expressing its views on the matter. Meantime the Office will continue to study and collect information on the problems of hospital and health services staffs (public and private) and in so doing will keep in close touch with the World Health Organisation.

16. The Committee on Industrial Committees recommends the Governing Body (a) to note the request made by the International Federation of Unions of Employees in Public and Civil Services and (b) to invite the Director-General to submit a further report to the Committee on Industrial Committees in the light of any views which the Advisory Committee on Salaried Employees and Professional Workers may express on this matter at its Third Session.

VI. Proposed Amendments to the Agreement concerning the Conditions of Employment of Rhine Boatmen

17. The Governing Body will recall the decision taken at its 122nd Session (Geneva, May-June 1953) authorising the Director-General: (a) to enter into contact with the governments concerned with a view to the calling of a further session of the Special Tripartite Conference concerning Rhine Boatmen, and, if agreement should be reached thereat, of the Conference of Governments concerning Rhine Boatmen, and (b) if the governments concerned should agree, to make the necessary arrangements for these meetings to be held.2

18. In accordance with this decision the Director-General sent a letter to the governments concerned, dated 31 July 1953, explaining the difficulties which prevented Switzerland from signing and ratifying the Agreement concerning the Conditions of Employment of Rhine Boatmen3 and conveying to them the request made by that country that a further session of the Special Tripartite Conference concerning Rhine Boatmen (and possibly of the Conference of Governments concerning Rhine Boatmen) be held with a view to considering the points in the text of this Agreement which had given rise to difficulties, in particular:

— partial exemption in favour of owner-operators (article 3, paragraph 3, (i)): night rest during navigation (article 7);
— as well as such further matters as the governments concerned might request.

19. The Committee on Industrial Committees has noted that all the governments concerned have replied to the Director-General’s letter and that in the light of these replies it will be possible to convene the proposed Conferences. The Director-General therefore proposes to convene in the first place a further session of the Special Tripartite Conference. The agenda for the Conference would be as follows:

I. Partial exemption in favour of owner-operators (article 3 of the Agreement, paragraph 3, (i)).

II. Amendment or exception to the provisions concerning night rest during navigation (articles 7 and 8).

III. Inclusion of the First of May among the recognised public holidays (article 15).

IV. Grant in principle of annual holidays with pay of 12 working days after 6 months’ service (instead of 12) (article 18).

20. The Director-General is submitting proposals to the Governing Body regarding the date and place of the Conference in a separate document.

VII. Agenda of the Third Session of the Committee on Work on Plantations

21. The Committee on Industrial Committees has considered proposals for the agenda of the Third Session of the Committee on Work on Plantations. At its Second Session, the Committee on Work on Plantations had drawn attention to several subjects which it thought to be suitable for consideration in this connection.4 After examining the various proposals, the Director-General suggested that two technical items for the agenda of the Third Session might be taken from the following:

(1) Methods of stabilising employment and earnings of plantation workers.

1 See Minutes of the 121st Session of the Governing Body, Seventh Sitting, p. 50, and Appendix X, pp. 77-78, paragraphs 2-8.
2 See Minutes of the 122nd Session of the Governing Body, Sixth Sitting, pp. 55-56, and Appendix VIII, p. 88, paragraphs 39-42.
23. The Committee on Industrial Committees recommends that the agenda for the Third Session of the Committee on Work on Plantations should be as follows:

I. General Report, dealing particularly with—
   (a) action taken in the various countries in the light of the conclusions adopted at the previous sessions of the Committee;
   (b) steps taken by the Office to follow up the studies and inquiries proposed by the Committee; and
   (c) recent events and developments affecting work on plantations.
II. Living and working conditions and productivity on plantations.
III. Possible measures within the countries and industries concerned for stabilising employment and earnings of plantation workers.

VIII. Agenda of the Fourth Session of the Chemical Industries Committee

24. The Committee on Industrial Committees has considered proposals for the agenda of the Fourth Session of the Chemical Industries Committee. At its Third Session (Geneva, September 1952), the Chemical Industries Committee had suggested that consideration should be given to the following subjects:

1. Improvements in productivity obtained in the chemical industries from systems of payment by results and from the techniques concerned with their application.
2. On the basis of the study requested by the Chemical Industries Committee at its Second Session, problems arising and measures to be taken in regard to safety and hygiene in the chemical industries.
3. Industrial relations in the chemical industries, with particular reference to the underdeveloped countries.
4. The reduction of hours of work in the chemical industries, taking into account prevailing conditions at the time of the Fourth Session.

25. The Committee on Industrial Committees has noted the information given by the Director-General in regard to the way in which these various subjects might be handled and has come to the conclusion that one of the two technical items should be concerned with productivity and the other with safety and hygiene.

26. The Committee on Industrial Committees recommends that the agenda for the Fourth Session of the Chemical Industries Committee should be as follows:

I. General Report, dealing particularly with—
   (a) action taken in the various countries in the light of the conclusions adopted at previous sessions of the Committee;
   (b) steps taken by the Office to follow up the studies and inquiries proposed by the Committee; and
   (c) recent events and developments in the chemical industries.
II. Factors affecting productivity in the chemical industries with special reference to work study and systems of wage payment.
III. Problems of safety and hygiene in the chemical industries:
   (a) classification of dangerous substances; and
   (b) labelling of dangerous substances.

IX. Agenda of the Fifth Session of the Petroleum Committee

27. The Committee on Industrial Committees has considered proposals for the agenda of the Fifth Session of the Petroleum Committee. At its Fourth Session (The Hague, October 1952), the Petroleum Committee had suggested the following subjects for consideration:

1. Conditions of employment of contract labour in the petroleum industry.
2. Human relations in the petroleum industry.
3. The use of visual aids for training and instructional purposes.
4. Industrial relations in the petroleum industry.
5. The extent of hours of work in the petroleum industry.

The Petroleum Committee proposed that, if the subject of visual aids for training and instructional purposes were included in the agenda, the discussion thereof should be introduced by an expert in that subject.

28. In his comments on these proposals, the Director-General pointed out that a chapter on hours of work in the petroleum industry had been included in the General Report to the Fourth Session of the Petroleum Committee and that it would be possible for the Office to bring this information up to date, though there has been no substantial change in the situation. Concerning the subject of visual aids for training and instructional purposes, he felt that it would be possible to arrange for the Petroleum Committee to discuss this subject on the lines which the Committee had suggested. This would leave conditions of employment of contract labour, human relations and industrial relations as the subjects from which to choose the technical items to be discussed by Subcommittees in the usual way.

29. Considerable discussion took place as to the number of items which should be placed on the agenda. There was general agreement that the subject of visual aids should be dealt with on the lines suggested, i.e., that the subject should be introduced by an expert who would demonstrate the various methods employed. Mr. C. E. Shaw felt that this subject should be regarded as one of the main items of the agenda and that only one other technical item should be included. The Workers' members, on the other hand, expressed the view that it should be possible for the Petroleum Committee to discuss this subject and still deal with two other technical items through the usual Subcommittees. By 11 votes to 4, with 1 abstention, the Committee on Industrial Committees decided to recommend that two technical items be placed on the agenda as usual, and that arrangements should also be made for the subject of visual aids for training and instructional purposes to be examined on the lines suggested by the Petroleum Committee.
(b) steps taken by the Office to follow up the studies and inquiries proposed by the Committee; and
(c) recent events and developments in the petroleum industry.

II. Contract labour in the petroleum industry.

III. Human relations in the petroleum industry,

(b) that the subject of visual aids for training and instructional purposes be referred to the Petroleum Committee for examination on the lines suggested in resolution No. 42 adopted by the Committee.

X. Textiles Committee: Studies Proposed at the Fourth Session

31. The Committee on Industrial Committees has considered the proposals made by the Textiles Committee at its Fourth Session (Geneva, February 1953) in regard to studies and inquiries and the programme of work which might be followed.

32. The Committee noted the information given in the above-mentioned document concerning the steps which the Director-General would be able to take in regard to the various subjects to which the Textiles Committee has drawn attention.

33. The Committee on Industrial Committees recommends the Governing Body to authorise the Director-General to undertake the studies and inquiries requested by the Textiles Committee and to carry them out in the most suitable order, having regard to the general programme of work of the Office and the work entailed by the preparations for the Fifth Session of the Committee.

It was understood that this recommendation would not prejudice the Governing Body's discretion in subsequently fixing the agenda for the Fifth Session.

XI. Requests for the Establishment of New Industrial Committees

Request for the Establishment of an Industrial Committee for the Shoe and Leather Industry.

34. The Governing Body will recall that, at its 121st Session (Geneva, March 1953), it was informed of a request from the International Shoe and Leather Workers' Federation for the establishment of an Industrial Committee on the shoe and leather industry. The Committee on Industrial Committees indicated in its report to the Governing Body that it would consider this request at the same time as the earlier requests for the establishment of several Industrial Committees.

35. Since the last session of the Governing Body, the Director-General has received letters from two French organisations asking for the establishment of an Industrial Committee for the shoe and leather industry. These organisations are the National Federation of Leather Goods, Cases, Travel Goods, Saddlery, Belts, Harness and Military Equipment, and the French National Shoe Industry Federation. A letter supporting the request has also been received from the Swedish Associations for the Leather, Shoe and Tanning Industries.

36. The Committee on Industrial Committees has taken note of these communications.

Request for the Establishment of Industrial Committees for the Glass Industry, the Leather and Shoe Industry, and the Paper Industry.

37. The Director-General has received a letter from the International Federation of Christian Factory and Transport Workers enclosing the text of a resolution, unanimously adopted by the Council of the Federation, which reiterates the Federation's request that Industrial Committees should be established for the glass industry, the leather and shoe industry and the paper industry.

38. The Committee on Industrial Committees has taken note of this resolution.

XII. Requests for Membership of the Industrial Committees and of the Advisory Committee on Salaried Employees and Professional Workers

Request by Japan for Membership of the Inland Transport Committee.

39. Various requests for membership of Industrial Committees have been held over pending consideration of the report of the Subcommittee of the Committee on Industrial Committees, which examined the problem of the composition of the Industrial Committees and the outstanding applications for membership. One of these is a request from the Government of Japan to be admitted to membership of the Inland Transport Committee. The report of the Subcommittee of the Committee on Industrial Committees is to be discussed by the Governing Body at its present session, but the new arrangements suggested in the report could not come into force before the next session of the Inland Transport Committee, which is due to be held from 15 to 27 February 1954. The Committee on Industrial Committees feels that in these circumstances it would be desirable to invite the Government of Japan to be represented at the Fifth Session of the Inland Transport Committee, it being understood that this invitation should be in respect of the Fifth Session only.

40. The Committee on Industrial Committees recommends the Governing Body to invite Japan to be represented at the Fifth Session of the Inland Transport Committee, it being understood that this invitation should be in respect of the Fifth Session only.

Requests for Membership of the Advisory Committee on Salaried Employees and Professional Workers.

41. Consideration has been given on several occasions to requests for membership of the Advisory Committee on Salaried Employees and Professional Workers. These requests have been held over pending consideration of the report of the Subcommittee of the Committee on Industrial Committees, which recommends that the size of the Advisory Committee should be limited to 20 members and that its membership should be reviewed at the same time and in the same manner as is proposed for Industrial Committees. Thirteen countries are at present members of the Committee and the Governments of the following countries have applied for membership: Austria, Belgium, Finland, the Federal Republic of Germany, Mexico and Switzerland.

42. In view of the fact that the Third Session of the Advisory Committee is to be held from 20 March to April 1954, and that new arrangements could hardly be put into effect before that session, the Committee on Industrial Committees feels that the governments of the countries mentioned in the above paragraph should be invited to be represented at the Third Session of the Advisory Committee, it being understood that this invitation should be in respect of the Third Session only.

43. The Committee on Industrial Committees recommends the Governing Body to invite Austria, Belgium, Finland, the Federal Republic of Germany, Mexico and Switzerland to be represented at the Third Session of the Advisory Committee on Salaried Employees and Professional Workers, it being understood that this invitation should be in respect of the Third Session only. The United States Government member reserved his position for the requests for membership of the Inland Transport Committee and the Advisory Committee on Salaried Employees and Professional Workers, explaining

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2 These dates were modified later.
that his abstention was based solely on financial grounds, as it was not possible to give an assurance that the additional costs could be absorbed within the budget allocation for Industrial Committees.

XIII. Requests for Representation by Observers at Meetings of Industrial Committees and of the Advisory Committee on Salaried Employees and Professional Workers

Request for Representation at the Fifth Session of the Inland Transport Committee.

44. The Committee on Industrial Committees has considered a request from the International Road Transport Union to be represented by observers at the Fifth Session of the Inland Transport Committee. In view of the fact that the agenda for the session contains an item of direct interest to the organisations in question, the Committee on Industrial Committees feels that this request should be granted.

45. The Committee on Industrial Committees recommends that the International Road Transport Union be invited to be represented by observers at the Fifth Session of the Inland Transport Committee.

Requests for Representation at the Third Session of the Advisory Committee on Salaried Employees and Professional Workers.

46. A number of requests have been received from international organisations which desire to be represented by observers at the Third Session of the Advisory Committee on Salaried Employees and Professional Workers. As the Advisory Committee is competent to deal with the problems of all categories of non-manual workers, and as these categories cannot all be directly represented by two delegates from each country, it is understandable that they would wish to be represented by observers from their international federations. A difficult problem arises, however, as applications from no less than 26 international organisations have been received. The number of organisations represented at the last session of the Advisory Committee—including those with consultative status—was 25.

47. While recognising the interest displayed in the work of the Advisory Committee by these organisations, which propose to send observers to the session at their own expense, the Committee on Industrial Committees feels that the work of the Advisory Committee might be adversely affected if large numbers of observers were present and if they were all granted the right to address the Committee. The Committee on Industrial Committees understands, however, that a number of the organisations in question would make arrangements to be represented by a single observer and that the observations of some of the organisations could be made by one person speaking on behalf of several of them. Certain members of the Committee considered that it should be made clear to such organisations that applications would be considered in future cases in the light of the interest which the organisations have in the technical items on the agenda.

48. In these circumstances the Committee on Industrial Committees recommends that the organisations mentioned below be invited to be represented by observers at the Third Session of the Advisory Committee on Salaried Employees and Professional Workers, and that the organisations be urged to arrange, wherever possible, for one person to represent and to speak on behalf of several organisations. Mr. C. E. Shaw dissented from this recommendation.

International Council of Commerce Employers.
International Federation of Commercial, Clerical and Technical Employees.
International Federation of Christian Trade Unions of Employees, Professional Workers, Supervisors and Commercial Travellers.
International Executive Staff Federation.
International Secretariat of Catholic Engineers.
International Federation of Unions of Employees in Public and Civil Services.
International Federation of Christian Trade Unions of Employees in Public Civil Service.
Postal, Telegraph and Telephone International.
International Confederation of Professional and Intellectual Workers.
International Federation of Business and Professional Women.
International League of Commercial Travellers and Agents.
International Union for the Protection of Literary and Artistic Works (Berne Union).
European Broadcasting Union.
International Federation of the Phonographic Industry.
International Federation of Musicians.
Joint Committee of International Teachers’ Federations.
World Confederation of Organisations of the Teaching Profession (W.C.O.T.P.).
International Federation of Teachers’ Associations (I.F.T.A.).
International Federation of Secondary Teachers (F.I.P.E.S.O.).
International Federation of Free Teachers’ Unions.
World Union of Catholic Teachers.
Pax Romana.
International Federation of University Women.
World Union of Catholic Women’s Organisations.
International Association for Crafts and the Teaching of Art in Workshop and Factory.
International Federation of National Engineers’ Associations.

XIV. Other Questions

49. Resolutions adopted by the following organisations were circulated to the Committee on Industrial Committees for information:

International Transportworkers’ Federation.
International Federation of Commercial, Clerical and Technical Employees.
International Federation of Christian Trade Unions of Employees, Professional Workers, Supervisors and Commercial Travellers.
International Federation of Christian, Factory and Transport Workers.

The resolutions expressed the views of the organisations in question concerning the Industrial Committees and the Advisory Committee on Salaried Employees and Professional Workers.

M. WALLIN, Chairman.
Fifteenth Item on the Agenda: Report of the Subcommittee of the Committee on Industrial Committees

Problems concerning the General Review of the Work of the Industrial Committees and of the Advisory Committee on Salaried Employees and Professional Workers

1. The Subcommittee of the Committee on Industrial Committees appointed by the Governing Body at the 118th Session (Geneva, March 1952) met from 14 to 18 and on 27 and 28 November 1952 under the chairmanship of Mr. Fanchamps. It held ten sittings.

Terms of Reference and Membership of the Subcommittee

2. The Subcommittee was called upon to undertake—
   (a) a general review of the activities of the Industrial Committees;
   and in connection therewith a study of—
   (b) criteria for membership of Industrial Committees;
   and
   (c) requests for the establishment of new Industrial Committees.

3. At the same time, it was asked to consider problems concerning the Advisory Committee on Salaried Employees and Professional Workers.

4. Besides the Chairman of the Committee on Industrial Committees, the Subcommittee consisted of three members from each group, chosen from the members of the Committee on Industrial Committees.

5. The Subcommittee had before it working papers prepared by the Office on the Industrial Committees and on the Advisory Committee on Salaried Employees and Professional Workers. Comments and suggestions were received from the Governments of the United Kingdom, Belgium and Australia.

6. The Subcommittee decided to submit its report directly to the Governing Body, from which it derived its instructions.

Aims of the Industrial Committees

7. The Employers' members expressed the view that the Industrial Committees were advisory to the Governing Body and that they should therefore be used to study and report on the matters on which the Governing Body wished to have their advice; it would then be for the Governing Body to draw its own conclusions from their reports. The Industrial Committees also had the great advantage of enabling a full exchange of views to take place between persons drawn from the same industry but from different countries and social groups.

8. In the light of past experience, the Employers' members considered that it was necessary to ensure that any conclusions arrived at by the Industrial Committees should not prejudice the universal character of the International Labour Organisation or hinder decisions taken at the inter-occupational level. The Industrial Committees should therefore not tend to think of themselves as International Labour Conferences in miniature and should not forget the fact that they were subordinate to the Governing Body.

9. The other members of the Subcommittee agreed that when the Industrial Committees were set up they were never conceived as International Labour Conferences on a small scale. The Workers' members expressed their view that there was no evidence that the Committees had, in practice, in any single case usurped the functions of the Conference. The Committees were the expression of an attempt to translate into the international field methods of consultation and co-operation which had proved their worth in certain countries. New techniques, which were still evolving, were required for the purpose. The principle that the Governing Body was well established. It was also pointed out that the primary responsibility for the successful operation of the Industrial Committees, within the agenda fixed by the Governing Body and subject to its review, rested on the delegates taking part in the sittings of these Committees.

10. The Workers' members emphasised the view that one of the main functions of the Industrial Committees should be to promote agreement between conflicting social forces, thus contributing substantially to world peace, and they considered that they had in practice done so.

II. Industrial Committees might also be of assistance to industrially underdeveloped countries, a point which is referred to below.

