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The 228th Session of the Governing Body of the International Labour Office was held in Geneva from Monday, 12 November to Friday, 16 November 1984.

The Governing Body was composed as follows:

Chairman: Mr. DESHMUKH (India).

Government group:

Algeria: Mr. OULD-ROUIS.
Angola: Mr. M’POLO.
Argentina: Mr. MUGNOLO.
Brazil: Mr. RUSSOMANO.
Burkina Faso: Mr. KABORE.
Canada: Mr. DORAIS.
China: Mr. LI LUYE.
Ethiopia: Mr. KEBEDE.
Finland: Mr. RIIKONEN.
France: Mr. VENTEJOL.
Germany, Federal Republic of: Mr. HAASE.
Ghana: Mr. AUSTIN.
India: Mr. MARTON.
Indonesia: Mr. DUBEY.
Iraq: Mr. LUTHAN.
Italy: Mr. SA’EED.
Jamaica: Mr. FALCHI.
Japan: Mr. AITKEN.
Mongolia: Mr. CHIBA.
Nicaragua: Mr. YUMJAV.
Pakistan: Mr. VARGAS.
Ukrainian SSR: Mr. KAZMI.
USSR: Mr. OUDOVENKO.
United Kingdom: Mr. KOSTINE.
United States: Mr. ROBINSON.
Venezuela: Mr. SEARBY.
Zimbabwe: Mr. LOPEZ OLIVER.

Employer’s group:

Mr. ESCOBAR PADRON.
Mr. FLUNDER.
Mr. GEORGET.
Mr. von HOLTEN.
Mr. KATZ.
Mr. LINDNER.
Mr. NASR.
Mr. OECHSLIN.
Mr. OWUOR.
Mr. PERIQUET.
Mr. SAID.
Mr. TATA.
Mr. YLLANES RAMOS.
Mr. YOSHINO.

Workers' group:
Mr. ADIKO.
Mr. BRIKI.
Mr. BROWN.
Mrs. CARR.
Mr. DELPINO.
Mr. DOLAN.
Mr. GRAHAM.
Mr. MEHTA.
Mr. MIRE.
Mr. MUHR.
Mr. SANCHEZ MADARIAGA.
Mr. SOUBBOTINE.
Mr. SVENNINGSEN.
Mr. TANAKA.

The following deputy members, or substitute deputy members, were present at all or some of the sittings:

Government group:
Australia: Mr. FOTHERINGHAM.
Austria: Mr. MARTINEK.
Bolivia: Mr. CRESPO RODAS.
Burundi: Mr. NZISABIRA.
Cuba: Mr. LECHUGA HEVIA.
Cyprus: Mr. SYMEONIDES.
Czechoslovakia: Mrs. MOLKOVA.
Djibouti: Mr. SAMATAR.
Iran, Islamic Republic of: Mr. SARMADI.
Libyan Arab Jamahiriya: Mr. DERBI.
Mexico: Mr. GALLEGOS LOPEZ.
Norway: Mr. HELDAL.
Spain: Mr. CRESPO VALERA.
Thailand: Mr. YUVAPURNA.
Yugoslavia: Mr. TOS.

Employers' group:
Mr. AL-JASSEM.
Mr. CHAMBERS.
Mr. DESCHAMPS.
Mr. DURLING.
Mr. GHRABAOUJ.
Miss HAK.
Mr. KOUADIO.
Mr. LACASA ASO.
Mr. MONTT BALMACEDA.
Mr. MUNGA-wa-NYASA.
Mr. OKOGWU.
Mr. ROWE.
Mrs. SASSO-MAZZUFFERI.
Mr. SUMBWE.

Workers' group:

Mr. AHMED.
Mr. BALDASSINI.
Mr. BLONDEL.
Mr. CHIROMA.
Mr. DAVID.
Mr. DIOP.
Mr. MAIER.
Mr. MENDOZA.
Mr. MOHAMED.
Mr. SUDONO.
Mr. TIMMER.
Mr. VANNI.
Mr. WALCOTT.
Mr. WANG JIACHONG.

The following deputy members were absent:

Government group:

Benin.
Botswana.
Sao Tome and Principe.

Employers' group:

Mr. SANTOS NEVES.

Workers' group:

Mr. ZIMBA.

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

Bangladesh: Mr. HOSSAIN.
Belgium: Mr. WALLIN.
Bulgaria: Mr. HARALAMPIEV.
Byelorussian SSR: Mr. GREKOV.
Chile: Mr. ARTHUR.
Colombia: Mrs. de ALVAREZ.
Denmark: Mr. ERIKSEN.
Dominican Republic: Mr. MEJIA-RICART.
Egypt: Mr. ALFARAGI.
Gabon: Mr. NZE EKOME.
German Democratic Republic: Mr. HASCHKE.
Greece: Mr. IVRAKIS.
Ireland: Mr. HAYES
Israel: Mr. DOWEK.
Jordan: Mr. AL MUHAISEN.
Malaysia: Mr. KIRUBANATHAN.
Morocco: Mr. HALFAOUI.
Netherlands: Mr. HAGEN.
New Zealand: Mr. LINEHAM.
Nigeria: Mr. PASANYA.
Panama: Mr. MEDRANO VALDERRAMA.
Peru: Mr. SALMON de la JARA.
Philippines: Miss REYES.
Portugal: Mr. REINO.
Romania: Mr. DATCU.
Sweden: Mr. ISACSSON.
Switzerland: Mr. ZENDER.
Tunisia: Mr. BEL HADJ HASSINE.
Turkey: Mr. TURKMEN.
Uruguay: Mr. FERANDEZ BALLESTEROS.

The Holy See: Mgr. BERTELLO.

The following were also present:

Mr. BLANCHARD, Director-General
Mr. BOLIN, Deputy Director-General
Mr. JAIN, Deputy Director-General
Mr. TAYLOR, Deputy Director-General
Mr. WOLF, Assistant Director-General; Legal Adviser
Mr. CHKOUNAEV, Assistant Director-General
Mr. NAKATANI, Assistant Director-General
Mr. JIN Fuyao, Assistant Director-General
Mr. GALER, Director, International Centre for Advanced Technical and Vocational Training, Turin

Representatives of international governmental organisations:

United Nations: Mr. ZOUPANOS
United Nations Conference on Trade and Development: Mr. DIOUMOULEN
United Nations Industrial Development Organisation: Mr. PATHMARAJAH
United Nations Children's Fund: Mr. FALL
Office of the United Nations High Commissioner for Refugees: Mr. MATSUMOTO
United Nations Fund for Population Activities: Mr. MUNTASSER
United Nations Development Programme: Mr. BOURGOIS
World Health Organisation: Miss ELMIGER
International Monetary Fund: Mr. SANSON
International Atomic Energy Agency: Mrs. OPHELZ
League of Arab States: Mr. EL MAY
Organisation of African Unity: Mr. FARAG
Arab Labour Organisation: Mr. EL-TELAWI
Commission of the European Communities: Miss DEVONIC
Intergovernmental Committee for Migration: Mr. HABENICHT

Representatives of international non-governmental organisations:

International Confederation of Free Trade Unions: Mr. VANDERVEKEN
International Co-operative Alliance: Mr. BEASLEY
International Organisation of Employers: Mr. LAGASSE
International Social Security Association: Mr. WOLFF
Organisation of African Trade Union Unity: Mr. AKUMU
World Confederation of Labour: Mr. BLEUX
World Federation of Trade Unions: Mr. HAMERNIK

Substitutes and advisers:

Miss ABDEL-WAHED, accompanying Mr. SA'EED.
Mr. ABDUSSALAM, substitute for Mr. DERBI.
Mr. ADILBISH, substitute for Mr. YUMJAV.
Mrs. AIZPURUA PEREZ, accompanying Mr. MEDRANO VALDERRAMA.
Mr. AKINCI, accompanying for Mr. TURKMEN.
Mr. AKRAM, accompanying for Mr. KAZMI.
Mr. ALBALATE LAFITA, substitute for Mr. CRESPO VALERA.
Mr. ALI, substitute for Mr. KAZMI.
Mr. ALOUAN, accompanying Mr. SA'EED.
Mr. ANSAR-KHAN, accompanying Mr. ZOUPANOS.
Mr. ARAYA, substitute for Mr. KEBEDE.
Mrs. ARCE MORA, accompanying Mr. GALLEGOS LOPEZ.
Mr. ARCURI, accompanying Mr. MUGNOLI.
Mr. ARISTODEMO, accompanying Mr. FALCHI.
Mr. ASAHI, substitute for Mr. CHIBA.
Mr. ASTAFEV, substitute for Mr. KOSTINE.
Mr. BAKER, accompanying Mr. BROWN.
Mr. BAKOUMAN, accompanying Mr. KABORE.
Mr. BALAKRISHNAN, substitute for Mr. DUBERY.
Mr. BALBOUL, substitute for Mr. NASR.
Mr. BALOIU, accompanying Mr. DATCU.
Mr. BARBON, accompanying Mr. VANNI.
Mr. BARMOUIN, accompanying Mr. SANSON.
Mr. BATIUK, substitute for Mr. OUDOVENKO.
Mrs. BATISTA LORENZO, substitute for Mr. LOPEZ OLIVER.
Mr. BEDIRI, accompanying Mr. BEL HADJ HASSINE.
Mr. BIGGAR, accompanying Mr. HAYES.
Mr. BIRBAUM, substitute for Mr. MARTINEK.
Mr. BISKUP, accompanying Mr. HAASE.
Mr. BOHR, accompanying Mr. HAASE.
Mr. BONEV, accompanying Mr. BOURGOIS.
Mr. BRIKI, substitute for Mr. OULD-ROUIS.
Mr. BRINKMANN, accompanying Mr. HAASE.
Mr. BRUAAS, accompanying Mr. HELDAL.
Mr. BRUNI, accompanying Mr. ZOUPANOS.
Mr. BUSTOS FRANCO, accompanying Mr. ARTHUR.
Mr. CAMPBELL, accompanying Mr. FOTHERINGHAM.
Mr. CARMEN, accompanying Mr. SEARBY.
Mrs. CARON, substitute for Mr. DORAIS.
Mr. CARTIER, accompanying Mr. VENTEJOL.
Mr. CARVALHO LOPES, accompanying Mr. RUSSOMANO.
Mr. CHANAIWA, substitute for Mr. MOTNABI.
Mr. CHLUMSKY, substitute for Mrs. MOLKOVA.
Mr. CHRISTIAN, accompanying Mr. AUSTIN.
Ms. CUI LIJUAN, accompanying Mr. WANG JIACHUNG.
Miss CLAYTON, accompanying Mr. AITKEN.
Mr. CRADDOCK, accompanying Mr. HAYES.
Mr. DANIELSSON, accompanying Mr. ISACSSON.
Mr. DAOUD, accompanying Mr. SA'EEED.
Mr. DAS, substitute for Mr. DUBEY.
Mr. DAVERDE, accompanying Mr. MUGNOLO.
Mr. DE MAIO, accompanying Mr. FALCHI.
Mr. DE MELO, accompanying Mr. RUSSOMANO.
Mr. DHAVERNAS, accompanying Mr. DORAIS.
Miss DIMOND, substitute for Mr. ROBINSON.
Mr. DING JIQIAN, accompanying Mr. WANG JIACHONG.
Ms. DJERMAKOYE, accompanying Mr. ZOUPANOS.
Miss DJUBAEDAH, accompanying Mr. LUTHAN.
Mr. D'OLIVEIRA e SOUSA, accompanying Mr. DIOUMOULEN.
Mr. DU ZHONGYING, accompanying Mr. LI LUYE.
Mr. DUCRAY, substitute for Mr. VENTEJOL.
Mr. DUFOUR, accompanying Miss DEVONIC.
Mr. DUWIEJUAH, accompanying Mr. AUSTIN.
Mr. EL HAJJE, accompanying Mr. EL MAY.
Mr. EL MAHGIUB, substitute for Mr. DERBI.
Mr. EL MASDUR, substitute for Mr. DERBI.
Mr. EKKULA, accompanying Mr. TURKMEN.
Mrs. FAUCHERE, accompanying Mr. BLEUX.
Mrs. FENG CUI, accompanying Mr. LI LUYE.
Mr. FERRARI-BRAVO, accompanying Mr. FALCHI.
Miss FERRERO, substitute for Mr. LOPEZ OLIVER.
Mr. FINN, accompanying Mr. ZOUPANOS.
Mrs. FINSKAS, accompanying Mr. RIIKONEN.
Mr. GARCIA GARCIA, substitute for Mr. LOPEZ OLIVER.
Mr. GAUTIER, accompanying Mr. FALL.
Miss GREGG, accompanying Mr. SEARBY.
Mr. GROTH, accompanying Mr. ISACSSON.
Mrs. GUTEMA, substitute for Mr. KEBEDE.
Mr. HÄNDLER, substitute for Mr. HAASE.
Mr. HARE, accompanying Mr. SEARBY.
Ms. HAUGE, accompanying Mr. HELDAL.
Mrs. HEINONEN, accompanying Mr. RIIKONEN.
Mr. HELDRING, accompanying Mr. HAGEN.
Mr. HEREDIA PEREZ, substitute for Mr. LECHUGA HEVIA.
Mrs. HERNANDEZ OLIVA, substitute for Mr. LECHUGA HEVIA.
Mr. HERRERA BERNARDE, accompanying Mr. CRESPO VALERA.
Mr. HIGHLAND, substitute for Mr. KATZ.
Mr. HILBURN, accompanying Mr. SEARBY.
Mr. HILL, substitute for Mr. AITKEN.
Mr. IDOUX, accompanying Mr. BOURGOIS.
Miss ILIC, substitute for Mr. TOS.
Mr. ISAKSEN, accompanying Mr. HELDAL.
Mr. ISHIWADA, substitute for Mr. CHIBA.
Mr. JORDAO, accompanying Mr. REINO.
Mr. JOUKOV, substitute for Mr. KOSTINE.
Mr. KAITCHOUK, accompanying Mr. KOSTINE.
Mr. KAPARTIS, accompanying Mr. LAGASSE.
Mr. KIRIANOV, substitute for Mr. KOSTINE.
Mr. KIS, substitute for Mr. MARTON.
Mr. KOBARELOV, accompanying Mr. HARALAMPIEV.
Mr. KOJIMA, accompanying Mr. CHIBA.
Mr. KOUZMINE, accompanying Mr. BEASLEY.
Mr. LABRADOR RUBIO, substitute for Mr. LOPEZ OLIVER.
Mr. LABRUNE, accompanying Mr. HAMERNIK.
Mr. LAURIVSSEN, accompanying Mr. VANDERVEKEN.
Mr. LAVAL, accompanying Mr. VENTEJOL.
Mr. LEHNE, accompanying Mr. HELDAL.
Mr. LISITSKY, accompanying Mr. ZOUPANOS.
Mr. LIU YOIJIN, accompanying Mr. LI LUYE.
Mr. LOHRMANN, accompanying Mr. HABENICHT.
Mr. LOPEZ NOGUEROL, substitute for Mr. MUGNOLO.
Mr. LUNA, accompanying Mrs. de ALVAREZ.
Mr. MAHDI, accompanying Mr. KAZMI.
Mr. MALIK, accompanying Mr. OUDOVENKO.
Mr. MALLON, accompanying Mrs. CARR.
Mrs. MARTINEK, accompanying Mr. MARTINEK.
Mr. MARTINEZ, accompanying Mr. MUGNOLO.
Mr. MATSUI, substitute for Mr. CHIBA.
Mr. MEDINA CARRILLO, accompanying Mr. CRESPO VALERA.
Mr. MELLO e CASTRO, accompanying Mr. REINO.
Mr. MIRANDA CASTILLO, substitute for Mr. VARGAS.
Mr. MITYAYEV, accompanying Mr. SOUBBOTINE.
Mr. MOLDE, accompanying Mr. ERIKSEN.
Mr. MOLESKIS, accompanying Mr. SYMEONIDES.
Mr. MOMAL, accompanying Mr. VENTEJOL.
Mr. MONIB, accompanying Mr. ALFARARGI.
Mr. MOORE, accompanying Mr. SEARBY.
Mr. MORA GODOY, substitute for Mr. LECHUGA HEVIA.
Mr. MOROZOV, substitute for Mr. KOSTINE.
Mr. MOSES, accompanying Mr. HAGEN.
Ms. MUNKEBYE, accompanying Mr. HELDAL.
Mr. MURAT, accompanying Mr. ZOUPANOS.
Mr. NERIPELOV, accompanying Mr. KOSTINE.
Mr. NICOLAIDES, substitute for Mr. SYMEONIDES.
Miss NICOLAS, accompanying Miss REYES.
Mr. NODERA, accompanying Mr. CHIBA.
Mrs. ONON, substitute for Mr. YUMJAV.
Mr. OPE, accompanying Miss REYES.
Mr. OREIBI, accompanying Mr. EL MAY.
Mr. ORLOV, accompanying Mr. KOSTINE.
Ms. ORTIZ, accompanying Mr. GRAHAM.
Mrs. ÖSTERBERG, accompanying Mr. von HOLTEN.
Mr. PALACIOS SERRANO, substitute for Mr. CRESPO VALERA.
Mr. PEREZ ARGUELLO, accompanying Mr. MUNTASSER.
Mr. PEREZ WALKER, accompanying Mr. ARTHUR.
Mr. PETERSON, accompanying Mr. SEARBY.
Mr. PIRISHIS, accompanying Mr. SYMEONIDES.
Mr. PHAYITNO, accompanying Mr. LUTHAN.
Ms. RAIVIO, substitute for Mr. RIIKONEN.
Mrs. RAUNILA-HÄRMÄLÄ, accompanying Mr. RIIKONEN.
Mr. REANTRAGOON, substitute for Mr. YUVAPURNA.
Miss REQUEIRO ALARCON, accompanying Mr. GALLEGOS LOPEZ.
Mr. RETOURNARD, substitute for Mr. OECHSLIN.
Mr. ROBEL, accompanying Mr. BLEUX.
Miss ROBERTS, accompanying Mr. ROBINSON.
Mr. ROBOTHAM, accompanying Mr. AITKEN.
Mr. RODIE, substitute for Mr. OECHSLIN.
Mr. ROSSELLI, accompanying Mr. FERNANDEZ BALLESTROS.
Mr. RYS, accompanying Mr. WOLFF.
Mr. SAKAMOTO, substitute for Mr. CHIBA.
Mr. SALMENPERÄ, accompanying Mr. RIIKONEN.
Mrs. SANCHEZ PEÑA de LORENZ, substitute for Mr. CRESPO RODAS.
Mr. SATJIPANON, accompanying Mr. YUVAPURNA.
Mr. SATO, substitute for Mr. CHIBA.
Mr. SAZARIN, accompanying Mr. VENTEJOL.
Mr. SCHRADER, accompanying Mr. SEARBY.
Mr. SEBURYAMO, accompanying Mr. NZISABIRA.
Mr. SELANDER, accompanying Mr. von HOLTEN.
Mr. SHAFII, accompanying Mr. SARMADI.
Mr. SHENKORU, substitute for Mr. KEBEDE.
Mr. SHIIYA, substitute for Mr. CHIBA.
Mr. SIDARTO, accompanying Mr. LUTHAN.
Mr. SIKTANC, accompanying Mrs. MOLKOVA.
Mrs. SLAMOVA, accompanying Mrs. MOLKOVA.
Mr. SUTISNAWINATA, substitute for Mr. LUTHAN.
Mr. SUZUKI, substitute for Mr. YOSHINO.
Mr. SYTCHEV, accompanying Mr. GREKOV.
Mr. SZIKINGER, accompanying Mr. MARTON.
Mr. TAHA, accompanying Mr. AlFARARGI.
Mr. THIERRY, accompanying Mr. ZOUFANOS.
Mr. TIKRITI, substitute for Mr. SA'EED.
Mrs. TILTSCH, accompanying Mr. HASCHKE.
Miss TOUATI, accompanying Mr. OULD-ROUIS.
Mr. TRAUTTMANSDORFF, substitute for Mr. MARTINEK.
Mr. TUDOR, accompanying Mr. DATCU.
Mr. UTHEIM, accompanying Mr. HELDAL.
Mr. UZIEBLO, accompanying Mr. HAMERNIK.
Mr. VENESS, accompanying Mr. ROBINSON.
Mr. VETTOVAGLIA, accompanying Mr. ZENDER.
Mr. VINOIKOUROV, substitute for Mr. OUDOVENKO.
Mr. de VRIES-REILINGH, accompanying Mr. VANDERVEKEN.
Mr. WANG JIANBANG, accompanying Mr. LI LUYE.
Miss WATANABE, accompanying Mr. TANAKA.
Miss WEBSTER, accompanying Mrs. OPELZ.
Mr. ZHANG WEI, accompanying Mr. LI LUYE.
FIRST SITTING
(Monday, 12 November 1984, afternoon)

The sitting opened at 3.20 p.m., with Mr. Deshmukh in the Chair.

OPENING OF THE SESSION

The Chairman welcomed the persons present, particularly those attending a Governing Body session for the first time.

TRIBUTE TO THE MEMORY OF MRS. INDIRA GANDHI

Mr. López Oliver (Government, Venezuela) expressed the deep sympathy of the Government group to the Chairman and representative of the Government of India on the tragic death of Mrs. Indira Gandhi the previous week. The ancient civilisation of India was a repository of many great philosophical and spiritual truths, which it had been the first to teach the world - the unreality of earthly ambitions, the futility of strife and above all, the unity of the human soul with the world spirit. Mrs. Gandhi had been a worthy representative of her country and all that it embodied and she might well have said, as she lay dying, in the words of the great Indian poet, Rabindranath Tagore "What is this opening in my bosom - is it my soul reaching out to the infinite or is it the universal soul reaching into my heart?".

Mr. Oechslin (Employer, France; Employer Vice-Chairman) voiced his group's sympathy to the Chairman and to all Indian colleagues in the Governing Body and the Office on Mrs. Gandhi's untimely death. She had served her country and her people well, particularly in recent years. Her death was yet another illustration of the climate of violence prevalent in the modern world, which was a serious threat to peace. The ILO's role was to uphold peace through dialogue and understanding, and Mrs. Gandhi had always shown the great importance she attached to its work by endeavouring to ensure that her country made a strong contribution to its efforts. He wished the Indian people well in their efforts to overcome the present arduous and difficult period of their history.

Mr. Muhr (Worker, Federal Republic of Germany; Worker Vice-Chairman) expressed the deep sympathy of his group for the Indian people and the Indian members of the Governing Body on the tragic loss of a great leader. The world too was the poorer for having lost such an outstanding personality; just how outstanding he had been able to appreciate for himself at a trade union meeting he had attended in India, and he had looked forward to her attending a session of the Conference. Murder, whatever the reasons motivating it, was totally unacceptable as an expression of political opinion. Mrs. Gandhi's death was a cause of great sadness, and her work would not be forgotten.

Mr. Kostine (Government, USSR) conveyed the sincere condolences of his Government to the Government and people of India on the tragic death of Mrs. Gandhi, who had for some 20 years carried on the work of her great predecessors, Mahatma Gandhi and Jawarhalal Nehru. Under her leadership
India had achieved major economic and cultural successes and had won the respect of peace-loving nations everywhere through her efforts to strengthen the non-aligned movement and promote the friendship of all peoples. His country shared the sense of loss felt by the Indian people, but hoped that they would overcome their grief and continue the great cause to which she had borne witness.

Mr. Oudovenko (Government, Ukrainian SSR), speaking on behalf of the socialist countries, stated that they had been profoundly shocked by the untimely death of Mrs. Gandhi, in whom the Indian people had lost an outstanding leader. She had constantly fought for international peace and security and had strengthened her country's position in the international sphere, while in the non-aligned movement she had considerably increased its inner unity and enhanced its authority. She had also made a great personal contribution to the strengthening of traditional friendship between India and the socialist countries: his own city of Kiev had two years previously had the honour of conferring honorary citizenship and an honorary doctorate of the University of Kiev on her during an official visit, and her death was therefore particularly felt by the people of the Ukraine. He conveyed their sincere condolences to the Indian members of the Governing Body on this sad occasion.

Mr. Yllanes Ramos (Employer, Mexico) had been deeply moved by the death of Mrs. Gandhi, whom he had first met in her father's house nearly 40 years ago. Even at that age her personality had made a great impression on him. Her death meant the loss of a great leader, not only to India but to all humanity, and his deep sympathy went out to the Government and people of India on her tragic end.

Mr. Ahmed (Worker, Pakistan) stated that the people of his country fully shared the sense of loss suffered by the Indian nation. Mrs. Gandhi had endeavoured through her work as leader not only of India but also of the non-aligned movement to bring about progress and social justice, an aim shared by all workers. He offered his sincere condolences on her untimely death.

Mr. Akumu (representative of the Organisation of African Trade Union Unity) associated the workers of Africa with the tribute paid to Mrs. Gandhi, whom he had met when she visited Kenya. During recent years she had made special efforts to promote technical co-operation between developing countries, particularly in order to benefit the least developed countries, most of which were in Africa. She had also more recently launched a campaign for international peace and for more practical and concrete forms of North-South dialogue. She had been expected to visit a number of African countries, and her absence would be deeply felt. The Third World had lost a dynamic leader, and he expressed his sympathy to the people of India and hoped they would overcome their grief.

The Director-General associated the staff of the Office and himself with the tribute paid to the memory of Mrs. Indira Gandhi. She had shown great interest in social problems and in the work of the Organisation, and for this reason he had intended to invite her to attend the Conference in 1985 in her capacity as chairman of the non-aligned countries. It was a source of deep regret to him that he would not now be able to do so. However, her son and successor, Rajiv Gandhi, was sure to continue her work. He expressed the deep sympathy of all his colleagues in the Office to the Chairman of the Governing Body and to his Government and people.

The Chairman voiced his gratitude, both personally and on behalf of his Government, for the tributes paid to Mrs. Indira Gandhi. The Indian people
realised only too deeply the extent of their loss through this tragic, senseless act. Mrs. Gandhi had embodied a political creed that transcended ethnic, religious and other divisions. With courage and dedication she had singlemindedly pursued the cause of unity, integrity and development, building on the work of her father. She had given further direction and new objectives to the course of India's development, and at the international level had proved an outstanding leader of the non-aligned movement, committed to the cause of development and independence in the Third World in a climate of peace and equality between all nations. She had always adopted a positive attitude towards the work of the United Nations and its specialised agencies, and had supported all their efforts to advance the cause of development and peace. The spontaneous expressions of sympathy from many world leaders were a reflection of the esteem she had enjoyed, and the people of India found these expressions of good will and sympathy a consolation in the present difficult period. He would convey the words of sympathy voiced in the Governing Body to his Government.

The Governing Body observed one minute's silence in tribute to the memory of Mrs. Indira Gandhi.

FIRST ITEM ON THE AGENDA

Approval of the minutes of the 226th and 227th Sessions

Subject to the corrections indicated in the Office paper, the Governing Body approved the minutes of its 226th and 227th Sessions.

SECOND ITEM ON THE AGENDA

Date, place and agenda of the 72nd (1986) Session of the Conference

The Governing Body decided to postpone its decision concerning the date of the next session of the Conference. It decided that the session would be held in Geneva.

Mr. Oechslin (Employer, France; Employer Vice-Chairman) welcomed the detailed proposals concerning the promotion of small and medium-sized undertakings. The Employers' group endorsed these proposals, which might lead to the adoption of a Recommendation, although some of them could have been more precise as regards their relevance to the question of employment. Such undertakings should not be promoted merely for their own sake, but rather because they made it possible to create a great many new jobs especially for young people, which was an urgent need in the modern world. Indeed, the idea of job creation underlying the proposals should be the focus of discussion at the Conference. For this purpose it was necessary not only to draw on the knowledge of experts in government and academic circles, but also to make full

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1 See also second and fourth sittings.
use of the experience of those directly involved in work in this area: the
managers of small and medium-sized undertakings themselves. He therefore
urged the Governing Body to select this item for inclusion in the agenda in
view of its importance for employment.

As regards the number of items on Conference agendas, while the
Employers' group were prepared to accept a reduction in 1986, they did not at
the present stage wish to discuss the issue in general. For 1986, therefore,
assuming that there would be a second discussion on asbestos, only one other
subject had to be selected.

As for the other proposals, the Office paper was correct in stating that
the working and employment conditions of part-time workers were a matter of
concern not only to the industrialised market-economy countries, but also to
developing countries, where such work assumed many forms. A discussion on
the subject would be useful. The proposals concerning youth were also of
interest, in particular the suggestion that a general discussion should serve
to evaluate the needs and problems of young people with regard to training,
employment and working conditions, especially in the light of the current
economic situation. However, it was not only at work that young people
experienced problems: they had difficulties in finding work, particularly a
first job, in industrialised and developing countries alike.

The other proposals ranked lower in the Employers' list of priorities.
That concerning hotels, restaurants and similar establishments was of some
interest, but the Office should concentrate on the promotion of employment
rather than the introduction of unnecessary legal restrictions. Temporary
work agencies and the arrangement of working time were on the other hand far
from being universal issues of concern, and the recurrent theme of
unemployment benefits still presented a great many problems for the Employers' 

group. In conclusion, he hoped that agreement could be reached by consensus,
and that a vote would not be necessary.

Mr. Muhr (Worker, Federal Republic of Germany; Worker Vice-Chairman)

stated that the Workers' group attached great importance to the work of the
Conference and to the selection of items for its agenda. While they were
prepared to accept a reduction in the number of items in 1986, and possibly in
1987, that should be only an exception to the rule. If there was such a
reduction, however, then the items included should be chosen with the greatest
care so as to derive maximum benefit from the work of the Conference. In any
case there should be no relaxation of effort in the field of standards.

An obvious priority was the question of unemployment benefits.
Convention No. 44 was clearly obsolete and had never been revised even though
it had been decided in the early sixties to revise all the social security
Conventions. As indicated in the Office paper, the issue at stake was not
only the problem of compensation for the unemployed, but rather, how to
overcome unemployment itself, for no effective formula had been found. It
was from the angle of prevention through such measures as retraining and
encouraging geographical mobility that the Conference discussion should
approach the revision of Convention No. 44, as in this way it would be of
greater relevance to the developing countries.

Second priority should go to temporary work agencies, an item that would
have been included in the Conference agenda two years previously, had not the
question of labour statistics been chosen after lots were drawn. The lack of
regulation of temporary work agencies was the cause of a great number of
problems, and work by the ILO on this subject would be useful. However, the
proposal by the Employers' group also merited attention, and the Workers'
group would be prepared to accept an item on the promotion of small and medium-sized undertakings if it were taken in conjunction with unemployment benefits, thereby forgoing the inclusion of temporary work agencies. The degree of consensus, however, would naturally depend on the response from the government benches, and he therefore awaited their statements with interest.

Mr. Das (Government, India) believed that priority should be attached to the subject of youth. Young people in developing countries suffered from the lack of opportunities of employment and training and were as a result poorly integrated in their societies. It was clear that this was by far the most important of the items proposed.

Second priority should be attached to the promotion of small and medium-sized undertakings, which had experienced remarkable growth during the past decade. This item would cover the informal sector as well, which was facing critical problems owing to rural-urban migration and the lack of adequate protection for those employed in it.

Mr. Sa'eed (Government, Iraq) stated that the working and employment conditions of part-time workers were an obvious choice for the Conference agenda, as the question was already of considerable importance in the industrialised countries, and would certainly in due course confront the developing countries as well. Such workers should enjoy equitable working and employment conditions comparable to those of full-time workers.

As regards unemployment benefits, the urgent need was to create jobs, rather than to compensate the unemployed, and the subject, if selected, should be approached from that angle. High priority should likewise be accorded to working conditions in hotels, restaurants and similar establishments, and to the subject of youth, which should also be approached from the point of view of employment. Two other items deserved consideration: the promotion of small and medium-sized undertakings on account of its relevance to development, and temporary work agencies on account of the abuses prevalent in that field.

Mr. Tata (Employer, India) asked what specifically Mr. Muhr had meant when referring to the unemployed. There were two clear categories: those who had lost their jobs and those who had never had one. The latter had never had a chance to belong to an insurance scheme, and in countries like India it would be impossible to provide them with benefits. He had no objection whatsoever to unemployment benefits, but it was necessary to be clear as to type of beneficiaries for whom they would be provided.

Mr. Katz (Employer, United States) stated that the most important indicator of success for the ILO's work was the number of jobs created in member States as a result of its activities. For this reason, priority should be accorded to the promotion of small and medium-sized undertakings, which were of critical importance in providing employment. In the United States, for instance, they had been largely responsible for the creation of 18 million extra jobs over the last decade, at a time when many big firms were shedding labour. The time had come for the Conference to recognise the importance of this dynamic sector for the world's economies. Second priority should go to youth, who at present bore the brunt of the world's unemployment problem. This was a subject of serious concern, as the social climate of the future depended on the integration of the younger generation into the societies and economies of their countries.

Mr. Yumjav (Government, Mongolia) thanked the Office for the clear and detailed information given on the proposed items. However, the view that it
was necessary to revise the existing procedure for the selection of Conference agenda items remained valid. He was disappointed that the list of proposals did not include any item concerning such pressing problems affecting working people as mass unemployment, the right to work, the situation of workers employed by multinational enterprises or the economic and social consequences of disarmament.

Among the items proposed, the problem of youth was the most important, and should be given priority. Its selection would also be in accordance with the decision taken regarding the resolution adopted by the Conference in 1983, which had called for the inclusion of this subject in the agenda of the 1985 Session.

Second priority should be given to the question of unemployment benefits and the revision of Convention No. 44, which was out of date on account of its inflexibility and was not in line with modern thinking on the protection of the unemployed. The related Recommendations were also out of date. The revision of these standards was therefore of great importance in view of the present economic crisis and mass unemployment in the capitalist world.

Mr. Oudovenko (Government, Ukrainian SSR) commented that the list of proposals for the Conference agenda had again omitted a number of problems of concern to millions of working people. The relation between disarmament and employment and the reallocation of the resources released thereby was an extremely important issue that had been raised on a number of similar occasions in the past by several member States. Nor had account been taken of the many proposals to include the subject of unemployment and the right to work as a standing item of the Conference agenda. It was therefore clearly necessary to improve the procedure for selecting items for inclusion in the Conference agenda in order to ensure broader participation by member States in the procedure.

As for the proposals before the Governing Body, priority should go to youth and the revision of the Unemployment Provision Convention (No. 44). The former had to be selected in view of the Conference resolution of 1983, and as a sequel to International Youth Year, which would be celebrated in 1985, as well as in the light of the resolution adopted by the 38th Session of the General Assembly concerning basic human rights for youth, including the right to work. The ILO could not postpone the subject of youth any further, and should examine all aspects of the problem in order to adopt effective measures to improve the situation of millions of young people and to integrate them in their societies. As regards the item concerning unemployment benefits, while the proposals would not by themselves eliminate unemployment or ensure the right to work, in view of the high degree of unemployment and its continuing growth in many countries, adequate international standards were necessary in order to bring about some improvement in the situation of the unemployed.

