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Fifth Conference of American States
Members of the International Labour Organisation
(Petropolis, April 1952)

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Fifth Conference of American States
Members of the International Labour
Organisation
(Petropolis, April 1952)

Convocation of the Conference

On 15 January 1952 the letter of convocation reproduced below was sent to the Governments of American States Members of the International Labour Organisation:


Sir,

I have the honour to inform you that the Governing Body of the International Labour Office, having accepted with deep appreciation the generous invitation of the Government of Brazil to hold the Fifth Regional Conference of American States Members of the International

1 Argentina, Bolivia, Brazil (letter somewhat differently worded in view of the fact that the Government of Brazil had invited the Conference to meet in that country), Canada, Chile, Colombia, Costa Rica, Cuba, Dominican Republic, Ecuador, Guatemala, Haiti, Mexico, Panama, Peru, El Salvador, the United States, Uruguay and Venezuela.

Letters on similar lines, conveying invitations to be represented at the Conference by a delegation of observers, were sent to the Governments of the three American States which are not Members of the International Labour Organisation (Honduras, Nicaragua and Paraguay), and of France and the United Kingdom of Great Britain and Northern Ireland.

In addition, under Article II of the Agreement between the United Nations and the International Labour Organisation, the United Nations were invited, by letter dated 4 February 1952, to be represented at the Conference. Similar invitations were sent on the same date to the following intergovernmental organisations: the Food and Agriculture Organisation of the United Nations, the International Bank for Reconstruction and Development, the International Monetary Fund, the International Civil Aviation Organisation, the United Nations Educa-

(footnote continued overleaf)
Labour Organisation in that country, decided at its 117th Session (Geneva, November 1951) that the Conference should be held in Brazil from Thursday, 17 April to Wednesday, 30 April 1952.

In accordance with this decision, I have the honour to invite your Government to take part in this Conference. The agenda of the Conference as determined by the Governing Body at its 113th Session (Brussels, November 1950) is given below, together with some particulars of the composition and procedure of the Conference.

1. **Agenda of the Conference.**

   The agenda of the Conference is as follows:
   
   (i) Director-General's Report;
   
   (ii) Application and supervision of labour legislation in agriculture;
   
   (iii) Social security: achievements and future policy;
   
   (iv) Methods of remuneration of salaried employees.

2. **Composition of the Conference.**

   All the American States which are Members of the International Labour Organisation are invited to take part in this Conference and to send tripartite delegations consisting of two Government delegates, one Employers' delegate and one Workers' delegate, assisted by such advisers as are considered necessary. Only delegates will be entitled to vote. In the course of its 113th Session, the Governing Body, when fixing the agenda of the Conference, requested me to impress upon the Governments invited to take part in this Conference the necessity of including in their delegations persons specially qualified to discuss the items on the agenda.

3. **Expenses of the Conference.**

   The travelling expenses and subsistence allowances of the delegates and their advisers will be borne by the Governments. The cost of organising the Conference will be shared between the Government of Brazil, which has generously invited the Conference to meet on its territory, and the International Labour Organisation.

4. **Languages and Procedure of the Conference.**

   The languages used at the Conference will be English, French, Portuguese and Spanish.

   The procedure will be governed by the Rules concerning Regional Conferences convened by the International Labour Organisation, adopted by the International Labour Conference at its 31st Session (San Francisco, June-July 1948).

5. **Reports.**

   The reports for the Fifth Conference of American States Members of the International Labour Organisation are now being prepared and will be forwarded as they become available.

The conclusions reached by the Conference will be in the form of resolutions or reports addressed to the Governing Body of the International Labour Office, which will consider the action to be taken upon them.

A further communication will be addressed to you as soon as possible, containing particulars of the exact place of meeting of the Conference and any additional information that may be necessary.¹ In the meantime, your Government will no doubt wish to give preliminary consideration to its arrangements for participating in the Conference. It would be appreciated if you would communicate to the Office at your earliest convenience the names of the delegates, and advisers if any, who will represent your country at the Conference.