Conduct of Discussions and Form of Conclusions

12. The Employers' members considered that the full and free exchange of views between the members of the three groups, which was desirable and provided for in paragraph 13 of the Document for the Guidance of Industrial Committees, was impeded whenever a Committee sought to adopt resolutions. On such occasions, both sides were unable to contribute freely to the discussion on points of substance lest the information or arguments be used against them, and the proceedings resulted in a kind of bargaining and a debate on wording which vitiated the atmosphere of the Committees and prevented them from accomplishing the task for which, in their view, they were set up. Persons not familiar with the procedure and structure of the I.L.O. were apt to attach too much importance to such resolutions, and it was in practice difficult for the Governing Body to review them. The Employers' members further considered that too many resolutions were being adopted; in their view, these should be the exception rather than the rule, and the consent of a majority in each of the three groups should be required for their adoption. They submitted the following text for inclusion in the Document for the Guidance of Industrial Committees:

In order to promote a maximum exchange of information on subjects included on the agenda and to avoid needless discussion on the wording of documents, the normal form of conclusions should be reports or memoranda. Where a majority of each group believes that a resolution would be more effective, only then should the Committee work towards a resolution.

1 For the text of this Document, see I.L.O.: Official Bulletin, Vol. XXXII, No. 1, 15 June 1949, pp. 36-40. For a proposed amendment to paragraph 13 of this Document, see below, Annex, p. 139.

1 The Governing Body, at its 121st Session (Geneva, March 1953), postponed consideration of this report. See Minutes of the 121st Session of the Governing Body, Seventh Sitting, p. 50.
13. The Workers' members, on the other hand, thought it essential that the Industrial Committees should arrive at clear conclusions and saw no reason why they should inappropriate, considered it necessary to take the form of a resolution. However desirable it was to arrive at conclusions by common consent, they could not agree to the requirement of a majority in each of the three groups. Such a practice would run counter to the democratic principle of decisions by simple majority, and was not followed in the International Labour Conference or other bodies within the International Labour Organisation.

14. In the course of the discussion the United States Government member expressed the view that the form of conclusions bore a certain relationship to the nature of the subject under consideration, that is to say, either it might be a subject peculiar to the industry and normally subject to special legislation, or else it might concern the application of matters, normally subject to general legislation, and was not followed in the hope of securing agreement, put forward the following text as a possible addition to paragraph 13 of the Document for the Guidance of Industrial Committees:

It may be expected that the Industrial Committees will consider the most appropriate form of its conclusions concerning each of the subjects they will have under review.

In those areas in which problems peculiar to the industry itself and not normally subject to special legislation, or in which problems are those of the relationship of general measures to peculiar circumstances of a given industry, the Committees may wish to direct their considerations to the practical aspects of these problems, with a view to arriving at a report or memorandum discussing the problem in detail.

15. After an exchange of views on this proposal, in which it was recognised that this was not an unvarying guide to the appropriate form of Industrial Committee conclusions, the United Kingdom Government member, in the hope of securing agreement, put forward the following text in substitution for the previous proposal, which was withdrawn:

It is important that the Committees should give due consideration to the question of what form their conclusions on a particular subject should most appropriately take.

16. The object of this amendment was to stress the responsibility resting on the Industrial Committees in deciding on the form of their conclusions, without, however, specifying the particular types of subject which might be suitable for resolutions or memoranda. The principle embodied in this amendment was generally acceptable, but the Employers' group made it clear that it could not be regarded as giving effect to the views they had expressed.

17. In the course of the discussion on this subject, the United Kingdom and the United States Government members, in the hope of securing agreement, put forward the following text, as an addition to paragraph 13 of the Document for the Guidance of Industrial Committees:

It is important that the Committee should give due consideration to the question of the form which its conclusions on a particular subject should most appropriately take. The general aim should be to present as a basis for future action, conclusions which, whatever their form, are a clear and constructive expression of the progress achieved by the Committee through the joint efforts of the three groups. The nature of the subject under discussion, the area of agreement, the seriousness of any difficulties or divergencies of view which the Committee may find itself unable for the present to resolve, and the general matters which should be regarded as relevant to the Committee's final decision. It is desirable in any case that this decision should not be taken at too early a stage in the discussion. Requests for Office studies or for other action by the I.L.O. should normally be communicated to the Governing Body in the form of memoranda or reports.

18. It was pointed out that this proposed addition to the Document for the Guidance of Industrial Committees had to be read in conjunction with Paragraph 13 of that Document which provides that:

The conclusions of Industrial Committees have hitherto normally taken the form of resolution. This is appropriate in some cases, but by no means in all. There have been subjects, and there are likely to be more in future, in which real progress and practical results will be achieved by framing agreed reports or memoranda. This will enable the full benefit from the special knowledge of the members of the Committee, and to lay a firm basis for further action by the interested parties, by the Committees themselves, by the Office, the Organisation and other international authorities.

19. There was general agreement on the proposition that it was important that the Committee should give due consideration to the question of the form which their conclusions on a particular subject should most appropriately take, and the Subcommittee suggested that the Document for the Guidance of Industrial Committees be revised in paragraph 13.

20. The Subcommittee also took the view that the Governing Body should not give instructions to the Industrial Committees on the form of the conclusions, though it would be appropriate for it to draw their attention to the desirability of their giving the matter special consideration.

21. As to the number of resolutions, it was pointed out that only a relatively small number called for action by governments, and there was general agreement that requests for Office studies or for other action by the Office should normally be communicated to the Governing Body in the form of memoranda or reports.

22. The Employers' members did not consider that the rest of the text quoted above met their point; but the Workers' members were prepared to accept it. The Employers' members insisted that no agreement should be adopted without the concurrence of a majority in each of the three groups.

23. A further text intended to reflect suggestions which had been raised and on which there might perhaps be agreement was submitted by the representative of the Director-General. In the first place, it should be stated that it is important that the Committee should give due consideration to the question of the form which its conclusions on a particular subject should most appropriately take. The text set out below might then follow:

Whatever may be the form taken by the conclusions of the Industrial Committees, it should be clearly understood that they actually reflect the opinions expressed in the course of a free exchange of views between the members of the groups. In cases in which there is unanimity or a very large measure of agreement between the three groups, there is no reason why the opinions so expressed should not be given the form of a resolution, otherwise, in regard to some subjects a memorandum or report might still be the best way of presenting even unanimous views on subjects on which there is a large measure of agreement. In cases in which the discussion does not reflect a sufficient measure of agreement, it would be preferable for the different opinions to be embodied in a report or a memorandum. It is in any case desirable that a decision be not taken too early in the course of the discussion as to the exact form in which the conclusions should be presented. Requests for studies to be carried out by the Office, and suggestions for other forms of action to be taken within the I.L.O. should normally be communicated to the Governing Body by way of special memoranda or reports.

24. The Employers' members felt that this would be acceptable if the words "in all groups was inserted in the second sentence after the word "agreement". They insisted that no resolution should be adopted without the concurrence of a majority in each of the three groups. The Workers' members could not accept the Employers' suggestion, and felt that this draft took a position against the democratic principle of decisions by simple majority. There was general agreement that the references to a "very large measure of agreement"
and "sufficient measure of agreement" in the suggested text would create difficulties in the Industrial Committees when they came to consider the most appropriate form to give to their conclusions. In the absence of agreement, the Subcommittee decided to make no recommendation on the subject to the Governing Body.

25. In the course of the discussion, the Employers' members suggested that it would be useful if the Industrial Committees were to have a free exchange of views on certain subjects without seeking to arrive at any definite conclusions. By this means, the experience of one country could be made available to others and more expert information might be forthcoming. The appropriate procedure might be for an initial factual report to be presented either by the Office or by one or more experts on the subject selected, and for the discussion thereon to be printed and circulated by the Office.

26. It was also suggested by the representative of the Director-General that in appropriate cases it might be useful if the reports prepared by the Office, after briefly reviewing the general situation with regard to a given subject, analysed in detail two or three typical cases in which measures under consideration had led to useful results. This might encourage a particular industrially significant factor that the government in labour and social welfare affecting productivity, should be based on on-the-spot studies of examples of good practice. It could, of course, also contain the views which might be expressed by management and labour in the undertaking surveyed. This might encourage the Industrial Committees to undertake discussions of a practical character with a view to considering the possibility of putting successful experiments into general practice. The result of such discussions might give tangible results and thus improve the effectiveness of the Industrial Committees.

27. It was agreed that consideration might be given to the possibility of carrying out an experiment on these lines if, at some future date, a suitable technical problem should figure on the agenda. It was pointed out, however, that the undertakings selected for study should not be so exceptional in character that their practices could not usefully be followed elsewhere. It was also observed that any such experiment should be carried out in cooperation with the central employers' and workers' organisations concerned. The United States Employers' member expressed the view that eventually such important factors affecting productivity, should be based on on-the-spot studies of examples of good practice. It could, of course, also contain the views which might be expressed by management and labour in the undertaking surveyed. This might encourage the Industrial Committees to undertake discussions of a practical character with a view to considering the possibility of putting successful experiments into general practice. The result of such discussions might give tangible results and thus improve the effectiveness of the Industrial Committees.

28. The Employers' members suggested that, as Industrial Committees were advisory to the Governing Body, they should be called upon to meet only when the Governing Body wished to submit certain problems to them. Their composition should vary in accordance with the agenda. It was, in their view, also a mistake to have given the Committees a permanent character.

29. The Workers' members, on the other hand, insisted that the 24-month interval between sessions should be more strictly observed than hitherto.

30. The Governing Body, at its 104th Session (Geneva, March 1948), laid down the principle that the "sessions of Industrial Committees should be held as a rule at intervals of two years." The Subcommittee, in the absence of agreement, makes no recommendation to the Governing Body on this point.

Tripartite Character of Industrial Committees

31. The United States Employers' member explained that the employers in his country were averse to the intervention of the Government in matters of collective bargaining except, on occasions, as a conciliator. As the Industrial Committees dealt so largely with matters which were suitable for agreement between employers and workers, he considered it was essential that the Committees should, in his view, either redirect their efforts on the lines of holding discussions on the panel, study circle or seminar principle, or be changed so that they became bipartite, as had been suggested by the United Kingdom Government when the establishment of Industrial Committees was first proposed; or, if governments wished to participate, the rules of procedure of the Committee should be changed so that governments would fulfil their normal role of conciliation and would no longer have a right to vote; or the modest safeguards suggested by the employers should be adopted, i.e., that only those resolutions should be adopted which had received the support of a majority of each group.

32. It was pointed out that the Standing Orders of Industrial Committees already provided for the possibility of setting up bipartite subcommittees, and that it was for each Committee to determine the cases in which it was appropriate to do so. The Employers' members expressed regret that so far no use had been made of that provision of the Standing Orders.

33. The Subcommittee makes no recommendation to the Governing Body on this point.

Technical Assistance to Industrially Underdeveloped Countries

34. It was generally recognised as desirable that the work of the Industrial Committees should be more closely related to technical assistance activities; in this manner, the Committees could be of great help to industrially underdeveloped countries. It was suggested that the discussion of the labour and industrial relations policies of individual undertakings, as had been suggested above, coupled perhaps with missions to a few selected underdeveloped countries, might provide the Committee with material for discussions which would be of particular value to these countries. It was also suggested that the Industrial Committees might, if opportunity arose, discuss specific problems which the underdeveloped countries might wish to raise. This might prove valuable not only in such suggestions and advice as might come from the discussion itself, but might also assist in clarifying the lines on which technical assistance might usefully be rendered if requested by the country concerned. The United States Employers' member, however, considered that aid to these countries could best be rendered through the Technical Assistance Programme itself.

Function of the Representatives of the Governing Body

35. One of the points which arose in discussion was that of the function of the representatives of the Governing Body at Industrial Committees. The Subcommittee considered it important to recall that they were appointed to represent the Governing Body, as well as the groups thereof. The Subcommittee also considered that, without detracting from the responsibility of the Industrial Committees themselves and from the principles of their intelligent self-government, it was desirable that the representatives of the Governing Body, acting jointly, should take an active part in helping the Industrial Committees to carry out their task in guiding them towards the best procedures and in ensuring that they keep their discussions and proposals within the framework of the general policies of the Organisation as determined by the International Labour Conference and by the Governing Body.

36. The representative of the Director-General, in submitting the text quoted in paragraph 23 above on the form of the conclusions adopted by Industrial Committees, had suggested that the Subcommittee might
furthermore wish to consider the adoption, in some form, of the following text:

It would be for the representatives of the Governing Body, acting jointly, to assist the Committee in working out the exact procedure to be applied in this matter.

37. He doubted, however, whether it would be appropriate to include a reference of this kind in the Document for the Guidance of Industrial Committees.

38. The Subcommittee agreed that this problem did not arise only in connection with these Committees. Some members nevertheless suggested that there might be some advantage in making the nature of the duties of the Governing Body delegation clear both to its members and to the Industrial Committees themselves. It was suggested that the Director-General might be authorised to include this guidance in the letter informing members of their appointment to the Governing Body delegation. In any case, the Subcommittee wishes to draw the attention of the Governing Body to the matter.

Size of the Industrial Committees

39. In order to prevent the Industrial Committees gradually increasing in size until they became so large as to create practical problems in accommodating their meetings and to hinder effective debate, the Subcommittee agreed to recommend that the number of members of each Committee should be fixed by the Governing Body.

40. In determining the size of each Committee, the Governing Body would no doubt wish to take into account: (a) the extent to which the industry concerned was localised in a relatively small number of countries, or, on the other hand, was important to nearly all; (b) the practical problems of arranging for, and conducting discussions in, meetings which exceeded a certain size; and (c) financial considerations.

41. The Workers' members originally proposed that the size of each Committee should be fixed slightly in excess of its existing membership, so as to permit of the admission of some further applicants; on the other hand, the Employers' members advocated a fixed maximum, of perhaps 20 members, which would apply in all cases, it being understood that it was unlikely that the Coal Mines and Petroleum Committees would in practice reach that level.

42. The United Kingdom Government member suggested that the Subcommittee should recommend that the Governing Body should lay down the actual size of each Committee, and not the maximum size.

43. After discussion, the Subcommittee agreed to recommend that the size of the Industrial Committees should not exceed the following:

- Inland Transport Committee: 25 members.
- Building, Civil Engineering and Public Works; Chemical Industries; Iron and Steel; Metal Trades; and Textiles Committees: 20 members.
- Coal Mines and Petroleum Committees: 15 members.

Membership of Industrial Committees

44. In view of the proposed limitation on the size of the Committees, the Subcommittee recommends that the Governing Body should undertake a periodical review of the membership of all Industrial Committees.

45. This would provide an opportunity for all member States which wished to participate in Industrial Committees to be considered for membership from time to time and, if appointed, to serve for at least a certain period.

46. It would be desirable that such a review should take place simultaneously for all the Industrial Committees, in order to provide the greatest possible degree of flexibility in arrangements regarding membership.

47. It would be for the Governing Body, if it accepts the above proposal, to determine the session at which it would undertake the initial review of membership and the date from which the new membership list would be effective. It would be desirable that this review be undertaken at the earliest possible session of the Governing Body. After the initial new determination of States to be invited to be members of each Committee, such a review would as a rule be undertaken after an interval sufficient to enable each of the Committees to have held two sessions since the previous review, but in any case at intervals of four or five years.

Guiding Principles Governing Membership.

48. In selecting the members of Industrial Committees, the Governing Body might bear in mind certain guiding principles as set out below.

49. First, members should be selected from among States which have given evidence of their interest in the activities of the Committee in question. Factors which should be taken into account would be the fact of applying for membership, or in the case of States which were already members, the regularity with which they have sent delegations and the contribution which they have made by providing information when requested. In this connection it was suggested that a State which had not been represented at two consecutive sessions of a Committee of which it was a member should not be considered for membership on future occasions, but on this point no recommendation is made.

50. It was suggested by the Employers' members that it would be desirable that States Members of an Industrial Committee should show their interest in it by paying an annual contribution towards the travel costs of all employers' and workers' delegates attending that Committee. It was thought that this measure would not act as a deterrent to the sending, at the request of the Governing Body, of delegates who did not take a real interest in the work of the Committee. It was pointed out by the Workers' members that there was no evidence that such a reprehensible practice was prevalent and that the proposal made by the Employers' members ran counter to the principle of allocating contributions to the International Labour Office according to capacity to pay, and would place the Industrial Committees in a different position from that of other activities of the Organisation. It was furthermore pointed out that it was somewhat paradoxical to ask the members of advisory committees to pay for their meetings. The Chilean Government member concurred with this view of the Workers' members. On this point also, no formal recommendation is made.

51. Secondly, regard should be had to the relative importance of the industry to the country concerned as shown by statistical data of the kind hitherto submitted to the Governing Body when applications for membership were under consideration. In this connection, the Subcommittee draws attention to the desirability of each Committee containing a certain number of States Members of particular importance in the industry concerned, whereas, as a result of their experience, they make a valuable contribution to the work of that Committee.

52. Thirdly, the desirability of securing an appropriate geographical distribution should be borne in mind. In this connection, it was generally agreed that economically underdeveloped areas should be adequately represented, as it was hoped that they would benefit from the discussions of the Industrial Committees. It was pointed out by the Chilean Government member that it might perhaps be more useful for an underdeveloped country to have a Committee dealing with an industry in process of development than for it to be a member of a Committee concerned with another industry which was already firmly established in that country. If the first instance, it might have much to learn from the work of the Committee, and in the second that might not be the case.
Pending Applications.

53. The Subcommittee felt that all pending applications should be considered at the time of the initial review of membership, present members and applicants being considered on an equal footing.

54. However, there would be no objection to applications for membership of Committees which were due to meet before the new arrangements could come into force being considered on an ad hoc basis in the meantime.

55. On this basis, the Subcommittee recommends that the Governing Body should authorise the Director-General to invite Chile and Japan to become members of the Textiles Committee.

56. It should be explained to the governments concerned that their membership in the Textiles Committee would, if the Governing Body accepted the proposals now submitted, be subject to review in the near future in the same way as that of all the other members of these Committees.

57. The Subcommittee also recommends that the Governing Body should authorise the Director-General to invite Viet-Nam to become a member of the Committee on Work on Plantations.

Advisory Committee on Salaried Employees and Professional Workers

58. The Subcommittee considered some of the points raised in the working paper prepared by the Office regarding the Advisory Committee on Salaried Employees and Professional Workers, and, in particular, the scope of work, structure, size and membership of that Committee.

59. There was general recognition of the growing importance of these categories of workers in the present social structure and of the necessity for the Organisation to devote sufficient attention to their problems.

Scope and Structure.

60. The Workers' members considered that in view of the range of the subjects and of the professional categories covered by the Advisory Committee, it should be replaced by three Committees—one to deal with salaried employees, the second for professional workers and the third for public servants. The Employers' members—though one of them favoured some reduction in the over-all scope of the subjects covered by the Committee—pointed out that there were many problems, such as hygiene in offices or the conditions of service of teachers, which affected persons in both the public and the private sector and that it would also be increasingly difficult to draw the line between the salaried employee and the salaried professional worker. They were, therefore, opposed to dividing the field between two or three Committees and suggested that it might be possible, by including among the items selected for the agenda some which were of particular interest only to a limited category of workers, to reduce the difficulty of selecting delegates and to enable those most concerned to be better represented. The United Kingdom and the United States Government members also expressed their opposition to the division of this Committee.

61. It was recognised that the Committee could consider problems affecting public servants, and some members of the Subcommittee expressed the wish that it should be called upon to do so. In this connection, reference was made to the conditions of service of teachers, and of their importance to the community.

62. The Subcommittee recommends that the terms of reference and the structure of the Advisory Committee should not be modified.

Size of the Committee.

63. The Subcommittee recommends that the size of the Advisory Committee should be limited to 20 members.

Membership.

64. The Subcommittee recommends that the membership of the Advisory Committee should be reviewed at the same time and in the same manner as is proposed above for Industrial Committees.