Mr. Dorais (Government, Canada) considered that all the items proposed were of great interest, but priority should be attached to the one concerning youth, particularly in the year following International Youth Year. Second priority should be accorded to the promotion of small and medium-sized undertakings. As for the remaining items, the most important was that concerning the working and employment conditions of part-time workers.

Mr. Kostine (Government, USSR) agreed with the Government members of the Ukrainian SSR and Mongolia that the list of proposed items suffered from a number of serious omissions. The selection of items for the Conference agenda was extremely important, as it was on the work of the Conference that
the ILO's authority in the eyes of workers depended. For a number of years the governments of the socialist countries had called attention to the need for the Conference to deal with the most pressing labour problems of the modern world, and it was unfortunate that the ILO was failing to live up to the hopes that the working world had placed in it; there was a clear need for the ILO to redouble its efforts to promote employment and strengthen peace and international co-operation by examining such questions as unemployment, disarmament and the negative social consequences of the activities of multinational enterprises.

Of the items proposed in the Office paper, priority should be accorded to the revision of the Unemployment Provision Convention (No. 44). Secondary priority should go to the subject of youth.

Mr. Falchi (Government, Italy) thought that all the items proposed were well presented and worthy of consideration. Some of them, if not selected for 1986, might prove useful for inclusion in the agenda of the 1987 Conference. The item on conditions of work in hotels, restaurants and similar establishments concerned a growing sector that was becoming increasingly important to the developing countries. It was not specifically covered in any ILO instrument, but was likely in the near future to undergo considerable expansion. If not selected for 1986, then it should receive due consideration for the following year. The proposals concerning the arrangement of working time, however, did not seem to have aroused much interest.

The problems of youth were a legitimate concern for the Organisation, for obvious reasons. However, the subject did not seem to lend itself to standard setting, as the chief requirements were imagination, investment and the use of new techniques to find new forms of employment. Greater impact would be achieved by making specific provision in the Programme and Budget for 1986-87 for a number of proposals that could serve as models for governments.

Of the remaining items, the working and employment conditions of part-time workers and the promotion of small and medium-sized undertakings might well be chosen, as could the proposed revision of Convention No. 44. For the first two, a Recommendation would be more appropriate. In a similar vein, rather than adopt any new Conventions, they should revise Convention No. 44: the situation of the unemployed was a serious problem area, and should be approached from the point of view of unemployment benefits and job creation.

Mr. Marton (Government, Hungary) contended that the proposals should have included an item concerning the relationship between disarmament and employment and the practical implementation of the right to work. The Organisation would have to deal with these problems of the modern world at some stage if it wished to remain in tune with present-day needs.

Among the proposals in the Office paper, the item concerning unemployment benefits should receive priority. However, the Office proposals could be interpreted to mean that the revised Convention would become more flexible but would apply to a narrower range of workers. He hoped that was not so. The subject of youth also deserved attention, as a general discussion could lead to an overall improvement in the situation of young people; it should deal with such problems as the choice of career, working conditions and the prospects of further revision of existing instruments or the adoption of new ones. The title of this item should be amended accordingly. Working conditions in hotels, restaurants and similar establishments were also important, and at some stage the Conference should deal with them.
Mr. Muhr (Worker, Federal Republic of Germany; Worker Vice-Chairman), replying to the misgivings voiced by Mr. Tata, said that in his previous statement the term "unemployed" had referred to all who were able to work and wanted to but did not have the opportunity to do so. It would therefore cover both the categories mentioned by Mr. Tata. The proposals in the Office paper should not be interpreted as involving only the revision of Convention No. 44: the subject of unemployment benefits was to be approached not only in terms of compensation for unemployment, but also from the point of view of job creation and the improvement of job opportunities. It would involve such aspects as vocational training, geographical mobility, rehabilitation and others relevant to the situation of people out of work. The aims were therefore far more ambitious than merely revising an existing Convention that had dealt only with compensation for unemployment. It was in relation to job creation that its relevance to the developing world was to be seen.

Some confusion also seemed to have arisen in the statements of those speakers who had advocated dealing simultaneously with the items concerning youth and the promotion of small and medium-sized undertakings. These were proposed for a general discussion only, and if they were selected it would be necessary to select not two but three new items for the following year. That would be extremely impractical and would mean neglecting the standard-setting aspects of the ILO's activities.

Mr. Tata (Employer, India) believed that it was still necessary to define the aims of the proposed work on unemployment benefits more clearly.

The Director-General stated in reply that the aim of a Conference discussion was set out in full in paragraph 60 of the Office paper, which also explained how the item would prove of interest to the developing countries. The actual content of the resulting instrument would naturally be a matter for the Conference to determine.

Mr. Robinson (Government, United Kingdom) reiterated his Government's concern that the number of items on the Conference agenda should be reduced and that standard-setting activities should concentrate on the revision of existing standards rather than on the adoption of new ones. Priority should therefore be attached to the proposed item concerning unemployment benefits, as Convention No. 44 was plainly no longer relevant to the requirements of member States. Second priority should go to the subject of youth for obvious reasons in view of the situation of young people in the modern world. The Conference discussion should focus on the crucial issue of young people's entry into the world of work, on which there was a clear lack of new ideas.

Mr. Li Luye (Government, China) was in favour of having fewer technical items on the Conference agenda. Each of the subjects proposed had its merits, but preference should be given to youth and the promotion of small and medium-sized undertakings. These two issues were urgent and relevant to both the developed and the developing countries. Young people bore the brunt of unemployment, and the promotion of small and medium-sized undertakings was an important way of helping resolve the problem.

Mr. Riikonen (Government, Finland) was in favour of selecting only two new Conference items each year. As regards the items proposed, a general discussion to evaluate the needs and problems of young people in entering the field of work, including vocational training, would be valuable. Young people were often deprived of their right to a secure future by the lack of appropriate education and job opportunities.

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He also supported the inclusion of the item on unemployment benefits, while recognising that many countries might be reluctant to ratify the resulting Convention. Nevertheless, Conventions were of value as guidelines for governments that were not in a position to ratify them. Furthermore, Convention No. 44 was clearly obsolete on account of its inflexibility. A lack of up-to-date standards and specific guidance from the ILO was a serious shortcoming that was detrimental to the interests of governments, employers and workers alike. The stated aims of the Conference discussion set out in paragraph 60 of the Office paper were appropriate.

In the Nordic countries temporary work agencies were becoming a subject of interest. According to the paper, the Office had conducted a number of studies on temporary work along with a variety of other forms of casual work practised in both industrialised and developing countries, and further studies were proposed for the coming biennium. He would welcome further information on the Office research programme during the present biennium and on that proposed for 1986-87. The subject merited inclusion in the agenda, as did the promotion of small and medium-sized undertakings, which could form the basis of a fruitful general discussion.

As for the future, consideration should be given to a general discussion on technical co-operation, particularly as regards the promotion of small and medium-sized undertakings in developing countries. Attention might also be given to the social aspects of technological change and workers' rights to participation in decision-making processes.

Mr. Araya (Government, Ethiopia) speaking on behalf of the African Government members, proposed that the items on youth and the promotion of small and medium-sized undertakings be selected for inclusion in the agenda of the 1986 Session. The African group had given due consideration to the need for subjects of universal interest to all member States and for standards likely to secure wide-ranging adoption. The ILO should have been at the forefront of efforts to launch International Youth Year, and it was regrettable that youth had not been selected for 1985. Small and medium-sized undertakings, on the other hand, played an important role in the economic development of Africa and were the biggest providers of employment.

Mr. Russomano (Government, Brazil) welcomed the detailed proposals made by the Office. It was difficult to choose between them, particularly in view of the justifiable reasons for limiting the number of technical items on the agenda for 1986. If not selected for that session, however, most of the items would be good candidates for inclusion in the agendas of future sessions. In the case of the proposals concerning unemployment benefits, it was necessary to differentiate between those aspects of the problem which had arisen as a result of the crisis of the 1970s and those which were due to long-term underlying reasons. However, the promotion of small and medium-sized undertakings was of crucial importance to the economic growth of the developing countries and to their efforts to overcome their unemployment problems, and priority should therefore be accorded to that item.

The sitting closed at 6.25 p.m.
SECOND SITTING
(Tuesday, 13 November 1984, morning)

The sitting opened at 11.15 a.m. with Mr. Deshmukh in the Chair.

SECOND ITEM ON THE AGENDA

Date, place and agenda of the 72nd (1986) Session
of the Conference (cont.)

Mr. Matsui (Government, Japan) said that his Government's first preference was for the item on working and employment conditions of part-time workers. It supported the idea of having international guide-lines in the form of a Recommendation for part-time workers, who were mostly women and older workers in the service sector without trade union protection. Its second choice was the item on the promotion of small and medium-sized undertakings. Such undertakings were of great importance, particularly to developing countries, and contributed significantly to the national economy in terms of employment generation and output but their working conditions tended to lag behind those in large undertakings. His Government generally agreed with the points suggested for discussion in paragraph 148 of the Office paper but preferred to be more selective so as to prevent the Conference discussion from ranging over matters which, though related, fell outside the competence of the ILO. The item on youth was the Government's third choice not because it was opposed to the subject but because it wished to reduce the workload of the Conference by limiting new technical items to two.

Like many previous speakers who had given a high priority to the item on unemployment benefits, he agreed that it was time to consider updating the Unemployment Provision Convention, 1934 (No. 44), not only along the lines suggested by the Office paper but from the point of view of the cost of social security, a subject which was of great interest to both industrialised and developing countries. In the next biennium the Office should therefore look into the problem of the cost of social security and thereby facilitate a broader appraisal of the provisions of the ILO's existing social security instruments, including Convention No. 44.

Mrs. Molkova (Government, Czechoslovakia) was not aware of any absolute necessity to limit the technical agenda items to two. The programme and budget would come up for detailed discussion in 1985 and would probably not take up so much time at the 72nd Session the following year. She accordingly wished to propose two new items for standard setting and one more for general discussion.

It was vital to pay proper attention to the question of youth. That would be in line not only with the resolution concerning young people adopted by the 69th Session of the Conference in 1983 but also with the United Nations declaration of 1985 as International Youth Year and with the International Plan of Action to be adopted by the General Assembly in 1985. The employment problems and needs of young people, which were too well known to need further

1 See also first and fourth sittings.

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emphasis, should be the subject of a thorough general discussion at the 72nd Session of the Conference.

The subject of unemployment benefits was also important. Although one of the ILO's major tasks was to ensure the right to work and to concentrate on rooting out the causes of unemployment, the problem was far from being resolved and the growing numbers of unemployed made it imperative to update an instrument like Convention No. 44 which was adopted 50 years ago.

The Czechoslovak Government also supported the inclusion of the item on working and employment conditions of part-time workers, most of whom in market economy countries were women. Part-time work taken up out of necessity could have an adverse effect on women's working and social conditions such as wages, access to certain occupations and vocational training. Consideration of the subject by the Conference would also be timely, coming as it would in the wake of the world conference due to meet in Nairobi to review the achievements of the United Nations Decade for Women.

Mr. Haase (Government, Federal Republic of Germany) felt that the compromise proposed by Mr. Muhr in favour of the promotion of small and medium-sized undertakings was acceptable since that item also had the support of the Employers and some Governments. On the other hand, the term unemployment benefits, a topic accorded high priority by the Workers, was a misnomer. What mattered was not just the payment of benefits in case of unemployment but above all, as paragraph 53 of the Office paper made clear, the prevention of unemployment - measures to protect those who were in danger of losing their jobs or were already out of work. Though rejected on an earlier occasion, the question should now be placed on the agenda as part of the compromise. It would have to be supplemented by new standards in the field of social security, which was of particular concern to the ILO, as stated in the Declaration of Philadelphia. That would be a reasonable alternative to having a new Convention or merely revising an existing one and his Government supported it.

Mr. Sarmadi (Government, Islamic Republic of Iran) would have liked the Governing Body to consider some other vital subjects besides those proposed in the Office paper. An annual item concerning some specific aspect of superpower social, economic and political policies which worsened the workers' lot in the weaker countries and the ways in which the ILO could help them to cope with those policies would be of great interest to most nations. Thus, war and its repercussions on employment and poverty or the social and economic impact of the arms race could be included on the Conference agenda for general discussion. On the other hand, some of the items proposed in the Office paper, such as the working and employment conditions of part-time workers and arrangement of working time, were of little relevance to developing countries.

The question of youth deserved high priority. Young people were the workforce of the future and any services or investment to support them would only further a country's social and economic progress. Promotion of small and medium-sized undertakings was another important means of generating employment or alleviating unemployment. The Iranian Government's third priority was unemployment benefits, provided that the proposed revision of Convention No. 44 took account of the social and economic conditions and value systems of developing countries.

Mr. Fotheringham (Government, Australia) said that his Government was conscious of the burdens which preparatory work imposed both on the Office and on member States for each item that was included in the agenda of the Conference. Not only were the resources of the Office seriously stretched at the present time but they would also have to be devoted in 1986 and 1987 to
preparing for and servicing the Preparatory Technical Maritime Conference and the Maritime Session of the Conference. These activities would also impose an additional load on member States. To prevent all these pressures from resulting in the agenda of the 72nd Session of the Conference receiving less attention than it deserved, the Australian Government would prefer to see only one new additional item placed on the agenda, namely, that concerning youth, which raised issues of particular importance to all Members of the Organisation. If there was to be a second item it should be the working and employment conditions of part-time workers as the subject was of increasing interest to both developed and developing countries.

Mr. Ventejol (Government, France) believed that the problem of youth, a major preoccupation everywhere, should be discussed in relation to the generation of employment, bearing in mind the need for economic development and international co-operation. It was also necessary to establish more clearly whether such employment could be created in the primary, secondary or tertiary sector. The matching of training to employment was likewise an acute problem in many countries to which the ILO should give attention.

Equally important was the promotion of small and medium-sized undertakings, which should also cover handicrafts. As chairman of an interministerial committee set up in his country to explore ways and means of creating jobs in that sector, he had had occasion to observe that, though many of the people working in it were able and motivated enough, it was beset by the twin problems of complicated administrative procedures and of financing. The ILO could do a great service to those people by looking into their problems.

His third choice was the item on unemployment benefits, which would provide an opportunity to assess the progress achieved in respect of both State-paid benefits and those based on collective agreements. In France the benefits deriving from the latter had led to a significant improvement in the protection afforded. As paragraph 60 of the Office paper indicated, a revision of Convention No. 44 would be eminently worth while.

In the case of all three items an attempt should be made to identify areas which could be translated into new international standards in addition to revising existing instruments like Convention No. 44.

Mr. Georget (Employer, Niger) affirmed that the first priority for developing countries, which were hard hit by unemployment and recession, was the creation of jobs. Unlike Asia and Latin America, however, Africa had failed to reach the level of industrialisation required to provide jobs for young people. It was to be hoped that the tripartite meeting of experts requested in operative paragraph 2(b) of the Resolution concerning employment policy adopted by the Conference at its 70th Session would help to promote the industrialisation of developing countries and thereby generate employment. The emphasis in some of the other resolutions adopted at that same session, concerning labour statistics, production and productivity improvement and action for the least developed countries, was throughout on manpower development, especially through small and medium-sized undertakings. While it was understandable that the industrialised countries should talk of revising the Convention on unemployment benefits, the real problem for developing countries was to provide jobs for young people and the informal sector, including small and medium-sized undertakings, would have to play a leading role in doing so. In Africa, such undertakings employed from 63 to 70 per cent of the workforce and, being largely located in rural areas, served an important social function by counteracting the drift from the land. At present they were the only undertakings capable of offering employment to the growing numbers of educated young people who could not find jobs. It was,
therefore, all the more necessary not to subsidise idleness or encourage rural people to flock into the cities and swell the ranks of the unemployed. As the representative of the Ethiopian Government had said on behalf of the African countries, the items concerning youth and small and medium-sized undertakings should be given priority for the Conference agenda and the real problems of developing countries should receive greater attention.

Mr. Kazmi (Government Pakistan) believed that the discussion had revealed a consensus in favour of selecting only two new items for the 1986 Conference agenda. He wholeheartedly supported the representative of the United Kingdom Government and other speakers who had taken that stand with the object of ensuring a meaningful, in-depth discussion of the technical items. As it was, two new technical items together with the standing items and the second-discussion item on asbestos constituted a rather heavy agenda for any session of the Conference. Moreover, countries located far from Geneva were unable to send large delegations and thus found it difficult, if not impossible, to play their full part in committees which often met simultaneously. The number of new technical items should not therefore exceed two.

Many of the items proposed for the agenda were not of direct relevance to the needs and aspirations of developing countries which were still facing widespread unemployment and underemployment. Both in industrialised and in developing countries a high proportion of the unemployed consisted of young people, mostly below the age of 25. Developing countries had to cope with increasing social unrest among the drop-outs from the educational system and the educated unemployed, a further deterioration of rural conditions and a growing number of young people migrating to the cities in search of work. This serious situation called for careful deliberation and a concerted effort. Instead of the first four items listed in paragraph 6 of the Office paper, which were not of much interest to developing countries, the Conference should consider topics which were likely to assist member States in creating employment. Pakistan therefore gave top priority to the items on youth and on the promotion of small and medium-sized undertakings.

Mr. Aitken (Government, Jamaica) observed that the general opinion seemed to favour placing fewer items on the Conference agenda. As a result the topics selected would receive more careful consideration and ultimately the ILO's monitoring system would be better able to help countries like his to fulfil their obligations under the instruments the Conference adopted. While all the items proposed in paragraph 6 of the Office paper were relevant and useful even in the long term, only those should be selected which would promote action where it was most urgently needed. Consequently, his Government preferred the items on youth and the promotion of small and medium-sized undertakings. Although the Office had made sound suggestions about the topics to be covered under the two items, it would be easier to draw up action plans if the Office report to the Conference were not merely to ask it to endorse the needs listed in paragraph 151 of the Office paper but to indicate how some of them might be met. Such an approach would greatly help the countries that most needed that sort of guidance to carry out the decisions of the Conference.

Mr. Heldal (Government, Norway) felt that to choose the item on youth would be timely not only because 1985 was International Youth Year but also because young people in most countries faced grave problems connected with training, employment and conditions of work. At the same time the item on temporary work agencies reflected a strong trend in the 1984 Conference discussion on standards, where many speakers had urged that more attention should be given to the revision and implementation of existing Conventions such as the Fee-Charging Employment Agencies Convention (Revised), 1949.
His Government recommended that those two items should be placed on the agenda, though it did realise the importance of small and medium-sized undertakings. The ILO's technical co-operation activities, mentioned in paragraph 13 of the Office paper, also deserved attention. The Conference had not held a full-scale debate on that vital subject since 1977 and it should be the main theme of the Director-General's Report or an agenda item for general discussion in 1986 or 1987.

Mr. Gallegos López (Government, Mexico) considered that population growth in developing countries and particularly in his own, where the high percentage under 25 years of age gave rise to problems of employment generation, vocational training and working conditions, made it imperative to place the item concerning youth on the agenda of the Conference. Promotion of small and medium-sized undertakings was another subject of interest to developing countries, particularly from the standpoint of job creation for young people. The item on unemployment benefits was also important: these should be used to come to the assistance of the more marginal sectors or groups in developing countries.

Mr. Crespo Valera (Government, Spain) felt that all the items proposed in the Office paper were of great importance: any of them could quite justifiably be placed on the agenda of the 72nd Session of the Conference. The criterion of employment should however be applied in narrowing down the choice to two or three, as an active manpower policy was a national and even international priority. The item on youth should be considered in relation to employment and reworded as "youth and employment", for example. Unemployment among young people was assuming alarming proportions in most industrialised countries and the ILO should devote special attention to that problem. Although, as some previous speakers had maintained, it could not be resolved through standard setting but only through new and imaginative measures, there was nevertheless a need to consider the adoption of new standards in such areas as vocational training and apprenticeship.

Another important item was that concerning unemployment benefits. Convention No. 44 needed to be revised if it was to fulfil its function as an international standard. The subject should not be viewed exclusively from the standpoint of preventive measures against unemployment but also from that of the promotion of employment. His Government considered it desirable to have a new Convention which took account of economic conditions in member countries and not only updated Convention No. 44 but made it more flexible.

Finally, the question of part-time work was closely linked with that of employment and assumed different forms in different countries. In Spain part-time work had grown very slowly but was sure to become more important in the future as a result of changes in manpower patterns, greater participation by women in the labour market and recent changes in the law. Greater problems would then arise in connection with working hours, job security, remuneration, trade union rights and social security. In order to provide legal protection for part-time workers, the Spanish Government was of the opinion that the question of their working and employment conditions should be examined by the 72nd Session of the Conference.

Mr. Luthan (Government, Indonesia) wished youth employment and the promotion of small and medium-sized undertakings to be selected for the agenda of the 1986 Session of the Conference. Creating jobs for the large populations of countries like his own - the majority of whom were young people - was a gigantic task and even part-time work served to alleviate the mass unemployment of youth. The search for jobs was not only a traumatic experience for young men and women but also a global phenomenon and youth
employment should enjoy higher priority than all the other items listed in the Office paper.

The promotion of small and medium-sized undertakings was another matter of universal concern. At present, no less than 60 per cent of the Indonesian workforce was engaged wholly or partly in the informal sector because it demanded little in terms of formal education, training, capital and technology. Small and medium-sized undertakings in developing countries like Indonesia played a key role in providing employment opportunities in that they contributed around 19 per cent to employment although only 5-10 per cent to national income. Large undertakings, on the other hand, accounted for only 5-10 per cent of employment and around 85-90 per cent of national income.

In view of the great difficulties encountered by far-off developing countries in sending large delegations to the Conference and in finding the necessary qualified personnel to participate meaningfully in Conference committee work, the Indonesian Government supported previous speakers' call for a restriction of the agenda items for the 1986 Session to no more than two. Moreover, at a meeting held the previous day the Asian Government group had unanimously decided to select the items on youth employment and on promotion of small and medium-sized undertakings.

Mr. Mugnolo (Government, Argentina) stated that although all the topics proposed in the Office paper merited special consideration, like most previous speakers, he preferred to have only two new items on the agenda: youth and the promotion of small and medium-sized undertakings.

He associated himself with the arguments heard in the discussion in favour of selecting the subject of youth. However, the title of the item was too vague and should be reworded as "work for youth". The subject should be approached from the angle of employment: if there were not enough jobs for young people all talk of working conditions, vocational training and similar issues would be idle theorising. Another reason for choosing the item was that 1985 would be International Youth Year. At the same time it had to be admitted, as paragraph 132 of the Office paper did, that there was much unemployment and underemployment among young people and the representative of the Spanish Government had been right in pointing out that standard setting alone would not resolve such a grave economic and social problem. Rather, it was innovative and imaginative action that was needed. A thorough discussion within the ILO would throw new light on the problem.

He was also prepared to endorse the arguments advanced in the Office paper in support of the item on the promotion of small and medium-sized undertakings, in particular the growing importance of such undertakings in both industrialised and developing countries and their potential for employment generation. In Argentina small and medium-sized undertakings accounted for more than 50 per cent of all economic activity, for which reason his Government attached the greatest importance to the subject.

Mr. Crespo Rodas (Government, Bolivia) felt that although few speakers had spoken in favour of the item on working conditions in hotels, restaurants and similar establishments its importance should not be underestimated and his Government would like to see it included on the agenda of the 72nd Session. Working conditions in the hotel and catering industry were of particular concern to developing countries. The industry, being labour-intensive, had considerable potential for the creation of jobs, provided work for women and did not require high qualifications. It was a source of foreign exchange and other sectors also benefited from it. However, working conditions in the industry continued to be substandard and the ILO would do well to take action in 1986 or, if necessary, even thereafter.
Temporary work agencies, which were already the subject of an ILO Convention, were also of special importance to some Latin American countries, where they had a long history going back to colonial times. Temporary migrations from one country or area to another took place on a large scale in Latin America and many workers were victims of such agencies. The ILO should therefore consider subjecting the latter to international regulation.

As previous speakers had said, the item on the promotion of small and medium-sized undertakings also required attention. That such undertakings were a means of generating employment, particularly in developing countries, was emphatically true of the Americas.

If, however, there had to be fewer new agenda items as suggested in the Office paper, his Government would choose, first, the item on working conditions in hotels, restaurants and similar establishments and, second, the promotion of small and medium-sized undertakings.

Mr. Muhr (Worker, Federal Republic of Germany; Worker Vice-Chairman) would have refrained from speaking again in the discussion had it not been for a statement made by Mr. Georget. The Workers had recommended the item on unemployment benefits in the belief that they had put forward a serious proposal for the agenda of the Conference, particularly as Convention No. 44 had been in existence for 50 years and was in need of revision. Mr. Georget, in asserting that unemployment benefits were a form of subsidy for idleness, had insulted the hundreds of millions of people who could not find jobs and indeed the Workers' group as well. Although the speaker had the greatest respect for the Employers' viewpoint, he hoped that they would dissociate themselves from what Mr. Georget had said. Otherwise relations between the two groups would suffer.

Mr. Searby (Government, United States) had been convinced by the case made in the Office paper for limiting the number of technical items in 1986 to three instead of the usual four.

His Government's first preference was for the item on promotion of small and medium-sized undertakings. As several other speakers had noted, the sector was of critical importance to the generation of employment. In his country the private sector had provided approximately seven million new jobs in the past four years and a significant proportion of them had been in small and medium-sized undertakings which had offered opportunities also for youth and first-time job entrants and people with lower skills. If the item could not be chosen for the Conference agenda, his Government would encourage further research and preparatory work for future action, including a meeting of experts on the question.

Working conditions in hotels, restaurants and similar establishments were his Government's second choice. In the preliminary Governing Body discussion in May 1984, the developing countries had evinced keen interest in the item. To make it even more broadly relevant, the Office now proposed to concentrate on working time, rest periods and paid leave, remuneration, vocational and managerial training - all subjects of concern to both developing and industrialised countries.

Mr. Georget (Employer, Niger) wondered whether Mr. Muhr had not misunderstood what he had said, possibly owing to an error in the simultaneous interpretation. He had merely affirmed that job creation was a precondition for combating unemployment and, as such, a top priority in developing countries. As small and medium-sized undertakings and the informal sector in general offered the greatest scope for job creation, particularly for young people, and for halting the drift from the land, he had expressed his firm
support for the relevant item. When he had referred to unemployment benefits as a subsidy for idleness in Africa, he had merely meant that the real solution to the problem of unemployment lay in the creation of jobs. He had maintained, furthermore, that the question of unemployment required further study and reflection and that it was not ripe for consideration by the Conference.

Mr. Oechslin (Employer, France; Employer Vice-Chairman) asked for the floor in order to define the final position of his group on the choice of agenda items. The Employers accorded first priority to the creation of jobs and had accordingly proposed an item on promotion of small and medium-sized undertakings as generators of employment. They had felt that a Conference discussion would shed light on the difficulties faced by such undertakings and suggest ways and means of helping them to create jobs. It was gratifying to note that this concern was shared by a large number of speakers, including the Workers.

The discussion had also revealed an impressive measure of support for the item on youth, which the Employers felt should be considered from the standpoint of employment. Putting young people to work was a major preoccupation of almost all countries. As an agenda item it would basically involve making proposals for the solution of youth unemployment in the light of the Director-General's very able Report on the subject a few years ago and reviewing existing standards on youth with a view to examining their operation and, if necessary, proposing new standards. Even if the item were placed on the agenda for single discussion, the result might well be the setting of standards on a number of points.

Essentially, then, three items had been formed of interest: the promotion of small and medium-sized undertakings, youth and unemployment benefits.

That morning the Employers' group had thoroughly discussed the compromise on unemployment benefits proposed the previous day by the Workers. The Employers recognised the seriousness of the problem of unemployment: both industrialised and developing countries would have to put up with it, under whatever guise, for years to come. Although it could not be denied that Convention No. 44 was out of date, the general opinion that had emerged from the discussion was that greater priority should be given to the generation of employment. As several speakers in the Governing Body had implied, in choosing an agenda item care should be taken to ensure that it was of universal relevance. But despite all that had been said in the discussion, unemployment benefits were a way of indemnifying the jobless - a system that was difficult to apply all over the world. At this stage the Employers' deliberations did not enable him to accept Mr. Muhr's proposal. Obviously, the problem of unemployment could be viewed from another angle - how to equip those out of work to find jobs, essentially through training or other measures to encourage mobility. But the Employers would find it difficult to accept even a reformulation of the subject if it continued to cover unemployment benefits in the narrow sense of the term, i.e. the revision of Convention No. 44.

In the circumstances, the Employers proposed that two topics be placed on the agenda: the promotion of small and medium-sized undertakings and youth. That was perhaps not their last word on the matter if it was possible to approach the question of unemployment from the angle he had just indicated: in that case they would not oppose it and it could then perhaps be amalgamated with the item on youth. But enough had been said to make their position clear and if a decision had to be reached by means of a vote, that would not be inconsistent with the ILO's democratic procedures.
Mr. Martinete (Government, Austria) attached great importance to the question of unemployment benefits. A revision of Convention No. 44 was urgently required and the new instrument should provide for curative as well as preventive measures. Austria had an instrument of that kind, under which unemployment benefits were paid so as to protect the labour market not only by preserving existing jobs but by creating new ones.

The problems of youth had taken on a special importance in the past few years. His Government had therefore decided to propose that a number of questions should be considered in connection with that item, such as access to employment, vocational training and utilisation of skills. Austria had applied those criteria with quite satisfactory results.

His Government also favoured placing the item concerning promotion of small and medium-sized undertakings on the Conference agenda. It felt that at the present stage of development of commerce and industry the subject should be considered from the standpoint of creating new jobs and guaranteeing existing ones. It was therefore prepared to endorse the Employers' approach in this matter.

Mr. Muhr (Worker, Federal Republic of Germany; Worker Vice-Chairman) recalled that he had the previous day explained the importance attached by his group to having at least one new item on the 1986 Conference agenda capable of leading to standard setting. If only items for a general discussion were placed on the agenda, the Conference, as experience showed, would have an extremely difficult task before it in 1987 with three new items, not to mention the complications that would arise for member States to reply to more questionnaires and for the Office of preparing first reports on all technical questions.

In the past such situations had always been handled by means of a compromise in the Governing Body, for example by choosing agenda items from among those brought forward from the previous year or by postponing one of them until the following year. In the present situation an appropriate compromise might be to have one item for general discussion and another aiming at an instrument. More specifically, either of the two items - youth or the promotion of small and medium-sized undertakings - might be scheduled for 1986 and the other left over for 1987. At the same time one other item might be selected for 1986 with a view to setting standards. As the item on unemployment benefits enjoyed a large measure of support among Government members, it could well be included along with either youth or the promotion of small and medium-sized undertakings in the agenda for 1986 and one of these - the one not selected for 1986 - could be taken up the following year. That would be the sort of compromise the Governing Body had reached on past occasions. Should it prove impossible to compromise, the Workers' group would insist on a vote under article 18 of the Standing Orders. Indeed, as the Workers had indicated at the beginning of the discussion, they would no longer agree to having only two new agenda items for 1986 or 1987, as their acceptance of such a limitation had been made conditional on their being given some satisfaction in the choice of agenda items.

Mr. Oechslin (Employer France; Employer Vice-Chairman) found the new compromise proposed by Mr. Muhr unacceptable. It did not differ very much from the previous one since the Employers' basic objections regarding the item on unemployment benefits still stood. Such a situation had arisen before in the Governing Body and the wisest course - the views of all parties were well known - would be to take a vote without further discussion.

Mr. Muhr (Worker, Federal Republic of Germany; Worker Vice-Chairman) suggested that in fixing the time for the vote account should be taken of the
fact that in the past the voting procedure had sometimes taken a whole half-day.

Mr. Oechslin (Employer, France; Employer Vice-Chairman) considered that, even if the voting did not take half a day, it would be safer to schedule it for the following morning.

It was so agreed.

The sitting closed at 1.10 p.m.
THIRD SITTING
(Tuesday, 13 November 1984, afternoon)

The sitting opened at 4 p.m., with Mr. Deshmukh in the Chair.

THIRD ITEM ON THE AGENDA

Action on the resolutions adopted by the Conference at its 70th (1984) Session

Resolution concerning employment policy

Mr. Oechslin (Employer, France; Employer Vice-Chairman) agreed that, as the resolution suggested, it would be useful from time to time for the Governing Body to review the world employment situation, provided that it did not try to cover subjects that were outside its field of competence. The Office paper, however, erred on the side of caution in proposing four courses of action, indicating that the first three seemed to be impracticable, while the fourth was too expensive. Other ways would have to be found, perhaps, of assessing at regular intervals the effect of international action on the problem of unemployment, possibly by appointing a new committee or by using the Advisory Committees on Technology and Rural Development. The Committee on Operational Programmes could also consider the topic of employment in conjunction with one of its periodical reviews of ILO activities at the national level. Mere rhetorical exercises, however, should be avoided at all costs. The resolution seemed somewhat over-ambitious as regards the position of the ILO in relation to the other international organisations, and especially the financing bodies: the ILO's role was to contribute its experience to the work of the other agencies, rather than to act as a court of appeal against their recommendations, which might occasionally seem harsh but were not necessarily detrimental to employment.

Mr. Muhr (Worker, Federal Republic of Germany; Worker Vice-Chairman) welcomed the resolution, which had been adopted without any opposition at the Conference. That was not surprising, as it reaffirmed the values embodied in the Constitution. Due consideration would therefore have to be given to its financial implications when the time came to examine the programme and budget for the coming biennium. Employment was a far more burning issue than many on which the Governing Body had spent considerable time and resources in the past, and while a final decision was not yet required, serious thought would have to be given to the courses of action open to them, and in particular to the proposed meeting of experts, to which the Workers' group attached particular importance. Attendance by representatives of the main international funding bodies was especially necessary, as the ILO's recommendations were often diametrically opposed to theirs. One striking example was the International Monetary Fund (IMF), which recommended measures that led directly to unemployment. It was important to fight inflation, but not at the cost of condemning millions to idleness. The findings of the meeting of experts could subsequently be examined by the Governing Body. One

1 See also fourth sitting.
possibility would be to invite the funding and other agencies listed in paragraph 11 of the Office paper to attend the tripartite symposium on employment, trade and North-South co-operation mentioned in paragraph 7, but other measures would also be necessary.