I have the honour to be, etc.,

(Signed) David A. Morse,

Director-General.

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*Proceedings of the Conference*

The Fifth Conference of American States Members of the International Labour Organisation was held at Petropolis, Brazil, from 17 to 29 April 1952.

Delegations from the following States Members took part in the Conference: Argentina, Brazil, Canada, Chile, Colombia, Cuba, the Dominican Republic, Ecuador, Mexico, Panama, Peru, the United States, Uruguay, Venezuela.

With the exception of Chile, the Dominican Republic, Ecuador and Panama, these countries were represented by tripartite delegations. One State Member, Guatemala, accredited only an observer to the Conference.

Two American States, which are not Members of the Organisation, Nicaragua and Paraguay, were represented by observers.

Three European States Members of the Organisation which possess territorial interests in America—France, the Netherlands and the United Kingdom—also sent observers to the Conference. The French observers’ delegation was tripartite.

The Governing Body of the International Labour Office was represented by a delegation composed of its Chairman, Mr. P. Ramadier, and two members for each group: Mr. F. Cisternas (Chile) and Mr. J. Pereira Jardim (Portugal) for the Government group; Mr. J. B. Pons (Uruguayan) and Mr. N. H. Tata

¹ By a letter of 26 March 1952 the Governments and organisations concerned were informed that the Conference would meet at Petropolis and were given additional data on the material arrangements for the Conference.
(Indian) for the Employers' group; and Mr. G. P. Delaney (United States) and Mr. A. Roberts (United Kingdom) for the Workers' group.

The Food and Agriculture Organisation, the World Health Organisation, the Organization of American States and the Pan American Sanitary Bureau were represented at the Conference.

The International Confederation of Free Trade Unions, the International Federation of Christian Trade Unions and the World Federation of Trade Unions were represented by observers.

The text of the resolutions adopted by the Conference as well as a draft resolution submitted by the Government and Workers' delegates of Brazil and an extract of the First Report of the Credentials Committee relating to incomplete delegations are reproduced below.¹

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**Resolutions Adopted by the Conference**

**I**

**Resolution concerning the Application and Supervision of Labour Legislation in Agriculture**

*Adopted on 29 April 1952* ²

The Fifth Conference of American States Members of the International Labour Organisation, having met at Petropolis from 17 to 29 April 1952,

Considering that the International Labour Organisation has from the outset concerned itself with agricultural questions and that its general and regional conferences have attached particular importance to the consideration of items related to the conditions of life and work of the agricultural workers;

Considering that, in the field of international action, the International Labour Conference has already adopted a number of Conventions and Recommendations on such matters as age of admission of children to employment in agriculture, rights of association and combination of agricultural workers, workmen's compensation, sickness, old age, invalidity and survivors'

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¹ The Record of the Proceedings of the Conference will be issued in due course in Spanish only.


² Adopted unanimously.
insurance in agriculture, and minimum wage-fixing machinery in agriculture, and that the Conference is called upon to consider at its forthcoming session the adoption of international regulations in respect of holidays with pay in agriculture;

Considering that the Permanent Agricultural Committee, the advisory body responsible for facilitating the decisions of the Governing Body and developing the work of the Conference, has devoted attention to broad and particular aspects of agricultural labour questions and to matters relating to the security of employment and the social and economic welfare of the agricultural working populations and has made recommendations on these subjects;

Considering that, in the field of regional action, the Conferences of American States Members of the International Labour Organisation, and in particular the Fourth Conference held in Montevideo in 1949, have dealt with a variety of matters, including employment and manpower, vocational training in agriculture, regulation of work in agriculture, wages, protection of children and young workers, employment of women, maternity protection, social security and labour inspection in agriculture;

Considering that in many American States Members of the International Labour Organisation there exists social legislation regulating conditions of work in agriculture;

Recognising that the objectives of legislation on these subjects cannot be achieved unless complementary action is taken to raise the standard of living of the agricultural population in general by measures including the improvement of agricultural production and income, and the promotion of adequate social and public services for the countryside;