Committee on Work on Plantations

65. The United States Government member suggested that, inasmuch as the Subcommittee had recommended a specific size for each of the eight Industrial Committees and for the Advisory Committees on Salaried Employees and Professional Workers, and that the membership of these nine Committees should be reviewed at the same time and in the same manner, it would be desirable to include the Committee on Work on Plantations in this system and to recommend a size for it as well. The Subcommittee pointed out that it was unable at this time to deal with this matter, which was not on its agenda.

Other Matters

66. The Subcommittee was unable, in the time available to it, to consider all the questions raised in the working papers submitted by the Office.

Concluding Remarks

67. At the end of the meeting, the United States Workers' member, speaking for his colleagues, pointed out that the Industrial Committees had been proposed by Mr. Bevin not only because of wartime experience of industrial relations in certain countries but also because of the agitation among workers in a number of industries for more arrangement of the kind among workers which the I.L.O. might advise and get into touch with the people directly concerned with those industries. There had been criticism of the results achieved by Industrial Committees, but in the opinion of the Workers' members they had brought new prestige to the International Labour Organisation and in all industrialised countries had spread knowledge about it, making it known in much wider circles. They had contributed greatly to peace in industry and thereby to world peace. The meetings had been well attended and their success was proved by the number of applications to join the Committee and requests to establish new ones, as well as by the fact that other organisations had established Committees on the same lines.

68. The Workers' members were greatly disturbed at the evidence of the widening of the rift between employers and workers which they had observed in the past few years. The fine spirit of co-operation and understanding which had been shown shortly after the war had given way to a negative position by the Employers on many issues, and markedly so in the Subcommittee, designed to hold the status quo or to break down the present arrangements. Such an attitude, particularly given existing political circumstances, could not be to the general advantage. The United States Workers' member was aware of the resolutions adopted by certain United States employers' organisations, which could only be regarded as a direct attack on the Industrial Committees. The Workers' members, on the other hand, considered that further progress on existing lines was necessary. Additional Committees were called for: something had to be done to meet the requests made by the workers in the graphic arts industry, mines other than coal, fish canning, forestry workers and the workers in the food trades. If all these requests were turned down, there would be a slackening of interest in the International Labour Organisation. Further action was needed if the democratic way of life, to which all present subscribed, was to be maintained. In conclusion, the Workers' members expressed any attempt to keep the Subcommittee in existence.

69. The Employers' members regretted that the workers interpreted co-operation as getting all they asked for. They were convinced that if all requests
were granted, such disorder and confusion would result as to prejudice the interests of the International Labour Organisation. The employers had made suggestions for improvements in the working of Industrial Committees but there had been given no sympathetic consideration by the workers. Co-operation, the employers said, was not a one-way affair. They protested against the assumption that they were hostile to the International Labour Organisation, and considered that there was room for differences of opinion as to the manner in which the Organisation could best operate.

J. FAFCHAMPS,
Chairman.

ANNEX

Amendments Submitted by Certain Members of the Employers' and Workers' Groups to Paragraphs 13 and 14 of the Document for the Guidance of Industrial Committees

The report of the Subcommittee (paragraphs 12 to 24) shows that while there was some agreement on this subject there was also a large measure of disagreement, particularly between the Employers' and Workers' groups. In these circumstances there have been quite informal discussions between some members of these two groups and they have communicated to the Director-General the following proposals as a way out of the difficulties:

Paragraph 13.

Amend present text to read as follows:

The form in which an Industrial Committee expresses its conclusions is of the utmost importance, but it is undesirable and, indeed, impossible in practice to lay down hard and fast rules for all cases.

It is important that the Committees should give due consideration to the question of what form their conclusions on a particular subject should most appropriately take, and it is desirable that this decision should not be taken at too early a stage.

The first essential is that the conclusions should be the outcome of a full, free and frank exchange of views to which the members of all groups have contributed from their own special knowledge. The second essential, which cannot be over-emphasised, is that the conclusions must be adopted in a form which will be readily understood by those who have not attended the meetings.

The general aim should be to present as a basis for future action conclusions which, whatever their form, are a clear and constructive expression of the progress achieved by the Committee through the joint efforts of the three groups; it is highly desirable that in these conclusions there should be the highest measure of common agreement. The nature of the subject under discussion, the area of agreement, the seriousness of any difficulties or divergencies of view which the Committee may find itself unable for the present to resolve, are among the matters which should be regarded as relevant to the Committee's final decision. The conclusions of Industrial Committees have hitherto normally taken the form of resolutions. This is appropriate in some cases, but by no means in all. Where the discussion indicates that conclusions in the form of a resolution would be desirable, special care should be exercised in the drafting in order to reflect a clear expression of the views of the Committee. There have been subjects, and there are likely to be more in future, in which real progress and practical results will be achieved by framing agreed reports or memoranda designed to derive the fullest benefit from the special knowledge of the members of the Committee, and to lay a firm basis for further action by the interested parties, by the Committees themselves, by the Office, the Organisation and other international authorities.

Requests for Office studies or for other action by the Office should normally be communicated to the Governing Body in the form of memoranda or reports.

The Committees are free to decide when their meetings, or subcommittee meetings, are to be public or private. Any request made that Committee meetings should be held in private should be carefully considered.

Paragraph 14.

Amend the first sentence to read as follows:

The conclusions of the Committee will, in the first instance...
Sixteenth Item on the Agenda: Report of the Committee on Standing Orders and the Application of Conventions and Recommendations

1. The Committee on Standing Orders and the Application of Conventions and Recommendations met at the International Labour Office on 18 November 1953 under the chairmanship of Mr. Calderón Puig (Government member, Mexico).

2. The Committee decided to submit to the Governing Body the following recommendations on four items of its agenda discussed at that sitting. The Committee will discuss the other items on its agenda, some of which were already the subject of a preliminary exchange of views, at a later sitting, and will present a report on these to the 124th Session of the Governing Body.

I. Periodical Reports on the Working of Conventions

(a) Unemployment Indemnity (Shipwreck) Convention, 1920 (No. 8).

3. The Committee took note of the fact that the only suggestions relating to the revision of the Convention had been made by certain Italian employers' and workers' organisations and transmitted by the Italian Government. The Committee noted that the Italian Government, while admitting that there was some truth in the observations made by the shipowners, did not consider that the revision of the Convention was necessary; however, the Government would be prepared to put forward proposals to amend the text of the Convention if other States requested revision and the Governing Body agreed to that request. At the same time, the Committee noted that no other suggestions had been made for the revision of the Convention.

4. In these circumstances the Committee recommends the Governing Body, in accordance with article II of its Standing Orders, to take the view that it is not desirable to place on the agenda of the Conference the revision in whole or in part of the Unemployment Indemnity (Shipwreck) Convention, 1920 (No. 8). Under the same article of the Standing Orders, the Director-General will communicate to the next session of the Conference the periodical report on the working of this Convention, taking into account the suggestions made by certain governments to modify or supplement the text of the draft report.

(b) Minimum Age (Agriculture) Convention, 1921 (No. 10).

5. The Committee noted that only one government (Brazil) had indicated that it was in favour of the revision of the Convention, and further that the Belgian Government had communicated the observations made by two workers' organisations which suggested certain modifications to the text of the Convention. The Committee also noted that, at its present session, the Governing Body will be required to decide whether the question of regulations for the employment of children and young persons in agriculture and, in particular, the question of the minimum age for admission to employment in agriculture, should be considered for inclusion in the agenda of the 38th (1955) Session of the Conference with a view to the adoption of a Recommendation. As regards the Convention itself, the Committee noted that the replies received from the Governments of States Members did not show a general desire at the present stage to undertake the procedure for the revision of this instrument.

6. In these circumstances the Committee recommends the Governing Body, in accordance with article II of its Standing Orders, to take the view that it is not desirable to place on the agenda of the Conference the revision in whole or in part of the Minimum Age (Agriculture) Convention, 1921 (No. 10). Under the same article of the Standing Orders, the Director-General will communicate to the next session of the Conference the periodical report on the working of this Convention, taking into account the suggestions made by certain governments to modify or supplement the text of the draft report.

(c) Workmen's Compensation (Agriculture) Convention, 1921 (No. 12).

7. The Committee noted that no suggestion had been made relating to the revision of the Convention.

8. In these circumstances the Committee recommends the Governing Body, in accordance with article II of its Standing Orders, to take the view that it is not desirable to place on the agenda of the Conference the revision in whole or in part of the Workmen's Compensation (Agriculture) Convention, 1921 (No. 12). Under the same article of the Standing Orders, the Director-General will communicate to the next session of the Conference the periodical report on the working of this Convention, taking into account the suggestions made by certain governments to modify or supplement the text of the draft report.

(d) Hours of Work (Commerce and Offices) Convention, 1930 (No. 30).

9. The Committee noted that a suggestion for the revision of the Convention to be revised so as to extend its scope and to reduce from 46 to 44 the maximum weekly number of working hours had been made by one government (Cuba) and that, in addition, the Italian Government had transmitted observations made by the three workers' organisations in Italy which considered that the provisions of the Convention should be revised on the following points: the maximum working hours, the rate of overtime payment, the number of hours of overtime allowed, and exceptional standards of the Convention. The Committee took note of the fact that, in transmitting these observations, the Italian Government indicated that it did not consider it necessary to revise the Convention, as its provisions met the needs of the categories of workers concerned. The Committee also noted that, among the replies received from governments, two were from States which indicated that they were examining the possibility of ratifying the Convention.

10. In these circumstances the Committee recommends the Governing Body, in accordance with article II of its Standing Orders, to take the view that it is not desirable to place on the agenda of the Conference the revision in whole or in part of the Hours of Work (Commerce and Offices) Convention, 1930 (No. 30). Under the same article of the Standing Orders, the Director-General will communicate to the next session of the Conference the periodical report on the working of this Convention, taking into account the suggestions made by certain governments to modify or supplement the text of the draft report.

(e) Unemployment Provision Convention, 1934 (No. 44).

11. The Committee noted that two suggestions relating to the revision of the Convention had been made, one by the Australian Government, which expressed the wish...
that the Governing Body should consider whether the Convention should not be revised to permit of its ratification on the basis of an assistance scheme, and the other by the Belgian Government, which requested the revision of the Convention so as to permit the suspension of the payment of unemployment benefits and allowances during a period when a worker is in receipt of a dismissal indemnity payable under the national legislation (Article 16, paragraph 3) and so as to define in a more specific manner the rights of foreigners to unemployment allowances. In this connection the Committee noted, as regards the suggestion made by the Australian Government, that the Social Security (Minimum Standards) Convention, 1952 (No. 102), might be ratified in respect of unemployment benefit (Part IV) on the basis of an assistance scheme alone and that two governments had indicated that they were considering the ratification of this Convention and the acceptance of the obligations in respect of the part relating to unemployment allowances. The Committee also noted that the suggestions made by the Belgian Government primarily concerned points of detail, and it was of the opinion that, generally speaking, the time had been arrived for a far-reaching revision of the Unemployment Provision Convention, 1934 (No. 44).

12. In these circumstances the Committee recommends the Governing Body, in accordance with article 11 of its Standing Orders, to take the view that it is not desirable to place on the agenda of the Conference the revision in whole or in part of the Unemployment Provision Convention, 1934 (No. 44). Under the same article of the Standing Orders, the Governing Body shall further have the power to ordain at any session of the Conference the periodic report on the working of this Convention, taking into account the suggestions made by certain governments to modify or supplement the text of the draft report.

V. Provision in the Standing Orders of the Conference for the Finance Committee of Government Representatives

13. Article 13, paragraph 2 (c), of the Constitution provides for a Finance Committee of Government Representatives of the International Labour Conference. The appointment, functions and procedure of that Committee are governed by article 16, paragraphs 4 to 8, of the Financial Regulations and no provisions for the Finance Committee are contained in the Standing Orders of the Conference.

14. Furthermore, paragraph 7 refers to certain articles of the Standing Orders which, because of later modifications in the Standing Orders, have become inaccurate. Some difficulties were experienced at the 36th Session of the International Labour Conference and a number of Members expressed the view that steps should be taken to regularise the position of the Finance Committee. The most satisfactory manner of so doing would appear to be to insert provisions relating to that Committee in the Standing Orders of the Conference.

15. The Committee on Standing Orders and the Application of Conventions and Recommendations proposes to the Governing Body that it should recommend to the Conference the insertion of a new article 7 bis, dealing with the appointment, functions and special procedures of the Finance Committee, as follows:

**Article 7 bis**

*The Finance Committee of Government Representatives*

1. The Conference shall, as soon as possible, appoint a Finance Committee consisting of one Government delegate from each Member of the Organisation represented at the Conference.

2. The Finance Committee shall consider:

   (a) the arrangements for the approval, allocation and collection of the budget of the Organisation, including—

      (i) the budget estimates;

      (ii) the arrangements for the allocation of expenses among Members of the Organisation;

   (b) the audited accounts of the Organisation, together with the Auditor's report thereon;

   (c) any request or proposal that the Conference should permit a Member which is in arrears in the payment of its contribution to vote in accordance with Article 13, paragraph 4 of the Constitution;

   (d) any other matter referred to it by the Conference.

3. The Committee shall elect a Chairman and a Vice-Chairman.

4. The Director-General, accompanied by a tripartite delegation from the Governing Body, shall be entitled to attend the meetings of the Committee.

5. The decisions of the Committee shall be taken by a two-thirds majority of the votes cast by the members of the Committee present at the meeting.

6. The Committee shall submit a report, or reports, to the Conference.

16. Since article 9 of the Standing Orders, which provides the rules for the appointment of committees, is applicable to a committee composed of Government representatives only, the Committee further proposes to the Governing Body that it should recommend to the Conference the insertion in the opening phrase of article 9 of the words "the Finance Committee of Government Representatives", so that it would read as follows:

The following rules shall apply to all committees appointed by the Conference with the exception of the Selection Committee, the Credentials Committee, the Finance Committee of Government Representatives and the Drafting Committee.

17. Under article 7 of the Financial Regulations, section II of the Standing Orders of the Conference, applicable to Conference Committees, applies to the Finance Committee of Government Representatives, with certain exceptions which are due to the special composition and functions of that Committee. In so far as certain provisions are automatically inapplicable to the Committee in view of the fact that it is not tripartite, it would suffice to state in the Standing Orders that the provisions of Article 7 apply to the Finance Committee "except in so far as they are inapplicable because that Committee is not tripartite in character and consists solely of Government representatives". On the other hand, in respect to others it seems preferable expressly to exclude their applicability to avoid difficulties of interpretation.

18. Accordingly the Committee on Standing Orders and the Application of Conventions and Recommendations proposes to the Governing Body that it should recommend to the Conference the addition of the following paragraph 3 to article 53 of its Standing Orders:

3. These Standing Orders apply to the Finance Committee of Government Representatives except in so far as they are inapplicable because that Committee is not tripartite in character and consists solely of Government representatives. In addition, the following provisions do not apply to the Finance Committee:

   (a) article 56, paragraph 6;

   (b) article 57, paragraph 2;

   (c) the words "the first group" in the first sentence of article 64, paragraph 3; and the second sentence in that paragraph;

   (d) article 65, paragraph 1.

VI. Clarification of Article 26, Paragraph 4 (a) of the Standing Orders of the Conference

19. Paragraph 4 (a) of article 26 of the Standing Orders of the Conference provides that an objection concerning the nomination of a delegate or adviser to the Conference shall not be receivable—

   if the objection is not lodged with the Secretary-General within three clear days from the opening of the session of the Conference or, in the case of credentials not deposited in time for mention in the brief report referred to in paragraph 2 above, within three clear days from the date of publication in the Provisional Record of the session of the name of the person to whose nomination objection is taken: Provided that the above time limits may be extended by the Credentials Committee in the case of objections to the nomination of a delegate or adviser from a distant country;
20. In a paper submitted by the Office to the Committee on Standing Orders and the Application of Conventions and Recommendations, it was pointed out that the words "three clear days", the French equivalent of which is "trois jours francs", were susceptible of different interpretations. It was therefore suggested that it might be desirable to amend paragraph 4(a) of article 26 of the Standing Orders of the Conference by instituting a time limit of 72 hours instead of a period of three clear days. It was proposed that the 72-hour period should run from the time of the opening of the Conference or 10 a.m. on the date of publication of the Provisional Record.

The Committee agreed with the principle put forward by the Office.

21. During the discussion it was pointed out that in fact the names of persons accredited to the Conference were not published in the Provisional Record. They were first published in a mimeographed list which, for that purpose, was considered to form part of the Provisional Record. Some members of the Committee, while fully alive to the financial implications of such a procedure, felt that it would be preferable if the list of accredited delegates and advisers were printed in the Provisional Record, and suggested that the Office should consider ways and means of doing this. If it were found impossible for financial reasons to print the list in the Provisional Record, the Committee suggested that the mimeographed list should expressly state that it was an appendix to a specific number of the Provisional Record, and should contain the date of publication of that number. It was further proposed that the list might express state the date and time after which objections to the credentials of persons whose names were included in the list would be irreceivable.

22. Secondly, the Committee considered that the time limit for the submission of objections should in all cases be made to run from 10 a.m. of the date of publication, and that the reference in article 26, paragraph 4(a), of the Standing Orders of the Conference to the opening of the Conference should be deleted, it being understood that the list of persons nominated in conformity with article 26, paragraph 1, of the Standing Orders "at least fifteen days before the date fixed for the opening of the Conference" would in fact be published immediately after the opening of the Conference. The Committee expressed the view that it was imperative, since the time limit for the submission of objections would be deemed to run from 10 a.m. on the date of publication of the list, that the list should in fact be distributed by that hour.

23. Finally, the Committee agreed that the words "and function" should be inserted after the words "the name" in the Standing Orders.

24. In these circumstances the Committee on Standing Orders and the Application of Conventions and Recommendations proposes to the Governing Body that it should recommend to the Conference that paragraph 4(a) of article 26 of the Standing Orders of the Conference be amended to read as follows:

An objection shall not be receivable in the following cases:

(a) if the objection is not lodged with the Secretary-General within 72 hours from 10 o'clock a.m. of the date of publication in the Provisional Record of the name and function of the person to whose nomination objection is taken: Provided that the above time limit may be extended by the Credentials Committee in the case of objections to the nomination of a delegate or adviser from a distant country;

25. The Committee also proposes to the Governing Body that it should recommend to the Conference that an analogous change be made in paragraph 4(a) of article 10 of the Rules concerning the Powers, Functions and Procedures of Regional Conferences, which would then read as follows:

An objection shall not be receivable in the following cases:

(a) if the objection is not lodged with the secretariat of the Conference within 72 hours from 10 o'clock a.m. of the date of publication of the name and function of the person to whose nomination objection is taken;

VII. Clarification of Article 55 of the Standing Orders of the Conference

26. Paragraph 2 of article 55 of the Standing Orders of the Conference provides as follows:

The following provisions do not apply to the Selection Committee:

(a) article 56, paragraphs 3, 4 and 8; . . .

27. Since the adoption of that provision, modifications have been made in article 56 which have resulted in changes in the order of the paragraphs and consequent renumbering. The provisions which it was the intention of the authors of the article to make inapplicable to the Selection Committee are now paragraphs 6, 8 and 9 of article 56.

28. In these circumstances the Committee on Standing Orders and the Application of Conventions and Recommendations proposes to the Governing Body that it should recommend to the Conference that article 55, paragraph 2, of the Standing Orders of the Conference be redrafted as follows:

The following provisions do not apply to the Selection Committee:

(a) article 56, paragraphs 6, 8 and 9.