Mr. Falchi (Government, Italy) considered that effect should be given to the proposal for the Governing Body to assess at regular intervals the impact of various policies on employment levels by means of the fourth arrangement proposed in the Office paper, namely, the appointment of a Governing Body Committee on Employment, resources for which could be found by reallocating some of those earmarked for the meetings on structure. Its meetings could be held in conjunction with the Advisory Committee on Technology. However, the proposed date for the meeting involving other agencies seemed too distant in view of the magnitude of the unemployment problem: there were obvious financial constraints that made it difficult to hold the meeting in the present biennium, but it should nevertheless be held if possible by mid-1985.

Mr. Das (Government, India) thought that the obstacles to the implementation of the resolution in the present biennium could be overcome by rearranging the priorities for the Governing Body's work and making appropriate changes in the allocation of expenditure. Only in this way could effect be given to the resolution in such a way as to result in positive action.

Mr. Oudovenko (Government, Ukrainian SSR) declared that the action called for in the resolution was the minimum that could be done to help overcome the problem of unemployment. Only acceptance of the right to work as a goal by member States could put an end to unemployment, and the ILO should therefore proclaim the right of every citizen to choose employment freely and to enjoy job security in adequately remunerated work that was appropriate to his or her aptitudes, skills and experience. The problem of unemployment affected millions of workers, and the ILO should pay greater attention to it.

The proposals in the Office paper were highly detailed and acceptable in part. However, the rightful place for a discussion of this important subject was the Governing Body, not one of its committees, and the matter should not be referred back to the Conference. As regards co-operation with the World Bank and the IMF, the views of his Government were well known: it would benefit only the capitalist countries and harm the interests of the developing world. Whatever decision was adopted to give effect to the resolution, however, the current financial constraints should be borne in mind.

Mr. Siktanc (Government, Czechoslovakia) believed that the resolution concerning employment policy dealt with the most serious problem facing labour. His Government, alongside the other socialist countries, had for many years urged the ILO to take the lead in the struggle against unemployment and the campaign to implement the right to work. In the past the ILO had shown a great deal of imagination and initiative in giving effect to other resolutions on such subjects as freedom of association and tripartism. It was to be hoped that it would show similar qualities in its work on this resolution, in which activities to promote full employment should receive priority. The proposals in the Office paper were inadequate, as they referred only to the secondary aspects of the problem, while those concerning co-operation with the funding agencies were in fact a cause for concern. The ILO unfortunately seemed hesitant to give full effect to the resolution: the struggle against unemployment must become a top priority, and for this purpose a Committee on Employment should be appointed, preferably by the Conference, to assess the employment situation at regular intervals. It should also receive research reports on the causes of unemployment and on job creation.
programmes. The necessary resources should be found by appropriate rearrangements within the programme and budget.

Mr. Haase (Government, Federal Republic of Germany) argued that they should first decide how to give effect to the resolution before talking about its implications for the programme and budget. Obviously, the main need was to create new jobs, not to set up yet another committee or hold another conference on employment. The problem would be best solved by more practical measures.

Mr. Briki (Government, Algeria) thought that the main thrust of the resolution was to urge the ILO to do more to combat unemployment, which was one of the crucial problems facing the Organisation. The Director-General's proposals were to be welcomed, in particular the suggested appointment of a Committee on Employment, which he endorsed. In view of the wide-ranging support this resolution had attracted at the Conference, every effort should be made to give full effect to it.

Mr. Peterson (Government, United States) suggested that the financial and procedural implications of the resolution required careful reflection, for it tended to involve the ILO in new forms of activity. In any event, follow-up action on the resolution would have to be subject to the programme priorities laid down in the next biennial budget. It was important to derive the greatest benefit from the ILO's experience and expertise, but the need to avoid duplication of effort with other agencies must be borne in mind.

Mrs. Onon (Government, Mongolia) stated that unemployment had become an acute problem, and the dramatic increase in the numbers of unemployed in the capitalist and developing countries made it essential for the ILO to take effective action. Its contribution in this field was, however, insignificant, and an item should be included in the agenda of a forthcoming session of the Conference on the revision of the World Employment Programme, which had made no impact on the world employment situation. A programme of action was also needed to implement policies at the international level for the reduction of levels of unemployment and the creation of jobs. Consideration should be given to the possibility of convening a world conference on unemployment. The Governing Body should recommend the Conference to concentrate the ILO's activities on reducing unemployment and promoting the right to work.

The Chairman expressed his appreciation of the initiative taken by the Director-General in opening discussions with the international funding agencies and hoped they would take advantage of the ILO's experience and expertise.

The Director-General thanked the members of the Governing Body for their observations, which would help the Office to work out practical proposals to give effect to the resolution. While the latter dealt with a much larger issue, it made a number of specific requests, and it was with these that the paper before them was concerned. He had been disappointed to hear the assertion that the ILO's work had made no significant impact on the employment situation. Its activities in this field assumed many forms, and all were positive and relevant to the problems they addressed, the only obstacle to greater impact being the lack of resources. All members of the Governing Body and especially those who had criticised the ILO's work would do well to examine the in-depth review of its labour-intensive special public works programmes conducted recently by the Committee on Operational Programmes, which had endorsed these activities. The ILO's work on such projects had created jobs for hundreds of thousands of people in some 30 countries. Other operational activities currently under way included a large number of studies.
of national employment problems in a wide range of countries, as well as sectoral studies. Similarly, the in-depth review of the ILO's vocational training programme conducted by the Programme, Financial and Administrative Committee would repay close examination.

Nor should it be forgotten that in June 1984 the Conference had adopted the important Employment Policy (Supplementary Provisions) Recommendation (No. 169), in which the right to work was clearly stated. Earlier in the year, the Office had also published the World Labour Report, which a great many people, including members of the Governing Body, had hailed as an important contribution to the understanding of employment problems. He had personally presented a paper on employment and development to a meeting in London in April of the Administrative Committee on Co-ordination that was chaired by the Secretary-General of the United Nations himself and attended by the heads of all the agencies, including the IMF, the World Bank, GATT and UNCTAD. The paper had been well received, and he had in fact subsequently been invited to submit it to the second regular session of ECOSOC; where it had also made an excellent impression. The paper would serve as a basis for discussions in the ACC and the Committee on Development Planning, which was a major subsidiary body of ECOSOC.

There had been a number of recent developments regarding the IMF. On a recent visit to Washington, he had had talks with its Managing Director on how to reflect the ILO's aims in its work, particularly in its agreements with individual countries which applied to it for assistance. It was difficult to see how the ILO could be accused of being hesitant in this respect or why it should be discouraged from seeking co-operation with such bodies. On the contrary, the Governing Body would presumably favour co-operation with them to promote ILO principles, and such co-operation could be extended to other organisations, such as the OECD and the CMEA.

The proposal to invite several of these organisations to attend the tripartite symposium on employment, trade and North-South co-operation was sound, as it would be a good opportunity to enlist their support for ILO principles. He also intended to distribute shortly the report of a group of high-level experts on employment and poverty.

He fully shared the Governing Body's anxiety to increase the resources available to the Organisation in combating unemployment, but the resolution only referred to a limited range of its activities in this field, and its many other forms of action should not be overlooked.

The Governing Body adopted the recommendations in paragraph 14 of the Office paper.

The sitting closed at 5.10 p.m.
FOURTH SITTING  
(Wednesday, 14 November 1984, morning)

The sitting opened at 10.20 a.m. with Mr. Deshmukh in the Chair.

SECOND ITEM ON THE AGENDA

Date, place and agenda of the 72nd (1986) Session of the Conference (concl.)

Mr. Oechslin (Employer, France; Employer Vice-Chairman) did not believe that a consensus had been reached on the items to be selected, and therefore proposed that a vote be taken to decide the matter.

The Chairman invited the Governing Body to vote on the Conference agenda in accordance with the procedure laid down in article 18 of its Standing Orders.

In a vote by show of hands, the Governing Body decided not to place on the agenda all seven of the proposed items - namely (a) working and employment conditions of part-time workers; (b) unemployment benefits (revision of Convention No. 44); (c) working conditions in hotels, restaurants and similar establishments; (d) arrangement of working time; (e) youth; (f) the promotion of small and medium-sized undertakings; and (g) temporary work agencies.

A ballot having been taken in accordance with article 18(2) of the Standing Orders, the items were ranked in the following order of preference on the basis of the votes received by each, in accordance with article 18(3) of the Standing Orders: item (e) - 174 votes; item (f) - 196 votes; item (a) - 200 votes; item (b) - 213 votes; item (c) - 230 votes; item (g) - 247 votes; item (d) - 280 votes.

In accordance with article 18(4) of its Standing Orders, the Governing Body decided, in successive votes by show of hands, first, by 0 votes in favour and 34 against, with 12 abstentions, not to place six of the seven items proposed on the agenda; second, by 0 votes in favour and 32 against, with 13 abstentions, not to place five of the items on the agenda; third, by 21 votes in favour and 30 against, with 2 abstentions, not to place four of the items on the agenda; fourth, by 23 votes in favour and 30 against, with no abstention, not to place three of the items on the agenda; and finally, by 55 votes in favour and none against, with no abstentions, the Governing Body decided to place two of the items on the agenda, namely the first two in the order of priority specified above.

The Governing Body noted that, as a result of the decisions it had taken and having regard to the items which would necessarily be before the Conference, the agenda of the 72nd (1986) Session of the Conference would be as follows:

1 See also second and third sittings.
I. Reports of the Governing Body and the Director-General.

II. Programme and budget proposals and other financial questions.

III. Information and reports on the application of Conventions and Recommendations.

IV. Safety in the use of asbestos (second discussion).

V. Youth (general discussion).

VI. The promotion of small and medium-sized undertakings (general discussion).

The Governing Body also noted that the Conference would, in addition, have before it a special report on the application of the Declaration concerning the policy of apartheid in South Africa, as updated by the Conference at its 67th (1981) Session.

THIRD ITEM ON THE AGENDA

Action on the resolutions adopted by the Conference at its 70th (1984) Session (concl.)

Resolution concerning standards on labour statistics

The Governing Body adopted the recommendations in paragraph 19 of the Office paper.

Resolution concerning the improvement of working conditions and environment

Mr. Oechslin (Employer, France; Employer Vice-Chairman) endorsed the recommendations in the Office paper. Commenting on paragraph 44, however, he argued that in most cases there were more advantages than risks involved in the introduction of new technology. The suggestions in the following paragraph therefore appeared somewhat negative in that they referred only to the risks, both known and suspected: the use of this last term was inappropriate, and introduced a new category of hazards.

Mr. Muhr (Worker, Federal Republic of Germany; Worker Vice-Chairman) on the contrary thought the term "suspected" well chosen in the present context. Workers had justified fears about the introduction of new technology, for hazards were due to stress and nervous tension as well as the physical environment, and the risks were difficult to quantify or describe accurately in advance, even when it was certain they would appear. The Workers' group endorsed the recommendations in the Office paper, while emphasising that safety and health must receive particular consideration, as indeed they did at meetings of the Industrial Committees.

1 See also third sitting.

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Mr. Riikonen (Government, Finland) welcomed the conclusions reached by the Conference Committee, which were an accurate reflection of the activities under the PIACT programme. Special emphasis should be placed on the conclusions concerning training and its importance as a means of improving working conditions and environment, particularly in the developing countries; on the effects of technological innovation; on the need to strengthen the International Occupational Safety and Health Hazard Alert System and the International Occupational Safety and Health Information Centre; and also, although this was not mentioned in the conclusions, on the ILO's participation in the International Programme of Chemical Safety. He was pleased to report that in his own country, the Government had recently introduced a programme for the improvement of the working environment and had taken steps towards ratifying the Occupational Safety and Health Convention, 1981 (No. 155). Credit was due to those in the Office who were responsible for the PIACT programme.

Mr. Das (Government, India) thought that the Office paper would have benefited from a more specific analysis of the conclusions in terms of their main points of emphasis. These were the need to improve awareness of the issues involved and to focus on activities of practical use by means of a multidisciplinary approach, at the same time enhancing co-ordination with other ILO programmes. This general policy direction would presumably be taken into account in the programme and budget proposals for the coming biennium. Attention should also be given to the concept of appropriate technology, the implications for training programmes and the need to promote comprehensive safety and health regulations. A review could be conducted under the programme of the definition and choice of appropriate technology. As regards training, the promotion of on-the-job training would prove useful and undoubtedly popular with employers. Developing countries required technical co-operation in the drafting of safety and health regulations, and specific projects should be initiated on this subject. The suggestions concerning the informal sector in paragraph 42 of the Office paper, however, were too vague; something more specific was needed in this area.

Mr. Oechslin (Employer, France; Employer Vice-Chairman) feared that Mr. Muhr might have misinterpreted his previous statement concerning the use of the word "suspected" to define hazards. While he accepted that it was necessary to take potential risks into consideration at the design stage, he had meant that due weight should be given to the positive benefits of new technology so that a balanced view of its impact could be obtained.

The Governing Body adopted the recommendations in paragraphs 34 and 48 of the Office paper.

Resolution concerning the contribution of the ILO to production and productivity improvement, with special reference to the developing countries, oriented towards greater social and economic development

Mr. Oechslin (Employer, France; Employer Vice-Chairman) found this section of the paper extremely informative, and wished to record his satisfaction at the manner in which the subject had been treated.

Mr. Muhr (Worker, Federal Republic of Germany; Worker Vice-Chairman) endorsed the recommendations in the Office paper. Special care should be taken to satisfy the needs of tripartite involvement in all the activities of
the Organisation. Efforts to increase productivity should serve the interests of the workers concerned, a point that was made in the resolution itself.

Mr. Marton (Government, Hungary) drew attention to the objective of full employment stated in paragraph 1 of the operative part of the resolution. All too often nowadays productivity increases were obtained at the expense of employment. That need not necessarily be so, and clear examples of the feasibility of reconciling the aims of full employment and increased productivity could be seen in the economies of the socialist countries or those of Western Europe in the 1960s and early 1970s. The need for a fair distribution of the fruits of increased productivity should be regarded as a fundamental principle, and here the ILO had an important role to play. One form of economic activity which in his own country and elsewhere had brought increases in both employment and productivity was the co-operative movement, which was active in many different sectors and clearly could make an important contribution to the social and economic well-being of the developing countries.

Mr. Das (Government, India) thought the recommendations were lacking in new ideas. Properly regarded, productivity amounted to the optimisation of the factors of production, and was as much a matter of selection and recruitment as of application. His Government had suggested the creation of productivity networks, consisting of national and regional productivity advisory services. Consideration could also be given to studies on the effectiveness of quality circles. Work was already under way in the Asian region on productivity-related issues and an ILO programme of action could serve to strengthen it.

Mr. Siktanc (Government, Czechoslovakia) noted that, according to the resolution, progress in production and productivity should lead to a general improvement in workers' well-being. Unfortunately, that was not always the case, for while such progress was essential to economic growth, it was the manner in which its benefits were distributed that determined their impact on workers' well-being, a fact that was true at both the national and the international levels. Productivity programmes must be in tune with the national development, employment and investment needs of the country concerned. Where they were not, the result was unbalanced development, exploitation and wastage of resources. It was therefore disappointing that paragraph 50 of the Office paper did not refer to this requirement, particularly the need for national and multinational enterprises to co-ordinate their operations with national development programmes. Despite the wide range of production and productivity-related activities mentioned in the paper, whose value was not to be underestimated, there did not seem to be any global approach. The ILO's activities often suffered from an excessively sectoral view of technical co-operation. Greater attention should be given to policy and planning issues, for innovations at that level often had more far-reaching effects. Governments should be offered a greater variety of project designs based on experience in different countries. Without a global approach, moreover, the strengthening of tripartism would be of little value in face of the power of highly capitalised foreign-owned companies. With this reservation, he was prepared to endorse the recommendations in the Office paper.

Mr. Nasr (Employer, Lebanon) stated that, naturally, improvements in production must benefit the workers concerned, and the resolution adequately reflected this important idea. It should not be forgotten, however, that it was aimed primarily at the developing countries, where there was an urgent need to generate incomes but a shortage of skills and technological resources. The resolution accordingly asked the ILO to expand its activities
for the development of human resources, particularly as regards trade union and managerial skills, although everyone was aware of the present financial constraints faced by the Office.

Mr. Ahmed (Worker, Pakistan) observed that the equitable distribution of the benefits of increased production and productivity was only possible in the context of strong trade union organisations and full respect for the right to bargain collectively. In this connection, full consideration should be given to the conclusions of the Asian Regional Seminar on Trade Unions, Industrial Relations and Productivity, mentioned in paragraph 69 of the Office paper. These conclusions referred to the need for effective trade union representation and for improvements in productivity to result in improved working conditions. It would be useful if the findings of the seminar could be distributed among workers' organisations in the region in national languages. The ILO should continue to assist in the promotion of workers' participation and workers' education in order to further the aims of the resolution.

Mr. Luthan (Government, Indonesia) supported the suggestions made by the Government representative of India concerning productivity networks and advisory services. In his own country, productivity had become an important issue, and in recent years a tripartite national productivity board had been set up with regional branches which conducted research, provided training and advised individual enterprises. Quality circles also operated in many firms.

The Governing Body adopted the recommendations in paragraph 80 of the Office paper.

Resolution concerning the strengthening of action for the least developed countries

Mr. Muhr (Worker, Federal Republic of Germany; Worker Vice-Chairman) stated that the resolution addressed an obvious need: conditions in the least developed countries had deteriorated not only by comparison with the rest of the world, but also in absolute terms. The situation was particularly alarming in Africa, where most of the LDCs were to be found. Their share of expenditure on ILO technical co-operation activities had fallen by some 30 per cent, or more than 3 million dollars since 1981. This reduction in extra-budgetary expenditure was drastic, and the appeal made in the resolution to member States for more resources should be supported.

Mr. Oechslin (Employer, France; Employer Vice-Chairman) fully supported the resolution, which he trusted would receive due consideration when the programme and budget for the coming biennium was prepared. The gravity of the situation in the LDCs merited particular attention and activities to assist them should receive priority.

Mr. Farag (Representative of the Organisation of African Unity) congratulated the Office on this section of the report. However, the information it contained referred to activities during the previous three years rather than to prospects for future action. While the Office's intention of making a considerable contribution to the mid-term review of the Substantial New Programme of Action for the LDCs was appreciated, it could place greater emphasis on measures to cope with the emergency situation and give more support to the appeal for greater efforts on the part of the industrialised countries, as well as the call for the latter to transfer at least 0.15 per cent of their GNP to the LDCs by 1985.

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Mr. Crespo Rodas (Government, Bolivia) thought it disappointing that the figure of 0.15 per cent of GNP was now regarded by the developed countries as the target for the transfer of resources to the LDCs, whereas some 20 years previously the figure had been 1 per cent. This no doubt reflected the overall reduction in the flow of aid, and was particularly regrettable in view of the enormous capital flows in the other direction to repay or service loans. Particular attention should be given to the need for assistance to be given to the land-locked developing countries. He supported the statement by the representative of the OAU: Africa deserved special consideration, particularly after the recent drought. Finally, he drew attention to the call for activities concerning the LDCs to be reflected in a separate section of the Director-General's annual report to the Conference.

Mr. Heldal (Government, Norway) welcomed the resolution, and in particular its call for the developed countries to implement the aid targets of the SNPA as minimum requirements and for urgent measures to cope with the emergency situation. He also endorsed the appeal for increases in aid provided on a concessional basis, and hoped that the programme and budget for the coming biennium would take full account of the measures outlined in paragraph 3 of the resolution. Member States should respond positively to the appeal in paragraph 4 for them to promote programmes for employment creation, vocational training and workers' education and to ensure full respect for the Conventions relating to freedom of association.

Mr. Briki (Government, Algeria) supported the statements by previous speakers. The resource situation was a cause for serious concern, and technical co-operation appropriations should be carefully scrutinised. There was also a need for a substantial increase in the regular budget allocation for technical co-operation. The resources available could be tapped more effectively if the LDCs received greater assistance in the formulation of projects: the identification of needs was a key requirement. The Office was to be complimented on its intention to co-operate fully with the mid-term review of the SNPA which would take place in 1985.

Mrs. Gutema (Government, Ethiopia) welcomed the emphasis in the resolution on the need to mobilise resources for the LDCs. The recent decrease in resources was regrettable, particularly in Africa, the continent with the largest number of LDCs, which had recently experienced a calamitous drought. The LDCs were in an unprecedented situation: population growth rates were exceeding food production; their average income was 10 per cent lower than in 1974; 60 per cent of their population did not have sufficient food; and a million children died every year of malaria alone. Their debt repayments alone accounted in some cases for around 60 per cent of their export earnings. With reduced capital inflows, their capacity to industrialise was dwindling, bringing increased unemployment, and the outlook for the future was bleak. The present drought called for urgent measures, but the long-term agricultural situation was also alarming: the food supply was falling, there were frequent crop failures due to a variety of reasons, and the problems were becoming increasingly complex. The LDCs were in addition finding it more difficult to compete in international markets and continued to suffer from a shortage of skills. For these reasons, aid was needed not only as an emergency measure but also to match the LDCs' long-term development programmes.

Mr. Vargas (Government, Nicaragua) fully supported the statement by the previous speaker and the resolution's call for action. He drew attention to paragraph 3(h) of the resolution, which called for activities concerning the LDCs to be reflected in a separate section of the Director-General's report to the Conference.
Mr. Moore (Government, United States) supported the resolution, but expressed reservations concerning the call for an increase in regular budget allocations for technical co-operation.

The representative of the Director-General (Mr. Jain) stated in reply to the discussion that the Office was extremely sensitive to the needs and problems of the least developed countries. This concern dated from before the Paris Conference, but had been reinforced by its findings and the resolution it adopted. The Office continued to make every possible effort to enhance its contribution to the needs of the LDCs. However, it faced considerable difficulties: the dwindling resources available and the drift towards bilateral aid detracted from the Office's capacity to implement programmes, and the governments of many LDCs did not attach sufficiently high priority to ILO activities. Naturally, they experienced problems in identifying needs and formulating projects, and the Office was endeavouring to assist them in this respect so as to promote its activities.

The Office had systematically taken part in all the country-level meetings organised for the LDCs under the auspices of the UNDP or the World Bank, where it had advanced its own ideas, emphasising the issues of employment and the development of human resources. Unfortunately, this participation had only in a few cases resulted in the allocation of additional resources for ILO programmes, and the response had on the whole been limited.

Meanwhile, the Office continued to strengthen its capacity to provide services for the LDCs and was giving particular attention to the strengthening of the Africa Regional Department. This would be reflected in the programme and budget proposals for 1986-87, where additional resources would be earmarked for that department in order to cope with the present crisis.

The Governing Body adopted the recommendations in paragraph 90 of the Office paper.

The sitting closed at 12.55 p.m.
The sitting opened at 3.40 p.m. with Mr. Deshmukh in the Chair.

SEVENTH ITEM ON THE AGENDA

Report of the 24th Session of the Joint Maritime Commission
(Geneva, 20-28 September 1984)

The Chairman, who had also acted as Chairman of the Joint Maritime Commission, introduced the report. Discussions in the Commission had taken place in a cordial atmosphere and in a spirit of good faith. Agreement had been reached on nearly all the major issues, and the Commission had adopted 12 resolutions, including one concerning a Preparatory Technical Maritime Conference proposed for 1986 and a Maritime Session of the International Labour Conference the following year. That resolution had noted the Director-General's intention of including in the programme and budget proposals for 1986-87 provision for a preparatory conference in 1986 and a maritime session in 1987. The Governing Body was invited in a separate paper to fix the agenda of the Preparatory Technical Maritime Conference as set out in the resolution, subject to the adoption by the Governing Body and by the Conference of the relevant programme and budget proposals. The Commission had in fact adopted resolutions on most of the subjects it had discussed, but had been unable to reach agreement on the inclusion of an item in the agenda of the preparatory conference concerning the employment conditions of seafarers serving on ships flying flags other than those of their own country, including flags of convenience.

As regards medical care on board ships, the Commission had adopted a resolution requesting the Governing Body to include an item on this subject in the agenda of the next maritime session of the Conference with a view to the adoption of a Convention. Two resolutions had been adopted concerning the Merchant Shipping (Minimum Standards) Convention, 1976 (No. 144): the first called for the Office to step up its efforts to promote the ratification and application of the Convention and to prepare a law and practice report under article 19 of the Constitution, while the second called for an item to be included in the same agenda concerning the revision of the Appendix to Convention No. 147.

Discussions on the minimum basic wage of able seamen had focused on the effects on wages of recent fluctuations in exchange rates. The resolution adopted by the Commission had called for studies on the feasibility of devising a new formula for determining the minimum wage and had suggested the appointment of a joint committee on wages.

Agreement had not, however, been reached on the revision of the Placing of Seamen Convention, 1920 (No. 9). The seafarers wanted fee-charging agencies to be abolished, and did not feel that revision of the Convention would be sufficient, while the shipowners had advocated the extension of Convention No. 96 to cover them.
The Commission had adopted a resolution calling for the inclusion of an item in the agenda of the preparatory conference in 1986 concerning the revision of the ILO instruments relating to the repatriation of seamen.

Resolutions had also been adopted on five items not on the agenda: the carrying of radioactive nuclear cargoes; the unlawful detention of seafarers abroad; occupational safety and working conditions on board maritime mobile offshore units; war-risk areas and the safety of life of seafarers; and Spanish translation services for the Joint Maritime Commission itself.

The chairmanship of the Commission had been a duty he had discharged with great pleasure, and it had enabled him to become more closely acquainted with an extremely important aspect of the Office's work.

Mr. Svenningsen (Worker, Denmark), who had formed part of the Governing Body delegation to the Commission, stated that the Chairman's summary of its work was an accurate reflection of the proceedings. The Workers' group supported all the recommendations in the report. It attached particular importance to the resolutions concerning war-risk areas and the unlawful detention of seafarers abroad. The ILO should take action soon on these issues, which were real problems for seafarers all over the world.

Mr. Oechslin (Employer, France; Employer Vice-Chairman) conveyed the thanks of the shipowners' group on the Commission to the Chairman for the manner in which he had conducted the proceedings. The meeting had been marked by a common desire to reach agreement on the major issues. The scope of the ILO's maritime activities did not, in the view of the Employers' group, extend to fishing vessels, which were covered by separate instruments adopted by general sessions of the Conference. The Employers' group was also concerned at the unlawful detention of seafarers abroad; that was a question of human rights in which the ILO should become involved. His group readily endorsed the proposed agenda for the preparatory conference.

Mr. Heldal (Government, Norway) welcomed the proposals for a preparatory conference and a maritime session of the Conference to be held in 1986 and 1987 respectively. The agenda proposed in the resolution was appropriate, and the proposals on standards were in line with the discussions at the 1984 Session of the Conference. The most important of the resolutions adopted by the Commission was that concerning the unlawful detention of seafarers abroad: there had been many recent incidents involving unlawful detention, some of them extremely serious. The point for decision in the covering paper, however, did not fully reflect the Commission's concern over the problem, as it only asked the Director-General to communicate the text of the resolution to the Secretary-General of the United Nations, requesting his action as appropriate. More active follow-up was necessary, and he accordingly suggested that the point for decision might read as follows:

The Governing Body may wish to request the Director-General to explore with the United Nations and other organisations concerned the means of adopting an instrument of the kind envisaged in the resolution adopted by the Commission on the unlawful detention of seafarers abroad and to report back to the Governing Body.

Mr. Falchi (Government, Italy) thought that the most important issue before the Commission had been the social security and employment conditions of seafarers serving on ships flying flags other than those of their own country. It was essential that an item on this problem should be included in the agenda of the preparatory conference, for it was clearly within the ILO's field of competence. If it were not included, then there was the risk that
some other body would deal with the subject and the Governing Body would then complain about an encroachment on the ILO's sphere of interest.

Mr. Haase (Government, Federal Republic of Germany) observed that, while such subjects as social security for seafarers and medical services on board ship were obviously matters of interest to governments, the Joint Maritime Commission itself consisted only of shipowners' and seafarers' representatives, namely employers and workers. That was an anomaly, which ought to be rectified.

Mr. Riikonen (Government, Finland) endorsed the wording of paragraph 32 suggested by Mr. Heldal and favoured an amendment in those terms.

Mr. Oechslin (Employer, France; Employer Vice-Chairman), replying to Mr. Haase's comments, stated that it was an established tradition that matters concerning the maritime sector were dealt with in the first instance by those most directly involved, namely the shipowners and the seafarers. That was also the preference of the Employers' and the Workers' groups. The composition of the Joint Maritime Commission had been determined by the Governing Body, but if it was thought that it should be revised, then discussions should begin at the preparatory conference. The Commission had no decision-making power; its role was merely to make proposals to the Governing Body on the agendas of maritime conferences and other matters. While many governments would naturally have preferred the two groups in the Commission to reach a compromise on the agenda of the conference, which had not in fact proved possible, they had had no difficulty in agreeing on the holding of the conference, which was surely what mattered. The Employers' group also supported the amendment to paragraph 32.

Mr. Svenningsen (Worker, Denmark) stated that the Workers' group likewise supported the proposed amendment.

The Governing Body adopted the recommendations in paragraphs 6, 11, 13, 19, 22, 28 and 30 of the report.

The Governing Body also adopted the recommendation in paragraph 32 of the report, as amended.

The Governing Body further adopted the recommendations in paragraphs 35, 37 and 39 of the report.

TWENTY-SECOND ITEM ON THE AGENDA

Composition and agenda of standing bodies and meetings

First paper

Preparatory Technical Maritime Conference

The Governing Body adopted the recommendations in paragraphs 42 and 48 of the Office paper.

The sitting closed at 4.20 p.m.

1 See also tenth and twelfth sittings.

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SIXTH SITTING

(Wednesday, 14 November 1984, afternoon)

At this sitting, which was held in private, the Governing Body considered the eighth item on its agenda (Report of the Committee set up to examine the representation presented by the National Trade Union Co-ordinating Council (CNS) of Chile under article 24 of the Constitution, alleging non-observance of international labour Conventions Nos. 1, 2, 29, 30 and 122 by Chile) and the ninth item on its agenda (Report of the Committee set up to examine the representation made by the Confederation of Private Employers of Bolivia under article 24 of the Constitution alleging non-observance by Bolivia of the Minimum Wage-Fixing Machinery Convention, 1928 (No. 26) and of the Minimum Wage-Fixing Convention, 1970 (No. 131)).

In accordance with article 14, paragraph 4 of the Standing Orders of the Governing Body, the minutes of this sitting are published separately.
SEVENTH SITTING

(Wednesday, 14 November 1984, afternoon)

The sitting opened at 5.15 p.m., with Mr. Deshmukh in the Chair.

EIGHTH AND NINTH ITEMS ON THE AGENDA

Report of the Committee set up to examine the representation presented by the National Trade Union Co-ordinating Council (CNS) of Chile under article 24 of the Constitution alleging non-observance of international labour Conventions Nos. 1, 2, 29, 30 and 122 by Chile

Report of the Committee set up to examine the representation made by the Confederation of Private Employers of Bolivia under article 24 of the Constitution alleging non-observance by Bolivia of the Minimum Wage-Fixing Machinery Convention, 1928 (No. 26) and of the Minimum Wage Fixing Convention, 1970 (No. 131)

The Chairman publicly announced the decisions taken by the Governing Body at its sixth sitting, which was held in private:

The Governing Body had adopted the reports and recommendations of the Committees set up to examine the two representations and had accordingly declared the closure of the procedures initiated against the Governments of Chile and Bolivia.

TENTH ITEM ON THE AGENDA

Report of the Committee set up to examine the representation made by the General Confederation of Portuguese Workers under article 24 of the Constitution alleging non-observance by Portugal of the Forced Labour Convention, 1930 (No. 29), the Labour Inspection Convention, 1947 (No. 81), the Protection of Wages Convention, 1949 (No. 95), the Abolition of Forced Labour Convention, 1957 (No. 105), the Labour Inspection (Agriculture) Convention, 1969 (No. 129) and the Holidays with Pay Convention (Revised), 1970 (No. 132)

Following a request by the Portuguese Government for a further delay before it communicated its observations, the Governing Body deferred examination of the case.
Mr. Ducray (Government, France), introducing the report, said that the Committee had at its November meeting been seized of 113 cases concerning some 40 countries in all parts of the world. It had examined 47 cases as to substance, reaching final conclusions in nearly half of them and interim conclusions in the other half. Governments had on the whole been co-operative, and the adjournment of a number of cases was largely due to the normal delays involved in preparing a case. One Government (Chile) was involved in ten cases, some of them quite serious, but had supplied information to the Committee and would supply further particulars to enable it to reach a decision on the complaints. The Committee had again observed that the preparation of cases would be considerably facilitated if the complainants supplied more detailed, specific information in their communications.

In the cases concerning the Bahamas, El Salvador, Guatemala, India, Kenya, Morocco, Nicaragua and Peru, the Committee would have to take a decision on the substance of the complaints if the Governments concerned did not supply information before its next meeting. The outcome of the latest meeting should be assessed, however, in the light of the effect given to conclusions reached by the Committee in the past, which was reported in the first section of the report. This showed a healthy climate of co-operation between the Committee and a great many governments: satisfactory results had been achieved in 18 cases, and particularly encouraging developments had taken place in Argentina, where trade union elections had taken place; in Brazil, where trade unionists had been released from detention; and in the Dominican Republic, where a trade union had been recognised. In other cases, however, the Committee still awaited news of the effect given to its recommendations.

A number of general comments applied to the cases examined as to substance. Positive developments had occurred in a number of cases: in Uruguay, trade union officials had been reinstated; in Brazil, the administrative supervision imposed on certain trade union organisations had been removed; and the information supplied by the Government of Romania had made it possible to declare the case closed. Unfortunately, examination of many of the cases showed that the complaints involved an increasing number of serious allegations concerning deaths, disappearances and assaults on persons under arrest or in detention, including trade union officials and members.

The cases concerning Turkey and Chile called for particular comment. The former was covered by a separate report before the Governing Body, as it involved complaints submitted under article 24 of the Constitution and had therefore been considered separately. The latter showed a conspicuous discrepancy between the legal and actual situation in the country: while statutory standards were improving thanks to the assistance provided by the Office, the real state of trade union and social affairs in general was difficult to assess from a distance, for martial law was still imposed in several provinces and where it had been removed it had been replaced by a state of emergency. Nevertheless, the Committee had been able to note a
moderate improvement in industrial relations with the renewal of collective bargaining sought by employers and workers alike and enjoying the Government's support.

As regards its own procedures, the Committee had felt in a number of recent cases that it needed more detailed information so as to broaden its understanding of national situations and lend greater relevance to its recommendations. This applied in particular to five recent cases concerning individual provinces of Canada, in which the Committee had requested the Government to accept an additional fact-finding stage in the proceedings to unravel the situations involved. In some cases, the legislation referred to in the allegations had only been applied in a small number of cases, and its proper scope and meaning were not therefore fully established, while in others, it reflected local conditions and practices that were not covered by the ordinary provisions of the law.