Considering, nevertheless, that the effective enforcement of labour legislation depends to a considerable degree on the existence of occupational organisations and the good functioning of a system of supervision;

Taking account, moreover, of the resolutions concerning labour inspection adopted by the Third and Fourth Conferences of American States Members of the International Labour Organisation held respectively in Mexico in April 1946, and in Montevideo in April-May 1949;

Adopts this twenty-ninth day of April 1952 the following resolution:

I. DEVELOPMENT AND ENFORCEMENT OF LABOUR LEGISLATION IN AGRICULTURE

1. In the interests of social justice and of the welfare of the whole community, the progressive extension of social legislation to agriculture should be achieved as rapidly as possible so as to afford to the agricultural workers protection
and working conditions similar to those enjoyed by urban workers, due account being taken of the particular circumstances of agricultural work.

2. Action in this field should in particular tend to the enactment of measures with a view to extending social security to agriculture, ensuring the enforcement of contracts of employment in accordance with the national legislation, organising employment services and vocational training, organising social services, improving and regulating conditions of work, protecting the right of association and combination of the agricultural workers, and setting up of labour courts or of machinery for conciliation and arbitration of labour disputes in agriculture, etc.

3. Measures for the satisfactory enforcement of labour legislation should have an educational purpose, aiming especially, on the basis of a full understanding of the technical problems of agriculture, at providing guidance to employers and workers.

4. Governments should take all appropriate steps to enable employers and workers to be fully informed of the legislative provisions which are applicable to them. All possible means should be employed to ensure such publicity, including the press, the placing of posters in public places, in information centres, etc.

5. The greatest efforts should be made to supplement such publicity by means of an educational programme reaching young people and adults through the schools, by means of publications in easily understood terms, through conferences, meetings, and by means of exhibitions organised jointly by the competent administrative services, employers and workers. In this way agricultural workers could be made familiar not only with social legislation but also with certain modern methods and with the principles of health and safety.

6. Where appropriate, the enforcement of legislation should be encouraged to the greatest extent possible by the extension or the introduction of model employment contracts, either individual or collective; by the creation of regional or local joint labour boards; by representation of employers and workers on various committees charged with the regulation of wages; and by the participation of the interested parties in the management of social security funds, etc.

II. INSPECTION

7. Measures for the enforcement of labour legislation should be completed, in so far as possible, by a system of labour inspection. This goal might be attained at first by extending to agriculture such labour inspection systems as already exist in the different countries. It would nevertheless be desirable to promote the gradual constitution of a corps of specialised inspectors for agriculture.
8. Where it would not be practicable to establish an effective labour inspection system because of special difficulties arising out of the large areas to be covered, the nature and dispersion of the undertakings, the excessively scattered pattern of settlement, etc., it would at least be desirable to take the necessary steps to create service centres located in convenient places and accessible to the greatest number of employers and workers and capable of guiding and assisting them in the implementation of labour legislation.

9. Where a labour inspection system exists, full consideration should be given to the possibility of co-ordinating its activities with those of other administrative authorities whose social work may be of great assistance. For example, the labour inspectorate might usefully co-operate with education authorities, social welfare officers, health inspectors, as well as with the judicial authorities.

III. QUALIFICATIONS AND DUTIES OF LABOUR INSPECTORS

10. In order that labour inspectors may best fulfil their duties, they should be recruited on the basis of their qualifications for the functions which they are to assume. In addition to adequate training, they should possess a certain amount of knowledge of the economic and technical aspects of agriculture and be familiar with working and living conditions of rural people.

11. The inspection staff should be composed of public officials whose status and conditions of service are such that they are assured of stability of employment and are independent of external influences.

12. The labour inspectorate should be placed under the supervision and control of the appropriate authority. In the case of a Federal State, the appropriate authority may be an authority of the Federation or an authority of each of the federated units, but the Federal Government should take all appropriate steps to encourage the establishment of adequate standards of enforcement.