E. CALDERÓN PUIG,
Chairman.
Seventeenth Item on the Agenda: Report of the International Organisations Committee

1. The International Organisations Committee met on 18 November 1953 in connection with the 123rd Session of the Governing Body. In the absence of the Chairman, Sir Guildhaume Myrdin-Evans, Mr. N. Tata, Chairman of the Employers' group of the Committee, took the chair.

"Ad Hoc" Committee on Forced Labour

2. At its 122nd Session, in June 1953, the Governing Body, while reserving the right to undertake a thorough study of the final report of the Ad Hoc Committee on Forced Labour and of the conclusions at which the Committee had arrived, decided, inter alia, to support the recommendation of the Committee that an appeal be addressed to all the governments which, in one form or another maintain or might maintain a system of forced labour of a political type to the effect that they re-examine their laws and administrative practices in the light of present conditions and the increasing desire of the peoples of the world " to reaffirm faith in fundamental human rights [and] in the dignity and worth of the human person as well as the right of peoples to self-determination. " The Governing Body also placed on record the intention of the International Labour Organisation to give sympathetic consideration to the recommendations of the Ad Hoc Committee on Forced Labour and to invite the Director-General to place before the Conference the appropriate proposals relating to those recommendations; in formulating these proposals the Director-General was to take account of any views expressed in the Governing Body and of any discussions which might in the meantime take place on this question in the Economic and Social Council and in the General Assembly of the United Nations.

3. When the report of the Ad Hoc Committee came before the Economic and Social Council on 30 June 1953, it was decided to postpone discussion of it until the 17th Session of the Council, in April 1954. When the question was discussed by the International Organisations Committee at the present session of the Governing Body, it still had not been considered by the General Assembly of the United Nations.

4. The International Organisations Committee considered the effect to be given to the recommendations contained in the final report of the Ad Hoc Committee on Forced Labour. It decided that, as far as systems of forced labour as a means of political coercion were concerned, it did not wish to make any further recommendation to the Governing Body.

5. As regards systems of forced labour for economic purposes, the International Organisations Committee recalled that the Ad Hoc Committee had reached the general conclusion that such systems exist in varying degrees in a certain number of countries and that, although they might less seriously jeopardise fundamental human rights than systems of a political type, they were no less a violation of the United Nations Charter and of the Universal Declaration of Human Rights. The Ad Hoc Committee had acknowledged that the ILO had already shown the way of advance towards abolition of the practices complained of and towards improvement of the situation of indigenous workers in the Forced Labour Convention (No. 29), the Recruiting of Indigenous Workers Convention (No. 50), the Contracts of Employ-
to point out that the I.L.O. has made repeated efforts to obtain further ratifications of the four Conventions concerned. Recommendation No. 70, adopted by the International Labour Conference in 1944, recalls the essential principles of these Conventions and their related Recommendations (Articles 7-16) and invites the States concerned to ratify the Conventions and apply the Recommendations. A resolution adopted by the Conference in 1946 draws attention to the urgent necessity for the general ratification and application of these Conventions by the States responsible for non-self-governing territories, and by other States where the conditions covered by the Conventions may occur.

The Committee of Experts on Social Policy in Non-Metropolitan Territories at its Second Session (1951) recommended that the Governing Body should give serious consideration to the proposal made by the Workers' group to the effect that the Committee should recommend to the Governing Body that it give attention, as soon as possible, to the question of a revision of Convention No. 29, 1930, inviting them to give prompt consideration to whether further steps might be desirable with respect to these instruments.

Apart from the question of further ratifications, the International Organisations Committee feels that no further action is called for at present concerning the Penal Sanctions (Indigenous Workers) Convention, 1939, since the Governing Body at its 120th Session (No. 65) did not adopt a proposal for the establishment of a special committee to consider, in accordance with the usual procedure, whether any further steps might be desirable with respect to these instruments.

The representative of the United Kingdom felt that, having regard to the provisions of the Standing Orders of the Governing Body concerning the revision of Conventions, it may be premature, at the present stage, to make suggestions as to specific action which the Governing Body might take. The representative of the Belgian Government abstained from voting on this proposal.

The representative of the United States Government considered that, as a beginning, it was desirable to ascertain the actual situation in each country with respect to the subject matter of the Conventions and then to propose that as a first step Conventions Nos. 29, 50, 64 and 65 should be selected for the preparation of law and practice reports under article 19. The Governing Body should have this information before considering whether any further steps might be desirable with respect to these instruments.

This proposal was opposed by the Workers' group and was not adopted by the Committee, who felt that the Governing Body might wish to suggest that in view of all the circumstances a further appeal to give prompt consideration to the possibility of ratification of these Conventions should be made to those governments which had not so far done so.

Apart from the question of further ratifications, the International Organisations Committee feels that no further action is called for at present concerning the Penal Sanctions (Indigenous Workers) Convention, 1939, since the Governing Body at its 120th Session, placed the following subject on the agenda of the 37th (1954) Session of the Conference: "Penal sanctions for breaches of contract of employment". The other points raised by the Ad Hoc Committee can be fully discussed on that occasion.

On the basis of an analysis of the provisions of the Forced Labour Convention, 1930 (No. 29), the Committee observed that the Convention, in its current form, provided for a number of exemptions and in certain cases was applied subject to limitations of various types. The Committee was informed that a five-year report in terms of Articles 1 (3) and 31 of the Forced Labour Convention is now due. The Committee wishes, therefore, to recommend to the Governing Body that it instruct the Office to continue work on this report and to submit to it a draft containing the information required by the terms of the Convention and the Standing Orders of the Governing Body, so far as possible, this draft being communicated to members for their observations, with a view to enabling the Governing Body thereafter to consider the possibility of the suppression of forced or compulsory labour in all its forms within a further transitional period or some further limitation of the transitional exceptions allowed by the Convention.

A thorough discussion on this last point took place in the Committee as a result of a proposal on the part of the Workers' group to the effect that the Committee should recommend to the Governing Body that it give attention, as soon as possible, to the question of a revision of Convention No. 29. 1

14. The Committee took note of a document, concerning the 13th Report of the Administrative Committee on Co-ordination, which was submitted for its information.  

15. The Committee also had before it a document concerning the 15th Report of the Administrative Committee on Co-ordination. This report contains a reference to the question of the frequency of the reports of the specialised agencies to the United Nations. In this connection the Committee recommends the Governing Body to emphasise the importance it attaches to the continuation of the present practice of annual reporting by the specialised agencies to the United Nations and to request the Director-General to so inform the Economic and Social Council when the Council discusses this question at its 17th Session.

Study of the Position of Girls and Women in Relation to Apprenticeship

16. The Committee had before it a document concerning a study of the position of girls and women in relation to apprenticeship, which the Economic and Social Council of the United Nations has requested the I.L.O. to carry out. This document contained a proposed outline to be used in the preparation of this study.

17. Mr. Fennema considered that this proposed outline should be communicated to the governments of States Members not only in order that they might collect supplementary information from employers' and workers' organisations but also in order that they themselves might make available the information they possess on this subject. Mr. Fennema also believed that, in order to make its meaning clear, section V of the proposed outline should be amended.

18. The representative of the United Kingdom Government suggested that the definition of the term "apprenticeship" given in paragraph 10 (3) of the document before the Committee should be amended to read as follows: "it [vocational training] should be subject to control by public authorities or joint bodies, or be operated under the provisions of collective agreements governing apprenticeship, or should be generally accepted by the trade as leading to the acquisition of recognised status as a skilled worker". The representative of the United Kingdom Government also suggested that in the conclusions of the proposed outline appended to the document before the Committee account should be taken of the important factors such as customs and tradition with regard to apprenticeship in the countries concerned.

19. The representative of the United States Government stated that the definition of apprenticeship given in paragraph 10 of the document under consideration was, in the opinion of his Government, preferable to that given in the Apprenticeship Recommendation, 1939 (No. 60).

20. The Committee felt that at the present session it could not give this question the careful consideration that it deserved and therefore decided to postpone its decision on this item, it being understood that the Office would take into account the above-mentioned suggestions and comments made by the members of the Committee together with any further comments received from members of the Correspondence Committee, when resubmitting the question to the Committee at the next session of the Governing Body. The Committee was of the opinion that it was ready to accept the proposals of the Office straight away, but that it would agree to postponing consideration of the question until the next session of the Governing Body, while reserving its views with regard to the suggestions made at the present session by the other members of the Committee which should have had the opportunity of examining them in detail.

The Role of the Council of Europe in the Social Field

21. The Committee was called upon to consider a document concerning the role of the Council of Europe in the social field. At its 122nd Session (Geneva, May–June 1953) the Governing Body had already had before it the memorandum prepared by the Secretariat-General of the Council of Europe, at the request of the Committee of Ministers, on the role of the Council of Europe in the social field. On that occasion the Governing Body had found it necessary to state that, while the International Labour Organisation attached great interest to the questions contained in the memorandum, in view of the short time which the Governing Body had had at its disposal to examine the memorandum and its need to study it in greater detail at its next session. At the same time it reaffirmed the importance attached by the I.L.O. to the avoidance of unnecessary duplication between international and regional action and its willingness to give all possible assistance in securing on a regional basis a larger measure of common approach than could be secured on a wider international basis, in so far as that was thought practicable by the countries concerned.

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The Committee felt that at the present session it could not give this question the careful consideration that it deserved and therefore decided to postpone its decision on this item, it being understood that the Office would take into account the above-mentioned suggestions and comments made by the members of the Committee together with any further comments received from members of the Correspondence Committee, when resubmitting the question to the Committee at the next session of the Governing Body. The Committee was of the opinion that it was ready to accept the proposals of the Office straight away, but that it would agree to postponing consideration of the question until the next session of the Governing Body, while reserving its views with regard to the suggestions made at the present session by the other members of the Committee which should have had the opportunity of examining them in detail.
International Labour Organisation, since the aim of the Council of Europe was not only to promote social progress but also, and, in particular, to achieve greater unity between its 15 member States.

24. The Opinion of the Consultative Assembly is to be communicated to the Committee of Ministers, which will have before it at the same time the report of the ad hoc meeting of experts which it convened to examine the memorandum of the Secretary-General on the role of the Council of Europe in the social field. It rests with the Committee of Ministers to take the necessary decisions with regard to the Opinion of the Consultative Assembly and the report of the meeting of experts. The International Organisations Committee found it difficult for the I.L.O. to do other than make preliminary comments on this question, while waiting to be informed in greater detail of the views of the Committee of Ministers and to give further consideration to the more general question of the relationship between the work of the I.L.O. and that of other international and regional organisations in the social field (see below, paragraph 34).

25. With these reservations the Committee adopted the following conclusions on the specific question of the role of the Council of Europe in the social field.

The Committee recommends that the Governing Body should—

1. note the Opinion expressed by the Consultative Assembly at its Fifth Session on the Memorandum concerning the activities which the Council of Europe could properly carry out in the social sphere;

2. note that the Committee of Ministers of the Council of Europe has not yet been called upon to take a final decision on this question and emphasise that until the Committee of Ministers has come to a decision the opinion of the Governing Body on this matter must necessarily be of a tentative nature;

3. note that that Memorandum and the Chairman of the Assembly Committee on Social Questions have stressed on the one hand the political role which the Council of Europe is called upon to play in promoting a greater measure of unity between its member countries through action in the social field and, on the other hand, the assistance which the I.L.O. may be requested to render to the Council of Europe in the development of such action;

4. emphasise the importance attached by the I.L.O. to the principle that the solution of labour problems should—as far as is practicable—be worked out in collaboration by the governments, employers and workers concerned;

5. emphasise the importance that the Governing Body, reflecting widespread concern of the governments of States Members, attaches to the elimination of duplication and overlapping of activities and to the most effective use of the resources put at the disposal of international organisations;

6. draw the attention of the Council of Europe to the fact that in order to achieve the most effective results and avoid duplication of initiatives and machinery the I.L.O. and the Council of Europe, in taking action on problems of common concern, should bear in mind the different though complementary roles which, by virtue of their different constitution and structure, they can play in the solution of these problems;

7. draw the attention of the Council of Europe to the fact that within the framework of the agreement between the I.L.O. and the Council of Europe a suitable basis can be found for complementary action to be taken by the two organisations, in their respective fields of competence, on problems of common concern, and that with this end in view the agreement provides that each organisation may refer to the other organisation matters which it considers can most appropriately be dealt with by that organisation;

8. stress the importance attached by the Governing Body to the co-ordination of the activities pursued by the international organisations at the world level and at the regional level in order to prevent them from assuming overlapping roles which, if they coincide, may cause duplication and waste and if they diverge may weaken the efficacy of their work;

9. reaffirm the willingness of the I.L.O. to give all possible assistance to the Council of Europe in securing on a regional basis a larger measure of common approach than can be secured on a wider international basis, in so far as this is thought practicable and desirable by the countries concerned;

10. request the Director-General to transmit to the Secretary-General of the Council of Europe the above comments with a view to their being brought to the attention of the Committee of Ministers and of the Assembly of the Council of Europe.

26. In view of the short time which the Committee had had at its disposal to examine the document submitted to it, it was understood that the members would have the right to revert to this question during the discussion of this report by the Governing Body.

Creation of a European Economic and Social Council

27. Following the adoption by the Consultative Assembly of the Council of Europe of a resolution directed towards the creation within the framework of the Council of Europe of a European economic and social council, the Secretary-General of the Council of Europe invited the Director-General of the I.L.O. and the Secretary-General of the United Nations each to communicate to him their views on this proposal, if possible before the end of 1953.

28. It emerges from the discussions to which the question of the creation of a European economic and social council gave rise in the Consultative Assembly of the Council of Europe that two main reasons had led to this proposal. In the first place, some members of the Consultative Assembly feel that the setting up of such a council would make it possible for representatives of employers and workers to participate more directly in the measures, already initiated, to accomplish the unification of Europe. Secondly, the economic and social council would, in practice, constitute the only organic link between the Council of Europe and the projected European political community. In point of fact, according to the draft treaty embodying the statute of the European political community, the proposed economic and social council of the European political community would constitute a section of the proposed economic and social council of the Council of Europe.

29. The report on this question submitted by the Office to the International Organisations Committee points out that several organisations, both world-wide and European, are already dealing with the problems that the proposed European economic and social council would also be competent to deal with. It poses the question of whether the setting up, at the present stage, of an economic and social council within the framework of the Council of Europe would not have the effect of weakening rather than strengthening the authority of all the international organisations dealing with economic and social problems, and the effectiveness of their work, by advancing still further the process of breaking up their respective spheres of competence. Finally, the Office points out that to create such a council, the Consultative Assembly of the Council of Europe, which is already an advisory body, would be simply to add to the existing machinery one more advisory body without any more extensive powers and without any basically different functions. At the present stage, therefore, and for as long as a European political community has
not been established, it would seem that the Council of Europe, by applying the provisions of the agreement concerning collaboration between itself and the I.L.O., and calling upon the services of the I.L.O., would be saved the need of setting up a new organ.

30. Inasmuch as the I.L.O.'s views on the proposal under discussion have been requested by the Secretary-General of the Council of Europe, could only be of a preliminary nature pending the opinion to be expressed by the United Nations and the preparation by the Secretariat-General of the Council of Europe of a report based on the governments' replies to a questionnaire, the International Organisations Committee feels that the I.L.O. cannot, at the present stage, give a detailed opinion on this question, more especially since in the view of the Committee the question of the creation of a European economic and social council, like the role of the Council of Europe in the social field, forms part of the more general problem which the Committee proposes to examine in detail at the next session of the Governing Body (see below, paragraph 34).

31. It is with these reservations, therefore, that the Committee recommends the Governing Body to record in the following terms its preliminary views on the question:

(a) The Governing Body thanks the Council of Europe for providing it with the opportunity of presenting its views on the proposal concerning the creation of a European economic and social council within the framework of the Council of Europe; inasmuch as this proposal has not yet advanced beyond a preliminary stage of examination and since no decision has been taken as to the composition and functions of the Council, the Governing Body cannot, at present, give a final opinion.

(b) In view of the fact that the point at issue at this stage is that of setting up an economic and social council within the framework of the Council of Europe and not within the framework of the European political community, the Governing Body wishes to draw the attention of the Council of Europe to the possibilities offered by the provisions of the Agreement between the I.L.O. and the Council of Europe, particularly articles 2 and 3; for consultation of the employers' and workers' organisations of the countries concerned.

(c) The Governing Body wishes to recall that the specific aim of this Agreement, as stated in the preamble, is to avoid "unnecessary duplication and overlapping and [to facilitate] concentration of efforts with a view to securing the most effective use of the resources available to all international and regional organisations".

(d) Consequently, the Governing Body considers that the Council of Europe should carefully examine the previous question of whether the creation of an economic and social council within the framework of the Council of Europe would, at the present stage, meet a real need, in view of the opportunities for consultation of employers' and workers' organisations offered by the Agreement between the I.L.O. and the Council of Europe.

(e) If, notwithstanding the above observations, the Council of Europe should deem it useful to pursue further its consideration of the question of setting up an economic and social council within its own framework, the Governing Body is of the opinion that the Council of Europe should, in that case, pay the closest attention to the relations to be established between this economic and social council and the I.L.O. in respect of all questions within the constitutional competence of the I.L.O., so as to ensure satisfactory co-operation between these institutions and the co-ordination of their activities, and to avoid duplication of effort.

(f) The Governing Body wished to emphasise that, until it is acquainted with the views to be expressed by the United Nations and by the States Members of the Council of Europe, it is not in a position to go beyond these preliminary observations, and to point out that these observations relate only to the proposal concerning the creation of a European economic and social council that would form an organ of the Council of Europe.

32. The Committee further suggests that the Governing Body should authorise the Director-General to draw the special attention of the governments concerned to the above considerations.

33. In view of the short time which the Committee had had at its disposal to examine the document submitted to it, it was understood that the members would have the right to revert to this question during the discussion of this report by the Governing Body.

Further Action by the Committee

34. The International Organisations Committee felt that the questions of the role of the Council of Europe in the social field and of the creation of a European economic and social council were closely related to the more general problem of the policy to be followed by the I.L.O. with regard to the activities of international and regional organisations dealing with questions coming within the province of the I.L.O. The Committee was aware of the danger inherent in the proliferation of international organisations if this proliferation should result in a waste of the resources available for international action, or if it should lead to the adoption of conflicting principles of social policy which would result in weakening the effectiveness of the international effort. The Committee therefore expressed a desire to examine these problems more thoroughly at the next session of the Governing Body in the light of a report to be prepared by the Office discussing the relationship between the work of the I.L.O. and that of other international and regional organisations in the social field, and bearing in mind that, among all the various international and regional organisations, only the I.L.O. has the advantage of having a tripartite structure which enables governments, employers and workers to deal, on an equal footing, with international social problems. Once the above-mentioned report has been placed before the Committee it can take a decision with regard to the desirability of setting up a procedure to be adopted for the examination of the contents of the report and to set forth detailed recommendations concerning any further action which should be taken by the I.L.O. in the future.

Slavery, the Slave Trade and Other Forms of Servitude

35. The Committee had before it a document concerning the question of slavery, the slave trade and other forms of servitude which is now under consideration by the Economic and Social Council of the United Nations. The Committee felt that it had not had enough time to examine the various problems that this question raised for the I.L.O. and therefore decided to postpone consideration of this question until its next session.