The Committee's workload at the November meeting had been heavy, and the new arrangements for its meetings had been welcome. Close co-operation with the Office department concerned had, as in the past, been essential to the Committee's success in covering so much ground in such little time.

Finally, he was pleased to announce that a new digest of the Committee's decisions would be issued towards the end of the year.

Mr. Maier (Worker, Austria), speaking on behalf of the Workers, congratulated Mr. Ducray on his election as the Committee's reporter. He supported the request for a fact-finding mission to visit Canada in order to obtain further information on the situation in the different provinces, and hoped that the Government would agree to the mission.

It was regrettable that once again the Governments of the Bahamas, El Salvador, Guatemala, India, Kenya, Morocco, Nicaragua and Peru had failed to co-operate with the Committee. If no replies were received, the Committee would have to reach a decision without any opportunity of ascertaining these Governments' views. However, a large number of governments were co-operating with the Committee, and their assistance was much appreciated.

The tragic case of Suriname was still before the Committee, which had once again requested the Government to conduct an inquiry into the murders of trade unionists two years previously.

As regards the other cases, he hoped in particular that the Government of Argentina would comply with the Committee's recommendation that Act No. 22105 should be repealed. In the case concerning the United Kingdom, the Committee trusted that the Government would act on its recommendations and undertake negotiations with the trade union concerned in order to maintain respect for freedom of association.

The Committee also drew attention in its report to a number of cases in which governments had not replied to its requests for information. Some of these requests dated from several years previously, and the Governments of Brazil, Kenya, Pakistan, Peru, Siera Leone and Sudan in particular, by not replying, had caused considerable delays in the examination of cases.

As regards the cases in which the Committee had reached interim conclusions, he drew particular attention to that concerning the Dominican Republic, in which five trade union organisations had organised demonstrations against government measures to comply with conditions imposed by the International Monetary Fund, during which 65 people had been killed, 400 wounded and more than 5,000 arrested. The Committee's conclusions were
self-explanatory, and it was to be hoped that the Government would take them
seriously.

He wished also to make a brief comment on the 237th report concerning
Turkey. The Government deserved thanks for agreeing to the direct contacts
mission fielded by the Office. The Committee had made a number of
recommendations on military law, members of DISK still in prison, the legal
status of that organisation and legislation on collective bargaining. The
Workers hoped that the Government would implement these recommendations as
soon as possible.

He joined the reporter in thanking the Office for its hard work in
assisting the Committee.

Mr. Dorais (Government, Canada) noted the Committee's proposal for a
fact-finding mission to visit his country in order to clarify the laws and
practices involved in the cases concerning different provinces. However, it
was far from clear what aspects they wished to investigate. His Government
had already supplied detailed information, and there were several other
considerations to be taken into account. The provincial governments had full
jurisdiction over most labour matters in their territory and would have to be
consulted before the mission could be arranged. A mission would be expensive
for the Office in view of the size of the country and the location of the
provinces in question, and it might be preferable for some more convenient,
less expensive way to be found to obtain the required information. His
Government intended to maintain its close co-operation with the ILO's
supervisory bodies.

Mr. Das (Government, India) stated that the reply of his Government
concerning Case No. 1232 would reach the Office shortly. Further information
would also be supplied concerning Case No. 1069.

Mr. Graham (Worker, United Kingdom) thanked the Committee for its
continued interest in Case No. 1261, and in particular its statement in the
report calling for negotiations aimed at restoring the civil servants' rights
of freedom of association provided for in international instruments. Unfortunately, there was no indication that the Government of the United
Kingdom would heed the Committee's recommendations: it had made no attempt to
arrange negotiations with the unions on trade union membership for the civil
servants affected by the ban, and had instead tried to set up an
employer-controlled staff association, fortunately with little success. Many
civil servants were defying Government pressure and had ignored the ban. The
Government's eventual reply could be expected to be negative, for it had
already stated that the Committee's conclusions were in its view mistaken.
The Government was merely waiting for the House of Lords to uphold its
decision before once again rejecting the Committee's recommendations. In the
past, it had firmly supported hundreds of conclusions and recommendations by
the Committee, and its present attitude could only be regarded as hypocrisy.

Mr. Soubbotine (Worker, USSR) observed that the number of cases before
the Committee remained large. He wished to draw attention to one case in
particular, that concerning the dismissed air traffic controllers in the
United States. The information supplied by the Government was again
inconclusive: the Committee could not indefinitely continue to request
information on the fate of the dismissed workers ...
POINT OF ORDER

Mr. Searby (Government, United States) stated that the case of the air traffic controllers was not before the Governing Body for consideration. He therefore asked the Chairman to request the speaker to refrain from commenting on it.

The Chairman pointed out that the case was in fact mentioned in paragraph 20 of the Committee's report. He asked Mr. Soubbotine to confine his comments to the Committee's observations.

ELEVENTH ITEM ON THE AGENDA

Reports of the Committee on Freedom of Association (cont.)

TWO HUNDRED AND THIRTY-SIXTH REPORT (cont.)

Mr. Soubbotine (Worker, USSR) stated that the air traffic controllers dismissed in the United States now found themselves black listed and debarred from employment in some quarters. Many would never be able to use their skills again - a clear case of discrimination. It was not sufficient for the Committee merely to note the information; it should recommend the reinstatement of the workers concerned in accordance with the ILO's two instruments on freedom of association.

The adjournment of the Senate Committee in the United States examining draft laws relating to the employment conditions and rights of workers employed by Congress was to be regretted. The case concerning the Senate restaurant workers was first received in March 1980; four years seemed a long time for a single item of legislation to be examined.

POINT OF ORDER

Mr. Searby (Government, United States) said that extensive comments on the substance of the case were out of order. The report merely stated that the Government continued to supply information on progress in the case. In the past, the Committee had found that the action taken by his Government was in conformity with ILO Conventions. The present references were therefore irrelevant.

Mr. Muhr (Worker, Federal Republic of Germany) thought it reasonable for criticism to be made of the time taken to resolve a dispute of this type. He appealed to those concerned not to be excessively sensitive to criticism.

The Chairman stated that, as the Committee's conclusions on the case in question had already been approved by the Governing Body, it did not seem proper to reopen discussion on its substance.

Mr. Maier (Worker, Austria) believed that it was acceptable for comments to be made on any of the paragraphs in the report. As for Mr. Searby's claim that the Committee had found that his Government had complied with due
process, that was incorrect. His Government had in fact been criticised by
the Committee on that point.

ELEVENTH ITEM ON THE AGENDA

Reports of the Committee on Freedom of Association (cont.)

TWO HUNDRED AND THIRTY-SIXTH REPORT (cont.)

Mr. Soubbotine (Worker, USSR), concluding his statement, appealed to the
Governing Body and to the Committee to carry out a more detailed study of the
complaints involved in the case concerning the Senate restaurant workers, as
the action taken against the trade union seemed part of a general policy.

Mr. Searby (Government, United States) rebutted Mr. Maier's statement
that the Committee had criticised his Government on the requirements of due
process. In its conclusions, it had found that the Conventions in question
had not been infringed, although it had admittedly criticised the nature and
haste of the decision taken by the Government.

Mr. Russomano (Government, Brazil), referring to Case No. 1034, stated
that the restoration of legal personality to the suspended teachers'
associations of Rio de Janeiro would not be possible until the associations
themselves lodged an appeal against Decree No. 83330. The associations had
been suspended for organising illegal strikes. They nevertheless had a
constitutional right to defend themselves, which had not been denied or
restricted in any way. As soon as the decision of the judicial authorities
on this matter was known, the Committee would be informed.

Mr. Robinson (Government, United Kingdom) rejected Mr. Graham's
allegation that the British Government was in breach of its international
obligations. As stated in the report, it was giving serious consideration to
the Committee's conclusions and recommendations and would make substantive and
detailed comments on them in due course. It was awaiting a decision on the
matter by the House of Lords because it was the highest court of appeal in the
land and because the case brought before it by the Council of Civil Service
Unions was central to the dispute.

Mr. Kazmi (Government, Pakistan) stated that information on Case No. 1175
had been sent by his Government and would reach the Office shortly.

Mr. Vargas (Government, Nicaragua), referring to the cases concerning his
Government, said that the delays in supplying information were due to the
serious situation in his country, which was encountering military aggression
from without and had grave economic problems. His Government had in the past
always fully co-operated with the Committee and had supplied information when
required, even agreeing to a direct contacts mission in one case. It
intended to maintain this policy of close co-operation.

The discussion was adjourned to a later sitting.¹

The sitting closed at 7.10 p.m.

¹ See below, eighth sitting.

8162R/v.2
The sitting opened at 10.20 a.m. with Mr. Oechslin in the Chair.

ELEVENTH ITEM ON THE AGENDA

Reports of the Committee on Freedom of Association (concl.)¹

TWO HUNDRED AND THIRTY-SIXTH REPORT (concl.)¹


Referring to Case No. 1225 (Brazil), Mr. Russomano (Government, Brazil) wished to provide a few clarifications. As indicated in the report, administrative supervision of the trade unions which were the subject of the complaint had been lifted, except in the case of the Union of Employees of Bank Establishments of Sao Paulo. That was because the audit of the Union's accounts, which was currently being undertaken, had to be carried out with the utmost care so as to avoid a possible miscarriage of justice that might result from over-hasty procedures. The audit was being carried out by independent experts, all of whose findings and actions were open to review by the judicial authorities through due legal process; this was a fundamental principle of Brazil's Constitution.

As regards the trade union leaders who had been removed from office, the legal position was as follows. Under article 530, paragraph 1 of the Consolidated Labour Laws of Brazil, the re-election of a trade union leader was conditional on approval by the union of his accounts. Paragraph 2 of that article prevented the re-election of trade union leaders who had been removed. It was important to note, however, that it was open to the parties concerned to appeal to the courts, and there was, moreover, a tendency to consider that the law did not prohibit re-election permanently but only for the period immediately following removal from office. A note on this question would be communicated to the Committee.

While noting with appreciation the Committee's suggestion that Brazil might wish to avail itself of the ILO's assistance in the preparation of trade union legislation, his Government was of the view that such assistance had been and continued to be extended through the important Conventions and Recommendations adopted by the Organisation to which Brazil accorded the greatest attention and respect. This applied in particular to Convention No. 87 which, after long and careful study of the compatibility of its

¹ See also seventh sitting.
provisions with those of the Brazilian Constitution and legislation, had recently been examined by the National Congress. The House of Deputies had approved a draft legislative decree for the ratification of that Convention and the question was now awaiting decision by the Federal Senate, in accordance with the Constitution.

Mr. Maier (Worker, Austria) pointed out, with reference to the audit, that the union had been under federal supervision since July 1983, or for about a year-and-a-half. The Committee therefore hoped that it would be completed as quickly as possible so that the union could function once again.


Mr. Bakouan (Government, Burkina Faso), speaking on Case No. 1266 concerning Burkina Faso, stated that the number of teachers dismissed was about 1,500 and not 2,600 as indicated in the report, while the interned "trade union leaders" were politicians acting in the guise of trade unionists. There were four central trade union organisations and about ten autonomous trade unions in Burkina Faso which were freely carrying on their activities. At a trade union congress held at the end of August 1984, the National Union of Teachers of Burkina Faso had taken over from the National Union of African Teachers of Upper Volta following the country's change of name. On that occasion the management of the latter union had been unanimously disavowed. The National Revolutionary Council had taken measures in favour of the genuine patriots who had been misled by the former leaders, and the procedure for their reinstatement was well advanced. The others had been authorised to work in the private sector. The dismissals were intended to protect the people against the political instability which had been seriously endangering its future.

The Governing Body adopted the recommendations in paragraphs 578 and 602 of the report.

Mr. Russomano (Government, Brazil) made a few legal clarifications concerning Case No. 1270 (Brazil). As implicitly recognised in the report, the Government had no power to compel employers to accept collective agreements. In Brazil, when collective bargaining broke down, the parties could avail themselves of a special legal procedure, namely, resort to the tripartite labour courts, which were competent to decide not only on individual and collective disputes of a legal nature but also on collective disputes involving economic interests. In the case in question, despite the conciliatory efforts of the Brazilian authorities, direct negotiations between the parties had not been successful and due legal process had therefore been initiated through proceedings which were now subject to conciliation or a verdict by the competent court. As regards the dismissed trade union leaders, in Brazil they enjoyed complete job security from 90 days prior to the elections in which they were candidates until one year after the expiry of their term of office, and could not even be transferred from one workplace to another. Dismissal was only possible for valid reasons, duly substantiated. A dismissed worker or his trade union had a right of appeal to the labour court, and if a serious offence was not proved he was reinstated with full rights. The Government's comments on these and other aspects would be forwarded to the Committee in an official communication once the outcome of the collective proceedings in connection with the 1984 dispute, which was currently before the competent labour court, was known.

Mr. Ducray (Government, France), referring to the remarks of the two previous speakers, pointed out that the conclusions were interim ones, which meant that the Committee recognised that the situation was evolving. It was
thus open to the governments concerned to transmit to the Committee whatever additional information they considered appropriate.

The Governing Body adopted the recommendations in paragraph 622 of the report.

Concerning Case No. 1272 (Chile), Mr. Maier (Worker, Austria) deplored the worsening trade union situation in the country. In response to the successful strike called on 30 October, the Government had again imposed martial law, with consequent restrictions on human rights and freedom of association, including the arrest and internal exile of trade unionists, the banning of trade union meetings, censorship of the press and private correspondence and tapping of telephones. It had also been reported that concentration camps had recently been opened in which trade unionists were being held.

In accordance with paragraph 2 of article 5(bis) of the Standing Orders, the Chairman (Mr. Oechslin) gave the floor to Mr. Arthur, representative of the Government of Chile.

Mr. Arthur (Government, Chile) said that although the strike referred to by Mr. Maier had been a complete failure as far as bringing about the total paralysis of the country was concerned, it had, however, been successful in creating the climate of general disorder which terrorism needed for its operations. Confronted with the recent unprecedented escalation in terrorist activities, which had cost many human lives, the Government had, in accordance with the Political Constitution, proclaimed a state of emergency in order to safeguard social peace. It was pre-judging matters to claim that this had curtailed the exercise of trade union rights. Decree No. 1216 of 7 November, published in the Official Gazette of 8 November, laid down that meetings of trade union organisations with legal personality could take place without any authorisation during the state of emergency, provided they were held on the respective trade union premises, dealt with matters stipulated in the law as being proper to the purposes of such organisations, and that five days' notice was given to the competent authorities. Thus, under the state of emergency, the sole restriction on the operation of trade union organisations involved giving notice concerning the holding of meetings. He had assured the Committee that, in conformity with the legal provisions just referred to, the free enjoyment of trade union rights would not be affected. Finally, he reiterated his Government's desire to co-operate with the Committee and provide all the information it required.

The Governing Body adopted the recommendations in paragraphs 638, 650, 685 and 697 of the report.

TWO HUNDRED AND THIRTY-SEVENTH REPORT

In accordance with paragraph 2 of article 5(bis) of the Standing Orders, the Chairman (Mr. Oechslin) gave the floor to Mr. Turkmen, representative of the Government of Turkey.

Mr. Turkmen (Government, Turkey) recalled that his Government had transmitted to the ILO detailed information on the cases in question. In addition, three direct contacts missions had visited Turkey, the most recent from 24 September to 5 October 1984. As the Committee's 237th report and the report of the last direct contacts mission had only recently come to hand, any comments which his Government might wish to make thereon would be transmitted at a later date. He wished, however, to make a few preliminary remarks.
He had noted with appreciation the recognition by the Committee and the representative of the Director-General of his Government's policy of openmindedness and co-operation with the Organisation. Nevertheless, it was not possible to overlook a propensity to criticise, based on arguments which were sometimes far from convincing. Dialogue could only serve a useful purpose if a certain balance existed between the positions and judgments of both sides. As regards martial law in Turkey, the situation was the following. The Government had lifted it in 13 provinces on 19 March 1984, and in 13 more on 19 July 1984. Moreover, the Council of Ministers had recently decided to rescind martial law in 7 other provinces from 19 November 1984, thus bringing the number of provinces where it was no longer in force to 33, out of a total of 67. From 19 November 1984, a state of emergency would only be maintained in 9 provinces where martial law had been lifted. In addition, in several provinces where martial law was in operation, the clause requiring prior authorisation for the exercise of the right to strike and lock out had been cancelled since 29 October 1984. These provinces contained such major industrial centres as Ankara, Istanbul and Izmir. Therefore, and particularly as regards the right to strike, the new labour legislation was applicable without restriction in most of the country. As regards collective bargaining, the direct contacts mission had duly noted that significant progress had been made and agreements concluded affecting a large number of workers. In accordance with its programme, the Government would continue to keep the situation in the various provinces under review with the aim of progressively lifting the emergency measures as and when conditions permitted.

As mentioned in the report, the President and seven leaders of DISK had recently been released and would appear in the same way as the other trade unionists who had already been progressively freed by the courts. Under the Constitution, the courts were independent and alone empowered to decide the innocence or guilt of those accused and to pass sentence, and the Government could not intervene in the judicial process. The assets of suspended trade union organisations were administered by receivers appointed by the courts; the actions of these receivers were subject to periodical review and penalties would be imposed in case of mis-management.

In conformity with Article 1 of Convention No. 98, Turkish legislation provided for the protection of the workers against all anti-union discrimination throughout the duration of the employment contract. Measures had been taken to give former prisoners access to employment. Under labour law, each employer with 50 workers or more was obliged to recruit at least 2 per cent of his workforce from among former prisoners. Subject to that requirement, employers were free to choose the applicants who in their view were the best qualified, without government intervention.

Regarding the allegations of torture, all the complaints had been subject to detailed investigation and the guilty persons had been punished. Out of 744 cases investigated, 584 had proved to be unfounded. Of the 164 cases brought before the courts, 114 had already been concluded and 102 civil or military officials had received a variety of sentences, including life imprisonment. The complaints which had been officially brought to the attention of the competent authorities by the formerly detained DISK leaders were under investigation. Should the allegations be proved, those responsible would be punished in conformity with the law. The Turkish authorities were in any case determined to continue their legal proceedings with a view to punishing those guilty of torture and ill-treatment and to take measures for the prevention of such acts.

The new legislation concerning trade union rights and activities had been drawn up taking past experience into account and with a view to avoiding a recurrence of situations which had caused serious harm to the workers and to
the nation as a whole. It was, of course, open to change, but more time was needed before a valid judgment could be passed on its effectiveness. As the direct contacts mission had been informed, should the Government observe any incompatibility between the legislation and the workers' interests, it would take the initiative in proposing appropriate modifications to Parliament.

It could thus be said that the situation was steadily improving in Turkey which, after going through a difficult period, had been able last year to restore parliamentary democracy. Finally, he wished to assure the Governing Body of the Government's intention to pursue its co-operation with the Organisation in all labour matters.

The Governing Body adopted the recommendations in paragraph 42 of the report.

SIXTEENTH ITEM ON THE AGENDA

Report of the Industrial Activities Committee

Mr. Lindner (Employer, Federal Republic of Germany), speaking on behalf of the Employers, wished to make a number of observations on the three principal points covered in the report. First, as regards the programme of industrial meetings for 1986-87, he noted that it had been possible, in spite of certain initial differences, for the Employers and Workers to reach agreement, in a spirit of compromise, on the agendas for five major industrial meetings. The Committee had also discussed the strengthening of the effectiveness of Industrial Committee-type meetings. The Employers took the view that over the years these committees had developed a certain routine and the time was ripe to consider what changes were necessary to make them more effective. The Employers attached importance to the opportunities which these meetings afforded of bringing together highly qualified specialists to exchange ideas and compare experience. However, it was often difficult for people of that calibre to be absent for as long as two weeks. The possibility of a more flexible approach towards the frequency and duration of meetings had also been raised. As indicated in paragraph 37 of the report, the Employers would be in favour of departing from the normal sequence of meetings so as to give priority to sectors facing serious or urgent problems. As regards the preparation of meetings, he wished to draw particular attention to paragraph 44. The Employers would support the publication of pre-session reports in Spanish for meetings to which a minimum number of Spanish-speaking countries - at least four - were invited. He also drew attention to paragraphs 55, 68, 72, 77, 81 and 85, and emphasised once again that for the Employers the main value of industrial meetings lay in the opportunity they provided for a wide exchange of views between persons familiar with the problems of a given sector, rather than in the adoption of general resolutions and conclusions. They looked forward with interest to the more detailed paper to be submitted at the Committee's next meeting.

The third point to which the Employers attached particular importance concerned the joint proposals by the Employers' and Workers' groups on the composition of the First Session of the Joint Committee for Postal and Telecommunications Services and the First Meeting on Employment and Working Conditions in Health and Medical Services. These proposals had been motivated by the fact that in a number of countries a large part of such services was provided by the private sector. Moreover, in respect of the former Committee, it did not appear that there had been much response to the
appeal to governments of countries where the postal and telecommunications services were entirely or to a significant extent run by private enterprises to ensure that the private sector was properly represented. There were also other joint committees, for example the one concerning the public service, which, although there was no direct participation by private employers, also had important repercussions on the private sector. The Governing Body now had before it proposals for the direct representation of private employers on two joint committees. Certain governments had expressed reservations on these proposals, and no doubt there would be an opportunity for further discussion of the matter. The Employers supported all the points for decision in sections IV and V of the report.

Mr. Graham (Worker, United Kingdom), speaking on behalf of the Workers' group, noted that although there had been differences of view between the Employers and the Workers on the agendas of major meetings for 1986-87, it had been possible to reach agreement on them as well as on the agenda for the Committee on Conditions of Work in the Fishing Industry.

The greater part of the Committee's discussions had focused on the question of strengthening the effectiveness of Industrial Committee-type meetings. However, a number of ideas in the Office paper were not acceptable to the Workers, since in their view they would weaken the meetings' effectiveness rather than strengthen it. They could not accept the view that the meetings were of a routine nature; on the contrary, the Worker participants had confirmed the high standard and interest of the discussions. Neither would they be in favour of reducing the number of agenda items or of certain other proposals to change the conduct of business. However, in order to make the meetings as effective as possible, the Workers had envisaged the possibility in the next biennium of reducing the number of major meetings from seven to six, while providing for an additional three smaller meetings, making six smaller meetings in all. Such flexibility could only be considered, however, if actual circumstances warranted and it would have to be on an experimental basis.

The Workers had also made suggestions for improving the preparation and follow-up of meetings. Like the Employers, they looked forward to the further paper to be submitted at the Committee's next meeting. He trusted that it would be possible for the Office to produce proposals that would find general acceptance, while not changing in any fundamental way the structure of Industrial Committee meetings.

As regards the points for decision in paragraphs 102 and 108(a), dealing with the composition of the First Session of the Joint Committee for Postal and Telecommunications Services and of the First Meeting on Employment and Working Conditions in Health and Medical Services, the position of the Workers' group as a whole had changed and the Chairman of the group would make a statement on the subject.

Mr. Muhr (Worker, Federal Republic of Germany; Worker Vice-Chairman) confirmed that the proposals in paragraphs 102 and 108(a) had resulted from an agreement reached between the Chairmen of the Employers' and Workers' groups. However, it was apparent from recent discussions that the Workers' group considered that no change should be made in the composition of particular joint committees until a thorough discussion of the problem as a whole had taken place. An ad hoc solution, particularly that proposed for the Joint Committee for Postal and Telecommunications Services, would risk creating a precedent that would affect the general re-examination to be undertaken of the composition of all the joint committees. The Workers could therefore not accept the proposals in paragraph 102 and felt that the Governing Body should abide by its previous decision concerning that
Committee's composition. As the proposal in paragraph 108(a) concerned a meeting which would not be held until 1985, a decision could be deferred until the general re-examination had taken place.

The Governing Body adopted the recommendations in paragraphs 13 and 17 of the report.

Mr. Balakrishnan (Government, India) underlined the importance attached by his Government to strengthening the effectiveness of Industrial Committee-type meetings, particularly as far as the developing countries were concerned. He was therefore pleased to note from paragraph 92 that the Office would prepare a further paper, containing more detailed suggestions, for submission to the Committee's next meeting, and urged that the paper be distributed well in advance.

Miss Dimond (Government, United Kingdom) said that her Government attached particular importance to the sectoral nature of the committees. She supported the view that the number of smaller meetings might be increased in response to developments in individual industries. It would also be useful to streamline the general debate, without, however, preventing any delegate who wished to bring forward relevant points from doing so.

The Governing Body adopted the recommendations in paragraph 94 of the report.

Mr. Handler (Government, Federal Republic of Germany) said that his Government had already drawn attention, in the Industrial Activities Committee, the Programme, Financial and Administrative Committee and the Committee on Standing Orders and the Application of Conventions and Recommendations, to the question of principle raised by the proposals in paragraphs 102 and 108(a). He recalled that the issue - giving a tripartite dimension to bodies which were at present bipartite - was due to be discussed in the near future in the Industrial Activities Committee as part of a general re-examination of the work of the joint committees. His Government had always believed that tripartism should be promoted wherever possible and therefore, in principle his reaction to the Employers' proposal was positive. He recalled that it had originally been proposed that the Employers should be represented by observers at the two joint meetings in question. He would be prepared to support any proposal along such lines, and would of course have no objection to the addition of an equal number of Worker observers. However, the proposals now before the Governing Body raised a question of principle which should not be decided on a piecemeal basis. He therefore suggested that the Governing Body simply agree to appoint additional observers. The experience thus gained could be taken into account in reaching a decision of principle on all the joint committees at a later date.

Mr. Lindner (Employer, Federal Republic of Germany) expressed the Employers' disappointment at the turn the discussion had taken. In the case of the postal and telecommunications sector, in particular, a questionnaire sent out by the International Organisation of Employers had confirmed that in certain countries a considerable part of that sector was in private hands. The Employers were therefore anxious that the private sector should be represented in this joint committee. In the light of the discussion, he proposed that the Governing Body should for the time being take a decision only on the First Session of the Joint Committee for Postal and Telecommunications Services. The Employers, for their part, would be ready to participate in that meeting as observers, and the Workers were of course free to send additional observer participants. The whole question of principle concerning the joint committees could then be examined at the next meeting of the Industrial Activities Committee.
Mr. Albalate Lafita (Government, Spain) considered that the Governing Body should adopt a consistent position in relation to all the joint committees. It was understandable that the Employers should wish to be represented on some of them. However, the interest of governments in certain bipartite bodies, such as the Joint Maritime Commission, where they were not represented, should not be overlooked either. Governments had so far accepted with good grace their exclusion, even as observers, from the Joint Maritime Commission, and it was surely time to establish some rules that applied to governments and employers alike. But going beyond that, there was a clear need to review the whole question of the criteria governing the composition and procedures of the joint committees. The Governing Body should not therefore take a decision now on the question of principle raised in paragraphs 102 and 108(a), and the matter should be referred back to the Industrial Activities Committee for further examination.

Mr. Siktanc (Government, Czechoslovakia) observed that the issue was not an isolated one and should not be dealt with on an ad hoc basis. It should be viewed as a question of principle, taking into account the differences in the evolution of various sectors throughout the world, irrespective of whether they were dealt with by bipartite or tripartite committees. So far, the composition of joint committees had been governed by the principle of bipartite equality, and that of tripartite committees by the principle of tripartite equality. The proposal now before the Governing Body appeared to be based on the principle of bipartite/tripartite inequality.

Mr. Martinek (Government, Austria), while fully appreciating the Employers' position, considered, like Mr. Handler, that the point at issue raised an important question of principle which required thorough study. A detailed examination of the whole question should therefore be undertaken, having regard in particular to the principle of tripartism which was fundamental to the activities of the Organisation. He therefore supported the proposal to defer the matter to a future session of the Governing Body.

Mr. Fotheringham (Government, Australia) associated himself with the remarks made by Mr. Handler. Questions of principle were involved and the whole issue of joint committees and representation on them should be thoroughly reviewed.

Mr. Ventejol (Government, France) had hesitated to intervene in the discussion, but the First Session of the Joint Committee for Postal and Telecommunications Services, which he was to chair, would be held very shortly. The Governing Body could either take a decision now or defer the matter for thorough examination in order to enable it to arrive at a generally agreed position. But while it was of course free to take whatever decision it deemed appropriate, he hoped it would be possible to avoid difficulties of a procedural nature which would complicate the work of the forthcoming meeting as well as the Governing Body's subsequent consideration of the matter.

The Chairman (Mr. Oechslin) reminded the Governing Body that two proposals had been made. Mr. Muhr had proposed referring the question of principle back to the next meeting of the Industrial Activities Committee. The practical consequence of that proposal would be to maintain the composition of the First Session of the Joint Committee for Postal and Telecommunications Services as decided previously, namely 20 members representing governments and 20 members representing workers. Mr. Lindner, on behalf of the Employers, had proposed that the Governing Body only take a decision in respect of the First Session of the Joint Committee for Postal and Telecommunications Services, namely that four Employer and four Worker observers be invited to attend.
Mr. Muhr (Worker, Federal Republic of Germany; Worker Vice-Chairman) said that the discussion had shown the issue to be important and far-reaching. Mr. Lindner had referred, in justification of the Employers' position, to the importance of private enterprise in the postal and telecommunications sector in various countries. On the other hand, it could also be argued that a number of shipping companies were run by governments, thus pointing to the need to review the composition of the Joint Maritime Commission and similar bodies as well. The matter was clearly a complex one which the Workers felt should be thoroughly examined. As regards the First Session of the Joint Committee for Postal and Telecommunications Services, he suggested that the International Organisation of Employers might wish to see to it that private employers were included in its observer delegation. Also, he understood that at least one government was ready to go along with the suggestion that representatives of private employers might be included in government delegations. The Governing Body would thus be able to discuss its final position on the problem without having created a precedent.

The Chairman (Mr. Oechslin) invited the Governing Body to vote by show of hands on the proposal made by Mr. Muhr.

By 28 votes in favour and 11 against, with 5 abstentions, the Governing Body decided to refer back to the Industrial Activities Committee the question of principle raised in paragraphs 102 and 108(a) of the report.

The Governing Body then adopted the recommendations in paragraphs 108(b), (c) and (d), 111 and 113 of the report.

FOURTEENTH ITEM ON THE AGENDA

Report of the Committee on Standing Orders and the Application of Conventions and Recommendations

Miss Hak (Employer, Netherlands), referring to article 13 of the Standing Orders for the Advisory Committee on Technology, which stated that English, French and Spanish should be the official languages of the Committee, said that the Employers had reservations about the use of Spanish as an official language. As reflected in paragraph 44 of the report of the Industrial Activities Committee, the Employers considered that the publication of pre-session reports in Spanish should be subject to a minimum number of Spanish-speaking countries - at least four - being invited to the meetings concerned. While the Employers could agree to the inclusion of article 13, it was subject to any decisions concerning the publication of reports in Spanish which might be taken later by the Industrial Activities Committee.

Subject to this qualification, the Governing Body adopted the recommendation in paragraph 7 of the report.

The Chairman (Mr. Oechslin) stated that, in the light of the decision just taken by the Governing Body in connection with the report of the Industrial Activities Committee, it was not called upon to examine the section of the present report concerning the composition of the Joint Committee for Postal and Telecommunications Services.

It was so agreed.
Mr. Crespo Rodas (Government, Bolivia), introducing the report as Chairman of the Committee, noted that the Governing Body was only called upon to take two decisions. The first, in paragraph 30, underlined the need for the further development of the ILO's population activities following the International Conference on Population held in Mexico City in August 1984. The second, in paragraph 50, invited the Governing Body to take note of the Annual Overview Report of the Administrative Committee on Co-ordination for 1983-84.

Although the discussion on the International Convention on the Protection of the Rights of All Migrant Workers and their Families was far from being complete, the question had once again aroused a good deal of interest in the Committee. It was now clear that the Convention being prepared by the United Nations would have a broader coverage than the relevant ILO instruments in that it would establish civil and legal rights which were not within the purview of the ILO, and would cover categories of migrant workers to whom the existing ILO instruments did not apply. Moreover, the discussion had brought out the important role of the ILO in the preparation of the Convention, as well as the fact that the idea of associating it in its implementation had gained ground, although the relevant procedures still remained to be defined. Informal consultations were taking place with a view to clearing up certain misunderstandings and reaching constructive solutions.

Owing to lack of time, the Committee had been unable to complete its heavy agenda and many important items had therefore had to be postponed to its next meeting.

Mr. Tata (Employer, India), speaking on behalf of the Employers, drew attention to the request made in paragraph 8 of the report, to the effect that the Committee should in future be provided with more information, either in the form of annexes or summaries of longer documents. He expressed the hope that the Office would take the necessary action.

The Employers fully endorsed the suggestion of the ICFTU representative that the ILO should play a major role in the proposed seminar on child labour referred to in paragraph 10. As regards paragraph 11, the Employers also welcomed the consideration by the Commission on Human Rights of measures to improve the situation of migrant workers and were pleased to note that it had been informed of the conclusions reached by the Committee regarding ILO co-operation in the drafting of the Convention. They were particularly interested in activities relating to the rights of indigenous populations, slavery-type problems, the exploitation of labour through illicit and clandestine trafficking and assistance to Bolivia in the promotion of human rights. They endorsed the views expressed in paragraph 13 regarding freedom of association and migrant workers.

In connection with the FAO World Conference on Fisheries Management and Development, many members of the Committee had considered that since fisheries were an important source of food and jobs, the ILO should pay more attention to this area and follow up the good work achieved by the Conference.

As regards the International Conference on Population, he wished to repeat his conviction, which was shared by many others, that the major cause of poverty in the developing countries was the population explosion.
incidence of the population problem not only on the workers' standard of living but also on the unemployment situation made it of direct concern to the ILO.

Turning to the report on UNIDO IV, Mr. Tata was grateful to the Governing Body for having appointed a tripartite delegation to that Conference. Although no consensus had been reached on a number of long-standing problems, the Conference had adopted nine resolutions, including two of particular interest to the ILO, namely on accelerating human resources development and on industrial policies and measures to achieve rural development and self-sufficiency. Considering that the financial resources needed to meet the industrial requirements of the developing countries did not seem to be materialising, UNIDO would, in his opinion, do well to devote its modest resources to the promotion of small and medium-sized undertakings and the development of agro-based industries in those countries. Consideration by the Conference in 1986 of an item on the promotion of small and medium-sized undertakings would no doubt help to identify opportunities for active co-operation between the ILO and UNIDO in that field.

Finally, as regards the United Nations Convention on migrant workers, the Employers still had a number of misgivings. They were grateful, however, to the Director-General for having arranged a lunch where Committee members were able to have constructive discussions with the Chairman of the Working Group concerning the problem of supervisory machinery for the proposed Convention. He hoped that more consultations would take place in the future and that a solution would be found.