13. The essential functions of labour inspectors should be as follows:

(a) to supervise the enforcement of the legal provisions relating to conditions of work and the protection of workers while engaged in their work;

(b) to supply information and advice to employers and workers concerning the most effective means of complying with the legal provisions;

(c) to bring to the notice of the competent authority defects or abuses not specifically covered by existing legal provisions.
14. The inspectors should have the powers necessary for the accomplishment of their duties, and, specifically, should be allowed to enter places of work freely, due account being taken of national laws on the inviolability of the home, to take the requisite legal preventive action to protect the workers and safeguard their health, and to take all necessary legal steps to apply the penalties prescribed by law for any breach of labour legislation.

15. In order that inspectors may carry out their functions readily, they should be supplied at all times with individual means of transport, in cases where suitable public facilities do not exist.

16. Provision should be made for penalties for violations of the legal provisions and for obstructing labour inspectors in the performance of their duties.

IV. Special Provisions

17. Special attention should be devoted to the development of inspection services charged with the protection of children and young workers. These services should co-operate with employment services, vocational training and educational centres, apprenticeship programmes and, in general, with all public or private organisations concerned with the welfare of youth. They should exercise particular supervision over the conditions of work and of employment of apprentices.

V. Co-operation of Employers and Workers

18. To complete the work of labour inspection, Governments should, to the fullest extent possible, encourage the co-operation of workers and employers in determining and implementing social standards and the creation, where appropriate, of joint boards, on a local, regional or national basis.

VI. Technical Assistance

19. In order to facilitate the development of labour inspection services in agriculture, agreements might be entered into between those countries not having well-developed inspection services and those which, benefiting from a long experience, have already constituted a corps of specialised inspectors for agriculture.

20. Finally, full use should be made of the technical assistance which the International Labour Organisation is able to furnish in connection with the establishment of inspection services and the training of inspectors, as well as the setting up and administration of social services.
Resolution concerning Land Reform
(Adopted on 29 April 1952)\(^1\)

The Fifth Conference of American States Members of the International Labour Organisation, having met at Petropolis from 17 to 29 April 1952,

Considering that by the number of people engaged in it and by the part it plays in the national economy, agriculture is the most important branch of activity throughout the Americas and in particular in the Latin American countries;

Considering that agriculture thus plays a central role in determining the standard of living of the peoples of these countries;

Considering that the Economic and Social Council of the United Nations at its 13th Session adopted a resolution recognising that appropriate measures of land reform designed to improve the conditions of agricultural populations and to increase agricultural production must, in many countries, be regarded as a necessary part of any effective implementation of comprehensive programmes for economic development;

Considering that the Economic and Social Council recommended in this connection that the specialised agencies, each in its respective field and by co-ordinated action and in co-operation with the United Nations, should keep the subject of land reform under review and give high priority to this problem in their technical assistance programmes;

Considering that the General Assembly of the United Nations at its Sixth Session also adopted a resolution approving the initiative taken by the Economic and Social Council for co-operative action in the field of land reform;

Considering that the Governing Body of the International Labour Office at its 117th Session associated itself with the Economic and Social Council in recognising the importance of the problem of land reform and placed on record its willingness that the International Labour Organisation should co-operate with the United Nations and other specialised agencies concerned on the lines indicated in the resolution of the Council, and decided to communicate this resolution to the organs of the Organisation having an interest in matters relating to land reform, including the Fifth Conference of the American States Members of the International Labour Organisation; and

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\(^1\) Adopted unanimously.
Considering that the importance of land reform has been emphasised by resolutions adopted at previous conferences of the American States Members of the International Labour Organisation;

Adopts this twenty-ninth day of April 1952 the following resolution:

1. Governments should focus special attention on the efficient use of land resources as a paramount factor in economic development, and on land reform as a positive means of providing security of employment, of checking rural exodus, of increasing productivity and real incomes and of raising standards of living in the countryside.