N. H. Tata,
Acting Chairman.
Eighteenth Item on the Agenda: Reports of the Financial and Administration Committee

The papers relating to this item, which was considered by the Governing Body in private sitting, are printed separately in view of their confidential nature.
APPENDIX XIX

Nineteenth Item on the Agenda: Report of the Allocations Committee

The Allocations Committee was not required to meet during the 123rd Session of the Governing Body.
APPENDIX XX

Twentieth Item on the Agenda: Composition of Committees

Correspondence Committee on Juvenile Work

1. It will be remembered that the Governing Body at its 115th Session (Geneva, June 1951) decided to transform the former Advisory Committee on Juvenile Employment into a Correspondence Committee, with a view to enlarging its composition so as to include experts on vocational guidance and training and youth placement and on the protection of children and young persons.

2. The necessary consultations having been undertaken, the Director-General is now in a position to make a series of proposals for appointments to the Committee.

New Appointments.

3. The Governing Body is invited to approve, for a period of three years, the following new appointments:

- Miss N. Baer (Swiss), Counsellor for Girls, Vocational Guidance Office of the City of Zurich; Member, Swiss Association for Vocational Guidance and the Protection of Apprentices.
- Miss E. Bayouth (Lebanese), General Secretary, Young Women's Christian Association, Beirut.
- Dr. F. Bossart (Swiss), Director, General Vocational Training School, Basle; President, Swiss Association for Vocational Guidance and the Protection of Apprentices.
- Mr. T. A. Fishbourne (Canadian), Supervisor of Special Placements, Employment Branch, National Employment Service, Unemployment Insurance Commission, Ottawa.
- Mr. G. Giraud (French), Principal Inspector of Technical Instruction in charge of the Vocational Guidance Services of the Paris Educational District.
- Mr. I. Ishigima (Japanese), Chief of the Minor Workers’ Section, Women’s and Minors’ Bureau, Ministry of Labour, Tokyo.
- Mr. Kehchimneh Kazimi (Iranian), Chief, Women’s and Children’s Bureau, Ministry of Labour, Teheran.
- Mr. C. B. McAlpine (United Kingdom), Chairman of the Youth Employment Executive; Assistant Secretary, Youth Employment Department, Ministry of Labour and National Service, London.
- Mr. K. S. Mahmud (Pakistani), Commissioner of Labour Ministry of Labour, Karachi.
- Mr. E. Neymark (Swedish), Chief, Juvenile Employment and Vocational Guidance Division, State Employment Board, Stockholm.
- Mr. M. Rajanayagam (Ceylonese), Commissioner of Labour, Labour Department, Colombo.
- Mr. Tsuyoshi Suzuki (Japanese), Chairman, All-Japan Telecommunications Workers’ Union, Tokyo.

Reappointments.

4. The Governing Body is invited to reappoint, for a period of three years, the following members:

- Mr. J. H. Van Bockel (Netherlands)
- Mr. S. Darouiche (Egyptian)
- Mr. E. Eichholzer (Swiss)
- Mr. B. S. Haikerwal (Indian)
- Miss R. A. Hamilton (Canadian)
- Mr. A. A. Kirk (New Zealand)
- Mrs. B. McConnell (United States)
- Miss O. Raffalovitch (French)
- Mr. J. E. de Sandowal (Cuban)

- Shri Sadashiva Prasad (Indian)
- Mr. M. Rodriguez Cardenas (Venezuelan), Director of the Department of Culture and Social Welfare, Ministry of Labour, Caracas.

Committee of Experts on the Application of Conventions and Recommendations

New Appointment.

5. The Governing Body is invited to approve, for a period of three years, the following new appointment:

- Dr. G. Sayán (Peruvian), Professor of Civil Law, University of Lima; Member, U.N.-I.L.O. Ad Hoc Committee on Forced Labour; formerly Minister of Foreign Affairs of Peru; Assistant Secretary-General, Inter-American Bar Association.

Reappointments.

6. The Governing Body is invited to reappoint, for a period of three years, the following members:

- Sir Atul Chatterjee (Indian)
- Mr. T. Perassi (Italian)
- Mr. W. Rappard (Swiss)
- Mr. G. Scelle (French)
- Miss G. J. Stemberg (Netherlands)
- Mr. P. Tschofflen (Belgian)
- Mr. C. E. Wyzanski, Jr. (United States)

Correspondence Committee on Occupational Safety and Health

New Appointments.

7. The Governing Body is invited to approve, for a period of three years, the following new appointments:

- Dr. M. Bauer (German, Federal Republic), Professor of Occupational Health, Bonn University; former Chief of the Medical Section, Federal Ministry of Labour, Bonn; former member of the Correspondence Committee on Industrial Hygiene of the I.L.O.
- Mr. G. C. Meuse (Netherlands), Inspector of Dock Labour, Rotterdam.
- Mr. R. N. F. Smir (South African), Chief Inspector of Factories, Department of Labour, Pretoria.

Reappointment.

8. The Governing Body is invited to reappoint, for a period of three years, the following member:

- Mr. H. R. Longhurst (United States)

Resignations.

9. The Governing Body is invited to take note of the resignations of the following members:

- Mr. T. L. Peagam (South African)
- Mr. P. Valentgoed (Netherlands)

Correspondence Committee on Recreation

New Appointment.

10. The Governing Body is invited to approve, for a period of three years, the following new appointment:

- Mr. M. Rodriguez Cárdenas (Venezuelan), Director of the Department of Culture and Social Welfare, Ministry of Labour, Caracas.

Reappointments.

11. The Governing Body is invited to reappoint, for a period of three years, the following members:

- Mr. G. D. Butler (United States)
- Mr. H. Nutt (United Kingdom)
- Shri Sadashiva Prasad (Indian)
- Mr. V. Wedell-Wedellsborg (Danish).
Correspondence Committee on Co-operation

New Appointments.

12. The Governing Body is invited to approve, for a period of three years, the following new appointments:

Mr. M. A. Basevi (Italian), Director-General of Co-operation, Ministry of Labour, Rome.
Mr. C. Burr (Chilean), Legal Adviser, Department of Co-operation, Ministry of Economy and Commerce, Santiago.
Mr. M. Erdekens (Belgian), Secretary, National Federation of Christian Co-operative Societies.

Committee of Experts on Indigenous Labour

Death.

13. The Governing Body is informed of the death of Mr. D. M. Mackay (Canadian).

New Appointment.

14. The Governing Body is invited to approve, for a period of three years, the following new appointment:

Lt.-Col. H. M. Jones (Canadian), Director, Indian Affairs Branch, Department of Citizenship and Immigration, Ottawa.

Reappointment.

15. The Governing Body is invited to reappoint, for a period of three years, the following member:

Mr. G. Abesames (Philippine).

Correspondence Committee on Women’s Work

New Appointments.

16. The Governing Body is invited to approve, for a period of three years, the following new appointments:

Mrs. Z. M. Ahmad (Pakistani), Agricultural Credit Officer, State Bank of Pakistan, Karachi.
Begum Anwar G. Ahmed (Pakistani), President, All-Pakistan Women’s Association, Karachi Branch; Pakistani Delegate to and Reporter of the U.N. Status of Women Commission, 1953.
Miss B. Bloodworth (United States), Consultant for the Women’s Bureau, U.S. Department of Labor, Washington, D.C.; Charter Member, Industrial Relations Research Association; Member, American Management Association.
Mrs. Y. E. Fojoint (French), President, French Association of Women Heads of Undertakings; President, Association of European Women Heads of Undertakings.
Miss Taki Fujita (Japanese), Director, Women’s and Minors’ Bureau, Ministry of Labour, Tokyo.

Mrs. T. Harmuth (German, Federal Republic), Member of the Executive Committee in charge of Women’s Affairs, German Federation of Trade Unions.
Mrs. Ayesha Mahmud (Pakistani), Women’s Placement Officer, Regional Employment Exchange, Karachi.
Mrs. Satnam Mahmud (Pakistani), Education Department, Punjab; Member, All-Pakistan Women’s Association, Lahore.
Mrs. Zahia Marzouk (Egyptian), Assistant Controller, Department of Social Security, Ministry of Social Affairs, Cairo.
Mrs. A. T. Sandesci Scelba (Italian), President, Italian Women’s Alliance; Vice-President, National Council of Italian Women.
Miss L. Riva Sanselerino (Italian), Professor of Labour Law, University of Pisa; Adviser to the Italian Government Delegation, International Labour Conference, 1946.
Mrs. D. Shafik (Egyptian), President, National Council of Women.
Miss A. Zimmermann (Swiss), Member of the Workers’ Protection and Labour Law Section, Federal Office for Industry, Arts and Crafts, and Labour, Berne.

Reappointments.

17. The Governing Body is invited to reappoint, for a period of three years, the following members:

Mrs. A. M. Cingolani Guidi (Italian).
Mrs. R. Nousbaum (French).
Mrs. A. Rusinowa (Polish).
Mrs. D. Maria Emilia Tinoco (Brazilian).

Resignation.

18. The Governing Body is invited to take note of the resignation of the following member:

Miss R. T. Skyring (New Zealand).

Committee of Experts on Social Policy in Non-Metropolitan Territories

Resignation.

19. The Governing Body is invited to take note of the resignation of the following member:

Mr. J. P. Davis (United States).

New Appointment.

20. The Governing Body is invited to approve, for a period of three years, the following new appointment:

Mr. B. Gerig (United States), Director, Office of Dependent Area Affairs, Department of State; U.S. Deputy Representative on the Trusteeship Council of the United Nations.
APPENDIX XXI

Twenty-first Item on the Agenda: Report of the Director-General

I. Proposed Fusion of the Manpower and Employment and Technical Assistance Committees of the Governing Body

1. The Governing Body will recall that at its 120th Session (Geneva, November 1952), it requested the Director-General to consider, and make recommendations for action on, a suggestion made at the meeting during the session of the Manpower and Employment Committee to the effect that, as the Technical Assistance Committee and the Manpower and Employment Committee seemed to cover a great deal of common ground, the two Committees might be merged into a single committee. It should be noted that the suggestion was not acceptable to the Committee generally and that the Workers’ members as well as some others dissented from it. The Workers’ members repeated their objection to the proposal when it was again brought forward at the meeting of the Committee during the 122nd Session (Geneva, May-June 1953).

2. It may be observed that this is not the first time that such a suggestion has been put forward. The question was before the Governing Body at its 111th Session (Brussels, November 1950) and later, when a committee of the Governing Body reviewed the working of its Standing Committees.

3. The Director-General has now reviewed the whole question anew. The Technical Assistance Committee covers very wide ground and deals not only with the entire range of activities of the Office but has also to give a good deal of attention to administrative matters concerning the expanded programme of technical assistance. It is hardly necessary to emphasise the consideration that the improvement of the organisation of manpower in its varied aspects of employment service organisation, development of vocational training or promotion of the mobility of labour has been from the outset, and remains, one of the major functions of the International Labour Organisation. The comments, criticism and advice of members of the Governing Body in all three groups are undoubtedly of considerable value to the Director-General in planning and implementing the programme of activities of the Office in this important field. It was no doubt because of this consideration that several members of the Governing Body favoured the continuance of a committee the members of which, by virtue of their interest in, and increasingly specialised knowledge of, the technical questions concerned, are enabled to follow closely the activities of the Office in this respect.

4. On the other hand, a review of policy in this matter from the technical point of view can hardly be made profitably at too frequent intervals, and the Manpower and Employment Committee has itself suggested that it need not meet during each session of the Governing Body.

5. Having regard to these considerations and the views expressed by different members of the Governing Body in the Manpower and Employment Committee as well as in the Technical Assistance Committee and in the Governing Body itself in the course of the various discussions on this question, it is suggested that the Manpower and Employment Committee and the Technical Assistance Committee should both continue in existence but that the Manpower and Employment Committee should meet only once a year, preferably in connection with the autumn session of the Governing Body, and that its proceedings should be confined to a systematic periodical review, from a technical point of view, of progress in manpower organisation in different regions.

II. Terms of Reference of the Committee of Experts on the Protection of Dockers against Accidents

6. The Governing Body decided at its 122nd Session to convene a small group of experts to examine the desirability of a revision of the Protection against Accidents (Dockers) Convention (Revised) 1932 (No. 32), and to review the effects on the practical application of the provisions of the Convention of developments since 1932 in methods of loading and unloading ships.

7. The proposal was adopted subject to a reservation made by the United States Government representative that the approval of his Government was conditional on the possibility of absorbing the expenditure of this meeting in the budget as already approved.

3. The Governing Body is invited to approve the following terms of reference for this Committee:

1. Review of the effects on the practical application of the Convention of developments since 1932 in methods of loading and unloading ships.

2. Examination of the suggestions for the revision of the Convention made by governments in connection with the ten-yearly report.

3. Examination of the proposals made by the International Transportworkers’ Federation for the revision of Convention No. 32.

III. Proposal for the Creation of a Joint Aviation Commission

9. By letter of 17 June 1953 Mr. O. Bécu, General Secretary of the International Transportworkers’ Federation, communicated to the Director-General two resolutions adopted by a Conference of the Civil Aviation (Flying Staff) Section of the Federation, held in Paris on 10 and 11 June 1953. One of these resolutions expresses regret that the I.L.O. has so far devoted but little attention to civil aviation, recognises that the Inland Transport Committee is already preoccupied with numerous branches of the transport industry and invites the I.L.O. to set up the necessary machinery for dealing with the social problems of civil aviation and to collaborate with I.C.A.O. so that the two agencies may consult and deal effectively with the social and technical problems of civil aviation.

10. The second resolution suggests that the I.L.O. should set up a committee of experts representative of the two sides of the industry—management and personnel—on the lines already established for the maritime industry by the Joint Maritime Commission.
that it deserves consideration with a view to action. As the first resolution points out, the Inland Transport Committee has too wide a field to cover for it to deal effectively with civil aviation problems and the proposal that a body similar to the Joint Maritime Commission should be set up seems to offer an appropriate method of enabling the I.L.O. to make the contribution expected of it in this field, to prepare any I.L.O. action which may be desirable and to make the necessary criteria of industrial importance and on the appropriate interests.

Co-operation with I.C.A.O. would of course be a matter of primary importance and it would clearly be desirable to secure the largest possible measure of agreement with that organisation in regard to the action to be taken and to make the arrangements to be made to ensure co-operation. The Committee could not, however, be appointed in the same manner as the Joint Maritime Commission (which is elected by the Shipowners’ and Seafarers’ groups at Maritime Sessions of the International Labour Conference). It might, however, be possible to appoint it on the basis of nominations made by the Employers’ and Workers’ groups of the Governing Body, in consultation with the appropriate interests. The financial aspects of the proposal would also require consideration.

II. If the Governing Body agrees that the desirability of setting up such a commission should be further explored, it is invited to authorise the Director-General to consult I.C.A.O. and the interests concerned with a view to securing the establishment of a joint aviation commission. The Director-General would then make firm proposals, including the financial implications, at a later session.

IV. Communication to the Governing Body: Resolutions Adopted by the Third World Congress of the International Confederation of Free Trade Unions

12. By letter of 13 August 1953 Mr. J. H. Oldenbroek, General Secretary of the International Confederation of Free Trade Unions, communicated to the Director-General copies of resolutions adopted by the Third World Congress of the I.C.F.T.U., held in Stockholm from 4 to 11 July 1953, and requested him to communicate them to the members of the Governing Body. The relevant passages of these resolutions will be found in the annex below.

V. Determination of the States of Chief Industrial Importance

13. The Governing Body will be requested at its present session to approve a list of names which the Director-General will submit, after consultation with the Officers of the Governing Body, for the appointment of a committee of experts to advise the Officers on the most appropriate criteria of industrial importance and on the relative industrial importance of States assessed on the basis of such criteria (article 13 of the Standing Orders of the Governing Body).

ANNEX

Resolutions Adopted by the Third World Congress of the International Confederation of Free Trade Unions

Resolution on the International Labour Organisation

The Third World Congress of the I.C.F.T.U., meeting in Stockholm, 4-11 July 1953.

Alarmed by the direct or indirect attacks on the International Labour Organisation, aimed at restricting or reducing its prerogatives and activities;

Recalls to the I.L.O., which was created on the initiative of the international trade union movement in order to combat injustice, misery and hardship, has furnished many proofs of its efficiency;

Considers, however, that a tremendous task of social emancipation still remains to be accomplished throughout the world, and that it is essential for the I.L.O. to adapt its means of action to the demands of the peoples and of the times;

Denounces vigorously the attempts of governments and elements acting on behalf of employers who refuse to give the I.L.O. the necessary financial means for fulfilling the task entrusted to it and calls upon all affiliated organisations to make the necessary representations to their governments;

Declares that the activities of the I.L.O. should not be curtailed, but should, on the contrary, be increased both on the regional and industrial levels where resolve and thorough action still remains to be carried out: in particular, the regional activities of the I.L.O. should be developed in Africa and the work of the Industrial Committee should continue without hindrance and be extended to new industries;

Stresses the fact that the I.L.O. will not have a really universal character as long as the non-self-governing territories are unable to participate directly in its activities, and claims an appropriate status for the latter;

Appeals to the I.L.O. to be more energetic in its action and firmer in its relations with the governments, especially those which violate trade union rights; this will increase the authority of the I.L.O. by gaining it the effective support of the millions of progressive labour grouped in the I.C.F.T.U.;

Emphasises the fact that it is one of the tasks of the I.L.O. to help the free trade unions to safeguard trade union freedom in the world; that although it may already have attempted to do so, the results of this preliminary action have been rather limited and that in these circumstances the I.L.O. should redouble its efforts to prevent violations of trade union rights;

Points out that there are many governments which violate trade union freedom or contrive to hamper and paralyse the activities of the free trade union organisations;

Strongly protests against the encroachments on trade union freedoms by several governments, and calls for the development of sham pretexts, such as public order or the political character of the trade union struggle, invoked by these governments in order to justify their anti-labour policy;

Denounces all those States which have suppressed all trade union freedom and organised so-called trade unions as instruments of a governmental policy of oppression and social reaction;

Approves the complaints lodged by the I.C.F.T.U. with the Economic and Social Council and the I.L.O. with regard to the violations of trade union freedom in the U.S.S.R., Czechoslovakia, Hungary, Poland, Spain, Argentina, Venezuela, the Dominican Republic, Tunisia, French Morocco and the Saar;

Expresses satisfaction at the fact that the I.C.F.T.U. is making great efforts to safeguard trade union rights all over the world and has recently set up a joint I.C.F.T.U.-I.L.O. Workers’ Group Committee, especially entrusted with these problems;

Emphasises that trade union freedom as defined by the fundamental principles of the I.C.F.T.U. can be realised more rapidly if the I.L.O. increases its efforts to adopt International Labour Conventions;

And instructs the Executive Board (1) to continue its action to increase the efficiency of the I.L.O. in close collaboration with affiliated organisations, the I.T.S. and the Workers’ group of the I.L.O. Governing Body; (2) to formulate general economic and social objectives which the Workers’ group of the Governing Body could submit to the I.L.O.; (3) to inform the affiliated organisations of the Governmental Committee, especially entrusted with these problems;

Resolution on Economically Underdeveloped Countries

The Third World Congress of the International Confederation of Free Trade Unions, meeting in Stockholm, 4-11 July 1953.