Mr. Brown (Worker, United States) said the Workers supported the points for decision in the report.

As regards the report on the 40th Session of the Commission on Human Rights, the Workers' position was clearly stated in paragraph 13, and he too wished to thank the Commission for proposing a seminar on child labour. It was also gratifying to note that the Commission had devoted more time to freedom of association, although the Workers felt that it did not always pay sufficient attention to the findings of the competent ILO bodies in this field.

The Workers' position on the report on the FAO World Conference on Fisheries Management and Development was set out in paragraph 18. They welcomed the emphasis on social and labour problems. The report had important implications for the ILO, especially as regards the developing countries, where a considerable proportion of world fish production was located. He hoped that the FAO would pay more attention to the participation of labour and management in its activities in this area, particularly by means of closer co-operation with the ILO.

Concerning the United Nations Conference on Conditions for the Registration of Ships, on which the Workers' position was stated in paragraph 21, they had emphasised the need, at the very least, for enforcement by shipowners of the labour legislation applicable in the flag country. The question had serious implications in terms of seamen's lives and health, environmental pollution and damage to food resources. The link between a ship and the country whose flag it flew where conditions of work and fair labour standards were concerned was therefore extremely important. The Workers were pleased to note the attention paid to this problem by both the Conference and the Joint Maritime Commission and hoped that the efforts being made would lead to definite results.

As indicated in paragraph 26, the Workers were most concerned about the population question and fully supported the programmes and policies adopted by
the International Conference on Population and the ILO's contribution in this field.

Their position on UNIDO IV was to be found in paragraph 34. They welcomed the greater emphasis placed by UNIDO on the social aspects of industrialisation and considered the ILO's contribution, by the Governing Body delegation and the representatives of the Office, to have been important. However, he feared that many of the Conference's resolutions and decisions - however impressive they appeared - would not be implemented in the absence of the necessary political will at the national level, which could not be secured without the involvement and support of the representatives of management and trade unions.

The major part of the Committee's discussions had been devoted to the new United Nations Convention on migrant workers, and the Workers had, as indicated in paragraph 44, reiterated their position on this question. They had accepted the fact that the United Nations was preparing this instrument, while expressing disappointment at the attitude taken by the Working Group concerning the ILO's role, particularly now that the proposal by the Mediterranean and Scandinavian countries appeared to have been abandoned. However, it was necessary to have faith and as a result of the discussions held with the Chairman of the Working Group he continued to hope that eventually a solution would be found which would enable the ILO - and thus labour and management - to play a role not only in the Working Group but also in the supervisory machinery for the new instrument, thus ensuring its effective observance. It was in that spirit that the Workers were now approaching the question.

Finally, he considered the Annual Overview Report of the ACC to be a most useful document, particularly for those members of the Committee who were not fully familiar with the activities of the United Nations system.

Noting that the Committee had been unable to deal with all the items on its agenda because of lack of time, he hoped that attention would be paid to this problem in future when establishing its agenda and programme of meetings.

The discussion was adjourned to a later sitting.¹

The sitting closed at 1.05 p.m.

¹ See also Ninth Sitting.
NINTH SITTING
(Thursday, 15 November 1984, afternoon)

The sitting opened at 3.25 p.m. with Mr. Deshmukh in the Chair.

FIFTEENTH ITEM ON THE AGENDA

Report of the International Organisations Committee (concl.)¹

Mr. Kostine (Government, USSR) observed that the Committee had examined a number of important recent events in the United Nations system covering a wide range of economic and social problems. The ILO had a contribution to make to the activities of the organisations in the system which fell within its field of competence. He therefore attached importance to the results obtained and the consequences for the ILO's future work.

It was unfortunate that the Committee had only been allotted one sitting in spite of the large number of topical items on its agenda. The important questions it had been unable to examine were listed in paragraph 51 of the report. They included ILO action concerning disarmament and peace, discussion of which was particularly needed in view of the fact that ILO activities in this field were not in keeping with the magnitude and urgency of the problems and did not constitute an adequate response to General Assembly resolution 38/188J or other relevant decisions, including those of the ILO itself. The Director-General should make the economic and social aspects of disarmament the major theme of his report to a future session of the Conference. Moreover, the time had come to establish a separate programme within the Office to deal with the problem. He hoped that in future more care would be taken in planning the work of the Committee so as to give it time to discuss questions of great importance for the Organisation.

Mr. Marton (Government, Hungary) had been privileged, together with Mr. Tata and Mr. Mehta, to represent the Governing Body at the Fourth General Conference of UNIDO, which had been held in Vienna last August. The Governing Body delegation had been assisted by Mr. Jain, Deputy Director-General, and other ILO officials.

The major objective of UNIDO - which was scheduled to become a United Nations specialised agency - was to promote the industrialisation of the developing countries. There were, however, a number of areas in which the activities of UNIDO and the ILO were complementary, so that close working relations between the two organisations were necessary. The Governing Body delegation had been able to participate in the committees set up by the Conference. He himself had made a statement on human resources development, summarised in the Office paper, in which he had emphasised the need to strengthen co-operation in the field of training in order to render more effective assistance to the developing countries, and had also drawn attention to the resolutions and conclusions adopted at the last session of the International Labour Conference, including the resolution concerning

¹ See also the eighth sitting.
employment policy. It was important to note that the resolution adopted at UNIDO IV on human resources development also underlined the need for more inter-agency co-operation. In that connection, the Governing Body should give serious consideration in due course to holding an international conference on training in the 1986-87 biennium. Despite the difficulties, the Conference had succeeded in adopting by consensus a number of important resolutions which mapped out the activities of UNIDO for the years ahead. Problem-solving by consensus was a method which should be used more frequently by the ILO itself. While Governing Body and Office participation had been most effective, he wondered if the same results could not have been achieved with a somewhat smaller delegation.

Mr. Yllanes Ramos (Employer, Mexico) shared the concern expressed by Mr. Kostine and others that owing to lack of time the Committee had been unable to discharge fully its important responsibilities, as could be seen from paragraph 51 which listed the items postponed to the Committee's next meeting. Care should be taken to ensure that this situation did not recur.

Of particular importance among the items examined by the Committee, was the 40th Session of the Commission on Human Rights, which had dealt with many matters of direct concern to the ILO, such as apartheid, the ILO contribution to the implementation and supervision of the International Covenant on Economic, Social and Cultural Rights, ILO collaboration in the seminar on child labour proposed by the Subcommission on Prevention of Discrimination and Protection of Minorities, violations of human rights in the field of freedom of association and the problem of migrant workers.

Another question of interest to the ILO was the report on the FAO World Conference on Fisheries Management and Development. It had been pointed out in the Committee that in concentrating on industrial matters the ILO had tended to neglect the problems of agricultural labour, although it was now trying to make up for lost time. The development of fisheries - both marine and inland - was one of the best means of fighting hunger, creating jobs and earning foreign exchange. The ILO should pay more attention to this area, and he was gratified to note that the Industrial Activities Committee had recommended that a meeting of the Committee on Conditions of Work in the Fishing Industry be held during the next biennium.

As regards the International Conference on Population, the statement made by the ILO representative, Mr. Jain, had been reflected in the Conference's conclusions and the Mexico City Declaration. These documents had important implications for the ILO, which should pay particular attention to the role of women in attaining population objectives. The population problem was important enough to have warranted sending a Governing Body delegation, and he hoped that would be done for such conferences in the future.

The Governing Body had quite rightly sent a delegation to UNIDO IV, on which an interesting statement had been made by Mr. Marton. However, it was difficult to escape the impression that some overlap existed between the activities of the two organisations. For instance, the resolutions adopted by the Conference dealt with matters, such as human resources development, the training of trainers, women, youth and special groups, policies and measures to achieve rural development and self-sufficiency, agro-industrial development and the establishment of centres for promoting manpower training and for the assimilation of advanced technologies - which fell within the ILO's competence. UNIDO therefore appeared to be repeating what the ILO was doing, but without the advantage of tripartite participation. The two organisations nevertheless had to work together, and he hoped that relations between them would evolve in such a way as to eliminate wasteful duplication and ensure real co-ordination.
In connection with the UN Convention on migrant workers, a misunderstanding appeared to have arisen between the ILO and the UN Working Group on the question of the future supervisory machinery. Bearing in mind that the ILO had a number of comprehensive instruments relating to migrant workers, he wondered whether - without increasing the workload of the Committee on Freedom of Association - consideration might not in due course be given to setting up some form of ILO supervisory machinery for migrant workers. The recent meeting with the Chairman of the UN Working Group had been useful, in that it had established a basis for co-ordination with the ILO which, of course, had its own field of competence as regards migrants.

Finally, the Committee had briefly considered the Annual Overview Report of the Administrative Committee on Co-ordination for 1983-84. Unfortunately, it had not been able to take up all the items on its agenda, and it was important that it should be given sufficient time to do so in future.

Mr. Ahmed (Worker, Pakistan) expressed full support for the views outlined by the Worker spokesman in the Committee, particularly those in paragraph 13 concerning human and trade union rights. He also welcomed the emphasis placed by UNIDO IV on the acceleration of human resources development and the achievement of rural development and self-sufficiency. While the improvement of the lot of the workers in the developing countries, particularly in the rural sector, called for the strengthening of trade unions and rural workers' organisations, it was clear that action at the international level was also needed. He was therefore dismayed to note from paragraph 33 of the report that the Conference had been unable to reach a consensus on issues of such vital importance for the developing countries as protectionist policies and measures, unfair terms of exchange, interest rates and the financial resources needed to meet the requirements of industrial development. Bearing in mind the objectives laid down in its own Constitution and more recently by the World Employment Conference, the ILO should continue its efforts to promote greater North-South co-operation, with a view to a more balanced distribution of the world's resources, including the transfer of the technology required to increase the productive capacities of the developing countries.

Mr. Albalate Lafita (Government, Spain), referring first to the proposed seminar on child labour, suggested that the ILO make available to the seminar not only Part I of the Report of the Director-General to the 69th Session of the Conference, dealing with the theme of child labour, but also a summary of the relevant Conference discussion. Such a summary might be modelled along the lines of the paper on the follow-up of the Conference discussion on international labour standards which was before the Governing Body at the present session. A contribution of that kind would enhance the effectiveness of ILO participation, in that it would provide the seminar - at very small extra cost - with a general picture of the ILO's work in this field. He also wondered whether it might be possible to refer to the manner in which the ILO's supervisory bodies had dealt with the application of Convention No. 138 on minimum age (1973).

As regards the International Convention on the Protection of the Rights of All Migrant Workers and their Families, he suggested that the invitation which had been extended to the Chairman of the UN Working Group might be renewed so that the Committee could be informed at first hand about the Group's discussions on the supervisory machinery, including the position of certain Nordic and Mediterranean countries. A frank exchange of views would no doubt shed valuable light on the problem and facilitate an appropriate solution.
Mr. Al-Jassem (Employer, Kuwait), referring to paragraphs 5 and 9 of the report, was grateful to the Committee for the attention paid to the situation of the Palestinian workers. He underscored what was said in paragraph 9 regarding breaches of the human rights of the Palestinian and other Arab workers and requested the Office to keep the Governing Body informed about the consultations referred to in paragraph 5.

The representative of the Director-General (Mr. Bolin, Deputy Director-General) felt there was general agreement that the time at the Committee's disposal had not been sufficient, although in fact only one meeting was provided for in the standard programme of Governing Body meetings for the November session. Efforts had been made to fit in an additional meeting but as it would have clashed with the Programme, Financial and Administrative Committee it had not been possible to do so. However, two meetings, and a third if necessary, were planned for the February-March session, and another in May. That should enable the Committee to dispose of its backlog.

He could assure Mr. Al-Jassem that the Office would report to the Governing Body on its consultations with the Government of Jordan, the PLO and the UNDP. The implementation of the projects in question would, of course, depend very much on the financial support secured from the UNDP.

The Governing Body adopted the recommendations in paragraphs 30 and 50 of the report.

FOURTH ITEM ON THE AGENDA

Follow-up of Conference discussion on international labour standards

Mr. Oechslin (Employer, France; Employer Vice-Chairman) congratulated the Office on the high quality of the paper, which gave a lucid analysis of the different points of view expressed. Commenting on the proposals recapitulated in paragraph 51, he agreed with the one in subparagraph (a) to refer the question of the financing of Conference delegations to the Programme, Financial and Administrative Committee. The latter had some years previously set up a working party to examine this very question; it had done useful work, which should be taken as the point of departure, with appropriate updating of the financial estimates, for any further consideration of the subject. Obviously, should the Organisation decide to bear the cost of financing delegations, the extra expense would have to be borne by member States, although the burden on the beneficiary governments would of course be lightened. The operation thus had a positive and a negative side; the countries near Geneva would be the losers while those distant from Geneva - which were often the poorest - stood to gain.

In selecting issues for referral to the proposed working party (subparagraph (b)), the approach should be somewhat different from that suggested in the paper. The working party should not set out to update and revise the 1979 classification - insufficient time had elapsed - but should consider future policy on the adoption of standards and the criteria used to select subjects for the adoption of Conventions and Recommendations.

The proposal in subparagraph (c) to refer questions of a procedural nature to the Committee on Standing Orders and the Application of Conventions
and Recommendations was sensible. Some of the practical measures listed in subparagraph (d), such as simplification of the ratifications chart and report forms, were matters on which it would also be useful to have the advice of that Committee, and therefore could equally well be included in subparagraph (c). The paper was excellent as an analytical exercise, but it was necessary to keep sight of the relationship between the various aspects of the problem. There was a need for overall guidance and co-ordination of the different measures to be taken. This should be the responsibility of the working party, and its terms of reference should be drafted accordingly.

The exercise had aroused much interest on the part of the Employers, and it would be disappointing if it did not lead to specific results. It went without saying that their objective was not to slow down standard-setting activities. Even although they might consider a reduction in the number of Conference agenda items to be one formula, they were convinced that standard setting remained a key sector of the Organisation's activities. They felt that there should be more concentration on essentials, but it was not their desire to reduce the effectiveness or scope of standard setting.

Mr. Muhr (Worker, Federal Republic of Germany; Worker Vice-Chairman) welcomed the statement just made by Mr. Oechslin, especially his final sentences, which he hoped would be recorded in the minutes. Such an attitude on the Employers' part would certainly facilitate the practical aspects of standard setting.

The paper was a very good summary of the useful and thorough discussion which had taken place at the Conference. The discussion had shown that there was no practical basis for the claim that standard setting had reached saturation point. As the Governing Body's recent discussion on the 1986 Conference agenda items to be one formula, they were convinced that standard setting remained a key sector of the Organisation's activities. They felt that there should be more concentration on essentials, but it was not their desire to reduce the effectiveness or scope of standard setting.

Mrs. Caron (Government, Canada) congratulated the Office on its excellent analysis of the Conference discussion. She fully supported all the Director-General's conclusions, including those in paragraphs 31, 36, 37 and 38. As regards follow-up, it seemed logical that financial questions should be referred to the Programme, Financial and Administrative Committee and those of a procedural nature to the Committee on Standing Orders and the Application of Conventions and Recommendations, while the review of the classification of standards established by one working party in 1979 should be continued by another.
She supported Mr. Oechslin's observations on the working party's terms of reference and stressed that they should be clearly and precisely defined. As regards size, the working party should be big enough to be representative but small enough to work effectively. She had no firm view about the exact size, but felt that government membership should be on a regional basis, with possibly four members from each region. Finally, she fully supported the proposals in the paper, as summarised in paragraph 51.

Mr. Matsui (Government, Japan) expressed general agreement with the suggestions in the paper. Commenting on the link between ILO standards and technical co-operation programmes which was mentioned in paragraph 49, he underscored the role of technical co-operation as a means of assisting the governments of developing countries in overcoming difficulties arising from institutional and administrative shortcomings and lack of trained personnel. This was particularly important where the ratification and implementation of highly technical Conventions were concerned. The regional advisers should therefore work in close collaboration with training institutions and technical co-operation personnel as required. The study to be undertaken on this question should bear the foregoing considerations in mind.

Mr. Das (Government, India) expressed appreciation of the Office paper, which was stimulating and thought-provoking. Referring first to the points for decision in paragraphs 10 and 11, he agreed, on balance, that the working party should be appointed by the Governing Body itself, with adequate representation of the various regions and interests. It was important that the working party should be set up and mandated so as to enable it to function as quickly as possible. Mr. Oechslin had already referred to the need to broaden its terms of reference. Since the Governing Body did not have sufficient time to reach a final decision, the suggestions made in the present discussion should be classified by the Office in a paper for the February-March session. His Government was of the opinion that the working party's terms of reference should be as follows: (a) to review the existing Conventions in terms of their relevance, adaptability and continuance; (b) to review the range of obligations created and assess their viability; (c) to recommend flexibility devices in both substantive and procedural areas under groups of Conventions with a view to ensuring objective application of flexibility and the limits of its application; (d) to suggest procedures for periodic review of standards, their updating and adaptation along with criteria for revision and consolidation of standards; (e) to suggest procedures relating to selection of new subjects, collection of information and discussion; and (f) to identify inter-sectoral linkages among standard-setting parameters. In making these suggestions he had borne in mind the trend of the discussion at the Conference and the concerns expressed by various speakers. Moreover, the terms of reference suggested by the Office were not fully satisfactory - for example, they did not bring out the element of continuity with the previous working party.

As regards composition, the developing countries should be adequately represented in order to ensure the desired degree of commitment and participation.

While endorsing the points for decision, he wished to make a few observations on some specific issues. First, the concept of balance between the revision of existing standards and the adoption of new ones, which was referred to in paragraph 9, appeared to introduce a quantitative element which was irrelevant. Standards were not values in an arithmetical sense, but were revised or developed according to the needs and no balance would be upset by stressing one or other of these forms of action. Second, the approach adopted in paragraph 35 was too legalistic. Member States were of course aware of the possibility under the Constitution of referring differences of
opinion between a government and the ILO supervisory bodies to the International Court of Justice, but preferred not to resort to such action. What was important was the creation of a climate of understanding where the true implications of international legislation could be appreciated by developed and developing countries alike, and the paragraph should have made some suggestions for ILO action in this respect.

Promotional measures in the field of ILO standards were welcome, but a clear distinction had to be drawn between this type of action and the so-called promotional Conventions. As indicated in paragraph 24, the Union Minister for Labour and Rehabilitation of India had suggested a three-tier structure for Conventions, of which the third and highest level would set advanced standards as a longer-term objective. A promotional standard would set as its objective a high degree of achievement, while the major promotional measures initiated by the Office would seek to create an adequate infrastructure for their implementation.

As regards the link between ILO standards and technical co-operation programmes, to which Mr. Matsui had referred, he wondered in what way technical co-operation differed from standard setting. If technical co-operation were perceived as an extension of standard setting, many problems, including its financing, would be solved.

Mr. Kostine (Government, USSR) commented that the question under discussion was of great importance to all member States. While he could agree with certain proposals in the Office paper, such as those concerning the review of the 1979 classification, the use of the single-discussion procedure and the simplification of the ratifications chart, it unfortunately left unanswered many questions which had been raised at the Conference and a tendentious approach was apparent in the evaluation of the results of the discussion. For example, paragraph 29 suggested that only the socialist countries were dissatisfied with the supervisory machinery, whereas many delegates from developing countries had referred to the need for its review and democratisation. Paragraphs 30 and 31 presented a distorted picture of the position of the socialist countries by attributing to them a desire to weaken the supervisory machinery for their own ends under the pretext of giving it flexibility, although there was no suggestion of that in their 1983 memorandum. The socialist countries had never put forward a proposal such as that attributed to them in paragraph 31, namely to endow the supervisory bodies with discretionary powers to override decisions by the Conference. Indeed, as was well known, they had always emphasised the primary role of the Conference in resolving these problems. However, they could not agree with the existing procedures, which made it possible for the supervisory machinery arbitrarily to interpret the application of ILO Conventions according to whether capitalist, socialist or developing countries were concerned. The Office was making a clear attempt to demonstrate the effectiveness of the existing procedures so as to avoid the need for a thoroughgoing reform and the involvement of the Conference. It was deliberately ignoring the principles of universality and refusing to give equal weight to the points of view of all member States, such as those advanced in the 1983 memorandum, at the Third Conference of Non-Aligned Countries held in Managua and at the last meeting of the African Regional Conference and the Asian Advisory Committee.

Neither paragraph 45 nor the paper concerning the functions and procedures of the Committee on Freedom of Association answered the questions raised at the last session of the Governing Body, namely: (a) why was it the smallest Governing Body committee and why had its size remained unchanged since its establishment in 1955, although the membership of the ILO had doubled since that time? (b) why in such a small committee was there no principle of rotation, and how long could members remain in it? (c) could the
position of the Committee be considered objective, fair and representative when it had never had a member from the socialist countries or the World Federation of Trade Unions?

In view of the great importance of standard setting for the Organisation as a whole, it would be appropriate to refer the whole matter to a joint Governing Body-Conference working party similar to that on structure. Such a working party should be small enough to work effectively but large enough to be sufficiently representative. Its final composition could be decided at the next session of the Conference. All the follow-up measures of the 1984 Conference debate, including the Governing Body's discussions, should be reported to the 1985 session and examined in the Committee on the Application of Conventions and Recommendations.

Mr. Crespo Rodas (Government, Bolivia) said that the paper adequately reflected the Conference discussion and contained realistic, constructive proposals for follow up, including greater participation by the developing countries in framing and implementing standards and in strengthening ILO assistance in this field.

He noted that the question of the financing of Conference delegations would be referred to the Programme, Financial and Administrative Committee. This was of particular importance for developing countries situated far from Geneva, which were finding it increasingly difficult to send complete delegations. He supported the proposed distribution of follow-up measures among a number of different bodies, since that would result in greater flexibility and enable work to advance rapidly. He hoped the Office would arrange for the necessary consultations with member States where important questions were concerned.

As regards the supervisory procedures, paragraph 29 stated that a majority of delegates were in favour of maintaining the present system. As would be recalled, that opinion was not shared by other delegates. Nevertheless, he was in agreement with the conclusions in the paper, as well as the analysis in paragraphs 31-34. He also supported the suggestion in paragraph 35, which raised an important legal issue.

He expressed appreciation for the assistance in the field of standards which Bolivia had received from the ILO over the years and hoped that in future such assistance would extend not only to the ratification of Conventions but also to the drafting of the periodical reports on their application. The measures envisaged in Part V of the paper should include such practical assistance.

As regards the strengthening of tripartite consultation at the national level, as laid down in Convention No. 144, he drew attention to paragraph 14 of the report on the representation concerning Bolivia,1 in which his Government gave details of measures it proposed to take to strengthen participation by employers and workers in a national dialogue for the solution of the present economic crisis. The Government of Bolivia would give careful consideration to the possibility of ratifying and implementing that Convention.

His Government supported the proposals contained in the Office paper.

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1 GB.228/9/19.
Mr. Vinokourov (Government, Ukraine) expressed satisfaction at the inclusion of the item in the Governing Body's agenda and appreciated the Office's efforts, although they only marked the beginning of a major undertaking.

He agreed with the proposal in paragraph 42 concerning the discontinuance of detailed reporting on certain Conventions which were out of date and also supported the simplification of report forms. The proposal in paragraph 16 concerning earlier approval by the Governing Body of the Conference agenda also deserved attention. As regards the selection of items for the Conference agenda, the Office should reflect on how the range of items proposed could be made as broad as possible, taking into account to the greatest possible extent the interests of the developing countries. Attention should also be paid to the identification of subjects which might be suitable for single discussion, as indicated in paragraph 11. The proposal to study the strengthening of the links between ILO standards and technical co-operation programmes also appeared promising. However, these measures were not sufficient to bring about a real improvement in the ILO's standard-setting machinery. Unfortunately, no serious proposals in this respect were to be found in the paper.

Much was said in the paper about the need for flexibility, taking into account different levels of development and economic and social systems, but there was at the same time a clear tendency to separate this question from the review of the 1979 classification, and thus to exclude it from the working party's terms of reference. This was an artificial division which could only have adverse effects on attempts to improve the Organisation's standard-setting work, since the two questions were indivisible and should be studied concurrently by one and the same body. This task could best be undertaken by a joint Governing Body-Conference working party, similar to that on structure. The Governing Body could at the present session accept the principle of setting up such a body, but the final decision concerning its composition should be taken at the next session of the Conference. Those who argued in favour of maintaining the existing supervisory machinery should remember that improvement was always possible, particularly when, as in the present case, the arrangements were causing considerable problems.

Mr. Gallegos Lopez (Government, Mexico) said that his Government had always attached great importance to the ILO's standard-setting activities. It considered the role of the supervisory machinery to be fundamental to the enforcement of standards and had always sought to improve it by means of direct contacts, advisory missions, regional advisers, seminars and the preparation of manuals. Similarly, it was convinced of the important role played by this machinery in balancing the interests of the three groups and member States. Therefore, as it had stated at the Conference, his Government supported the proposal to set up a working party to review the system for the application of international labour standards, and reiterated its wish to be a member.

Mr. Heldal (Government, Norway) expressed satisfaction with the analysis made in the Office paper, which accurately reflected the Conference discussion, and agreed that the follow-up should be referred to various organs of the Governing Body. He could endorse what had been said by Mr. Oechslin on the financing of Conference delegations, which his Government considered to be a useful way of strengthening both the tripartite and the universal character of the Organisation. He therefore fully agreed that the Programme, Financial and Administrative Committee should deal with the matter. He supported the proposal that a working party should be established by the Governing Body, and accepted its terms of reference as outlined in paragraphs 10 and 11. In selecting topics for standard setting, it was of
the utmost importance to identify subjects of relevance and interest to all members of the Organisation, in order to ensure effective participation in the standard-setting process. He joined previous speakers in supporting the proposal for a systematic study of the links between ILO standards and technical co-operation programmes. He also agreed that a summary should be prepared of the cases where flexibility was permitted by Conventions adopted over the past 15 years. It would be most useful in standard setting on topics of a more technical character to be informed both about the scope for flexibility and the extent to which flexibility devices were being used. There was, however, no room for flexibility in the case of the Conventions dealing with basic human rights, such as freedom of association, abolition of forced labour and elimination of discrimination, and he was pleased to note that no speaker had suggested otherwise. He fully endorsed the statement in paragraph 31 that since the Conference had not deemed it appropriate, the supervisory bodies could not concede a right to flexibility where the Conventions dealing with fundamental human rights were concerned.

Mr. Luthan (Government, Indonesia) congratulated the Office on its analysis of the Conference discussion. However, although the paper reflected many of the views expressed, it did not bring out forcibly enough the basic points made by a large number of speakers from developing countries. It had repeatedly been said that ILO standards did not always correspond to the social and economic conditions and the specific needs of the developing countries. The fact that they could not be considered in isolation from economic development had also been emphasised. Developing countries were not only faced with a lack of capital and modern technology, but also had to contend with ever-increasing protectionism on the part of the industrialised countries. As long as the developing countries were denied their rightful place in international trade, there could be little progress in other fields, including labour standards. The Asian labour ministers had devoted a good deal of attention to this subject, most recently at their fifth meeting held in Manila. In a communiqué issued at the end of the meeting, they had observed that international labour standards had been established on the basis of conditions prevailing in the industrialised countries and had stressed the need for the Asian countries to adopt common positions in the setting of labour standards and to participate more effectively in their elaboration, including the determination of Conference agenda items. The ministers had also called for a study of the powers and composition of the ILO supervisory bodies and underlined the need for these bodies to take into account the social and economic conditions obtaining in developing countries in determining their compliance with ratified Conventions. A primary concern of the developing countries was the need to sustain the momentum of economic development in conditions of stability, harmony and social discipline. He hoped that these fundamental points would not be lost sight of. As regards the proposed working party, he joined previous speakers in urging that it be truly representative, and that its composition not be confined to Governing Body members.

Mr. Siktanc (Government, Czechoslovakia) commented that the Office paper was not satisfactory. In the first place, the position of the socialist countries on the ILO's standard-setting activities was interpreted in such a way as to give the impression that their sole concern was to weaken or even to do away with these activities. Yet they had repeatedly emphasised that they considered standard setting to be an essential part of the Organisation's work and that the sole purpose of their proposals was to bring about improvements by taking account of the legislation of the various social and economic systems and by ending abuse for political purposes. Secondly, the suggestions made in the paper repeated for the most part those in the Director-General's Report to the Conference. Not only had no attention been paid to the proposals of the socialist countries which, at best, were treated...
as a minority view, but important proposals by a large number of other countries, such as those made at the third conference of non-aligned countries held in Managua, and at ILO regional conferences and advisory committees, had also been ignored. Thirdly, although as had already been pointed out, standard setting was an indissoluble whole, calling for a comprehensive approach, the paper proposed its artificial division among a number of different bodies.

For the foregoing reasons, the socialist countries considered that no useful purpose would be served by going further into the substance, and submitted the following proposals: (a) the terms of reference of the working party to improve the ILO's standard-setting activity, including the supervisory procedures, should cover all aspects of the question; (b) the composition of the working party should be representative, in that it should reflect the Organisation's regional structure, different economic and social systems and points of view; the working party on structure might be taken as a model; and (c) the Conference should have the right to follow the working party's proceedings and to discuss its work and conclusions.

Mr. Kebede (Government, Ethiopia), speaking on behalf of the African Government members of the Governing Body, agreed that the inclusion of this important item in the Governing Body's agenda was indeed timely and appropriate.

The African members strongly supported the proposal in paragraph 5 to refer the question of the financing of Conference delegations to the Programme, Financial and Administrative Committee. They were also in favour of limiting the number of items for discussion at the Conference, which would facilitate participation by the developing countries in the formulation of standards and would improve implementation. They considered that a review of the 1979 classification would be timely since many instruments were out of date and required revision. They therefore endorsed the idea of appointing a working party to study this and related questions, provided it was set up on an acceptable democratic basis with a membership comprising all regions and interests, levels of development and ideologies. The working party's terms of reference should be comprehensive and it should be instructed to examine and make recommendations on many crucial issues, including the procedures for the adoption of standards and the supervisory system.

In conformity with the decision taken by the conference of non-aligned countries, the African members also held the view that the working party should complete its task by a specified date. The unfortunate experience with the working party on structure should not be repeated.

As regards the procedure for deciding the Conference agenda, they were in favour of wider consultations to give member States a greater say in the selection of items for Conference discussion and the subsequent adoption of standards. This question should also be thoroughly studied by the working party, as well as other procedural matters such as the shortening of questionnaires with a view to the production of brief but comprehensive instruments concentrating on principles rather than unnecessary details. The issue of flexibility, which had been a source of concern to the developing countries for some time, should also be examined. Most Conventions and Recommendations were drawn up without consideration for circumstances in the developing countries, resulting in undue rigidity.

Appropriate reforms were called for in the supervisory machinery, the composition, criteria and procedures of which needed to be changed. These issues had been raised on a number of occasions, but so far nothing had
materialised. The African members therefore considered that the question called for serious examination and that it should be among the priorities of the working party.

Mr. Reantragoon (Government, Thailand) believed that international labour standards should play a dynamic role in the social legislation and policy of the developing countries. Their value depended on their universal character, which could only be achieved by greater use of flexibility devices and greater involvement of the ILO's constituents in standard-setting activities. At the same time, the Organisation should not lose sight of the realities and aspirations of the developing countries in this respect, as already stated by Mr. Luthan. The analysis and proposals submitted in the Office paper were therefore welcome. He supported the points for decision, in particular the setting up of a working party with adequate regional representation.

Mrs. Hernandez Oliva (Government, Cuba) expressed support for the proposal to refer the financing of Conference delegations to the Programme, Financial and Administrative Committee. The question was an important one and would require careful study. The Committee should consider not only the financial implications but also the measures to be taken to ensure that the resources - if approved - resulted in effective participation by the countries concerned. On the other hand, it was not possible to agree with certain references in the paper concerning the ILO supervisory procedures. It was not a question of abolishing the supervisory machinery but of improving its performance. The supervisory bodies enjoyed considerable autonomy but it should not be unlimited or outside the control of the Conference, as the supreme body of the Organisation. The objections raised by many countries to the supervisory procedures went beyond the scope of the discussion in the Committee on the Application of Conventions and Recommendations. For this reason she supported the setting up of a working party, not only to review the 1979 classification but also to examine the questions relating to the supervisory procedures which figured in Part IV of the paper.

The working party should be as representative as possible, encompassing all social and economic systems, and should conclude its work within two years. The question should not be subdivided among various bodies but should be treated as a whole by the working party so as to ensure consistency. She would favour a working party appointed by the Conference, but in any case the latter should have the last word in all matters relating to the procedures of the supervisory bodies.

Mr. Marton (Government, Hungary) had expected, in line with the introduction to the Director-General's Report to the Conference, that the proposals in the Office paper would take equal account of all the views expressed in the Conference discussion. However, although it contained some excellent suggestions, it did not reflect the many suggestions made for improving the standard-setting and supervisory procedures. If the purpose of the discussion had been to draw up an inventory of the problems, it was hard to understand why an exception had been made in the case of the supervisory machinery. It was claimed that the majority did not wish for any change, but he doubted whether that "majority" could be identified so easily. His impression was that no real dialogue had taken place. It was asserted that the socialist countries wanted to weaken or even abolish the supervisory machinery - an erroneous interpretation that had led certain delegates to advocate a strong enforcement system, which in fact was precisely what the socialist countries had asked for in their memorandum. The paper stated that the supervisory procedures had for a number of years given rise to differences of opinion which also found expression in the Conference discussion. However, instead of dwelling at greater length on these differences, the paper confined itself to saying that a large number of delegates, and apparently a
majority, held divergent opinions. Nor could he agree with the treatment
given to the view of the socialist countries that account should be taken of
economic and social conditions when evaluating compliance with ratified
Conventions. The paper attempted to confuse this issue with that of
flexibility in order to prove that the problem only arose where governments
sought undue latitude in the application of Conventions. His understanding
of flexibility was that it allowed some departure from the standard, but
within limits which were clearly defined in the Conventions themselves. The
demand of the socialist countries that account be taken of economic and social
conditions was accompanied by a desire for recognition of the principle that
countries at different levels of development should be treated differently in
order to arrive at a fair evaluation of the manner in which they applied
Conventions. To break the present deadlock, he supported the proposal by
Mr. Kostine and hoped that a joint working party would be set up as rapidly as
possible.

Mr. Schrader (Government, United States) associated himself with those
who had expressed support for the paper, which presented a balanced summary of
the Conference discussion, and agreed with the approach proposed for the
follow-up measures recapitulated in paragraph 51.