2. Agrarian reforms should tend effectively to extend to agricultural workers the social benefits and living conditions enjoyed by industrial workers and urban populations, to bind them to the land by direct ties of well-understood interest and to promote the dignity and worth of the individual.

3. Governments should consider without delay appropriate action suited to the particular national circumstances, with a view to promoting accession to ownership of the land for the cultivator, bringing about security of land tenure, and expanding and developing programmes for the economic, cultural and social welfare of the agricultural working populations as a prerequisite for an expanding economy in conditions of social justice and in the interest of the whole community.

4. With these ends in view, the Fifth Conference of the American States Members of the International Labour Organisation takes note with satisfaction of the resolutions of the Economic and Social Council and of the Assembly of the United Nations, and the decision of the Governing Body referred to above, fully endorses the views to which these resolutions give expression in regard to the importance and necessity of land reform, and welcomes the initiative taken by the F.A.O. in respect of the co-operative action of the United Nations and the specialised agencies to give effect to these resolutions.

5. The Conference notes, in this connection, that many important aspects of the problem of land reform fall within the purview of the International Labour Organisation, and associates itself with the wish that the Organisation should make a full contribution to the co-operative action undertaken by the United Nations and the specialised agencies and be prepared to furnish the necessary assistance that may be required by the Governments in this and related fields.
Resolution concerning Financial Guarantees and Minimum Prices for Agricultural Produce and concerning Voluntary Insurance

(Adopted on 29 April 1952)\(^1\)

The Fifth Conference of American States Members of the International Labour Organisation, having met at Petropolis from 17 to 29 April 1952,

Considering that the protection of agricultural workers and the application and supervision of labour legislation in agriculture, which have been considered by the appropriate Committee of the present Conference, cannot be dealt with in a vacuum, and without examining concurrently the economic aspects involved in the study of agricultural labour;

Considering that the present situation of the world food supply has required a special effort on the part of Governments to provide guarantees for farmers such as will ensure minimum prices for their produce and protect them against natural hazards which affect sowing and harvesting;

Considering therefore that all evidence points to the desirability of establishing agricultural insurance on a voluntary basis in order to protect farmers against losses resulting from such natural hazards;

Considering that the guaranteed stabilisation of agricultural income constitutes an effective means of preventing the flight of capital from rural areas to the cities;

Considering, finally, the need for preventing the exodus of rural workers towards the cities, which converts the country dweller from a producer into a mere consumer;

Adopts this twenty-ninth day of April 1952 the following resolution:

The Conference resolves to recommend the adoption of a policy providing financial guarantees or fixing minimum nationwide prices for agricultural produce, and the carrying out of such a policy by competent bodies, as well as the establishment of voluntary insurance against the hazards inherent in agricultural production, by such methods as the various Governments may deem appropriate;

And asks the Governing Body of the I.L.O.:

(a) to communicate this resolution to the Food and Agriculture Organisation of the United Nations, with the request to undertake a detailed study of the problem, and

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\(^1\) Adopted unanimously.
(b) to instruct the Office to co-operate fully in this study so that the parts thereof which fall within the competence of the I.L.O. may be considered by the Conference at one of its next sessions.

IV

Resolution concerning the Protection of Social Security Rights of Migrant Workers
(Adopted on 29 April 1952)¹

The Fifth Conference of American States Members of the International Labour Organisation, having met at Petropolis from 17 to 29 April 1952,

Having examined the social security problems of migrant workers, which question is included in the second item of the agenda;

Wishing to extend to all nationals of the American States who migrate between American countries the benefits provided for under national social security legislation;

Recalling the International Labour Organisation Equality of Treatment (Accident Compensation) Convention, 1925 (No. 19) and the Maintenance of Migrants' Pension Rights Convention, 1935 (No. 48);

Considering that the protection of workers migrating between the American countries not only is vital to providing such workers with the most adequate social guarantees, but is also called for as a means of reaffirming the bonds of friendship among the American States and as a means of strengthening their co-operation in the field of social policy;