Welcomes the efforts of the United Nations and its Specialised Agencies to fight misery, ill-health and illiteracy, through technical assistance and by other appropriate means;

Calls upon all governments to supply sufficient funds for all these purposes, and especially to enable the International Labour Organisation, the World Health Organisation, the United Nations International Children’s Fund, and U.N.E.S.C.O. to continue their valuable work on an adequate scale;

Emphasises the importance of measures which the economically underdeveloped countries should themselves take in the field of land reform, encouragement of internal savings and investment, fullest possible use of their manpower on development projects, productive labour legislation and other policies outlined by the Second World Congress of the I.C.F.T.U.
Resolution on International Migration

The Third World Congress of the I.C.F.T.U., meeting in Stockholm, 4-11 July 1953.

Recognises the International Labour Organisation as the appropriate international organisation to deal with migration problems and requests that every effort be made to make use of the experience of the I.L.O. in this field;

Urges that the International Labour Convention on migrant workers be ratified by all countries concerned;

Demands that, through agreements between governments and ultimately within the framework of an International Labour Convention, the social security rights of workers migrating from one country to another be preserved;

Expresses the view that trade unions should be represented on all bodies dealing with migration, particularly on those entrusted with problems of adjustment of immigrants, including the question of selection, training and social services;

Affirms that, by facilitating trade union membership for immigrant workers, the free trade unions will contribute to the solution of the problems facing them.

FIRST SUPPLEMENTARY REPORT

I. Composition of the Governing Body

Regular Members.

Government Representatives.

1. By letter of 7 November 1953 the Brazilian delegation in Geneva informed the Director-General that Mr. Luís Augusto de Rege Monteiro had been appointed by the Brazilian Government as its representative on the Governing Body.

2. Mr. Emilio Calderón Puig has been appointed Chargé d'affaires of the Permanent Delegation of Mexico to the International Organisations in Geneva, in place of Mr. Octavio Paz, and in that capacity will act as representative of the Mexican Government on the Governing Body.

Workers' Representatives.

3. Mr. Bernardo Ibáñez Águila (Chilean), Workers' representative, has informed the Chairman of the Governing Body of his resignation from membership of the Governing Body. The Workers' group will be called upon to fill the resulting vacancy among the Workers' regular members in accordance with article 5, paragraph 5, of the Standing Orders.

Deputy Members.

4. Mr. Patrick Shaw, Australian Permanent Delegate to the European Office of the United Nations and Australian Government representative on the Governing Body, has left Geneva and has been succeeded by Mr. Ralph Lindsay Harry.

II. Progress of International Labour Legislation

Ratification of Conventions.

5. Since the 122nd Session of the Governing Body, the Director-General has registered the following 39 ratifications of international labour Conventions, on the dates indicated:

I. Night Work (Women) Convention, 1919 (No. 4); Minimum Age (Industry) Convention, 1919 (No. 5); Night Work of Young Persons (Industry) Convention, 1919 (No. 6); White Lead (Painting) Convention, 1921 (No. 23); by Viet-Nam, on 6 June 1953. Weekly Rest (Industry) Convention, 1921 (No. 14); by Cuba, on 20 July 1953. Marking of Weight (Packages Transported by Vessels) Convention, 1929 (No. 27); by Viet-Nam, on 6 June 1953. Forced Labour Convention, 1930 (No. 29); by Viet-Nam, on 6 June 1953 and by Cuba, on 20 July 1953. Hours of Work (Commerce and Offices) Convention, 1930 (No. 30); by Norway, on 29 June 1953. Underground Work (Women) Convention, 1935 (No. 45); by Viet-Nam, on 6 June 1953 and by Australia, on 7 October 1953.

Holidays with Pay Convention, 1936 (No. 52); by Viet-Nam, on 6 June 1953 and by Cuba on 20 July 1953. Minimum Age (Sea) Convention (Revised), 1936 (No. 58); Hours of Work and Rest Periods (Road Transport) Convention, 1939 (No. 67); by Cuba, on 29 July 1953. Food and Catering (Ships' Crews), Convention, 1940 (No. 68); by the United Kingdom, on 6 August 1953. Social Security (Seafarers) Convention, 1946 (No. 70); by the United Kingdom, on 20 May 1953. Night Work of Young Persons (Non-Industrial Occupations) Convention, 1946 (No. 79); by the Dominican Republic, on 22 September 1953. Final Articles Revision Convention, 1946 (No. 80); by Viet-Nam, registered on 6 June 1953 and by Cuba, on 18 July 1953. Labour Inspection Convention, 1947 (No. 81) by the Dominican Republic, on 22 September 1953; by Pakistan, on 10 October 1953; and by Japan, on 20 October 1953. Employment Service Convention, 1948 (No. 88); by the Dominican Republic, on 22 September 1953 and by Japan, on 20 October 1953. Night Work (Women) Convention (Revised), 1948 (No. 89); by France, on 21 September 1953; and by the Dominican Republic, on 22 September 1953. Accommodation of Crews Convention (Revised), 1949 (No. 92); by the United Kingdom, on 6 August 1953. Minimum Wage Fixing Machinery (Agriculture) Convention, 1949 (No. 99); by the United Kingdom, on 22 September 1953; and by Japan, on 20 October 1953. Minimum Wage Fixing Machinery (Non-Agriculture) Convention, 1951 (No. 100); by the United Kingdom, on 9 June 1953; and by Austria, on 29 October 1953. Equal Remuneration Convention, 1951 (No. 100); by the Dominican Republic, on 22 September 1953 and by Austria, on 29 October 1953. Holidays with Pay (Agriculture) Convention, 1952 (No. 102); by Israel, on 14 July 1953; by New Zealand, on 24 July 1953; and by Sweden, on 12 August 1953. Social Security (Minimum Standards) Convention, 1952 (No. 102); by Sweden, on 12 August 1953 (accepting the obligations under Parts IV, VI and VII of the Convention).

The total number of ratifications registered is now 1,396.

Declaration concerning the Application of Conventions to Non-Metropolitan Territories (Article 33 of the Constitution)

6. By declaration appended to the Instrument of Ratification of the Migration for Employment Convention (Revised), 1949 (No. 97), the Government of Belgium excludes from the application of this Convention the territories of the Belgian Congo and the Trust Territories of Ruanda-Urundi.

Entry into Force of Convention.

7. The Holidays with Pay (Agriculture) Convention, 1952 (No. 102) will come into force on 24 July 1954 as a result of its ratification by New Zealand, registered on 24 July 1953. Two ratifications were necessary for the entry into force of this Convention; the first was that of Israel, registered on 14 July 1953.

Ratifications Authorised.

8. The competent authorities (article 19 of the Constitution) of the countries concerned have authorised...
ratification of the following international labour Con-
vocations:
Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87); Employment Service Convention, 1948 (No. 88); Night Work (Women) Convention (Revised), 1948 (No. 89); Night Work of Young Persons (Industry) Convention (Revised), 1948 (No. 90); Wages, Hours of Work and Manning (Sea) Convention (Revised), 1949 (No. 93); Labour Clauses (Public Contracts) Convention, 1949 (No. 94); Protection of Wages Convention, 1949 (No. 95):

by the Philippines.

Right to Organise and Collective Bargaining Convention, 1949 (No. 98):

by Belgium and the Philippines.

Minimum Wage Fixing Machinery (Agriculture) Convention, 1951 (No. 99):

by Austria; Cuba; the Federal Republic of Germany; the Netherlands and the Philippines.

Equal Remuneration Convention, 1951 (No. 100):

by Austria; Cuba and the Philippines.

III. Publications

9. The resources released by the far-reaching simplification and compression of the programme of publications connected with the Conference and other meetings have been utilised, as was intended, to increase the output of studies and other research publications, which had been reduced to very small proportions in the post-war years.

10. By arrangement with the United Nations, the Office undertook all the work connected with the issue as a joint publication of the Report of the Ad Hoc Committee on Forced Labour, which was distributed to members of the Governing Body during its last session. This large volume was included in the Studies and Reports series.

11. In accordance with a decision taken by the Governing Body at its last session, two reports of the Committee on Freedom of Association relating to Czecho-Slovakia have been published, also in the Studies and Reports series, under the title Trade Union Rights in Czecho-Slovakia.

12. A large volume entitled Indigenous Workers is in the press, and copies may be available by the time the Governing Body meets. This is an exhaustive study of many aspects of the living and working conditions of indigenous peoples other than those of non-metropolitan territories. The text is supplemented with tables, maps and photographs.

13. A study on minimum wage regulation in Latin America is also in course of publication and will probably appear before the end of the year.

14. Other volumes which it is hoped to publish during the coming months are the following: Methods of Raising Labour Productivity; Social Security Systems; United States; Vocational Guidance: France; and Administrative Problems of Social Security.

15. It is gratifying to note that in view of the persistent demand a fifth printing of the English edition of Approaches to Social Security has had to be ordered. Sales of this study, first published in 1942, have exceeded those of any previous I.L.O. publication. Other volumes which have recently had to be reprinted for sale are An Introduction to Co-operative Practice (French) and Payment by Results (English).

16. The 1953 edition of the Year Book of Labour Statistics will be issued in November; with this issue the Year Book is once more firmly established as an annual publication.

IV. Report of the 23rd Session of the Committee of Experts on the Application of Conventions and Recommendations

17. It will be recalled that at its 22nd Session (Geneva, May-June 1953) the Governing Body had before it the report of the Committee of Experts on the Application of Conventions and Recommendations and decided to postpone to a later session the examination of measures to be taken to ensure that States newly admitted to the International Labour Organisation submit to the competent national authorities, within a reasonable period, certain of the basic Conventions and Recommendations adopted by the Conference before their admission to the Organisation.

18. This suggestion was made by the Committee of Experts on the Application of Conventions and Recommendations, which was of the opinion that, "according to a strict interpretation of the provisions of article 19 of the Constitution, States which become Members of the Organisation are required to submit to the competent authorities only the decisions adopted by the Conference after their admission to the Organisation . . . It appears desirable that an effort should be made to secure the submission to the competent authorities in such cases of at least the more important of the decisions taken by the Conference before such States became Members of the Organisation. As regards States Members which were not founder Members of the Organisation, the International Labour Office might be invited to call the attention of governments to the desirability of submitting to the competent authorities, within a reasonable period, certain of the basic Conventions and Recommendations adopted by the Conference before their admission to the Organisation. As regards States which may in the future apply for admission to the Organisation, the Governing Body and the Conference might consider the possibility of negotiations being undertaken with them at the time to secure assurances that they will submit to their competent authorities, within a reasonable period, certain of the basic Conventions and Recommendations previously adopted by the Conference." (Paragraph 47 of the report of the Committee of Experts)

19. The Governing Body may be reminded that this suggestion was discussed at length by the Committee on the Application of Conventions and Recommendations during the 9th Session of the Conference.

The latter adopted unanimously the report of this Committee which "took note with interest of the suggestion made in paragraph 47 of the report of the Committee of Experts . . .", but indicated that it feared that this suggestion may be open to certain objections. In its first report to the Committee of Experts, it had pointed out that in certain of the basic Conventions and Recommendations previously adopted by the Conference it might be difficult to determine which texts should be regarded as basic in character. Moreover, as it has been pointed out by the Committee of Experts itself, article 19 of the Constitution requires States which become Members of the Organisation to submit to their competent authorities only such Conventions and Recommendations as are adopted by the Conference after their admission to the Organisation. In these circumstances, the Committee considers that it would be inappropriate to seek from States applying for membership the kind of assurances suggested by the Committee of Experts. Further, the Committee considers it necessary to draw attention to the fact that, under the Constitution of the International Labour Organisation, the procedure for admission of new Members differs according to whether the State is, or is not, a Member of the United Nations; in the former case a country may become a Member of the Organisation merely by communicating to the Director-General its formal acceptance of the obligations of the Constitution, while in the latter case a country is admitted by a two-thirds majority vote of the International Labour Conference. If the suggestion made by the Committee of Experts were implemented
in the case of States whose admission to the Organisation requires a two-thirds majority vote by the Conference, this would create an anomalous situation as between those States and those in whose case a decision by the Conference is not required. In the light of these circumstances the Committee feels that the implementation of this suggestion might well place obstacles in the way of universality of membership. For all these reasons, the Committee does not consider that the suggestion made by the Committee of Experts should be implemented and that it would be within the spirit of the Constitution to suggest to new States Members the desirability of implementing all the decisions of the International Labour Conference to the greatest possible extent " (report of the Conference Committee, paragraph 29).1

20. In view of the decision of the Conference not to implement the suggestion made by the Committee of Experts as regards the measures to be taken to ensure that States newly admitted to membership in the Organisation submit to the competent national authorities, within a reasonable period, certain of the basic Conventions and Recommendations adopted by the Conference before their admission to the Organisation, there would appear to be no point in pursuing further the suggestion of the Committee of Experts.

21. In these circumstances the Governing Body, in taking note of the decision taken by the Conference, will no doubt consider that it is unnecessary to refer this matter for examination to its Committee on Standing Orders and the Application of Conventions and Recommendations.

V. Results of the Meeting of Experts on the Prevention and Suppression of Dust in Mining, Tunnelling and Quarrying

22. The Governing Body will learn with interest that the Meeting of Experts on the Prevention and Suppression of Dust in Mining, Tunnelling and Quarrying, held in December 1952, is likely to have considerable practical effects. Numerous papers submitted to the meeting have been reproduced in the technical press of various countries, and the recommendations of the meeting have been translated into German by German and Austrian institutions interested in the subject. Professor Houberechts, Director of the Miners' Health Institute at Hasselt, who was the Chairman of the meeting, has informed the Director-General that it has had the most beneficial results in Belgium; the recommendations have facilitated the drafting of new regulations which will shortly come into force.

SECOND SUPPLEMENTARY REPORT

I. Committee of Statistical Experts on the Determination of the States of Chief Industrial Importance

1. The Governing Body at its 122nd Session (May–June 1959) authorised the Director-General to submit to its present session names for the appointment of the committee of experts required under article 13, paragraph 2, of its Standing Orders. It was understood that the modifications of the list of States of chief industrial importance would then be placed as a specific item on the agenda of the 124th Session of the Governing Body (March 1954) and that the Officers of the Governing Body would report to that session, after having received this committee's advice.

2. The question of financial provision for the meeting of this committee is being placed before the Financial and Administrative Committee.

3. The Governing Body is invited to approve the appointment of the following as members of the Committee:

   Mr. D. Almendras (Chilean), Professor of Statistics, University of Chile.

   Mr. H. Campbell (United Kingdom), Head of the Central Statistical Office.

   Mr. Levv-Bruhl (French), Chief of the Statistical Division, Ministry of Labour and Social Welfare.

   Mr. H. Marshall (Canadian), Dominion Statistician, Department of Trade and Commerce.

   Substitute: Mr. S. Goldberg (Canadian), Director, Research and Development Division, Dominion Bureau of Statistics, Department of Trade and Commerce.

   Mr. B. Ramamurti (Indian) Joint Director, Central Statistical Organisation, Cabinet Secretariat.

II. Committee of Experts on the Protection of Dockers against Accidents

5. As noted in paragraph 14 of the document relating to the second item on the agenda, the Governing Body is called upon at its present session to decide the composition of this Committee. (The terms of reference have already been proposed to the Governing Body in the Report of the Director-General, paragraph 7; the date of the meeting will be decided under the 22nd item on the agenda—Programme of meetings.)

6. It is suggested that the Committee should be composed as follows:

   Sir George Barnett (United Kingdom), H.M. Chief Inspector of Factories.

   Mr. O. Becu, General Secretary, International Transportworkers' Federation.

   Mr. Dimter (German, Federal Republic), Counselor, member of the Hamburg Labour Inspection Office, expert on accident prevention in seaports.

   Mr. H. W. Greany, Secretary, International Shipping Federation.

   Mr. G. C. Meeuse (Netherlands), Inspector of Dock Labour, Rotterdam.

   Mr. J. H. Grénvat (Swedish), Chief of the Social Department for Merchant Seamen, Royal Board of Trade; special inspector for the protection of workers employed in loading or unloading ships.

7. The Director-General also proposes, if the Governing Body agrees, to add the names of two more experts, in consultation with the Officers.

8. The question of financial provision for the meeting has been submitted to the Financial and Administrative Committee.

III. Proposal for the Creation of a Joint Aviation Commission

9. The Governing Body already has before it, in paragraphs 9 to 11 of the Report of the Director-General, information concerning a proposal to set up a joint aviation commission. Following conversations between the President of the Council of the International Civil Aviation Organisation and the Director-General, the following understanding on the subject was reached and is now submitted to the Governing Body to facilitate its consideration of the matter.

10. The Director-General of the International Labour Office and the President of the Council of the International Civil Aviation Organisation have, subject to the approval of the Governing Body and the I.C.A.O. Council respectively, reached the following understanding concerning the proposal for the establishment by the I.L.O. of a Joint Aviation Commission which has been submitted to them by the International Transportworkers' Federation:

   1. Whether the I.L.O. should establish a joint aviation commission, representative of management and personnel


2 See above, Appendix II, p. 89.

3 See above, p. 152.
in the aviation industry, for the purpose of advising the I.L.O. on questions within its competence is a matter for the Governing Body of the I.L.O.

2. While any joint aviation commission which may be established by the I.L.O. may be called upon to advise the Governing Body on questions calling for discussions between the I.L.O. and I.C.A.O., such discussions will continue to be conducted in accordance with the present arrangements. The I.L.O. and I.C.A.O. will continue to be represented at each other’s meetings as necessary and the Director-General of the I.L.O. and the President of the I.C.A.O. Council will continue to consult each other regularly in regard to all matters of common interest.

3. In principle, in relation to the conditions of employment of personnel, I.C.A.O. deals with problems affecting the safety and reliability of civil aviation and the I.L.O. with social problems, but the practical application of this principle will call for the continuation of the closest consultation between the two organisations and for the fullest interchange of information and views on matters of common interest.

4. When problems calling for international action are of concern to both organisations, under the principles declared in paragraph 3, the I.L.O. will in general, before considering whether additional measures are necessary on social grounds, withhold action for a sufficient period to give I.C.A.O. an opportunity to establish the requirements from the standpoint of safety; this provision will not preclude the I.L.O. communicating to I.C.A.O. proposals for I.C.A.O. action on safety matters.

II. The text of the correspondence on the subject is reproduced below (Annex A).

IV. Position of Refugee Seafarers

12. The Director-General has received a memorandum from the Deputy High Commissioner for Refugees of the United Nations following on conversations at the Secretariat level between the I.L.O. and that Organisation concerning the problem of refugee seafarers.

13. It will be recalled that at its 115th Session (Geneva, June 1951) the Governing Body had before it a resolution on this subject which had been adopted by the 16th Session of the Joint Maritime Commission (Geneva, May 1951)1, and that the Governing Body decided at that time to communicate the resolution to the governments of States Members, as suggested by the Joint Maritime Commission.

14. It would appear from the memorandum prepared by the Office of the High Commissioner for Refugees, which is appended, and from information received from other sources, that the suggestions contained in the resolution adopted by the Joint Maritime Commission have not been fully implemented and that fresh problems have arisen.

15. The Governing Body is therefore invited to authorise the Director-General—

(a) to communicate the memorandum concerning refugee seafarers prepared by the Office of the High Commissioner for Refugees to the governments of States Members, drawing their attention once again to the resolution adopted by the Joint Maritime Commission on this subject; and

(b) to request the governments to inform him concerning any action which they may have considered it appropriate to take to implement the resolution, and any suggestions they may wish to offer concerning possible solutions to the problem;

(c) to submit the replies of the governments and any other pertinent information on this question to the next session of the Joint Maritime Commission.