He supported, in particular, the proposed Office study of means of
strengthening the links between technical co-operation and standards. The
proposal for the simplification of report forms so as to alleviate some of the
administrative burden of preparing reports on ratified Conventions was also to
be welcomed, as was the proposed summary of flexibility devices. He
supported the suggestion that the proposed working party to review the 1979
classification and issues concerning the future orientation of standard
setting should be selected exclusively from the Governing Body. That would
ensure the expertise and continuity which would be lacking in a working party
of delegates to the Conference. He had no specific suggestion regarding the
composition and size of the working party, but believed that it should be
small enough to be able to work effectively but also large enough to be
representative of the ILO's geographical regions.

Mr. Riikonen (Government, Finland) noted that many questions men-.ntioned in
the paper would be referred to the Committee on Standing Orders and the
Application of Conventions and Recommendations or examined within the
framework of future programme and budget proposals. He would accordingly
refrain from speaking on the substance at the present stage, limiting himself
to supporting the proposals and conclusions in the paper.

Mr. Haase (Government, Federal Republic of Germany) associated himself
with those who had expressed appreciation of the Office paper. He agreed
with the proposals outlined in paragraph 51. The financing of Conference
delегations was clearly a matter to be considered by the Programme, Financial
and Administrative Committee, but he doubted whether there had been any fresh
developments since the last study. If anything, budgetary constraints were
even tighter than previously, and any solution would no doubt be to the
detriment of other programmes. Consideration should also be given to the
practice followed in other international organisations. He agreed, too, with
Mr. Muhr that it was necessary to see how standards were applied in
practice. As regards the working party to review the 1979 classification,
the Office should submit specific proposals for its terms of reference and
composition at the next session; its size should be kept small.

He was in favour of strengthening the links between ILO standards and
technical co-operation programmes, referred to in paragraph 49, since
technical co-operation was basic to the maintenance of a certain level of
social development, which was a prerequisite for the ratification of
Conventions. The proposed study would not be starting from scratch, since a good deal of attention had been paid to this question by different Governing Body tripartite teams which had evaluated ILO technical co-operation activities.

Mrs. Onon (Government, Mongolia) felt that the Office paper did not duly reflect all the important questions raised during the Conference discussion and even distorted some of them. For instance, in paragraph 29, the proposals made in the 1983 memorandum of the socialist countries were construed as being designed to weaken the supervisory machinery. This was quite unacceptable. The Office was not observing the basic principle of universality in the Organisation's work nor giving equal weight to the points of view of all member States. The socialist countries were not against co-operation in the application of standards, but could not agree with the existing procedure which enabled the ILO supervisory bodies to interpret Conventions according to where they were applied. The paper side-stepped a solution to the basic shortcomings in the work of the Organisation. Mongolia had always attached great importance to the ILO's standard-setting activities and considered it timely that a working party should be set up to examine measures to improve them. The composition of the working party should be decided by the Conference on the basis of equitable representation of all regions and economic and social systems.

Mr. Martinek (Government, Austria) considered the ILO's standard-setting and supervisory procedures to be, along with technical assistance, one of the pillars of the Organisation. The Office paper constituted an excellent starting-point for discussing the follow-up of the Conference discussion.

He agreed that the question of the financing of Conference delegations was of importance for the effectiveness of the ILO's work and he was therefore in favour of referring it to the Programme, Financial and Administrative Committee for examination. As regards future policy on standards, the need was not so much to slow down standard setting as to find suitable subjects and to set the standards high enough; the paper was on the right track in this respect. The revision of the 1979 classification would provide a basis for the selection of Conference agenda items and for the fixing of priorities as regards, for example, the revision and consolidation of existing standards and the adoption of new ones. He supported the proposals in paragraphs 10 and 11.

Mr. Ventejol (Government, France) congratulated the Office on the excellent analysis in the paper which was objective and complete. The proposals were reasonable, in that they first made use of the competent organs of the ILO for follow-up action. The terms of reference and scope of the proposed working party would require rapid but careful study so as to enable it to produce effective results. It was essential that greater account should be taken of the needs and problems of the developing countries, while respecting the safeguards provided by the standard-setting system for workers throughout the world. This was a particularly promising area for co-operation between the two categories of countries. He looked forward to taking part in due course in the further discussion of the question.

Mr. Wang (Government, China), referring in particular to paragraphs 23, 24 and 25 of the paper, noted the important role of standard setting in the ILO's activities. Many of the over 150 Conventions adopted so far had been ratified and implemented by member States and provided valuable guidance for national social policy. However, a good many Conventions had not yet been ratified or implemented by a number of countries. This was chiefly due to the fact that they did not take sufficient account of the circumstances of the developing countries. The call for the revision of Conventions adopted in the past in order to adapt them to the situations now prevailing in the
developing countries was reasonable. It was also natural that, while the basic principles of Conventions were upheld, flexible implementation should be allowed to take account of differing conditions and levels of development. Only through a proper combination of uniformity and flexibility could international labour standards be made more effective. Practical assistance and technical co-operation were obviously more useful than criticism in helping countries to implement standards. Many delegates had already expressed their opinions on the democratisation of the supervisory system, and he hoped that the necessary reforms would be made. Since China's resumption of activities in the ILO, its Government had undertaken a careful study of international labour standards. It had recognised the 14 Conventions ratified by the old China and was carefully examining others. In a spirit of sincere co-operation, China would make its own contribution to promoting the further improvement and development of standards.

Mr. Robinson (Government, United Kingdom) considered the debate on standards to have been the best general discussion held at the Conference in recent years, and the Office paper provided a very fair summary of its tenor. Given the variety of issues raised, the Office was right not to suggest that there was any single procedural device which would enable all the points to be followed up simultaneously. He could not agree with those who had suggested that all the issues should be referred to a single body. The analogy with structure was hardly encouraging, given the length of time which it had taken for that work to reach fruition. The best way to make progress was, as the paper suggested, to identify the follow-up action appropriate to the issues raised. His Government accordingly agreed with the proposals in the paper. It was also important that the Governing Body at its next session should decide on the terms of reference, composition and membership of the working party and that the developing countries should be appropriately represented. The concern for geographical representation could best be met by constituting the working party on a regional basis. It clearly had to be fairly compact if it was to make rapid progress, and the suggestion that it might consist of four government representatives from each region with balancing representation of the Employers' and Workers' groups was well worth considering.

Mr. Mugnolo (Government, Argentina) expressed complete agreement with the paper, which was excellent. He supported the proposals, which were in line with the position of Argentina, as expressed in the Conference discussion, concerning the universal value of standards. The methods which had been gradually perfected over the years had given the Organisation a virtually legislative function through instruments involving international commitments in broad areas of human, economic, social, political and civil rights. His Government therefore believed that it was necessary to continue and develop the ILO's standard-setting work. Consideration should also be given to the updating of Conventions. In the light of its experience, his Government recommended caution when it came to revising methods which over the years had proved their effectiveness. It fully appreciated the difficulties encountered by the developing countries in applying Conventions, and therefore supported the setting up of the proposed working party, which should have a broad, genuine regional basis, but should also be limited in size. As stated at the Conference, Argentina wished to be a member of the working party.

Argentina had just emerged from a period during which human, civil, political and labour rights had been flouted. Those who had resisted the regime had seen in international labour standards, in the action taken by the Organisation and in the requests made concerning the observance of those standards, perhaps their last hope of limiting the abuse of power prevailing
in the country. This experience attested to the value of international labour standards and the Organisation's supervisory machinery for the workers and people of Argentina.

**Mr. Albalate Lafita** (Government, Spain) noted that Spain had ratified 108 Conventions, which by virtue of its Constitution had become part of national law and were enforceable by the courts. There were thus only a few Conventions which did not form part of Spanish law.

The Office paper was in general excellent, although there were some omissions. First, it stated in paragraph 2 that ILO standards should respond to the needs of the entire membership. However, it was not clear what kind of needs this was intended to refer to. International labour legislation should set goals and not simply reflect the existing situation. If substantial progress in labour conditions had been achieved over the years it was precisely because the standards laid down in the ILO's Conventions had served as an encouragement to governments to introduce the necessary improvements. The statement therefore required clarification.

Second, as regards the financing of Conference delegations, the resolution concerning the effective tripartite participation of all member States in the work of the International Labour Conference which had been submitted, but not discussed, at the 1982 Session of the Conference, should also be taken into account.

Third, it was stated in paragraph 7 that increasing difficulty was being experienced in finding suitable subjects for standard setting. He believed, on the contrary, that there was no scarcity of data or social needs for the adoption of Conventions. For instance, the 1979 classification contained a whole series of suggestions, and recent experience with the adoption of the 1986 Conference agenda had shown that there was no lack of topics.

The suggestion in paragraph 27 that States might be invited to make formal declarations indicating their intention to accept Recommendations was a curious one. Such a procedure was contrary to international labour law, since law by its very nature was binding and ceased to exist when it became a matter of choice. Recommendations supplementing Conventions merely indicated the way in which the Conventions should be applied, and as far as autonomous Recommendations were concerned, he did not see how it was possible at the present stage to change their legal character. He, however, agreed that there was need for flexibility in Conventions. That was not a new idea: Convention No. 102 on minimum standards in social security was but one example. The fact that a number of countries, both developed and developing, had not been able to ratify did not detract from the Convention's great value.

As regards the supervisory procedures, he supported the remarks just made by Mr. Mugnolo. Spain had gone through a similar experience to that of Argentina. Certain Conventions concerning basic human rights had created serious difficulties for the government of the time and, thanks to the work of the Committee on Freedom of Association, public opinion had been mobilised, prisoners freed and harsher penalties prevented. It had been argued that the Committee was not sufficiently democratic and that its procedures were inadequate. From Spain's experience, he could say that the supervisory procedures had not only served to promote social justice but had also contributed to the struggle for basic human rights and freedoms, for which his Government was deeply grateful.

The proposal in paragraph 18 that the members of incomplete delegations should be unable to vote was unconstitutional and contrary to international law. It was inconceivable that a country which was unable to send a complete
delegation should find itself deprived of the right to vote. The developing countries would be particularly affected. At a time when one committee would be studying the question of financing to facilitate the sending of complete delegations, he could not agree that another committee should be asked to consider how incomplete delegations should be deprived of the right to vote.

Finally, he agreed with the appointment of the proposed working party, subject to its terms of reference being confined to those indicated in the paper. It should be as small as was compatible with being fully representative and he hoped that, given the diversity of interests of member States as compared with those of the non-governmental groups, government representation would be greater.

The discussion was adjourned to a later sitting.¹

The sitting closed at 7.30 p.m.

¹ See also tenth sitting.
X/1

TENTH SITTING

(Thursday, 15 November 1984, evening)

The sitting opened at 9.05 p.m., with Mr. Deshmukh in the Chair.

FOURTH ITEM ON THE AGENDA

Follow-up of Conference discussion on international labour standards (concl.)

Mr. Aitken (Government, Jamaica) expressed his Government's approval of the proposals in the Office paper, two of which in particular deserved the strongest possible support. First, he welcomed the proposal to set up a working party to review and update the processes for formulating standards and supervising their application, and hoped that it would be able to start its work as soon as possible. Second, his Government supported the suggestion that further consideration be given to the question of financing Conference delegations. While mindful of continuing budgetary constraints, he noted that there seemed to be a strong movement in favour of limiting the number of technical items on the agenda as well as reducing the time span of the Conference, which might help to enable delegations to be financed without affecting programmes.

Mr. Sa'eed (Government, Iraq) was likewise in favour of reconsidering the financing of Conference delegations, bearing in mind the efforts already made in that direction. His Government also supported the proposal to set up a working party, provided all three groups and all regions were represented on it, and a time-limit was set for it to complete its work. Its terms of reference should be, first, to review the 1979 classification of standards; second, to see how well the supervisory machinery was working in the present situation and suggest alternatives consistent with the objectives of the Organisation and its three component groups; and third, to review the standards themselves so as to take account of world developments.

Mr. Sarmadi (Government, Iran) said that in the paper an excellent effort had been made to reflect the different viewpoints expressed at the Conference. He echoed, however, the concern expressed by many countries regarding the relevance of economic and social conditions to the evaluation of compliance with ratified Conventions. It was necessary for the ILO's supervisory machinery to take into consideration not only these conditions but also the system of values prevailing in a country, which might not always conform with the values underlying a Convention. In such cases problems might arise which could not be resolved by flexibility alone. Moreover, according to paragraph 31, the predominating opinion at the Conference had been that when it came to basic human rights, flexibility had no place; clearly the supervisory bodies could not concede a right to flexibility which the Conference had not deemed appropriate. The Islamic Republic of Iran, for its part, was committed to implementing Islamic principles in every sphere, be

See also ninth sitting.
it social, economic, political, cultural or legal. These principles were based on divine revelation and hundreds of millions of Moslems throughout the world had adopted them as their way of life. Was it justifiable to ask them to give way on these principles because they were different from those embodied in international labour Conventions? This was why the Iranian Minister of Labour had suggested at the Conference that at least three members of the Committee of Experts should be Islamic jurists. It was therefore to be hoped that the composition of the Committee would be revised in the interest of understanding between nations.

Mr. Fotheringham (Government, Australia) expressed his appreciation of the high standard of the paper which accurately reflected the wide range of views expressed. His Government shared the views of those speakers who had endorsed the Office proposals. More particularly, it supported the recommended follow-up action outlined in paragraph 51. The size of the proposed working party would depend on its terms of reference, and it would be helpful to have a paper at the next session setting out the options available. Nevertheless, he hoped that the working party would be constituted on a regional basis and would not be so large as to be unwieldy. It would be preferable for it to be comprised of Governing Body members.

He was particularly attracted by the idea that the Office should publish a summary of the flexibility clauses used in Conventions in the past 15 years. The summary should be widely circulated and read carefully by officials responsible for commenting on agenda items as well as by participants in Conference discussions on draft instruments. Greater use should be made of such flexibility clauses, though he agreed with the comments in paragraph 25 that there could be no room for flexibility in Conventions dealing with fundamental human rights.

His Government was encouraged to note that such a wide spectrum of members assigned major importance to standard-setting within the Organisation's activities. Its obvious links with technical co-operation should be fostered wherever possible, but not at the expense of the standards activities of the Organisation.

Mr. Kazmi (Government, Pakistan) agreed with many of the suggestions put forward by previous speakers. In nominating the working party, which was a good idea, care must indeed be taken to ensure proper representation for all regions and all systems. Some of his colleagues had suggested terms of reference, but he preferred to wait until a detailed paper was put before the Governing Body at its next session.

Mr. Oechslin (Employer, France; Employer Vice-Chairman) wished to add a few remarks on behalf of his group. He was sure that if Mr. Muhr quoted him, he would do so in the proper context and refer also to the proposals the Employers had made for improving the standard-setting process. The proposals and their commitment to ILO standards were linked.

When he first took the floor he had deliberately refrained from speaking about the supervisory machinery, because the Employers were of the opinion that there was little need for change. It was true that the socialist countries had submitted to the Conference a memorandum on the subject, which had been extensively commented upon. It was also true that a resolution on the same subject had been put before the Conference, which had not adopted it. Despite the talent of those who had supported it, he had the impression that the memorandum had failed to convince the Conference; it had certainly failed to convince the majority of his fellow Employers, who believed in the principle that while it was desirable for Conventions and Recommendations—except those dealing with human rights—to be flexible, the supervision of
their application must be strict, since a Convention, whether considered as an international treaty or incorporated in national legislation, was a binding instrument which had to be interpreted literally. He had the impression that this view was shared by the majority of the Workers and many governments. So it could hardly be said that the majority of the Conference was in favour of reforming the supervisory machinery. And in the absence of such a majority, the Governing Body had no legal basis for embarking on such an enterprise. Under article 14 of the Constitution, it was responsible for the technical preparations leading up to the adoption of instruments by the Conference. The recommendations in the paper were consistent with these terms of reference. The supervision of the application of these instruments, on the other hand, was governed by other provisions of the Constitution, which gave the Governing Body little responsibility. Supervision was a matter for quasi-judicial bodies, whereas the Governing Body was an executive organ.

It had been proposed that a joint Conference/Governing Body working party should be set up. This obviously brought to mind the Working Party on Structure, and was not the right answer. The Conference had not adopted the resolution on standards, so there was no legal basis for involving the Conference. Above all, the problem must not be tackled in such a way that its solution would be continually postponed. Progress must be seen to be made, slowly perhaps but steadily, and on concrete points. That was why the Employers had particularly appreciated the Director-General's proposals, which were practical and would enable action to be taken right away in certain straightforward cases which were challenged by nobody, while allowing time to think about other aspects with a view to action in due course. It should be possible to put certain ideas into practice very quickly, for instance when discussing the agenda for the Conference and its functioning, or the involvement of the regions in the preparation of standards.

Some rather perturbing figures had been cited for the membership of the working party - four per region on the Government side alone - and while sympathising with the desire of many members to be involved, he hoped that the working party would be kept to a manageable size.

Mr. Muhr (Worker, Federal Republic of Germany; Worker Vice-Chairman) gave an assurance that he would set Mr. Oechslin's remarks in context, which was why he had asked that his statement be placed on record so that he could be sure of quoting it accurately.

Mr. Oechslin's alarm at the possible size of the working party was justified. If the Governments insisted on having 16 members, this, multiplied by three, plus a deputy for each member, would result in a gathering almost as big as the Governing Body itself. The representative of India had said that he could not imagine why anyone should object to the Conference setting up the working party. The Workers' group, however, did have considerable objections. The Conference was not always attended by the same delegates, particularly on the Workers' and the Employers' side. It would be quite unacceptable for someone who happened to be attending the Conference at the time the working party was set up to be appointed a permanent member. That had been done once in the case of structure, but then it had been a question of the membership of the Governing Body, which it would not have been proper for the latter to decide on its own. The matters now at issue were quite different. Members of the Governing Body could be sure they enjoyed the confidence of the Conference since they had been elected for three years, and continuity would be assured. It was thus incorrect to say that there was no objection to participation by members of the Conference who were not members of the Governing Body.
Mrs. Carón (Government, Canada), as one of those who had suggested that there might be four working party members per region, pointed out that she had been referring only to the Government group. Since the Employers and Workers, unlike the Government group, could adopt group positions, they might be willing to consider the possibility of having a much smaller number of representatives.

Mr. Briki (Government, Algeria) regretted that certain regions had not had consultations beforehand to try to adopt a common position on a matter as important as this. A great deal of time could be saved in Governing Body discussions in future if the regional co-ordinators were asked to arrange for the main agenda items to be discussed in their groups beforehand, even if all the members did not have the same viewpoint. Formerly, there had been a tendency for co-ordinators to put before the Governing Body the conclusions reached by their groups, but regrettably the practice seemed to have been abandoned. The African group had discussed four points and authorised its co-ordinator to state the position of the continent - a method that might well be initiated wherever practicable.

Mr. Marton (Government, Hungary) argued that countries which had just left the Governing Body were more familiar with the workings of the ILO than those which had just become members after participating only in the Conference. Hence a joint working party would be just as efficient as one consisting exclusively of members of the Governing Body.

Mr. Das (Government, India), commenting on Mr. Muhr's objection to the association of the Conference in the working party, expressed surprise that a member of the Governing Body should question the authority of the Conference, which was the supreme policy-making body. He had not been suggesting that it should be the sole prerogative of the Conference to constitute the working party, but that a combination associating the Conference and the Governing Body might be the ideal way of taking care of the various observations and points made in the discussion. He could not accept this rejection of the authority of the Conference, and wished it to be placed on record that he considered it to be self-defeating.

Mr. Muhr (Worker, Federal Republic of Germany; Worker Vice-Chairman) explained that his concern was not with delegates' experience, but with their mandates. Conference delegates were appointed to attend the Conference only. If a Conference delegate of 1985 were still sitting on a Conference-appointed body in 1987, even though his country had appointed entirely different Conference delegates, he did not necessarily still have the mandate and enjoy the confidence of the Conference. There was no question of disputing the authority of the Conference, but it could not be placed above the Governing Body all the year round. The Conference had given the Governing Body a mandate for three years; its own lasted only three weeks, and it could not have any effect once the mandate conferred on it by the Constitution had expired.

The Director-General thanked the members of the Governing Body who had expressed their own views or those of their group on this important matter, thereby providing the Office and himself with the pointers they needed to prepare detailed proposals for the February session. He had been particularly touched by the remarks made by the Government representatives of Argentina and Spain about the efforts the ILO had been making for years to defend human rights and help these two countries to overcome the very great difficulties with which they had had to contend. Even governments which had expressed reservations about the Committee on Freedom of Association - as they had every right to do - had endorsed the conclusions set out by the Committee in forceful yet objective terms with regard to the exceptionally critical
situation then prevailing in both countries. He could not imagine a better demonstration of the role played by the Committee over the years, or a better confirmation of the Office analysis of its operation.

The Office would be putting proposals before the Governing Body in February in which it would endeavour, as always, to take account of the debate as fully as possible.

The Governing Body adopted the recommendations in paragraphs 5, 10 and 11 of the paper.

Mr. Das (Government, India) recalled that he had not been given an answer to his question as to whether it was constitutional to refer matters relating to the procedure for deciding the Conference agenda and the procedure for the adoption of Conventions and Recommendations to the Committee mentioned in paragraphs 17 and 18.

The Clerk of the Governing Body (Mr. Hislaire) said that Mr. Das had referred to article 7 of the Standing Orders, and it seemed he was thinking of article 7 of the Standing Orders of the Conference, which dealt with the Conference Committee on the Application of Conventions and Recommendations. The Committee referred to in the paper was the Governing Body Committee on Standing Orders and the Application of Conventions and Recommendations.

The Governing Body adopted the recommendations in paragraphs 17, 18, 42 and 43, and took note of the remainder of the paper.

THIRTEENTH ITEM ON THE AGENDA

Report of the Allocations Committee

The Clerk of the Governing Body (Mr. Hislaire) announced that although it had no items of substance to consider at this session, the Allocations Committee had met briefly for the purpose of electing its Chairman, in the person of Dr. Haase.

TWENTIETH ITEM ON THE AGENDA

International Institute for Labour Studies

Report on the 26th Session of the Board of the Institute

Mr. Nasr (Employer, Lebanon) said that the Employers endorsed the report and would support its financial recommendations when the relevant report of the Programme, Financial and Administrative Committee came before the Governing Body. They approved of the policy now being followed, which entailed closer collaboration with the Office.

The courses given by the Institute should be strengthened as far as possible. Bearing budgetary constraints in mind, the Employers had suggested at the meeting of the Board that short courses in the form of seminars might
be arranged in conjunction with ILO meetings such as the Conference or even sessions of the Governing Body. While not teaching courses in the strict sense of the term, they would provide participants with information and give them a chance to exchange ideas with their colleagues.

Its chronic shortage of funds obliged the Institute to look for extra-budgetary sources of financing, which resulted in programmes that were not always satisfactory. The governments, regions and organisations represented on the Governing Body could perhaps assist in providing programmes to help the Institute make the ILO's objectives more widely known.

Mr. Adiko (Worker, Ivory Coast) said that the report faithfully reflected the Institute's activities and showed that over the years it had pursued its objectives and played its role to the full. It would be logical that at this time of crisis and conflict the Institute should be asked to step up its activities. Yet against all expectations, its budget this year was much smaller than usual. He earnestly hoped that next year the Governing Body would do everything possible to ensure that the Institute had the funds it needed to carry out its programmes. It could not be expected to rely on donations and legacies. Stress should also be laid on the need for fairer geographical distribution of its activities. The Institute would be celebrating its 25th anniversary in 1985 but there was no money to commemorate it - an indication of its financial straits. The Governing Body should make a special effort to enable the Institute to function properly.

Mr. Aitken (Government, Jamaica) also considered the report to be an accurate reflection of the Institute's activities. Like other members of the Board, he was grateful for the help received from various sources, but the Institute could not manage on donations alone, even during this period of transition, and he urged that if at all possible during the consideration of the budget funds be made available to the Institute so that it could continue its work.

Mr. Kostine (Government, USSR) had the impression from the Institute's programme that it was ignoring the need for publications concerning activities in socialist countries. It was nearly two years since the Institute had taken delivery of work carried out by socialist countries - and by western countries too - in relation to labour productivity and wages in countries with different economic systems. The results had never been published, and if that could be done in some form it would be an encouragement to colleagues in both socialist and Western countries to know that their efforts had not been in vain.

The Governing Body took note of the report.

TWENTY-FIRST ITEM ON THE AGENDA

Report of the Working Party on European Trade Union Studies

The Governing Body adopted the recommendation in paragraph 2 of the report.
TWENTY-SECOND ITEM ON THE AGENDA

Composition and agenda of standing bodies and meetings

First paper

The Governing Body adopted the recommendations in paragraphs 1 and 3 of the paper.

Mr. Das (Government, India) wondered why the paper made no mention of the persons nominated by governments for membership of the Advisory Committee on Rural Development.

The Chairman said that the Director-General hoped to submit these nominations at the next session of the Governing Body, once all governments had been consulted.

The Governing Body adopted the recommendations in paragraphs 6, 17, 27, 32 and 37.

The Chairman recalled that the Governing Body at its fifth sitting had already dealt with paragraphs 39 to 48 of the paper, relating to the Preparatory Technical Maritime Conference.

TWENTY-THIRD ITEM ON THE AGENDA

Symposia, seminars and similar meetings

The Chairman reminded the Governing Body that this paper was submitted to it for information only.

The Governing Body took note of the paper.

TWENTY-FOURTH ITEM ON THE AGENDA

Report of the Director-General

I. Obituary

Mr. Oechslin (Employer, France; Employer Vice-Chairman) thanked the Director-General for mentioning the death of Antony Fennema in his report. Only a few of the current members of his group had worked with Mr. Fennema, who had for many years been an outstanding figure not only in the group itself but also in what was then known as the Committee on Industrial Committees.

1 See also fifth and twelfth sittings.
He had in fact been closely involved in the setting up and development of the Industrial Committees. He was a man of firm convictions and exceptional integrity, and those who had served with him on the Governing Body owed him a debt of gratitude. He was firmly dedicated to the ideals of the ILO, and it was precisely this dedication which had led him sometimes to criticise the Organisation. The Employers wished to pay a very warm tribute to his memory.

Mr. Muhr (Worker, Federal Republic of Germany; Worker Vice-Chairman) agreed that few of the present members of the Governing Body would be able to remember Mr. Fennema. At the Workers' group meeting that morning, however, Mr. Sanchez Madariaga had recalled the extremely effective way he had worked on the Credentials Committee at the Conference, and the esteem in which he had been held by his colleagues. The Workers joined with the Employers in expressing their regret and associated themselves with the sympathy to be conveyed to his family.

Mr. Ventejol (Government, France) had started to attend the Conference when Mr. Fennema was still playing an active role in it and had thus had the opportunity to get to know him and appreciate his work there and in the Governing Body. He wished in all sincerity to associate the Government members of the Governing Body in the tributes being paid to his memory, as well as with the words just spoken by Mr. Oechslin.

The Director-General in his turn associated himself on behalf of the Office with the tributes paid to Mr. Fennema. He was one of quite a large number of ILO officials who had known Mr. Fennema when he was on the Governing Body and attending the Conference and been able to appreciate his courtesy, his devotion to the Organisation and the remarkable contribution he had made to the work of the Governing Body in particular. Underneath his somewhat stern exterior lay a spirit of great tolerance.

The Chairman was sure the Governing Body would wish to ask the Director-General to convey its sympathy to Mr. Fennema's family.

The Governing Body adopted the recommendation in paragraph 6 of the report.

II. Composition of the Governing Body, Governing Body committees and various bodies

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

III. Progress of international labour legislation

Mr. Wang (Government, China) had read with interest the paragraphs in the report dealing with the ratifications of Conventions registered in the name of China. He wished to reaffirm the position of his country, which was that since the founding of the People's Republic of China in 1949 the Government of the People's Republic was the only legal representative of China. The occupation by the Taiwan authorities of the seat set aside for China in all the international organisations was illegal and the ratification of Conventions by Taiwan in the name of China was null and void and could not be considered binding. He wished the ILO to take note of the position of China as he had just outlined it.
Mr. Oechslin (Employer, France; Employer Vice-Chairman) commented that now China had taken its place in the Organisation, it should be giving serious consideration to the ratification of certain key ILO instruments, such as those on freedom of association, human rights and forced labour, inter alia. Of course the decision lay with the Chinese Government, but he voiced the strong hope that it would consider the ratification of at least these key Conventions.

Mr. Muhr (Worker, Federal Republic of Germany; Worker Vice-Chairman) said that the Workers' group likewise, while respecting the attitude of the Chinese Government, which was based on its own constitutional law, would also be very pleased if that Government could make every effort to ratify these and other Conventions and declare them to be binding on the People's Republic of China. They included some of the most fundamental standards relating to human rights and freedom of association. He was confident that the Chinese Government would wish to consult the organisations giving effect to the principles of tripartism in its own country, and looked forward to hearing in the near future that it considered at least some of these Conventions to be binding.

Mr. Wang (Government, China) replied that his Government would certainly play an active part in the work of the Organisation and develop constructive relations between the People's Republic of China and the ILO. Plans were now in hand to that effect and would bear fruit in the near future. His Government would remain faithful to the principles of the Organisation, but it was only a year since it had resumed its rightful seat. In that time it had already recognised 14 Conventions ratified by the Chinese Government of the time, and the possibility of ratifying the remaining Conventions was being carefully studied.

Mr. Brown (Worker, United States), referring to the information given in paragraph 23 of the report that the Director-General, after informing the Officers of the Governing Body, had cancelled the registration of the ratification by China of 23 international labour Conventions, asked the Legal Adviser to enlighten him as to the Director-General's apparently sweeping power to cancel ratifications of Conventions by a country.

The Legal Adviser (Mr. Wolf) explained that the Director-General had not cancelled the actual instruments of ratification received from the Government which represented China in the ILO and other international organisations from 1949 to 1971. What he had done was to recognise the claim of the legitimate Government represented in the Organisation today that these ratifications were invalid, as the Government concerned was not the legitimate Government of the People's Republic of China. The situation was different in the case of the instruments ratified between 1919 and 1949, by which the present Government had agreed to be bound, as it considered them to have been ratified by the legitimate Government of the day. It was not possible for the Director-General, any more than it was for another State, to adopt a position different from that of the government recognised as legitimate and present in the Organisation today.

Mr. Brown (Worker, United States), while not questioning the right of the present Government of China to denounce certain Conventions, still found it strange that the Director-General should have taken it upon himself to act in this way. He could not recall any precedent.

The Legal Adviser (Mr. Wolf) said that in view of the decision taken by the Chinese Government, the Director-General had to delete China from the list of States which were today parties to the Conventions in question; it was, however, a purely formal operation.
The Director-General wished to make sure that there was no misunderstanding with respect to the 23 Conventions listed in paragraph 23. He agreed with Mr. Brown that the expression used in that paragraph might sound a little ambitious, but he certainly had no wish to possess such powers. What he had had to do was much more simple - merely to make it clear beyond a doubt that these Conventions had not been ratified by the legitimate Government of China, i.e. the China that was a member of the Organisation today. He did not think there was really a legal problem; it was simply a question of putting the record straight.

Mr. Wang (Government, China) recalled that his Government had already stated its position on this subject several times. First of all, Taiwan was an integral part of Chinese territory. Since the foundation of the People's Republic of China in 1949, its Government had lawfully represented the entire Chinese people. There was no such thing as the Republic of China. Second, the ratification of Conventions was the sovereign prerogative of the lawful Government. Accordingly, in the opinion of his Government, the ratification of Conventions on behalf of China by the Taiwan authorities while they were unlawfully occupying the seat of China was illegal and invalid, and it was quite logical that the Conventions in question should be removed from the list. The Chinese Government would continue to study the other instruments of the ILO, and would ratify those it deemed necessary.

Mr. Brown (Worker, United States) replied he had never questioned the right of the Chinese Government to denounce Conventions. He would not insist on the other aspect of the question.

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

IV. Agreement concerning the Social Security of Rhine Boatmen (Revised), adopted in Geneva on 30 November 1979

V. Internal administration

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

VI. Publications and documents

Mr. Oechslin (Employer, France; Employer Vice-Chairman) hoped that the general subject index for the Legislative Series was to be published in French as well as English.

The Governing Body took note of this section of the report.
First Supplementary Report

Compatibility of the UN Convention on the Elimination of All Forms of Discrimination against Women and Certain ILO Conventions on the Protection of Women

Mr. Oechslin (Employer, France; Employer Vice-Chairman) did not wish to comment at length on a document which was submitted to the Governing Body for information, but felt bound nevertheless to state that the Employers had not been entirely convinced by the legal arguments put forward in it.

Mr. Haase (Government, Federal Republic of Germany) regretted that such interesting legal problems had to be dealt with at such a late hour. He would have liked, for example, to have had more detailed information on the question of China that had just been discussed. In the present case, he wondered why Mr. Oechslin was not convinced by the Office's explanations, which he found quite satisfactory. Perhaps the matter could be discussed again some other time. In the opinion of his Government, measures to protect the health of women in employment were not discriminatory. His Government was at present considering all these measures with a view to ratifying the UN Convention, and did not consider that there were any problems as far as ILO Conventions were concerned.

Mr. Das (Government, India) said that the experience of the International Organisations Committee in dealing with migrant workers showed that the question of compatibility between competing or complementary legislation within the UN system was gradually assuming critical proportions. He therefore hoped, in view of its implications for the future, that at an early date the Director-General would produce a paper on the whole question.

The Governing Body took note of the report.

Second Supplementary Report

Functions and procedures of the Committee on Freedom of Association

Mr. Maier (Worker, Austria) was grateful to the Director-General for this interesting and detailed paper, giving a clear picture of the Committee's scope and limitations, which had not always been clearly explained to the Governing Body in the past. He drew attention to paragraph 7, which made it plain that the Committee played a positive role but had never set itself up as a tribunal. The Workers agreed with the Director-General's opinion that the present composition of the Committee should be maintained, and considered that it should continue to have an independent chairman.

Mr. Kostine (Government, USSR) recalled that he had asked some questions at the last session of the Governing Body, and had been given to understand that the answers would be provided at this session. He had read the paper very carefully but could find no answers to his questions. The paper was interesting but he would still like specific answers to his specific questions.

Mr. Marton (Government, Hungary) had also found much of interest in the report, though it did not give the complete picture. But it would have been
preferable not to have added paragraph 9. It was for the Governing Body to decide whether or not it was desirable to make changes in the Committee's composition or working methods.

It could be seen from the paper that the functions and composition of this Committee had originally been decided upon in the early 1950s, when the membership of the Organisation had been approximately one-third of what it was today. With the entry of several more socialist countries as well as the many developing countries that had acquired their independence in the meantime, a fundamental change had taken place in the composition of the Organisation, which was not simply a question of numbers but also had important social implications. Yet the framework within which the Committee operated had not changed at all. Its activities were meeting growing criticism and, for years, the socialist countries had manifested their objections by refusing to participate in the examination of the Committee's reports by the Governing Body. A change in the composition of the Committee was long overdue. The first requirement was to increase the membership so that the developing and socialist countries could occupy their rightful place.

Mr. Oechslin (Employer, France; Employer Vice-Chairman) had not long been a member of the Committee on Freedom of Association, but could agree with everything Mr. Maier had said. The Committee's members did not act as representatives of a government or of the Employers' or Workers' group. They were as objective as possible and practically always reached unanimous conclusions. The Committee should be judged on the basis of its work, as illustrated by the two reports which the Governing Body had approved that morning, unanimously in both cases. Some Government members had made comments, but none had challenged the Committee's recommendations. The representatives of Spain and Argentina had borne witness to what the Committee had done for their countries in troubled times. There were people who owed their freedom to the Committee on Freedom of Association, so the system clearly had merit. The Employers had no axe to grind in saying this, since the system was used for the benefit of trade unions far more often than employers' organisations. The paper provided a great deal of information, and irrespective of whether paragraph 9 should have been included, the Employers considered that the methods followed up to now should be continued.

Mr. Siktanc (Government, Czechoslovakia) found Mr. Oechslin's arguments very similar to those he had heard when the Governing Body had been discussing the structure of the staff. In both cases, it was claimed that the composition was perfect, so why change it? As though no other arrangement could be perfect. He could not accept the implication that certain countries, including his own, could not provide competent people, whether for the staff or for the Committee. Perhaps some members of the Governing Body believed that, but the ILO was based on the principle of universality, which meant sharing the work and the responsibilities, on this Committee as on the others.

The paper was well drafted, but it did nothing to clear up his doubts or answer his questions.

Mr. Ventejol (Government, France) emphasised the importance he attached to the Committee on Freedom of Association, particularly in view of his own background. It was in everyone's interest that the members of this Committee, irrespective of their political leanings, should have the entire confidence of the Governing Body. The Committee had reached unanimous conclusions in nearly 1,300 cases, which was evidence of the benefits of continuity and of the conscientious and objective way in which it went about
its work without regard for political considerations. He too recalled the tributes paid to the Committee's efforts by his colleagues from Spain and Argentina.

As regards the Committee's procedure, one problem that had been discussed recently in the IMEC group was the need to enable conclusions to be reached more speedily. But as regards its composition, he was sure that confidence could continue to be placed in the Committee as it was now.

Mr. Oechslin (Employer, France; Employer Vice-Chairman) was puzzled by Mr. Siktanc's assumption that the Employers thought the distribution of the staff was perfect. He called attention to paragraph 14 of the Second Report of the Programme, Financial and Administrative Committee, which reported the statement made by the Employers' spokesman in that Committee pointing to the need to broaden the geographical basis of the secretariat and stating that nationality should be regarded as an added qualification and not as a constraint on recruitment.

Mr. Siktanc (Government, Czechoslovakia) had not claimed that it was the Employers who had said this. He had simply mentioned it as an example of the type of arguments being used.

Mr. Muhr (Worker, Federal Republic of Germany; Worker Vice-Chairman) endorsed Mr. Oechslin's statement that the vast majority of the cases dealt with by the Committee on Freedom of Association related to workers and their organisations. For that very reason, governments should, in determining the composition and functions of this Committee, allow themselves to be guided by the opinion of the Workers, as had been urged by Mr. Maier. Earlier a very impressive statement had been made by the representative of the Government of Argentina. No doubt if a representative of the now democratic Government of Greece had been there he would have said something similar, as would the representatives of many other countries where the workers and their trade unions looked to this Committee to help them acquire greater freedom.

From the Workers' standpoint, the Committee was working as well as possible. Of course there was room for improvement, but there was no guarantee that if its composition were changed the Committee would be more efficient. Today, as on other occasions, tributes had been paid to the Committee and he saw no reason to level criticism at its work.

The Director-General said that although it was not actually stated in the paper that it had been drafted in reply to the three questions asked by Mr. Kostine in May concerning the number of members, rotation and procedures, it had in fact been prepared for that purpose.

He did not think the efficiency of any body depended on its size. On the contrary, very often the smaller the Committee, the better it worked, and this Committee had certainly shown that it could cope with a very heavy workload. He could say the same of the International Labour Standards Department. As for the Committee's composition, the groups chose their own members and it was up to them to ensure rotation.

In view of the very special status of this Committee, he believed that the Governing Body was conscious of the need to ensure continuity in order to maintain a policy marked by firmness.

Lastly, it must be emphasised that the members of the Committee acted in a personal capacity. That was the key to the whole process. Introducing political considerations would not improve a performance which was a credit to the Committee and to the Governing Body. While there might be cause for
criticism about the relative slowness of certain procedures, the fact remained that the Committee's conclusions were always supported almost unanimously by the Governing Body, and its Government members in particular. However, the ILO was not a static organisation, and in paragraph 9 he had pointed out that the opportunity was open to the Committee to improve its own procedures. During the next three years, he was sure the Committee would live up to the remarkable results it had achieved in the past.

Mr. Fotheringham (Government, Australia) requested that it be placed on record that he associated himself with the views expressed by Mr. Maier and Mr. Oechslin in their comments on the paper.

Mr. Kostine (Government, USSR) said that if the paper had been prepared in answer to his specific questions it should have been drafted accordingly. As it was, the discussion had strayed to other matters which were indeed important but did not relate to the questions he had asked. In any case, there could be no question of adopting paragraph 9 without a lengthy discussion, either now or in February.

Mr. Martinek (Government, Austria) associated himself, as Mr. Fotheringham had done, with what Mr. Oechslin and Mr. Maier had said. The Office had done the Governing Body service in preparing the paper in order to throw further light on the procedures and composition of this Committee. Of course nothing stood in the way of improving procedures in the future, and in any case there would be further opportunities to discuss the matter. The Committee had worked extremely well and they should be very cautious about changing procedures which had proved their worth.

Mr. Maier (Worker, Austria) suggested that the paper, which had been prepared for the Governing Body's information, might be more widely disseminated by the Workers' Education Branch, so that workers' organisations could gain a better insight into the procedures of this Committee. If he had understood Mr. Siktanc correctly, he did not have any problem with the paper apart from the question of the Committee's composition. But as the Director-General had quite rightly pointed out, its composition was a matter for the groups. There were complaints that the developing countries were not adequately represented, but at present five of the nine members came from developing countries and only four from developed countries. He did not see any reason for holding the paper over until the next session, since it had been provided for information only.

Mr. Oechslin (Employer, France; Employer Vice-Chairman) agreed with Mr. Maier. Paragraph 9 did not contain a point for decision in the usual sense. The Director-General was presumably expressing his own opinion - with which he personally agreed - but the Governing Body was not being called upon at this session to decide whether to maintain the Committee on Freedom of Association in existence. The Committee had been constituted and its procedure prescribed by decisions of the Governing Body. It had been renewed in June, and there was no proposal before the Governing Body at the present time for any change in its terms of reference, composition or rules of procedure.

The Governing Body took note of the paper.

The sitting closed at 11.20 p.m.
The sitting opened at 10.40 a.m., with Mr. Deshmukh in the Chair.

TWELFTH ITEM ON THE AGENDA

Reports of the Programme, Financial and Administrative Committee

FIRST REPORT

Mr. Mehta (Worker, India) said that the Workers were very pleased with the budgetary position and hoped it would improve further. They still noted with concern that while the level of contributions had increased, the number of countries which had not paid their dues in time had risen also, and trusted that the Office would take steps to remedy this situation. They also hoped that further attempts would be made to reduce costs.

The Chairman drew the Governing Body's attention to the fact that a point for decision had been added to the report in a new paragraph 22 as set out in an addendum. This concerned the International Institute for Labour Studies.

Mr. Ducray (Government, France) called the Governing Body's attention to the conclusions reached at the last meeting of the Board of the Turin Centre as to the usefulness of the Centre, which was coming to be looked upon as a centre of excellence within its own field of competence. Since the Centre's programme of activities for the following year would depend on contracts negotiated in the course of the year, he appealed to his colleagues on the Government benches to bear the Centre in mind whenever the opportunity arose to ask it to carry out programmes.

Mr. von Holten (Employer, Sweden) and Mr. Mehta (Worker, India) associated their groups with what Mr. Ducray had said.

Mr. Albalate Lafita (Government, Spain) wished it to be placed on record that his Government agreed entirely with this view. He also wished the record to show the gratitude of the Organisation to the Government of Italy for its help. Finally, he expressed appreciation of the work accomplished by Mr. Galer as Director of the Centre, without detracting in any way from the achievements of his predecessor, Mr. Aboughanem.

Mr. von Holten (Employer, Sweden) pointed out that since the Governing Body had decided not to increase the number of participants in the First Session of the Joint Committee for Postal and Telecommunications Services and the Joint Meeting on Employment and Working Conditions in Health and Medical
Services, there was no need to consider the recommendations in paragraphs 54 and 77.

The representative of the Director-General (Mr. von Mutius) confirmed that these recommendations were no longer relevant.

The Governing Body adopted the recommendations in paragraphs 39, 59, 74 and 75, and took note of the remaining sections of the report.

SECOND REPORT

The Chairman invited Mrs. Perret-Nguyen, Chairman of the Staff Union Committee, to make a statement on behalf of the Staff Union.

The representative of the Staff Union (Mrs. Perret-Nguyen) thanked the Governing Body for allowing her to speak. Recalling the staff's decision to suspend until the next session of the Governing Body the strike decided upon following the Committee's discussion of personnel matters, she explained that the staff's intention in calling a strike had been to react against an apparent attempt by the Committee to challenge an agreement concluded between the Director-General and the Staff Union Committee by postponing until its next session consideration of a personal promotion system which the Director-General had agreed to implement as from 1 January 1985. The paper did not call for a decision. The staff had also been reacting against two other recommendations by the Committee from which they were bound to suffer: the postponement for the third time of a decision on the system of accelerated increments for language proficiency which had likewise been negotiated between the Director-General and the Staff Union Committee in 1983, and the acceptance in advance of decisions due to be taken by the United Nations General Assembly with respect to the pensionable remuneration of Professional staff.

The staff were prepared to recognise that the Committee had postponed discussion of the personal promotion system solely because it needed more time and information, and had duly noted the assurances of the Officers of the Governing Body as well as of a number of Government and other members that the Governing Body did not intend to challenge the outcome of the Director-General's negotiations with the staff, that in February-March the Governing Body would take a final and presumably favourable decision on the accelerated increments for language proficiency and that the Committee would likewise have a final discussion on the personal promotion system then. For his part, the Director-General had assured them of the importance he attached to the personal promotion system and of his intention to make every effort to ensure that it was back-dated to 1 January 1985.

She understood that the members of the Committee would receive well in advance of the next session a paper outlining in detail the system which had been devised in the course of long and arduous negotiations, and was convinced that these further explanations would dispel any misgivings that certain members of the Committee and the Governing Body might have.

The staff were above all attached to the principle of negotiation of their conditions of employment with their employer and the observance of agreements once concluded. It might seem surprising that the staff should contemplate such extreme action in support of a relatively minor demand, but it was precisely because this was an issue on which the Office was fully entitled to reach its own decision - and could not, as with salaries or pensions, claim to be tied by decisions taken elsewhere - that the staff expected the Governing Body to endorse the Director-General's decisions. In
these difficult times, destroying the staff's confidence meant undermining the very foundations of an organisation to which they were all attached.

The Director-General expressed his regret at the delay in distributing the paper on personal promotions, which had complicated the Committee's task. It was possible too that the paper had not adequately brought out the fact that the question of personal promotions was one of a whole series of issues on which he unquestionably had the power to negotiate with the Staff Union, and did so on a continuous basis. In the present instance, the negotiations had taken more than a year, and had been concluded to the satisfaction of both the Staff Union and himself. His own satisfaction stemmed from his knowledge of the Office and its very horizontal structure and the resultant difficulties encountered by many able officials in making progress in their careers.

It lay within his power to introduce this system - which would only benefit officials whose performance was well above average - and he was anxious to do so as quickly as possible. Nevertheless, since he was responsible for the paper having been distributed only the day before the Committee met, he was naturally willing to accede to the request of those who wished a little more time for reflection. However, he was sure that the paper he would submit in February, giving further details, would completely reassure the members of the Committee and the Governing Body about its scope, the criteria employed and the need for it. He felt it to be an essential aspect of the conditions of service of the staff, and he intended to make the scheme retroactive as from 1 January 1985.

Turning to the question of the report by the United Nations Joint Inspection Unit on recruitment policy, Mr. von Holten (Employer, Sweden) said that of course the Employers agreed with the recommendations in paragraph 35. However, he drew attention to the comments he had made on behalf of the Employers in the Committee as reported in paragraphs 14 and 33, and wished to make a statement now in their name with regard to the relationship between the ILO and the Joint Inspection Unit, which they would like to be recorded fully in the minutes.

The United Nations had created the JIU in 1966, and the ILO had acceded to the arrangement in November of the following year. The financial contribution to the Unit for the current biennium amounted to $270,000.

Under its statute, the Unit had the broadest powers of investigation in all matters having a bearing on the efficiency of the services and the proper use of funds. According to its statute, the Unit also performed its functions in respect of the competent legislative bodies of the participating organisations, to which it was regarded as being a subsidiary body, and it was responsible to these legislative bodies.

The 11 inspectors, who must discharge their duties in full independence and in the sole interest of the organisation concerned, were appointed by the United Nations for a period of five years, with a possibility of one renewal. They were paid at D.2 step 4 level, and had all the benefits except the pension benefits accruing to that grade.

They had to be chosen from among members of national inspectorates or inspection bodies, or from among persons of similar competence, on the basis of their special experience in national or international administrative and financial questions, including management questions.

The present report was signed by three of the inspectors. However, according to the statute of the Unit, the inclusion of a report in the annual
work programme was decided upon by the Unit as such and the text was only
finalised "after consultation among the inspectors so as to test
recommendations being made against the collective wisdom of the Unit". The
JIU as a rule was therefore collectively responsible for its reports.

As could be seen from his own remarks in the Committee, it was quite
clear to the Employers that the report was incomplete in the sense that it
dealt only with the geographical distribution aspect of the recruitment policy
of the ILO. The only consultation with the Office had been of the most
perfunctory kind, and in consequence there were many errors of fact in the
report. The description of the situation within the Office was biased, to
put it mildly. What was more serious was that in their recommendations,
which were wrongly addressed to the Conference instead of the Governing Body,
the inspectors exceeded their authority. It was not for them to question the
rules and policies officially adopted or accepted by the constitutional body
of the ILO, or by the ICSC, as was the case with some aspects, but only to see
whether these rules and policies were being efficiently and economically
implemented by the Director-General.

Unfortunately the report on the ILO's recruitment policy could not be
regarded as an isolated incident. Earlier in the year, the Committee had had
before it another report prepared on the JIU's initiative which dealt with the
ILO's major programme on social security. The author of that report had
recommended that more resources be allocated to major programme 110 because
the world population kept growing, and in visiting some ten African, Arab and
Latin American countries the author had been able to see for himself that
there was a widespread desire for increased technical social security
coopération with the ILO. Of course the social security programme was not
particularly controversial; it was indeed a popular subject to have a
discussion on. Nevertheless, the JIU was out of order in this case too and
the precedent set of the Unit questioning budgets and budget priorities was a
very dangerous one.

The composition of the Unit did not correspond to its statute. Only two
of the 11 inspectors had had before joining the Unit treasury experience or
similar experience of the kind required by the statute. One other inspector
had had such previous experience before becoming a foreign office official.
Otherwise all of them were exactly the kind of persons one met in United
Nations delegations. The Unit's composition was decided by governments.
There was a list of governments which must be represented in it, and a list of
regions where the inspectors rotated. Their average age was 56; only one
was under 50.

It seemed that the procedure for testing a report against the collective
wisdom of the Unit was as follows. First of all an inspector said he wanted
to investigate something. It was put in the annual programme without
discussion. Then he wrote his report. He circulated it individually to the
other members, who might or might not co-sign the report with him. If nobody
else signed, it was still distributed as an official document of the Unit.
The Employers submitted that this was contrary to the Unit's statute, which
constituted the conditions under which the ILO had acceded to this arrangement.

The ILO had received little if any return on all the money it had spent
on this Unit. An overhaul of the JIU and its present procedures was
obviously needed if similar occurrences were to be avoided in future. Unless
there was such a review - and he hoped that governments represented in the
Unit would see to it that there was one - the Employers thought that ILO
acceptance of the JIU statute should be withdrawn. This could be done by the
Governing Body at any time provided two years' notice of its intention was
given to the Secretary-General of the United Nations.
Mr. Mehta (Worker, India) re-emphasised on behalf of the Workers the points they had made in the Committee, as very accurately reflected in paragraph 16. They supported the recommendations in paragraph 35.

Miss Touati (Government, Algeria) asked for a correction to be made to the statement she had made in the Committee as reported in paragraph 26. She requested the deletion of the last sentence, beginning with the word "Moreover", and its replacement by the following: "The Algerian delegation reaffirmed the need to correct the geographical imbalance of the secretariat and expressed the hope that account would be taken in this connection of such criteria as population and the number of States in a region. In its opinion, the criterion of contributions, although important, did not allow the developing countries a fair share. It was in favour of the proposal that the Office should prepare a comprehensive paper on this question."

The Chairman explained that the text before the Governing Body was the confirmed record of the Committee's proceedings, but that note would be taken of Miss Touati's statement.

Mr. Kazmi (Government, Pakistan) shared the views expressed by several members of the Committee as to the inadequacy of the JIU report, which was lacking in many vital details. Moreover, the JIU had transgressed its terms of reference. He fully supported the view that in recruitment and promotion, the basic considerations of ability, integrity and suitability laid down in the Staff Regulations and the Constitution should be adhered to. But at the same time, it was necessary to keep in mind, as well as these basic principles, the universal character of the Organisation. A close look at the staff position revealed some maladjustments and under-representation of some member States. States not properly represented should not be given the impression that in the name of ability and competence they were being ignored and discriminated against. Due consideration must be given to equitable geographical representation among the regions and within the regions along with proper representation at appropriate levels.

Mr. Kostine (Government, USSR) thought the Committee had done a very useful job in examining the JIU report. He had found it very interesting to participate in the discussions in the Committee, which bore witness to the need for a very substantial improvement in the Office's recruitment policy, particularly as far as the principle of equitable geographical distribution was concerned. This in turn could usefully serve as a first step towards overhauling its personnel policy as a whole.

Both in the Committee and in the Governing Body, several speakers had argued that staff must be recruited first and foremost on the basis of their competence, which was more important than the geographical principle. Of course, nobody would deny the importance of personal ability, but in fact there was no reason why the two principles should not be compatible. Recruitment of staff in the past few years had not been very substantial. He upheld the proposal he had made in the Committee to the effect that in the near future a moratorium should be imposed on the recruitment of staff from countries which were over-represented in the Office.

Mr. Muhr (Worker, Federal Republic of Germany; Worker Vice-Chairman), speaking as reporter for the Committee, requested clarification of the proposal made by Miss Touati. The report had been approved by the Committee and could not be amended at a plenary sitting of the Governing Body. He therefore hoped that the representative of the Algerian Government would agree that her remarks should be recorded in the minutes.
Miss Touati (Government, Algeria) explained that she had not been present when the Committee adopted its report and had therefore not been able to request an amendment to paragraph 26, which did not reflect what she had said in the Committee.

Mr. Malko (Government, Ukrainian SSR) commented on the statement made by the spokesman for the Employers with regard to the activities of the JIU and the relationship between it and the ILO. He himself had participated on several occasions in the work of the Fifth Committee of the United Nations General Assembly, which had examined the programme and work of the JIU in great detail, and the information given by Mr. von Holten did not completely reflect the truth. The Unit's programme of work was not established through the selection of questions in which one or other of its members was interested, but was based on an analysis of the problems arising in international organisations which appeared to be the most topical and the most serious. The choice of ILO personnel recruitment policy as the subject of a JIU report was not haphazard or incomprehensible, but was designed to meet the concern and interest expressed by members of the Programme, Financial and Administrative Committee at a number of previous sessions, as the representative of the Ukrainian SSR had already pointed out in that Committee.

As for the linking of the JIU's activities more closely with those of the Office, governments had the opportunity to look at the Unit's programme in the Fifth Committee of the United Nations General Assembly, and that was the right place to make comments on any particular report. He saw no justification whatsoever for breaking off relations between the Office and the JIU. His Government considered that the JIU was extremely useful, with certain reservations which it had directly expressed in the Fifth Committee.

On the subject of language incentives, the Chairman recalled that the Programme, Financial and Administrative Committee had decided to postpone a final decision to the February-March session.

Mr. von Holten (Employer, Sweden) drew the Governing Body's attention to paragraph 50 of the report, which correctly reflected the Employers' position, and from which it could be inferred that the Employers would probably approve the proposed scheme - perhaps with a few minor changes as suggested in the Committee. They concurred entirely with the suggestion that the scheme should be put into effect on a retroactive basis.

Mr. Mehta (Worker, India) confirmed that the Workers supported the recommendation, as was clear from paragraph 51, and had in fact been pressing for a decision. They regretted its postponement and hoped that at the next session the proposal would be accepted.

On the question of the mandatory age of separation from service, the Workers wished to reiterate their position that while they had no objection to raising the age to 62, the option should remain with officials either to accept retirement at 60 with full benefits or to continue to work until the age of 62.

Mr. von Holten (Employer, Sweden) said that the position of his group was reflected in paragraph 61. He wished however to make it clear that the Employers expected a paper on the subject in February, and trusted that the decision to be taken would be in conformity with what the Board of the United Nations Joint Staff Pension Fund had recommended three times. Not all the organisations had accepted that recommendation, but he understood that in the FAO it was working well, and hoped that others would follow. The Governing Body would be ill placed to criticise developments in the Fund if it did not accept this recommendation.
As regards pensionable remuneration, Mr. Mehta (Worker, India) said that while the Workers were prepared to go along with the recommendation in paragraph 74(a), they would have preferred, as indicated in paragraphs 68 and 73 of the report, to defer the decision called for in paragraph 74(b) until the United Nations General Assembly had taken its decision.

The Chairman reminded the Governing Body that the Programme, Financial and Administrative Committee had decided to defer discussion of the item relating to the Statutes and Rules of the Administrative Tribunals of the ILO and the United Nations until the February-March session.

Reverting to the question of personal promotions, Mr. von Holten (Employer, Sweden) confirmed that the Employers had been unable to make up their minds on this matter because the paper had been distributed very late and was not very clear about the implications of certain facts and figures or the possible connection between this matter and the recommendations of the ICSC as set out in another paper which had also been submitted very late. They were pleased to hear that in February they would have a detailed paper giving full explanations with respect to these and other outstanding questions, and would consider the matter then.

Mr. Mehta (Worker, India) reaffirmed the importance attached by the Workers to the respecting of an agreement. It was clear from what the Director-General had said in the Committee and in the Governing Body that these bodies should have endorsed the action he had been proposing to take as from 1 January, and the Workers hoped that it would be possible to support him in February-March.

Miss Dimond (Government, United Kingdom) welcomed what the representative of the Staff Union and the Director-General had had to say about this question, and awaited the additional paper with great interest. But she recognised that in personnel policy matters, members of the Committee did not have an absolute veto on the Director-General's decisions.

Mr. Hilburn (Government, United States) understood the representative of the Staff Union to say that she had received certain assurances that at its meeting in February the Committee would take a decision on the question of personal promotions and that she had been given to understand that that decision would be favourable. He wished the record to reflect clearly that his Government had not yet decided on its position and was not prepared to be a party to any assurances that a favourable decision would be taken in February. The issue of personal promotions raised many questions of a financial and managerial nature which his Government would be considering before the next session of the Governing Body, when it would be prepared to state its views on the subject. The entire question of personal or personnel compensation was one of growing importance in the United Nations system, and his Government's views would be stated in that context. Of course it had taken note of the Director-General's views, and would give them careful consideration.

The Governing Body adopted the recommendations in paragraphs 35, 45 and 74, and took note of the remaining sections of the report.

Mr. Muhr (Worker, Federal Republic of Germany; Worker Vice-Chairman) took the Chair.
Mr. Kebede (Government, Ethiopia), as Chairman of the Committee, presented its report. He expressed the appreciation of all the members of the Committee for the excellent quality and timely distribution of the papers prepared by the Office.

It was not surprising that the first item had taken up a great deal of the Committee's time, as it covered a wide range. The Committee had focused its attention on five major issues: the overall decline in multilateral resources, the complementarity of technical co-operation activities and standard setting, the enhanced role of RBTC as efforts continued to obtain funds from other sources, the ILO's commitment to the development of human resources, and the outlook for the future, including the continued search for new cost-effective approaches to technical co-operation activities.

The Committee had been pleased to note that the volume of extra-budgetary resources available had remained substantial, despite the overall decline in multi-bilateral resources. Most members were in favour of increasing RBTC resources, and had therefore been pleased to hear that an increase was indeed planned in the Director-General's Programme and Budget proposals for 1986-87. This would also respond to the Committee's wish to strengthen the links between technical co-operation and standard-setting activities. The Committee had been informed by a number of representatives of countries making substantial contributions through multi-bilateral channels that they were committed to this form of co-operation with United Nations agencies, and with the ILO in particular, in the years ahead.

All speakers had deplored the decline in training activities, which they considered to be vitally necessary. The Committee had however been assured that the Office was taking active steps to reactivate and intensify them. This was made possible by the virtual termination of institution building, a phase which had characterised long-term training projects over the past three decades. The Committee had noted with interest the assurance by the Director of the UNDP European Office that the UNDP remained committed to a policy of allocating funds to human resources development.

On the critical issue of cost-effectiveness, the Committee had endorsed the Office's current policy of pursuing this important objective in three distinct yet mutually supportive directions: greater involvement of national experts and consultants, including those drawn from non-governmental organisations, more emphasis on project design and project evaluation, and lastly, a series of in-house analyses.

The Committee had also addressed itself to other issues of significance such as the Office's support for the least developed countries, in connection with which a very strong appeal had been made for increased assistance to Ethiopia, as well as such matters as support for liberation movements and refugees and TCDC activities.

As regards the other items on its agenda, the Committee had restated its earlier position regarding the use of tied aid. There had been a lively exchange on the need to reinforce the national evaluation capacity of recipient countries. A special request had been made for the strengthening of employer and worker participation in CIADFOR.
In conclusion, the report reflected a wide measure of agreement among the three groups in the Committee that during the current phase, ILO technical co-operation activities, as rightly suggested by the Office in its paper on operational activities in 1983, should be consistent with plans for multi-bilateral technical co-operation and the ILO's overall mandate, and also with the real needs of the recipient countries, which included the enhancement of national self-reliance and the promotion of participation in development.

Mr. Nasr (Employer, Lebanon) also voiced his appreciation and that of his group for the quality of the reports submitted to the Committee, which were an improvement even on the high standards of the past.

As usual at this time of the year, the Committee's main task had been to review the work of the previous year, and there were a few points which he felt necessary to develop in the Governing Body.

The first related to the financing of technical assistance programmes, which had declined in 1983 and was likely to fall still further. The main reason was the drop in resources from the UNDP, attributable to a decline both in UNDP resources in general and in the resources devoted by the Programme to social purposes. The Employers were still of the opinion that if the employers and workers in the recipient countries could be involved in ILO/UNDP-financed projects, the latter would have a better chance of being acceptable to the UNDP. They had already approached the UNDP representatives in different countries for help in arranging such tripartite co-operation.

There were few prospects of finding resources elsewhere. One was to obtain more funds from unilateral donors willing to use the ILO as an executing agency, and the Employers were grateful to certain governments and employers' and workers' organisations which were contributing to ILO projects. They hoped for a greater effort on the part of the ILO to obtain funds from such sources. But they emphasised the need to avoid tied aid as far as possible. The freer the money coming from unilateral sources, the better its long-term effect would be on both donors and recipients.

The development banks were another possible source of funds. It would be to the advantage of the ILO and its technical co-operation programme if more resources could be obtained from these banks for socially oriented projects. The Employers were especially interested to note that some money channelled by development banks through the ILO was being directed towards management development, though of course they had no objection to its being used also for workers' education.

The third possible source of funds to offset the decline in UNDP resources was the regular budget, and the Committee had expressed the hope that the next budget would contain larger appropriations for technical assistance.

The fourth possibility now being investigated was for the developing countries to help one another, on either a world-wide or a regional basis. The Employers hoped that all these courses of action would be explored.

They had two comments to make about programmes. One related to the evaluation of operational activities. It seemed that institution-building programmes were less successful than smaller-scale, less ambitious programmes, and accordingly, in the Employers' opinion, while in some cases institution building might still be necessary, it was more important and probably more economic to stress smaller unit projects with a wider spread. This seemed to be the correct conclusion to draw from the reports before the Committee,
including those of the tripartite evaluation teams. The Employers were still of the opinion that the work of such teams should be continued and even expanded as far as possible.

The other concerned tripartism and the programme for employers' organisations. Of course his group was eager to see this programme develop, and had been pleased to note that in 1983 it had grown more than in 1982 - it needed to in order to make up for lost time. The Employers were grateful to the Office for the support it gave the Bureau for Employers' Activities, whose work gave them much cause for satisfaction. They were also grateful to the outside financing organisations and governments which were helping to develop the employers' programme. Their motives in wanting stronger employers' organisations, particularly in the developing countries, were not purely economic. If that had been so they would have been looking to other organisations for help. But they realised that ILO assistance was making these employers' organisations more socially oriented, more understanding of ILO standards and objectives and more capable of implementing them. They therefore considered it very important for the ILO that such assistance should continue.

Mr. Mehta (Worker, India) commented that it was perhaps an unusual feature of this Committee that there was little difference between the groups as such. They might place emphasis on different priorities, but there was a common effort to bring about the extension and improvement of the technical co-operation programme.

Much had already been said about the decline in financial resources, but he would still like to emphasise the point the Workers had made in the Committee that the regular budget should afford some means of attracting more funds from other agencies for this important work.

The Workers had expressed their concern about the decline in training. Many other government and United Nations agencies were now trying to compete in this field, but it was to be hoped that the ILO would preserve its position as the lead agency in this sector.

The areas to which the Workers attached the greatest importance were set out in paragraph 5 of the report. One point they had stressed was that more emphasis should be laid on activities which promoted self-reliance in the developing countries. There should be more emphasis on fellowships and equipment rather than on experts, and attention should be paid to the quality of experts, as there had been a number of complaints about their unfamiliarity with conditions in these countries. It was also important that they should gradually be replaced by nationals of the countries concerned.

The Workers had also expressed concern about the situation in the regions. In Latin America and the Caribbean, for instance, as reflected in paragraph 9, there had been less emphasis on activities for trade unions, co-operatives and workers' education, which needed on the contrary to be improved in both quantity and in quality. In Asia there had again been a decline, which also was a matter of concern because there was a great deal to be done in the heavily populated countries of Asia, more specifically in rural areas and for the benefit of women.

Another point the Workers had tried to make was that the in-depth reviews the Office had carried out must be used to improve performance. The Workers also hoped that more attention would be paid to the question of complementarity between technical co-operation and standard setting.

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On co-operatives, the Workers had long been arguing that the role of governments was to encourage co-operatives rather than run them, as many governments unfortunately did. That was why they had asked for information as to who was operating co-operatives and who was benefiting from them. They hoped to have a satisfactory answer at the next meeting.

Mr. Al-Jassem (Employer, Kuwait) fully agreed with everything Mr. Nasr had said on behalf of the Employers, but at the same time expressed his support for the comments made by the representative of the Government of Algeria, as reported in paragraph 31. He too had noticed the absence of any mention of the PLO in the list of national liberation movements to be assisted. He endorsed the comments in the report with regard to assistance to refugees, and hoped that the ILO would give these two topics the attention they deserved.

Mr. Oechslin (Employer, France; Employer Vice-Chairman), remarking that paragraph 1 of the report mentioned the election of the Chairman of the Committee and the two Vice-Chairmen, hoped that the Office, when preparing the usual list of the different committees, would also include their Vice-Chairmen as well as their Chairmen.

Mr. Balakrishnan (Government, India) noted that the discussion in the Committee had been thorough and wide-ranging. The broad consensus it had revealed in favour of increased resource allocation under the regular budget for technical co-operation activities was in line with the position taken by the governments of the non-aligned and developing countries, which had consistently attached high priority to this for reasons that had already been fully explained. They therefore welcomed the indication given in paragraph 42 that this concern would be reflected in the Programme and Budget proposals for 1986-87. At the same time, vigorous efforts should be made to secure extra-budgetary resources for technical co-operation activities, in view of the difficult resource position.

The representative of the Organisation of African Unity (Mr. Farag) expressed his organisation's appreciation for the assistance given to African national liberation movements, as well as to African refugees. The OAU was pleased at the decision taken by the Ministerial Meeting to affiliate CIADFOR formally to the ILO, which would certainly be greatly to its advantage. He called on the Office to provide financial assistance to enable the Centre to play its role, since it served the whole African continent.

Mr. Falchi (Government, Italy) was dissatisfied with the way his remarks had been summarised in paragraph 26 of the report. The sentence starting on the sixth line and reading: "The use of national experts, on the other hand, should be encouraged not only as a cost-effective measure, but as a means of ensuring more effective transfer of expertise" should be reworded as follows: "The use of national experts, on the other hand, should be encouraged, within certain limits, as a cost-effective measure, while bearing in mind that the use of international experts was an important means of ensuring the effective transfer of expertise".

The Chairman (Mr. Muhr) said that Mr. Falchi's comments would be recorded in the minutes.

The Governing Body took note of the report.
EIGHTEENTH ITEM ON THE AGENDA

Report of the Committee on Discrimination

As Chairman and Reporter of the Committee, Mr. Heldal (Norway) submitted its report to the Governing Body. He recalled that under the first item on its agenda, dealing with ILO action in respect of discrimination, in addition to the information in the Office paper the attention of the Committee had been drawn to the results of the Third Regional Tripartite Seminar on Non-Discriminatory Employment Practices, held in St. Vincent in October, and to the participation by the Office in seminars in Japan at the invitation of the principal Japanese trade union federations. The Committee had welcomed the development of the ILO's activities aimed at the elimination of discrimination, including the preparation of codes of practice. The importance had been stressed of active participation by the ILO in the world conference planned by the United Nations in relation to the Decade for Women, as well as of the preparations for the general discussion on equality of opportunity and treatment between men and women at the next session of the International Labour Conference.