16. The memorandum prepared by the High Commissioner for Refugees is reproduced below (Annex B).

V. Meeting of a Panel of the Correspondence Committee on Co-operation

17. It will be remembered that the Governing Body at its 122nd Session approved the convening of a panel of 12 members of the Correspondence Committee on Co-operation. Two of the members, Mr. Sienna (Argentina) and Mr. Frietens (Netherlands) have informed the Director-General that they will not be able to attend the meeting.

18. The Governing Body is invited to replace Dr. Frietens by Mr. Erwin Hasselmann (German, Federal Republic), Managing Director of the Central Union of German Consumer Co-operative Societies.

19. If the Governing Body approves the proposal for appointment to the Committee submitted to it in paragraph 12 of Appendix XX (Composition of Committees), it is invited to replace Mr. Sienna by Mr. Carlos Burr (Chilean), Legal Adviser, Department of Co-operation, Ministry of Economy and Commerce, Santiago.

ANNEX A

Correspondence between the Director-General of the I.L.O. and the President of the I.C.A.O. Council concerning the Creation of a Joint Aviation Commission.

Letter from the Director-General to the President of the I.C.A.O. Council

New York, 19 October 1953.

Dear Dr. Warner,

The attached memorandum of understanding, agreed between our representatives on the basis of our conversation of 6 October, is fully acceptable to me and in the event of your also approving it, I shall be glad to take the necessary steps to communicate it to the Governing Body of the International Labour Office and to keep you informed of their views so that at the appropriate stage you may consult the I.C.A.O. Council.

I should like to take this opportunity of expressing my appreciation of the co-operative spirit in which our discussions on this subject have been carried out and would express the hope that our further relations in this field will be equally fruitful.

With kind regards,

Sincerely,

(Signed) David A. Morse, Director-General

Letter from the President of the I.C.A.O. Council to the Director-General

Montreal, 28 October 1953.

Dear Mr. Morse,

Thank you for your letter of October 19th and the enclosure. The text of the memorandum as you enclosed it was in accordance with my understanding, except that I believe the word written as “condition” in the first line of subparagraph 3 should be “conditions”.

So far as I am concerned, and after consulting my colleagues in the secretariat who are most concerned with such matters, the “Memorandum of Understanding” is now entirely satisfactory to me. Without presenting it formally to Council, at least for the present, I am circulating it to the Council members with an explanatory memorandum and asking that any of them who have any particular views on the matter let me know by November 12th. I should therefore be able to let you know soon after that date whether there seems to be any likelihood of our encountering any difficulties.

It is always very pleasant to talk with you, and I can cordially reciprocate all that you say about the co-operative spirit in which we have dealt with what may become common problems. As I am sure you realise, I remain hopeful that international air transport in its present condition will not be found to present any such grave social problems as to require urgent treatment.

Sincerely,

(Signed) Edward Warner, President of the Council.

1 For the text of this resolution, see Minutes of the 115th Session of the Governing Body, p. 73.

1 See above, p. 151.
ANNEX B

Memorandum concerning the Problem of Refugee Seafarers Addressed by the High Commissioner for Refugees to the Director-General of the I.L.O.

I. History of International Action

(1) Following a letter addressed to the Director-General of the International Labour Office by the Director-General of the International Refugee Organisation of 2 November 1950, this problem formed in 1951 the subject of discussions between members of the staffs of the I.L.O., the I.R.O. and the U.N.H.C.R.

(2) The Director-General of the I.L.O. addressed on 5 April 1951 a memorandum on the subject of refugee seamen to the Director-General of the I.R.O. which dealt with the nature of the problem, its extent and possible solutions. Following a suggestion contained in that memorandum, the attention of the Joint Maritime Committee of the I.L.O. was drawn to the problem and the Commission adopted, at its sixteenth session in May 1951, a resolution on the subject, which was subsequently approved by the Governing Body of the I.L.O.\(^1\)

(3) On the initiative of the Observer of the I.L.O., the problem was also discussed by the Conference of Plenipotentiaries on the Status of Refugees and Stateless Persons held in Geneva in July 1951. The Convention relating to the Status of Refugees, adopted by that Conference on 28 July 1951\(^2\), contains the following provision:

In the case of refugees regularly serving as crew members on board a ship flying the flag of a Contracting State, that State shall give sympathetic consideration to their establishment on its territory and the issue of travel documents to them, if they have joined ships after having found a country of asylum.

(a) According to article 43 the Convention shall come into force on the 90th day following the day of deposit of the sixth instrument of ratification or accession. The Convention has so far been signed by the following twenty countries: Austria, Belgium, Brazil, Canada, Denmark, France, Germany, Greece, Switzerland, Turkey, United Kingdom, Vatican, Yugoslavia, and ratified by five—Belgium, Denmark, Federal Republic of Germany, Sweden, and Norway.

While the sixth ratification and, therefore, the entry into force of the Convention, may be expected soon, it is at present not yet in force. It will be noted, moreover, that article 11 is worded in the form of a recommendation and will, therefore, not impose legal obligations on the Contracting States.

(b) The Office of the U.N.H.C.R. and its Branch Offices continue to receive communications from refugee seamen whose legal position is precarious. Thanks to the benevolent attitude of government officers in many countries, it has been possible to help refugee seamen, though not all, of these cases. The cases which have come to the knowledge of U.N.H.C.R. show that the difficulties in the position of many refugee seamen are still substantially the same as those outlined in the memorandum of the Director-General of the I.L.O. on 5 April 1951.

(c) These difficulties result from the special situation of refugee seamen, who are either persons who have joined ships directly after having left their country of origin or persons who have joined ships after having found a country of asylum. In the first case they have no country of lawful residence, in the second case their legal residence is lost by their joining a ship, unless this occurs directly after having left their country of origin or persons who have joined ships after having found a country of asylum.

(13) The country whose flag the ship flies, on which the refugee serves, and the country where the refugee has, or had, his habitual residence, serve as primary criteria in the best position to deliver documents to these persons. It seems necessary to establish the conditions under which the refugee seamen would be entitled to obtain travel documents from these countries. If a certain period of service on board ship or other conditions should be required for the purpose of the issuance of travel documents by the country whose flag the ship flies, it should be established on what conditions refugee seamen would be entitled to obtain travel documents from these countries. This proves the need for international action with a view to a solution of this problem.

II. Need for Action for the Solution of the Problem

(1) The practice of governments as to considering periods of service on board ships as valid evidence to prove such residence and to take the necessary steps in order to facilitate their establishment in another country.

(2) Owing to the very nature of the problem, it is difficult to obtain figures of the number of persons involved. A considerable number of individuals have been brought to the attention of U.N.H.C.R. and its Branch Offices.

(3) The agreement of governments should also be sought for the granting of permission to land for refugee seamen for a limited but adequate period, in order to enable them to regularise their position and to take the necessary steps in order to find admission into a country of permanent settlement, subject, if necessary, to certain guarantees (cf. paragraph 24 of the resolution adopted by the Joint Maritime Commission).

(4) It has, in fact, been possible in the past to secure for refugee seamen an individual arrangement for the withdrawal of travel documents by countries which were under no obligation to do so, such as the country where the refugee had his last residence or some other link of attachment. Governments are reluctant, however, to establish general rules of this nature unilaterally, without being assured that other countries would be prepared to adopt similar measures. This proves the need for international action with a view to a solution of this problem.

THIRD SUPPLEMENTARY REPORT

I. The Governing Body, at its 122nd Session (Geneva, May-June 1953), discussed the Director-General’s Report on the Office’s activities in the field of migration, and requested the rapporteur on behalf of the Office to follow up the activities of the Office in this field, particularly in connection with the development of international agreements and other international organisations, in particular, the Intergovernmental Committee for European Migration. It decided to appoint a tripartite delegation to represent it at the next session of the I.C.E.M., in the event of arrangements being made for such a delegation to attend.

(1) The High Commissioner’s Representative in the United Kingdom reported that the International Transportworkers’ Federation, after a study of information received from affiliated seafarers’ unions, was of the opinion that there would most likely be several hundred persons involved, not including persons serving under Panamanian, Liberian and similar flags.

(10) In the Netherlands an investigation is at present being made into the number of refugee seamen serving on ships calling at Dutch ports, and the documentation they possess. The results of this investigation will be communicated to the I.L.O.

\(^1\) See Minutes of the 122nd Session of the Governing Body, pp. 111-117.
The Director-General sent the Director of the I.C.E.M. a copy of the minutes of the June sitting of the Governing Body, under cover of a letter in which he gave an outline of the views expressed in the Governing Body during its discussion of the draft Constitution of the I.C.E.M.1

2. The session of the I.C.E.M. was held from 22 to 27 October 1953 in Venice. Although there appeared to be no material obstacle in the way of attendance by the tripartite Governing Body delegation at the I.C.E.M. session, it appeared doubtful whether this delegation would be able to participate fully and adequately in the discussions at Venice. In these circumstances the Director-General did not feel justified in asking the Governing Body delegation to go to Venice, but left open the possibility of calling on it to participate at short notice, as he had himself envisaged in the Governing Body at its 42nd Session. In fact, no need for this did not arise. The Director-General was represented at the I.C.E.M. session by the Chief of the Manpower Division, who had been present at all the Committee's previous sessions.

The I.L.O. observer was able, during the session in Venice, to inform the Council of the I.C.E.M. of the general tenor of the discussions which had taken place in the Governing Body, and which had covered two questions in particular: first, the future mandate of the I.C.E.M. and secondly, the problem of I.L.O. representation at meetings of the various organs of the I.C.E.M.

3. On the first point the constitutional text finally adopted by the Council at Venice does not differ appreciably from the original draft, in particular as far as article 1 (b) is concerned.2 The significance of this article was, however, indicated more clearly at Venice, inasmuch as the Director of the Committee made a statement on the problem of co-ordinating the Committee's activities with those of the United Nations and other international organisations. His statement was as follows:

On the question of co-ordinating the Committee's work with that of the other international organisations, which was raised mainly by the representatives of the United Nations and of the specialised agencies, I repeat that I am most anxious, as is the Secretary-General of the United Nations, to avoid duplication and overlapping and I would like to give the Committee the assurance that, in studying major projects, appropriate regard will be given to the availability of services which other international organisations may be in a position to supply. I further believe that our present liaison with the Secretariat of the United Nations, the United Nations High Commissioner for Refugees, the International Labour Organisation, the Food and Agriculture Organisation and other international, both intergovernmental and non-governmental, organisations adequately provides for the exchange of information and consultations necessary to this end. I should like to assure the Committee and representatives of international organisations present of my keen interest, as Director of the Intergovernmental Committee for European Migration, in continuing this consultation and ensuring efficient co-ordination of effort.

4. Another section of the draft gave rise to discussion by the Governing Body. It was article 27, which deals with relations between the I.C.E.M. and the other international organisations. The final form of this text does not differ appreciably from the original draft.3 It lays down that the Committee "may invite any international organisation, governmental or non-governmental, concerned with migration or refugees to be represented at the meetings of the Council under conditions prescribed by the Council. No representative of such an organisation shall have the right to vote".

5. The Council of I.C.E.M. felt itself unable to accept the request, put forward by the Director-General on behalf of the I.L.O., that article 27 should contain a provision stipulating that the I.L.O. would take part in the meetings of the future executive committee of the I.C.E.M. as well as those of its Council. The I.L.O. observer again put forward this request, and pressed for a reciprocal arrangement, corresponding to that obtaining in the I.L.O. and other international organisations, concerning participation by observers of each organisation in the deliberative bodies of the other. The Committee did not accept this proposal. It was said that the future executive committee of the I.C.E.M. would not be comparable to the Governing Body of the I.L.O. and that, apart from urgent matters, it would only be responsible for preparing the Council's work, the Council itself being the only body in which policy decisions would be taken.

6. The Constitution of the Intergovernmental Committee for European Migration will come into force, for those Member Governments which have accepted it, when "at least two-thirds of the Members of the Committee, and a number of Member Governments, whose contributions represent at least 75 per cent. of the administrative part of the budget, shall have communicated to the Director their acceptance of it".

ANNEX

Letter from the Director-General of the I.L.O. to the Director of the Intergovernmental Committee for European Migration

Geneva, 5 August 1953.

Sir,

Further to my letter of 26 May 1953, I have the honour to inform you that I submitted to the Governing Body the revised text of the draft Constitution of the Intergovernmental Committee for European Migration which you were good enough to communicate to me for observations. Attached hereto is a copy of the note [G.B.222fz4/13] on the subject submitted to the Governing Body. As you will notice from this note, I availed myself of the opportunity I had to call the attention of the Governing Body to the need for this Committee to keep the current migration activities of the Organisation with particular reference to co-operation between the I.L.O. and I.C.E.M.

In presenting the note to the Governing Body and in the course of the ensuing discussion thereon, I referred to the conversations we have had on our collaboration between the specialised agencies of the United Nations and the International Labour Organisation and our desire to spare no effort in making it as close and effective as we can make it for the attainment of our common objectives. I indicated that these conversations would be further pursued and ventured to call attention to the need for greater co-ordination in respect of matters of policy within each government and between the governments concerned, if the activities of the two organisations were to be fully integrated.

I enclose for your information a copy of the stenographic record of the proceedings of the Governing Body in respect of this question. The views expressed by members of the Governing Body reflect apprehension about the practical effect of articles 1 (b) and 27 of the draft. This also appears from the score that nothing should be done which would result in impairing the competence of the International Labour Organisation in respect of migration and of other aspects of manpower organisation such as training or placing, or which would fail to take account of the I.L.O.'s 5 years of experience in migration and related subjects. Not only is it felt that it is important to avoid duplication in the functions or activities of the two organisations, but also that the I.L.O., in which employers and workers are

1 This letter is reproduced below.

Sir,

Further to my letter of 26 May 1953, I have the honour to inform you that I submitted to the Governing Body the revised text of the draft Constitution of the Intergovernmental Committee for European Migration which you were good enough to communicate to me for observations. Attached hereto is a copy of the stenographic record of the proceedings of the Governing Body in respect of this question. The views expressed by members of the Governing Body reflect apprehension about the practical effect of articles 1 (b) and 27 of the draft. This also appears from the score that nothing should be done which would result in impairing the competence of the International Labour Organisation in respect of migration and of other aspects of manpower organisation such as training or placing, or which would fail to take account of the I.L.O.'s 5 years of experience in migration and related subjects. Not only is it felt that it is important to avoid duplication in the functions or activities of the two organisations, but also that the I.L.O., in which employers and workers are 1 Article 27 reads as follows:
1. The Committee shall co-operate with international organisations, governmental and non-governmental, concerned with migration or refugees.

2. The Committee may invite any international organisation, governmental or non-governmental, concerned with migration or refugees to be represented at the meetings of the Council under conditions prescribed by the Council. No representative of such an organisation shall have the right to vote.
represented in addition to governments, has a direct interest in manpower questions as they are of immediate concern to workers and employers.

The discussion showed that the Governing Body attaches considerable importance to the matter and led to the decision that a delegation, including one member of each of the three groups of the Governing Body, should be available on call to represent the I.L.O. at the next session of the Intergovernmental Committee for European Migration.

I may add that since provision has been made for I.C.E.M. to be represented at meetings of the Governing Body as occasion arises it would, I believe, be appropriate that article 27 of the proposed Constitution should make similar provision for the representation of the I.L.O. at meetings of the Executive Board of I.C.E.M. Experience of the relations between the I.L.O. and other organisations has shown that such arrangements can make a useful contribution to good co-operation.

I would welcome an early opportunity to resume the conversations we have already had on this question, in particular, and that of the co-operation between the two organisations generally. I have the honour to be, etc.,

(Signed) David A. Morse
Director-General.

FOURTH SUPPLEMENTARY REPORT
Committee of Statistical Experts on the Determination of the States of Chief Industrial Importance

In his Second Supplementary Report the Director-General informed the Governing Body that it was intended to add the name of a further expert. It is now proposed that the following should be appointed a member of the Committee:

Dr. Robert W. Burgess (United States), Director, Bureau of the Census, U.S. Department of Commerce, Washington, D.C.

The Governing Body is invited to approve this appointment.

FIFTH SUPPLEMENTARY REPORT
I. Participation of the Saar Territory in I.L.O. Meetings and Activities

1. The Director-General has received the following letter from the French Government representative on the Governing Body:

(Translation)

Sir,
The Government of the Saar has been invited during the last three years to take part as an observer in the activities and meetings of the I.L.O. It has requested the French Government to ask you to continue inviting it in the same capacity to the meetings in which it may be interested.

I have the honour to be, etc.,

(Signed) Paul Ramadier.

2. The Governing Body is invited to give consideration to this request.

II. Communication to the Governing Body: Resolution Adopted by the Council of the International Federation of Christian Factory and Transport Workers

3. By letter of 11 November 1953, Mr. N. J. Vaassen, Secretary of the International Federation of Christian Factory and Transport Workers, requested the Director-General to communicate the following resolution to the Governing Body:

The meeting of the Council of the International Federation of Christian Factory and Transport Workers, held at Paris on 5 and 6 November 1953, under the chairmanship of Mr. J. Roscam,

With satisfaction the activities of the International Federation in 1953;

And also noting that the International Labour Office is increasingly using committees of experts to prepare the solution of various problems in the social and economic fields;

Requests that in the composition of these committees account should be taken of the necessity for tripartite representation, in order to make their work more effective and better fitted to obtain results which will satisfy the parties concerned;

Considers that the international trade union organisations recognised by the I.L.O. should take part in the work of committees of experts, under the existing consultative arrangements;

Notes that their tripartite composition would not affect the competence of committees of experts and corresponds to the I.L.O.'s tradition;

Expresses this opinion to the Governing Body of the I.L.O. and urges that account should be taken of these desiderata.

SIXTH SUPPLEMENTARY REPORT
Instrument for the Amendment of the Constitution of the International Labour Organisation, 1953

1. It will be recalled that, in adopting the Instrument for the Amendment of the Constitution of the International Labour Organisation, 1953, the Conference, at its 36th Session (Geneva, June 1953), adopted a resolution inviting States Members of the Organisation "to endeavour to ratify that Instrument of Amendment as rapidly as possible so that it may come into force before June 1954". Certified true copies of the authentic text of the Instrument of Amendment were communicated to States Members by letter dated 7 July 1953, in which the attention of governments was drawn to the contents of this resolution.

Up to the present, eight ratifications or acceptances of the Instrument of Amendment have been received, namely, from Australia, Canada, Greece, Israel, New Zealand, Syria, United Kingdom and Viet-Nam. Moreover, in the case of the following four countries—Finland, Federal Republic of Germany, Portugal and Yugoslavia—the Director-General has been informed that the decision to ratify or accept the Instrument has already been taken and the formal communications to this effect may be expected shortly from these States. In addition, the information received indicates that the procedure for the ratification or acceptance of the Instrument has been or will be shortly instituted in a considerable number of States, including Argentina, Austria, Belgium, Ceylon, Chile, China, France, India, Italy, Japan, Libya, Luxembourg, Mexico, the Netherlands, Panama, the Philippines, El Salvador, Switzerland and Turkey. A number of other States appear to have taken or are about to take various preparatory measures in this connection.

2. In view of the fact that the next elections for the renewal of the Governing Body are to be held during the 36th Session of the Conference, which will meet in June 1954, there is only a short time in which to obtain the ratifications or acceptances of the Instrument so as to permit these elections to be held on the basis of the amendments to the Constitution.

3. In these circumstances the Governing Body will not doubt wish to take note of the foregoing information relating to the position as regards ratifications or acceptances of the Instrument of Amendment, and to express the hope that, in conformity with the resolution adopted by the Conference at its 36th Session on 22 June 1953, States Members of the Organisation will endeavour to ratify this Instrument as rapidly as possible, so that it may come into force before June 1954.

SEVENTH SUPPLEMENTARY REPORT
Invitation to the Organisation for European Economic Co-operation to the Fifth Session of the Coal Mines Committee

1. The Director-General has been informed that the second item on the agenda—"Productivity in coal mining"—at the Fifth Session of the Coal Mines Committee, which is to meet in Düsseldorf from 30 November to 12 December 1953, is of particular interest to the Organisation for European Economic Co-operation, which would welcome an invitation to send an observer to the meeting.

2. The Governing Body is invited to authorise the Director-General to extend such an invitation to the Organisation for European Economic Co-operation.
Panel of the Correspondence Committee on Co-operation

1. At its 122nd Session (Geneva, May-June 1953) the Governing Body noted that it was proposed to convene this panel towards the end of the year and that the Director-General would make proposals later concerning the date and place. After consultation with the Officers of the Governing Body, this panel has been convened to meet in Geneva from 30 November to 5 December 1953.

Committee of Experts to Advise the Officers of the Governing Body on the Determination of the States of Chief Industrial Importance

2. The Governing Body is being invited at its present session to appoint this Committee of Experts. Since the Committee has to report to the Officers of the Governing Body, who in turn have to report to the Governing Body itself at its 124th Session, in February or March 1954, it is suggested that the Committee should meet in Geneva in January, at a date to be fixed by the Director-General in consultation with the Officers.

Special Tripartite Conference concerning Rhine Boatmen

3. It is proposed that this Conference should meet in Geneva from 18 to 23 January 1954.

Committee of Experts on Indigenous Labour

4. At its 121st Session (Geneva, March 1953) the Governing Body decided the agenda of the Second Session of this Committee but postponed until a later session a decision on the date of the meeting, although it decided that the session should be held in Geneva and should last 10 days. It is now proposed that the Committee should meet in Geneva from 15 to 26 March 1954.

Committee of Experts on the Application of Conventions and Recommendations

5. It is proposed that this Committee should meet in Geneva from 15 to 27 March 1954. These dates coincide with those proposed above for the Committee of Experts on Indigenous Labour but the necessary arrangements for accommodation and staff can be made for the two Committees to meet at the same time.

Committee of Experts on the Protection of Dockers against Accidents

6. The Governing Body noted at its 122nd Session that the Director-General would submit to it at a later session proposals concerning the date, duration and place of this meeting. It is now proposed that the Committee should meet in Geneva from 26 April to 8 May 1954.

Eighth International Conference of Labour Statisticians

7. The Governing Body decided at its 122nd Session that this Conference should be held in Geneva in 1954, either in April-May or in the autumn. The Director-General has since been informed that most of the experts who attended the Preliminary Meeting in preparation for the Conference are not likely to be adequately prepared before the autumn. The Director-General will therefore propose an autumn date at the next session of the Governing Body.

Tripartite Sub-committee of the Joint Maritime Commission

8. The Governing Body will recall that at its 119th Session (Geneva, May-June 1952) it decided to set up a tripartite sub-committee of the Joint Maritime Commission to consider the need for a tripartite regional conference on the possibility of reaching agreement on hours of work and manning in the short sea trades in North-West Europe. At its 120th Session (Geneva, November 1952) the Governing Body decided the composition of this sub-committee and also referred to it a draft resolution submitted by the Seafarers' group of the Joint Maritime Commission. It is proposed that this sub-committee should meet in Geneva from 5 to 8 April 1954.

Joint I.L.O.-W.H.O. Committee on the Hygiene of Seafarers

9. It is proposed to hold the Second Session of this Joint Committee in Geneva from 9 to 13 April 1954. It will be observed that this meeting and the meeting proposed in the preceding paragraph would partially coincide with the Third Session of the Advisory Committee on Salaried Employees and Professional Workers. The necessary arrangements for accommodation and staff for all three meetings can, however, be made.

Committee of Experts on Condition of Work in the Fishing Industry

10. If the Governing Body accepts the proposals submitted to it in the document relating to the fourth item on the agenda the meeting of this Committee would be convened in the spring of 1954.

Financial Implications.

11. Provision exists in the 1953 budget for the Panel of the Correspondence Committee on Co-operation.

Provision exists in the 1954 budget for the following meetings:

Committee of Experts on the Application of Conventions and Recommendations.

Eighth International Conference of Labour Statisticians.

Tripartite Sub-committee of the Joint Maritime Commission.

Joint I.L.O.-W.H.O. Committee on the Hygiene of Seafarers.

No provision exists for the following meetings and the Financial and Administrative Committee has under consideration the problem of financing them:

| Committee of Experts on the Determination of the States of Chief Industrial Importance | 3,529 |
| Committee of Experts on Indigenous Labour | 25,138 |
| Committee of Experts on the Protection of Dockers against Accidents | 3,530 |
| Committee of Experts on Conditions of Work in the Fishing Industry | 13,862 |

The Special Tripartite Conference on Rhine Boatmen will be serviced by the staff of the Office and no additional budgetary credit is considered necessary.

12. The Governing Body is invited to approve the above proposals.
APPENDIX XXIII

Twenty-third Item on the Agenda: Appointment of Governing Body Representatives on Various Bodies

Inland Transport Committee
(Fifth Session, Geneva, 15-27 February 1954)

I. The Governing Body is requested to appoint a tripartite delegation of three persons to represent it at this meeting. It will also be necessary to appoint a Chairman for this session of the Committee.

Advisory Committee on Salaried Employees and Professional Workers
(Third Session, Geneva, 29 March-10 April 1954) ¹

2. The Governing Body is requested to appoint a tripartite delegation of three persons to represent it at this meeting. It will also be necessary to appoint a Chairman for this session of the Committee.

Committee of Experts on Indigenous Labour
(Second Session, Geneva, proposed date 15-26 March 1954)

3. The Governing Body is requested to decide whether it wishes to be represented at the Second Session of the Committee of Experts on Indigenous Labour, and if so, to appoint a tripartite delegation of three persons to represent it at this meeting.

¹ This date was subsequently changed to 10-22 May 1954.
APPENDIX XXIV

Twenty-fourth Item on the Agenda: Date and Place of the 124th Session of the Governing Body

1. It is suggested that Committees of the Governing Body should meet from Monday, 1 to Saturday, 6 March and on Saturday, 13 March and that the 124th Session should be held from Tuesday, 9 to Friday, 12 March 1954.

2. The Governing Body is invited to approve these dates.

3. It may be convenient to members of the Governing Body to fix provisional dates for the other sessions of the Governing Body in 1954. The Governing Body is therefore invited to approve the following provisional dates (which would include the meetings of Governing Body Committees): 125th Session: 24-25 May; 126th Session: 25-26 June; 127th Session: 17-27 November.
APPENDIX XXV

Alphabetical List of Persons Attending the Session

AGO, Roberto (Italian), Professor of Law, University of Milan; substitute representative of the Italian Government on the Governing Body.

ALAM, Muhittin (Turkish), Employers' deputy member; President, Industrial Union of Izmir.

D'ALESSIO GORDIOLA, Joaquin (Uruguayan), Workers' substitute deputy member; President, Association of Bank Employees of Uruguay.

ALI, Aftab (Pakistani), Workers' representative; Vice-President and Treasurer, All-Pakistan Confederation of Labour.

ALLANA, Ghulam Ali (Pakistani), Employers' deputy member; President, Federation of Chambers of Commerce and Industry.

ARENA, R. (Italian), accompanying Mr. Pastore, Workers' deputy member.

BAVERSTOCK, Sylvia, Representative of the Intergovernmental Committee for European Migration, Liaison Officer.

BERGENSTRÖM, Gullmar (Swedish), Employers' deputy member; Director, Confederation of Swedish Employers.

BÖHM, Johann (Austrian), Workers' deputy member; President of the Austrian Federation of Trade Unions.

BURTON, Kenneth John (United Kingdom), Secretary British Employers' Confederation; substitute for Sir Richard Snedden, Employers' representative.

CALDERÓN PUIG, Emilio (Mexican), Government representative; Chargé d'affaires ad hoc, Permanent Delegation of Mexico to the international organisations in Geneva; Representative of the Mexican Government on the Governing Body.

CALHEIROS LOPEZ, António (Portuguese), Employers' deputy member; President, Rice Industries' Association.

CALLEA, Saverio (Italian), Consulate-General of Italy in Geneva, accompanying Mr. Cingolani, Government representative.

CAMPANELLA, Pietro (Italian), Employers' representative; President, Genoa Manufacturers' Association.

CHEYBANI, Dr. (Iranian), Government representative; Under-Secretary of State for Labour.


CINGOLANI, Mario (Italian), Senator; Government representative; Representative of the Italian Government on the Governing Body.

COE, N. D. (United Kingdom), British Employers' Confederation; accompanying Sir Richard Snedden, Employers' representative.

COFÍÑO GARCÍA, Angel (Cuban), Workers' deputy member; General Secretary, Federation of Electricity, Gas and Water Workers.

CÔTÉ, Paul-Emile (Canadian), Government representative; Parliamentary Assistant to the Minister of Labour.

DE BOCK, Nathalis (Belgian), Workers' substitute deputy member; National Secretary of the Belgian General Federation of Labour.

DELANEY, George Philip (United States), Workers' representative; International Representative, American Federation of Labor.

DÍAZ CASAÑUEVA, Humberto (Chilean), Consul-General of Chile in Geneva; substitute representative of the Chilean Government on the Governing Body.

DONNADIEU, Aristide P. (Costa Rican), Government observer; Permanent Delegate of the Republic of Costa Rica to the international organisations in Geneva.

DRINKWATER, T., Observer representing the World Federation of Trade Unions.

EBIZUKA, Masaji (Japanese), Government observer; Permanent Delegate of Japan to the international organisations in Geneva.

EGGERMANN, Georges, Observer representing the International Federation of Christian Trade Unions; Permanent Representative of the I.F.C.T.U. accredited to the international organisations in Geneva.

EMERY, Georges, Observer representing the International Organisation of Employers; Secretary-General of the I.O.E.; Secretary of the Employers' group.

FENNEMA, Antony Gerardus (Netherlands), Employers' deputy member; Delegate of the Employers' Federation for International Labour Affairs.

FERNANDES, Manuel António (Portuguese), Government representative; Director-General in the Ministry of Justice.

GARCÍA OLDINI, His Excellency Fernando (Chilean), Government representative; Ambassador, Minister of Chile in Berne, Representative of the Chilean Government on the Governing Body.

GEAR, Dr. H. S., Representative of the World Health Organisation, Assistant Director-General, Central Technical Services.

GEMMILL, William (South African), Employers' representative; General Manager, Witwatersrand Native Labour Association.

GHAYOUR, Massoud (Iranian), Employers' deputy member; Director, Chemical and Building Materials Establishments.

GÓMEZ JARAMILLO, Arturo (Colombian), Consul-General in Switzerland, substitute for Mr. González Barros, Government deputy member.

GONZÁLEZ BARROS, Luis (Colombian), Government deputy member; Permanent Delegate of the Colombian Government to the European Office of the United Nations; Representative of the Colombian Government on the Governing Body.

GOULET, Paul (Canadian), Assistant to the Deputy Minister of Labour; Director of the I.L.O. Branch of the Department of Labour, Ottawa; substitute for Mr. Côté, Government representative.
HADJI VASSILIou, Nicolas (Greek), Government representative; Permanent Delegate of Greece accredited to the international organisations in Geneva.

HAMILTON, A. A. M. (South African), Government observer; Political Secretary and Economic Adviser to the High Commissioner for the Union of South Africa, London.

HARRY, Ralph H. (Australian), Government deputy member; Australian Permanent Delegate to the European Office of the United Nations; Representative of the Australian Government on the Governing Body.


JACOBY, Henry, Representative of the Food and Agriculture Organisation.

JARVIs, Mrs. T. C., Representative of the World Health Organisation, External Liaison Officer.

JOUHAUX, Léon (French), Workers' representative; President, General Confederation of Labour "Force ouvrière"; Vice-Chairman of the Governing Body.

KAUFMANN, Max (Swiss), Government deputy member; Director, Federal Office of Industry, Arts and Crafts, and Labour; Representative of the Swiss Government on the Governing Body.

KUNTSCHEN, Charles (Swiss), Employers' deputy member; Secretary, Central Federation of Swiss Employers' Associations.

LAGASSE, Raphaël, Assistant to the Secretary-General of the International Organisation of Employers, accompanied by Mr. Emery.

MALIK, Hon. Dr. A. M. (Pakistani), Government representative; Minister of Labour, Health and Works; Representative of the Pakistani Government on the Governing Body, Chairman of the Governing Body.

MAUNG, Khint (Burmese), Government deputy member; Director of Labour; Representative of the Burmese Government on the Governing Body.

MCHILWAITH, Kenneth D. (Canadian), Adviser, Canadian Permanent Delegation to the European Office of the United Nations; accompanying Mr. Côté, Government representative.

MELLON, Otis E. (United States), Officer-in-Charge of U.N. Social Affairs, U.S. Department of State; accompanying Mr. Miller, Government representative.

MÖRNI, Jean (Swiss), Workers' deputy member; Secretary of the Swiss Federation of Trade Unions.

MULLIKEN, Otis E. (United States), Officer-in-Charge of U.N. Social Affairs, U.S. Department of State; accompanying Mr. Miller, Government representative.

MYRDDIN-EVANS, Sir Giulianthe, K.C.M.G., C.B. (United Kingdom), Government representative; Deputy Secretary, Ministry of Labour and National Service; Representative of the United Kingdom Government on the Governing Body.

MCILWAITH, Kenneth D. (Canadian), Adviser, Canadian Permanent Delegation to the European Office of the United Nations; accompanying Mr. Côté, Government representative.

NEIVA, A. H., Representative of the Intergovernmental Committee for European Migration; Special representative of the Director.

NEVES DAFONTOURA, Colonel A. E. (Portuguese), Professor, School of Higher Colonial Studies, Lisbon; accompanying Mr. Fernandes, Government representative.

NELSEN, Einar (Danish), Workers' substitute deputy member; Vice-President, Danish Federation of Trade Unions.

OKSNEs, Kalmar J. (Norwegian), Government deputy member; Permanent Secretary, Ministry of Social Affairs, Representative of the Norwegian Government on the Governing Body.

PANE, Miss B. P. (United Kingdom), Ministry of Labour and National Service; accompanying Sir Guildhaume Myrddin-Evans, Government representative.

PASTORE, Giulio (Italian), Workers' deputy member; General Secretary, Italian Confederation of Trade Unions.

PATTEET, Herman, Observer representing the International Confederation of Free Trade Unions; Representative of the I.C.F.T.U. in Geneva; Secretary of the Workers' group.

PEQUENO, Syndulpho de Azevedo (Brazilian), Workers' deputy member; President, Brazilian Federation of Tramway Workers.

PONS, Julio B. (Uruguayan), Employers' representative; President of the General Council, General Association of Employers.

RAMADIER, Paul (French), Government representative; former Prime Minister; Representative of the French Government on the Governing Body.

DE REGO MONTEIRO, Luis Augusto (Brazilian), Government representative; Representative of the Brazilian Government on the Governing Body.

ROBERTS, Alfred, C. B. E. (United Kingdom), Workers' representative; Member of General Council, British Trades Union Congress.

RONCAROLO, Américo (Argentine), Government observer; Labour Attaché; Permanent Delegate of Argentina to the International Labour Organisation.

SAAID, Hassan (Iranian), Chief of the International Relations Service, Ministry of Labour; accompanying Dr. Cheybani, Government representative.

SEN, S. (Indian), Government representative; Consul-General of India in Switzerland.

SHASTRI, Harirhnath (Indian), Workers' representative; General Secretary, Indian National Trade Union Congress.

SHAW, Charles E. (United States), Employers' representative; Director, Employee Relations Overseas; Standard Oil Company, New Jersey.

SNIEDDEN, Sir Richard, C. B. E. (United Kingdom), Employers' representative; Chairman of the International and Industrial Organisation Committees, British Employers' Confederation.

SOLVÉN, Arnold (Swedish), Workers' representative; Legal Adviser, Swedish Federation of Trade Unions.

DE SOUSA E SILVA, Celso Antônio (Brazilian), Secretary of Embassy, Permanent Delegation of Brazil in Geneva, accompanying Mr. de Rego Monteiro, Government representative.

VON STEINDING, Christen M. (Norwegian), Secretary, Swedish Employers' Confederation; accompanying Mr. Bergström, Employers' deputy member.

STEMBERG, Miss Geertruida J. (Netherlands), Adviser to the Ministry of Social Affairs and Public Health of the Netherlands; accompanying Mr. Wallin, Government representative.

TATA, Naval H. (Indian), Employers' representative; Director of Tata Industries Ltd., Bombay.

TENNFORD, Finn, Representative of the Council of Europe, Head of the Social Section, Research Directorate.
TUAN, His Excellency Mao-lan (Chinese), Government representative; Minister Plenipotentiary and Chargé d'affaires in Paris; Representative of the Chinese Government on the Governing Body.

UZCATEGUI RAMIREZ, Daniel (Venezuelan), Government representative; Acting Chargé d'affaires, Permanent Delegation of the Venezuelan Government to the Specialised Agencies of the United Nations.

VAAGE, David (Norwegian), accompanying Mr. Øksnes, Government deputy member.

VALLADAO, Alfredo Teixeira (Brazilian), Acting Chief of the Permanent Delegation of Brazil in Geneva; substitute for Mr. de Rego Monteiro, Government representative.

VANEK, Joseph, Representative in Geneva of the International Organisation of Employers, accompanying Mr. Emery.

VANISTENDAEL, Auguste, Observer representing the International Federation of Christian Trade Unions; General Secretary of the I.F.C.T.U.

VAN LINT, P. (Belgian), Employers’ substitute deputy member; Director-General, Federation of Belgian Industries.

VAN METER, William G. (United States), Attorney, Labor Relations Department, United States Chamber of Commerce; accompanying Mr. C. E. Shaw, Employers’ representative.

VERMEULEN, Adriaan (Netherlands), Workers’ deputy member; Secretary, Netherlands Federation of Trade Unions.

WALINE, Pierre (French), Employers’ representative; General Delegate, Federation of Metal and Mining Industries; Vice-Chairman of the Governing Body.

WALKER, Robert M. (United Kingdom), Ministry of Labour and National Service; accompanying Sir Guildhaume Myrddin-Evans, Government representative.

WALLIN, Michel Paul Louis (Belgian), Government representative; Deputy Counsellor, Chief of the International Relations Service, Ministry of Labour and Social Welfare.

WATSON, Noel Duncan (United Kingdom), Assistant Secretary, Colonial Office; accompanying Sir Guildhaume Myrddin-Evans, Government representative.

WEIBEZAHN-MASSIANI, Alberto W. (Venezuelan), Secretary, Permanent Delegation of Venezuela to the Specialised Agencies of the United Nations; substitute for Mr. Uzcátegui, Government representative.

WUORI, Eero A. (Finnish), Government representative; Director of the Political Department, Ministry of Foreign Affairs; Representative of the Finnish Government on the Governing Body.

YLLANES RAMOS, Fernando (Mexican), Employers’ representative; Member of the Board of Directors and Executive Committee of the Confederation of Chambers of Industry.

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