The second item on the agenda related to the application of the Declaration concerning the Policy of Apartheid in South Africa, and the Committee had recommended action to implement the conclusions of the Tripartite Conference on Apartheid, held in Lusaka, and of the Conference Committee on Apartheid. The general feeling had been that reasonable progress had been made in this respect. The Committee had agreed, in particular, on detailed proposals for an in-depth evaluation of the ILO's programme against apartheid and a tripartite mission to evaluate selected projects being implemented under that programme. The preparatory phase of the in-depth evaluation would however involve additional unforeseen expenditure which could only be met by reducing other activities or by the transfer of other resources. Consideration had also been given to various ways of improving the reporting and monitoring of action against apartheid by ILO constituents - a matter which would require further discussion at subsequent meetings of the Committee. It had also been informed of recent events in South Africa, involving the use of force against striking workers and the forcible removal of many of them to the so-called homelands.

Mr. Chambers (Employer, Jamaica) said that much appreciation had been expressed in the Committee for the details given in the paper submitted under the first item on the agenda.

The Employers welcomed the large number of ratifications obtained for the Conventions mentioned in this paper. They also welcomed the continued efforts being made by the Office to draft a code of practice for the elimination of discrimination, and attached great importance to active participation by the ILO in the World Conference to Review and Appraise the Achievements of the United Nations Decade for Women, which perhaps called for a mission.

On the question of apartheid, as reported in paragraph 14, the Employers had expressed appreciation for the very substantial assistance being given by some organisations, among which the Nordic international development agencies were particularly worthy of mention and had set an example for others. It was to be hoped that much more assistance could be provided out of the regular budget. As reflected in paragraph 20, the Employers had agreed with the need for a preparatory phase in the investigations that were to take place, and they had also suggested that consideration might be given to the convening of
the Committee on Apartheid in alternate years in a front-line State rather than in Geneva. As regards the compilation of a list of companies operating in South Africa, the Employers considered that the ILO should look at other lists and co-ordinate them rather than starting from scratch. The Employers recommended acceptance of all the points for decision in paragraph 31.

Mr. Maier (Worker, Austria) presented the views of the Workers’ group in the absence of Mrs. Carr. The group entirely agreed with the previous speakers as regards the first item on the agenda, and were particularly satisfied with what the Office was doing to help young workers, older workers and migrant workers.

On the second item, the Workers fully agreed with the recommendations in paragraph 31 and hoped that the Governing Body would adopt them. He wished to make the following statement on behalf of the Workers’ group:

The Workers’ group took this opportunity to express its revulsion at the bloody suppression of workers’ rights and human rights in South Africa. The racist apartheid regime in South Africa had once again shown its true face, as already mentioned by Mr. Heldal. A few days previously, peaceful strike action by Black workers and their unions had been suppressed with brutal violence, resulting in many deaths. Thousands of Black workers had been dismissed, and many trade union leaders arrested. In pursuance of the so-called anti-terrorist legislation, the General Secretary of the Council of Unions of South Africa, Phiroshaw Camay, and the President of the Federation of South African Trade Unions, Chris Dlamini, had just been arrested, together with other trade unionists: Moses Mayagiso, Jerry Kau, Themba Nontlatane, Jethro Dlalisa and Bangalizwe Solo. These trade unionists might now be left for many months in prison without any investigation being carried out or any charge being filed, and there was no need for the police to give any reason for the arrests. The Workers’ group strongly protested at these measures and other oppressive measures taken by the apartheid regime. It urged the Director-General to make approaches to the South African authorities, and in particular to Prime Minister Botha, in order to bring about the immediate release of all arrested trade unionists in South Africa. The Workers’ group itself had decided to send a protest telegram to South Africa in order to express its revulsion at these measures.

Mr. Siktanc (Government, Czechoslovakia) felt obliged to make a statement in relation to the penultimate sentence of paragraph 5 of the report. In the absence of any representative of Czechoslovakia, the Government representative of the United States on the Committee had seen fit to digress from the subject under discussion and infringe the rules by criticising Czechoslovakia for its attitude in the Conference Committee on the Application of Conventions and Recommendations. In doing so, he had feigned ignorance both of the statement by the Government of Czechoslovakia published in Conference Provisional Record No. 35, and of the statement by the delegate of that country reproduced in Provisional Record No. 43, both which attested to the intention of the Czechoslovak Government to fulfil the obligations it had taken upon itself in ratifying, in that instance, Convention No. 111, and to supply to the Committee of Experts the information it was entitled to request under the Constitution with regard to national law and practice. At the same time, these statements categorically rejected the argument that the Committee of Experts was competent to request information on the decisions of political parties, which did not, in Czechoslovakia at least, have any statutory value and accordingly could not supplement or replace the law. Such a request was wholly at variance with the powers of the Committee of Experts and unprecedented in the history of the ILO.
His Government had merely sought a clear assurance that there would be no further debate in the Committee on this point. No such assurance having been given, there was only one conclusion to be drawn, as was set out quite clearly in the Conference record. He apologised for having had to raise this point, but it was impossible to pass over in silence remarks made by those who systematically sought to slander Czechoslovakia in defiance of the rules by manipulating or overlooking facts which were not to their liking. He regretted that a statement which was in breach of the Standing Orders and had nothing to do with the subject under discussion should have been published in this report.

Mr. Balakrishnan (Government, India) expressed his Government's full support for the recommendations in paragraph 31. He had noted with concern the statement made by the Workers' spokesman on recent developments in South Africa. This matter had also been referred to in paragraph 29 of the report. His Government fully supported the views expressed by the Workers' group and was confident that the entire Governing Body would also do so and condemn the action taken by the South African authorities.

Mr. Hilburn (Government, United States) pointed out that the discussion in the Committee had been based upon the paper dealing with the first item on its agenda, which comprised a section on the application of Conventions, including a paragraph on Convention No. 111. The remarks made by his country's representative on the Committee had accordingly been perfectly relevant to an item on the agenda. The United States Government representative had simply recalled certain developments at the Conference, and certain statements made, for example, by the Employers' group. It was not therefore correct to maintain that his remarks were gratuitous or uncalled for.

Mr. Chambers (Employer, Jamaica) said that the Employers felt great concern about recent developments in South Africa and would endorse the action proposed by the Workers.

The representative of the Organisation of African Unity (Mr. Farag) congratulated the Office on having prepared such a precise, comprehensive report on the application of the Declaration concerning the Policy of Apartheid in South Africa. It appeared from this report that there was a problem of finance for some important projects and that the Office was being called upon to intensify its fund-raising efforts, which of course his organisation supported. It had also been proposed that a pledging conference be held, but his organisation felt that this might not be successful. The other alternative for fund-raising was to visit potential donor countries, in which his organisation was ready to work in close collaboration with the Office.

Mention was made in paragraph 22 of the Committee's report of increased trade between some ILO member countries and South Africa. He appealed to those countries to review their positions so that the boycott could be meaningful. The ILO should co-operate closely with UNCTAD, which had expressed its readiness to undertake a study of alternative import and export markets to South Africa, and other organisations replying along the same lines.

He endorsed the proposal mentioned in paragraph 24 of the report that a small monitoring group be appointed to examine replies to the questionnaire.

In conclusion, he expressed his organisation's appreciation of the efforts being made by the Office to apply the Declaration and thanked all member States and workers' and employers' organisations which had voluntarily contributed to the implementation of important projects, including the Scandinavian countries, India, Spain, Italy and many others.
The Director-General informed the Governing Body that he had sent two cables to the President of the Republic of South Africa. The second, despatched the previous day, read as follows:

In a recent telegram to you I expressed my concern about the death of Black mineworkers and appealed to you to create conditions which would permit the observation of ILO human rights standards, including freedom of association. I now hear, with profound dismay, that a number of trade unionists, including Mr. Chris Dlamini, President of the Federation of South African Trade Unions, and Mr. Phiroshaw Camay, General Secretary of the Council of Unions of South Africa, have been arrested, following a demonstration by workers of their demands for the respect of human rights standards. I most urgently appeal to you to arrange for the early release of all those arrested.

In the earlier cable, sent to the President of South Africa in September, he had expressed his profound concern over the reported killing by police of seven Black mineworkers and the injuring of many more. At that time, he had urged on the President the creation of conditions conducive to the exercise by workers of their fundamental right to freedom of association and collective bargaining in accordance with international labour standards.

The Governing Body adopted the recommendations in paragraph 31 of the report.

The Clerk of the Governing Body (Mr. Hislaire) announced that he had received from the Employers' group two proposals concerning the composition of Governing Body Committees. They were for the addition of Mr. Lindner and Mr. Pierides as regular Employer members of the Programme, Financial and Administrative Committee, and the addition of Mr. Pierides as a regular Employer member of the Industrial Activities Committee.

The Governing Body endorsed these proposals.

The sitting closed at 1.15 p.m.
The sitting opened at 3.25 p.m. with Mr. Deshmukh in the Chair.

SIXTH ITEM ON THE AGENDA

Report of the Commission instituted under article 26 of the Constitution of the International Labour Organisation to examine the complaint on the observance by Poland of the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87) and the Right to Organise and Collective Bargaining Convention, 1949 (No. 98) presented by delegates at the 68th Session of the International Labour Conference

Mrs. Gutema (Government, Ethiopia), speaking on behalf of the African Government group, proposed that discussion of the item be deferred. It was essential to maintain the universality of the Organisation and to allow time for the consultations now in progress to bring results.

Mr. Muhr (Worker, Federal Republic of Germany; Worker Vice-Chairman), thought there was no reason to postpone consideration of the item any further. Sufficient time had already been allowed for consultations, and a majority of the Workers' group was in favour of merely taking note of the report. It was not appropriate to discuss its substance.

Mr. Oechslin (Employer, France; Employer Vice-Chairman), on behalf of his group, fully agreed with Mr. Muhr. The procedure for the examination of the complaint had now reached the stage covered by article 29 of the Constitution, and the Governing Body was merely required to take note of the Commission's report. It could not do otherwise, for it had already received it in June. If, however, the Polish Government considered that the report was unfair, it was entitled, under paragraph 2 of the same article, to appeal to the International Court of Justice. Of course, there were other articles of the Constitution dealing with the subsequent stages of the procedure, but their operation was not conditional on any decision the Governing Body might take now. There was therefore no reason to postpone the formality of noting that the Director-General had communicated the report. All States were treated equally: when the reports of commissions of inquiry were communicated to the Governing Body, it did not assert the right to discuss their substance. Any other course of action in the present case would make it impossible to consider complaints submitted in the future and would call into question the entire supervisory procedure. The Government concerned had the right to address the Governing Body if it wished. For all these reasons the Employers' group was unable to support the proposal to postpone a decision and advocated that the Governing Body should take note of the report at the present sitting.

Mr. Lopez Oliver (Government, Venezuela) observed that Poland, which was a founder Member of the Organisation, was like any other Member bound by its Constitution. The complaints procedure was designed merely to verify the application by Poland of a Convention it had ratified. It would have been preferable, therefore, for the Government to supply the information needed by
the Commission, without introducing extraneous issues, and thereby avoid the present situation. In particular, the presence of a Government representative at the present sitting would have been welcome. Some improvements had admittedly taken place, such as the recent amnesty, but these should be followed by progress in the field of trade union rights. As co-ordinator of the Government group and the representative of a country that favoured dialogue, and also at the request of a number of governments, he had mediated between the different groups within the Governing Body and the Government of Poland in search of a solution that did not sacrifice the constitutional principles of the Organisation. His efforts had unfortunately been unsuccessful, and the Governing Body was now asked to take note of the Commission's report. He trusted that the Governing Body would take a decision on this point in the hope that trade union life in Poland would develop in accordance with the ILO's Conventions.

Mr. Oudovenko (Government, Ukrainian SSR), speaking on behalf of the socialist countries, supported the proposal that the item be postponed. Their position on this matter was well known. They had recently sent a letter to the Director-General who, according to article 9, paragraph 1, of the Standing Orders of the Governing Body, assisted in the preparation of its agenda, requesting him not to include this item. However, they had not insisted on their request, as they understood that negotiations were under way in the Governing Body for a solution acceptable to all groups. He wished to thank Ambassador Lopez Oliver for his work as mediator in these negotiations, which had unfortunately proved fruitless.

During the past four months the Polish Government had made every effort to find a compromise. It had stated its position in a letter to the Director-General on 21 September 1984, but had pointed out that any new anti-Polish decisions adopted on the basis of the Commission's report would result in its withdrawal from the Organisation. A desire for a compromise, however, underlay this statement, which should not be regarded as an ultimatum: the socialist countries wished to approach the problem constructively and did not intend to discuss the substance of the complaint. While taking note of the report was a procedural requirement, the procedures also included provision for the postponement of any item the Governing Body did not see fit to deal with, and in view of the continuing search for a solution, postponement as proposed by the representative of Ethiopia was the only appropriate action in the present case. Each government had its own point of view and it was important to maintain the universal nature of the Organisation. Every opportunity to find a compromise should be explored.

Mr. Ventejol (Government, France) shared the view expressed by Mr. Muhr and Mr. Oechslin. The procedural aspect was clear and the Constitution should be observed: not to take note of the report would amount to disavowing the Commission of Inquiry. The rules applied to all Members and to make an exception now would have inevitable consequences for the consideration of complaints received in the future. The supervisory procedure would be invalidated and the usefulness of machinery that was essential for the good of all nations would disappear. The Governing Body should therefore take note of the report so that the procedure could continue. To do so would not constitute an attack on any country.

Mr. Blondel (Worker, France) urged the Governing Body to take note of the report without discussing the substance. However, some comment was necessary on the present climate surrounding trade union activities and the fate of trade unionists in Poland. It was in a sense unfortunate that the Commission had submitted its report at the end of May, because since then a number of incidents had occurred in Poland. On 23 September, Anna Walentinowicz, a
recently amnestied trade unionist, had gone to Slupsk to attend a trial of a number of Solidarity militants. She was seized by the police, taken 60 kilometres from the city, given 100 zlotys and told to return to Gdansk. Another Solidarity trade unionist, Edmund Baluka, had been refused employment at his previous place of work, the Gdansk shipyards. He now ran the risk of being prosecuted under the so-called "anti-parasitism" laws. The amnesty hailed as a positive development could hardly be regarded as such in the light of these and similar events in the past few months.

More alarming, however, was the charge of high treason levelled by the authorities against Bogdan Lis, on the ground of his contacts with the international trade union movement and with the ILO. The latter was a reference to his meeting with the ILO mission that had visited the country, to which he supplied information.

The Government of Poland had, in addition, failed to comply with the requirements of article 29, paragraph 2, of the Constitution for it had neither notified the Director-General whether it accepted the recommendations of the report, nor whether it proposed to refer the complaint to the International Court of Justice, and more than three months had now elapsed since the report was published. The Government's assurance that favourable developments would occur had not been translated into action, and he therefore strongly supported the view that the Governing Body should take note of the report now.

Mr. Oechslin (Employer, France; Employer Vice-Chairman) thought that Mr. Oudovenko's statement called for comment. To ask the Director-General to withdraw an item from the agenda was an extraordinary step, as he had no power to do so: the Governing Body was required to consider the item in accordance with article 29, paragraph 1, of the Constitution. As an exceptional measure, the Governing Body in June had postponed the matter to the present session, as Mr. Oudovenko himself and a number of others had suggested. The Employers had agreed to this proposal on the understanding that it would in no way prevent the publication of the report. It was therefore clear that the Governing Body should abide by its own decision and note the report at the present sitting.

Particular thanks were due to Mr. Lopez Oliver for his unflagging efforts to mediate between the different groups. However, it was difficult to imagine the form that a compromise might take. The Governing Body was not an appeals court; any appeal concerning the recommendations of the Commission of Inquiry must be made to the International Court of Justice. The Governing Body could serve as a useful forum for dialogue with the Government, but the absence of a representative of the Polish Government was a clear refusal to discuss the issue. As for its withdrawing from the Organisation if the report was noted, that was a threat to which it would be unwise for any international organisation to yield.

The only possible course of action was to follow the Constitution scrupulously. Inconsistency in its application would call into question all the Organisation's activities.

Mr. Sa'eed (Government, Iraq) supported the proposal to defer consideration of the item. Recent developments in Poland showed that the Government had made some praiseworthy efforts to improve the situation regarding freedom of association, and in order to retain the possibility of a dialogue with the Government it was necessary to avoid decisions that would compromise any further improvements.
Mr. Li Luye (Government, China) was disappointed that it had not proved possible to find a solution that was acceptable to all parties. However, in order to preserve the atmosphere of co-operation and understanding that had prevailed in the ILO and to continue the search for an acceptable solution, the item should be deferred to the next session.

Mr. Oudovenko (Government, Ukrainian SSR), replying to Mr. Oechslin, stated that the socialist countries had merely suggested to the Director-General that the item should not be considered at the present session and had assumed that he would inform the Officers of the Governing Body of this opinion. Under article 9, paragraph 1, of the Standing Orders the agenda was drawn up by them with his assistance.

The submission of the report at the June session had been inappropriate, for the Government needed a chance to comment on the recommendations before they were considered by the Governing Body. Hence his proposal that the item be deferred, which had been accepted. Now, the Government had admittedly had time to examine and comment on the report, but in view of the continuing negotiations and the need to maintain good working relations further postponement seemed appropriate. The Government had not refused a dialogue with the Organisation: it had stated its position in its letter of 24 June 1984, and was prepared to renew its co-operation with the ILO as soon as the obstacles were removed. The present discussion was concerned only with questions of procedure, and the item could readily be deferred. The proposal to that effect should therefore be put to the vote.

Mr. Yllanes Ramos (Employer, Mexico) felt that the procedural issue was quite clear: according to the Standing Orders, any subject which the Governing Body decided at its previous session to include in the agenda for the present session could not be removed from it. Nor did the Director-General have the power to prevent its inclusion. The only other provision of the Standing Orders concerned the inclusion of additional items, but they said nothing about exclusion. The three-month period provided for in article 29, paragraph 2, of the Constitution for the Government to communicate its response to the report had elapsed, and it was now simply a question of noting the report. As the latter stated in paragraph 579, the Government should notify the action it had taken to the Committee of Experts in time for its March 1985 session; an exchange of views could also continue through the Conference Committee on the Application of Conventions and Recommendations. The Governing Body could not make an exception to the normal procedures simply because one country was supported by a number of other powerful countries, as that would undermine the ILO's authority. It was not necessary to discuss the substance of the case, but merely to take note of the report. It was to be hoped that the martyred people of Poland would come to enjoy the security, freedom and human rights to which all nations aspired.

Mr. Muhr (Worker, Federal Republic of Germany; Worker Vice-Chairman) confirmed that the inclusion of the item arose out of a decision taken by the Governing Body at its preceding session, and not by the Officers or the Director-General. The Governing Body had no power to change the content of the report or to alter the deadline for the communication of the Government's reply, for that was determined by the Constitution. The proposal to postpone consideration of the item was a normal procedural motion, and a vote should be taken on it. It should, however, be realised that postponement might be interpreted as a rejection of the report itself and that would not be acceptable.
Mr. Brown (Worker, United States) supported Mr. Muhr's views. It would have been preferable to have a representative of the Polish Government present at the sitting. As Mr. Lopez Oliver had stated, efforts to reach a compromise had unfortunately failed, and while it was still to be hoped that a solution would be found that was acceptable to everyone, the Governing Body should for the time being take note of the report. This regrettable situation would not have occurred if the Polish Government had accepted the legality of the procedure so far followed. It should renew its co-operation with the Organisation and join in the search for a solution that would bring satisfaction to the suffering Polish people.

In a vote by show of hands, the Governing Body rejected the motion to postpone consideration of the question by 18 votes in favour, 30 votes against, with 5 abstentions.

Mr. Lopez Oliver (Government, Venezuela) explained that he had abstained from voting on the motion in order to avoid compromising his position as mediator between the different groups and governments and in order to reflect the impartiality with which he had performed that role.

Mr. Oudovenko (Government, Ukrainian SSR) proposed that a vote be taken on whether to take note of the report.

In a vote by show of hands, the Governing Body decided to take note of the report of the Commission of Inquiry by 31 votes in favour, 10 against, with 12 abstentions.

Mr. Oudovenko (Government, Ukrainian SSR), speaking on behalf of the socialist countries, reiterated that there had not been sufficient grounds for the inclusion of this item in the agenda. They firmly supported the position of the Polish Government. After the Governing Body decision to appoint the so-called Commission of Inquiry, which had been dictated by the political motive of injuring East-West relations and promoting the struggle against socialism, the Polish Government had suspended its co-operation with the Office. The Government accordingly regarded the so-called report as having no authority and as being harmful to the interests of the Organisation. The socialist countries had, on a number of occasions, pointed out the dangerous tendencies in the ILO and the use of the Organisation for activities that were contrary to its noble aims and efforts to improve the situation of workers. The appointment of the so-called Commission and the support it enjoyed among factions hostile to Poland were an illustration of this trend: the ILO's supervisory machinery was plainly being used to attack the socialist countries and to misrepresent their legislation and socio-political situation.

This manipulation of the so-called Polish question was evidence of the deepening structural and political crisis within the Organisation and was undermining its universality. The countries spurring on these anti-Polish activities sought merely to hide the suppression of workers' rights at home. Only the halting of such activities would prove that the Organisation remained true to the aims defined in the Constitution. The lawful demands of the Polish Government must be met if relations with the ILO were to revert to normal. The removal of the obstacles to the co-operation of Poland in the work of the ILO would be in the interest of all member States.

Furthermore, the socialist countries wished to express their solidarity with and support for the Polish decision to withdraw that would result from the action taken by the Governing Body. They would consider measures appropriate to the situation thereby created.
Mr. Muhr (Worker, Federal Republic of Germany; Worker Vice-Chairman) regretted that a discussion seemed to have begun on the substance of the report. Now that the report was noted, it was to be hoped that it would help bring about a situation that corresponded to the Conventions Poland had ratified. The majority of the Workers' group that had voted in favour of noting the report rejected the attacks on the Commission's legality and authority: it had operated independently of outside influence and its findings would have been more detailed and precise if the Polish Government had not refused to co-operate. He hoped that more co-operation would be forthcoming in the future. Reports of commissions of inquiry could not be expected always to please the governments in question: if they did, then the commissions themselves would be superfluous. Their purpose was to help the peoples of the countries concerned, and it was clear how the people of Poland felt about the situation, as recent events had shown. The findings of the Commission were undoubtedly in harmony with Poland's own national interest.

Mr. Riikonen (Government, Finland) regretted that it had not been possible to reach a unanimous decision. Explaining his votes, he stated that he had been in favour of postponement as being in the interests of all concerned, and particularly the ILO; he had abstained from voting on whether to take note of the report in view of the serious implications of such a step.

Mr. Oechslin (Employer, France; Employer Vice-Chairman) rebutted Mr. Oudovenko's claim that the appointment of the Commission of Inquiry had been illegal. No evidence had been adduced in support of that assertion. His statement was unacceptable, especially as it included a number of veiled threats. Nor was it correct to talk of anti-Polish activities: on the contrary, it was clear that the Commission's report was marked by a constant desire to protect and assist the Polish people, and in particular the Polish workers.

FIFTH ITEM ON THE AGENDA

Election of Government members of the Governing Body

Mr. Vargas (Government, Nicaragua) proposed that consideration of this item be postponed to the next session, by which time a paper on the subject by the American Government group would be available.

Mr. Lopez Oliver (Government, Venezuela) stated that the Government group was in virtually unanimous agreement with the American Government members on the matter, but as the paper on the legal position had not yet been examined by the three groups it would be advisable to postpone the item to the next session.

Mr. Oechslin (Employer, France; Employer Vice-Chairman) agreed. The Office paper raised a number of issues and it would be helpful for the Office to prepare an additional paper commenting on the legal aspects.

Mr. Muhr (Worker, Federal Republic of Germany; Worker Vice-Chairman) seconded the proposal to postpone discussion of the question to the next session.

It was so decided.
NINETEENTH ITEM ON THE AGENDA

Report of the Committee on Multinational Enterprises

The Clerk of the Governing Body read out an amendment to the English text of the report. In the fourth line of paragraph 31 "information" should be replaced by "interpretation".

Mr. Lopez Oliver (Government, Venezuela) introduced the report. The Committee had recommended that the Governing Body approve the draft report form appended to the Office paper submitted to the Committee, with a number of amendments. It had also made a number of recommendations concerning the reporting period for the next survey and the establishment of a working group, comprising members of the Committee selected by its Officers, to analyse government reports before they were examined by the Committee. The Committee had, in addition, recommended that the Office prepare a draft updated list of the Conventions and Recommendations to be referred to in the Declaration. An exchange of views had taken place concerning a request for interpretation of the Declaration and the Committee would revert to this item at the next session to discuss the procedural aspects of the case and the most recent developments. There had been some differences of opinion regarding the former, as it was the first time such a request had been received and the Committee had felt it important to define clearly the procedure to be followed. Finally, the Committee had noted with interest the Office studies recently published and its research in areas covered by the Declaration, as well as developments in other international organisations. The Office's work in this field was very important, particularly as it was based on decisions reached by consensus.

Mr. Flunder (Employer, United Kingdom), referring to the section of the report dealing with the request for interpretation, observed that the existence of national procedures that could be used to resolve the problem in question had a strong bearing on the receivability of the request. In taking its original decision to institute a procedure, the Governing Body had wished to exclude duplication of or conflict with existing national procedures. This point was of crucial importance to the continuing support for the Declaration among multinational enterprises themselves.

Mr. Graham (Worker, United Kingdom), speaking on behalf of Mr. Dolan, Worker Vice-Chairman of the Committee, stated that the Committee had achieved a considerable degree of consensus on the most important points it had considered. It was surprising, however, that the receivability of the complaint had aroused such attention. The complaint was particularly serious, and had only been lodged when national law and practice had failed to give satisfaction to the union concerned in the United Kingdom, one of the problems being that the union was not recognised by the employer. It was difficult to see how the complaint could detract from the effectiveness of the Declaration or what harm would be done by establishing a precedent. The aim of the Declaration was to encourage multinationals to make a positive contribution to social and economic progress and to minimise the difficulties often created by their operations. The correct handling of the request for interpretation would show an intention to develop a pattern of good practice that would commend itself to all. The Workers hoped the Office would process the complaint and arrange for it to be considered by the Committee at the next session.
Mr. Flunder (Employer, United Kingdom) thought it would be inappropriate to open a debate in the Governing Body itself on a subject that had yet to be discussed by the Committee in detail. The use of the word "complaint" was unfortunate. The ILO was not a court of law. All that was involved was an implementation procedure relating to the interpretation of the Declaration.

Mr. Graham (Worker, United Kingdom) replied that he had used the term "complaint" because the request for interpretation concerned a complaint made by a British trade union that sought clarification of certain points in the Declaration.

Mr. Robinson (Government, United Kingdom) commented that he would welcome more time to study the form of the questionnaire for use in government reports. As regards the request for interpretation, Mr. Flunder was right to say there were national procedures that related to some of the issues which gave rise to the request. His Government was actively co-operating with the Office in supplying relevant information. Time was necessary, however, to examine the implications of the role the Committee might come to adopt in interpreting the Declaration.

Mr. Peterson (Government, United States) reaffirmed his statement to the Committee, which was accurately reflected in its report. The reservations he had voiced remained valid.

The Governing Body endorsed the recommendations in paragraphs 9, 12, 14, 17 and 23 of the Committee's report.

TWENTY-FIFTH ITEM ON THE AGENDA

Programme of meetings

The Governing Body adopted the programme of meetings.

TWENTY-SIXTH ITEM ON THE AGENDA

Appointment of Governing Body representatives on various bodies

Mr. Muhr (Worker, Federal Republic of Germany; Worker Vice-Chairman) stated that the Workers' group wished to nominate Mr. Sudono as the Worker member of the Inland Transport Committee, with Mr. Ahmed as substitute.

Mr. Oechslin (Employer, France; Employer Vice-Chairman) stated that the Employers' group wished to replace Mr. Lindner by Miss Hak as the substitute member of the Committee.

The Governing Body approved these nominations.

Mr. Lopez Oliver (Government, Venezuela) stated that the Government group wished to nominate Mr. Heldal as the Government member of the Governing Body
delegation to the Ninth Session of the Advisory Committee on Salaried Employees and Professional Workers.

Mr. Oechslin (Employer, France; Employer Vice-Chairman) proposed Mr. Said as the Employer member, Mr. Chambers acting as substitute.

Mr. Muhr (Worker, Federal Republic of Germany; Worker Vice-Chairman) proposed Mr. Vanni as the Worker member.

- The Governing Body approved these nominations.

DEPARTURE OF MR. ALASTAIR GRAHAM

Mr. Muhr (Worker, Federal Republic of Germany; Worker Vice-Chairman) announced that Mr. Alastair Graham, a Worker member, had resigned from the Governing Body. He would be replaced at the next session.

PROGRAMME OF MEETINGS FOR THE 229TH SESSION OF THE GOVERNING BODY

Mr. Ducray (Government, France) stated that the Committee on Freedom of Association had noted the Office's proposal for its meetings to fall at the end of the first week of the Governing Body in accordance with the usual practice. However, in February 1985 the Programme, Financial and Administrative Committee would spend the first week discussing the budget for the 1986-87 biennium, which would occupy a considerable amount of delegates' time. It would therefore be preferable, in view of the Committee on Freedom of Association, for it to meet on the Monday and Tuesday of the second week.

Mr. Oechslin (Employer, France; Employer Vice-Chairman) agreed with this proposal.

It was so decided.

TWENTY-SECOND ITEM ON THE AGENDA

Composition and agenda of standing bodies and meetings (concl.)¹

Second paper

The Governing Body adopted the recommendations in paragraphs 1, 10, 17, 20, 24, 27, 28, 34, 36, 38 and 42 of the Office paper.

The session was declared closed at 5.55 p.m.

¹ See also fifth and tenth sittings.
LISTE ALPHABETIQUE DES PERSONNES PRESENTES A LA SESSION
ALPHABETICAL LIST OF PERSONS ATTENDING THE SESSION
LISTA POR ORDEN ALFABETICO DE LAS PERSONAS PRESENTES EN LA REUNION

G = Représentant gouvernemental - Government representative - Representante gubernamental
E = Membre employeur - Employer member - Miembro empleado
T = Membre travailleur - Worker member - Miembro trabajador
GS = Suppléant gouvernemental - Government substitute - Suplente gubernamental
ES = Suppléant employeur - Employer substitute - Suplente empleado
TS = Suppléant travailleur - Worker substitute - Suplente trabajador
GCT = Conseiller technique gouvernemental - Government adviser - Consejero técnico gubernamental
ECT = Conseiller technique employeur - Employer adviser - Consejero técnico empleador
TCT = Conseiller technique travailleur - Worker adviser - Consejero técnico trabajador
GA = Représentant gouvernemental (membre adjoint) - Government representative (deputy member) - Representante gubernamental (miembro adjunto)
EA = Membre employeur adjoint - Employer deputy member - Miembro empleado adjunto
TA = Membre travailleur adjoint - Worker deputy member - Miembro trabajador adjunto
GAS = Suppléant gouvernemental (membre adjoint) - Government substitute (deputy member) - Suplente gubernamental (miembro adjunto)
GACT = Conseiller technique gouvernemental (membre adjoint) - Government adviser (deputy member) - Consejero técnico gubernamental (miembro adjunto)
EACT = Conseiller technique employeur (membre adjoint) - Employer adviser (deputy member) - Consejero técnico empleador (miembro adjunto)
TACT = Conseiller technique travailleur (membre adjoint) - Worker adviser (deputy member) - Consejero técnico trabajador (miembro adjunto)
GNM = Représentant d'un gouvernement non Membre - Representative of a non-member government - Representante de un gobierno no Miembro.
OI = Représentant d'une organisation internationale gouvernementale - Representative of an international governmental organisation - Representante de una organización internacional gubernamental
ONG = Représentant d'une organisation internationale non gouvernementale - Representative of an international non-governmental organisation - Representante de una organización internacional no gubernamental
GI = Gouvernement invité au titre de l'article 24 ou 26 de la Constitution - State Member invited in accordance with article 24 or 26 of the Constitution - Estado Miembro de la Organización invitado en virtud del articulo 24 ó 26 de la Constitución.

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GCT  ABDEL-WAHED, Lamia Rachad, Miss, Director, International Affairs and Conference Services (Iraq).

GAS  ABDULSALAM, Muftah, attaché (Labour Affairs), Permanent Mission of the Libyan Arab Jamahiriya in Geneva (Libyan Arab Jamahiriya).

T  ADIKO, N., M., (Côte-d'Ivoire), secrétaire général, Union générale des travailleurs de la Côte-d'Ivoire.

GCT  ADILBISH, L., Mr., Officer, State Committee on Labour and Social Security (Mongolia).

TA  AHMED, K., Mr. (Pakistan), General Secretary, All Pakistan Federation of Trade Unions.

G  AITKEN, Probyn W., Mr., Permanent Secretary, Ministry of Labour; representative of the Government of Jamaica on the Governing Body (Jamaica).

GNM  AIZPURUA PEREZ, Itzia, Sra., primer consejero, Misión Permanente de Panamá en Ginebra (Panamá).

GNM  AKINCI, Naci, Mr., Counsellor, Permanent Mission of Turkey in Geneva (Turkey).

GCT  AKRAM, Zamir, Mr., Second Secretary, Permanent Mission of Pakistan in Geneva (Pakistan).

ONG  AKUMU, James Dennis, Mr., Secretary-General (Organisation of African Trade Union Unity).

GNM  AL MUHAISEN, Hisham, Mr., Minister Plenipotentiary, Permanent Mission of Jordan in Geneva (Jordan).

EA  AL-JASSEM, A., Mr. (Kuwait), Assistant Director-General, Kuwait Chamber of Commerce and Industry.

GAS  ALBALATE LAFITA, Joaquín, Sr., agregado laboral, Misión Permanente de España en Ginebra; representante suplente del Gobierno de España ante el Consejo de Administración (España).

GNM  ALFARARGI, Saad, H.E., Ambassador; Permanent Representative of the Arab Republic of Egypt in Geneva (Egypt).

GS  ALI, Ashraf, Mr., Joint Secretary, Ministry of Labour, Manpower and Overseas Pakistanis (Pakistan).

GCT  ALOUAN, Abdel Karim, Mr., Expert, Ministry of Labour and Social Affairs (Iraq).

GNM  ALVAREZ de, Bessie, Sra., primer secretario, Misión Permanente de Colombia en Ginebra (Colombia).

OI  ANSAR-KHAN, H., Mr., Senior Liaison Officer, Center Against Apartheid (United Nations).

GS  ARAYA, Yemane, Mr., Permanent Secretary, Ministry of Labour and Social Affairs (Ethiopia).
GACT ARCE MORA, María Angélica, Sra., tercer secretario, Misión Permanente de México en Ginebra (México).

GCT ARCURI, Juan José, Sr., primer secretario, Misión Permanente de la República Argentina en Ginebra (Argentina).

GCT ARISTODEMO, Francesco, M., directeur général des relations du travail, ministère du Travail (Italie).

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