Considering that the co-ordination of national legislation on social security which is essential for the solution of problems arising from migration can only be achieved through international action;

Adopts this twenty-ninth day of April 1952 the following resolution:

1. Social security protection for workers migrating between American countries should be ensured by means of a special agreement which, taking into account the differences between national legislation and methods and avoiding any substantial amendments in them, should guarantee—

(a) equal treatment as between the nationals of the other American States and that accorded to nationals;

¹ Adopted unanimously.
the maintenance of acquired rights in the case of the beneficiary transferring his residence abroad or already being in residence abroad, so long as his residence is on the territory of an American country; and

(c) the maintenance of rights being acquired in the case of his passing from the jurisdiction of one national legislation to another.

2. The Conference suggests that the proposed technical clauses annexed to this resolution should be taken as a tentative basis for the further examination of the matter in the light of the national legislations in force in the American countries.

3. The Governments of the American States are requested to examine social security problems of migrant workers and to transmit to the Director-General of the International Labour Office any suggestions which they may wish to make on the proposed technical clauses annexed to this resolution.

4. The Governing Body of the International Labour Office is requested to consider the most appropriate procedure to facilitate the conclusion of such an agreement and to authorise the Director-General of the International Labour Office to take the action necessary for this purpose.

5. The Governments of the American States are requested to support the efforts of the International Labour Organisation for the conclusion of an agreement on the social security of migrant workers between the American countries.

Technical Clauses of the International Instrument concerning the Social Security of Workers Migrating between the American Countries

I. General Provisions

Article 1

The present instrument applies to the nationals of the American countries that have ratified this instrument (the contracting countries).

Article 2

1. The present instrument applies to any social security scheme that fulfils the conditions set forth in paragraph 2 of this Article and ensures one or several of the following benefits:
   (a) medical care;
   (b) allowances in case of temporary disability;
   (c) maternity benefits;
   (d) grants for funeral expenses;
   (e) invalidity pensions;
   (f) old-age pensions;
   (g) survivors' pensions;
   (h) compensation for employment injury;
(i) compensation for occupational diseases;
(j) unemployment allowances;
(k) family allowances.

2. This instrument applies to any scheme of—
(a) compulsory social insurance;
(b) voluntary social insurance, on condition that the scheme be subsidised from public funds or on condition that membership in the scheme be made compulsory by virtue of an employment contract or collective agreement;
(c) compensation for employment injury or occupational disease;
(d) non-contributory benefits paid from public funds even if the benefits are granted under a means test, but on condition that the scheme in question protects all residents of the country or all residents of specific regions or all persons belonging to specific occupational groups and on condition that the person concerned is entitled—should his claim be denied—to appeal before a court or an authority independent from that which passed a decision on his claim.

3. This instrument does not apply to the following schemes:
(a) non-contributory pensions of public servants and professional military personnel;
(b) non-contributory benefits to war victims or ex-servicemen;
(c) public assistance, i.e., non-contributory benefits granted under a means test, the granting of which, in case of refusal, cannot be demanded through appeal or claim before a court or an authority independent from that which passed on the claim.

Article 3

1. Any national of a contracting country shall be granted the same rights as the nationals, subject to paragraph 2 of this Article.

However, there shall be no derogation from the legislative provisions regarding the representation of the insured persons or the employers or other categories of persons concerned in the social security organisations and institutions.

2. Non-contributory benefits paid from public funds shall be subject to the condition that the national of another contracting country concerned resides uninterruptedly for a period of six months on the territory of the country whose legislation is applicable, and where invalidity, old-age or survivors' pensions are concerned, during a period of five years immediately preceding the occurrence of the contingency.

Article 4

1. The national legislation applicable shall be determined—
(a) for an employee, by his place of work;
(b) for a non-salaried worker, by the place where he carries out his principal occupational activity and, in case of doubt, by his place of residence;
(c) for any other person, by his place of residence.

2. The national legislation applicable to mobile staff of inland transport or coastal navigation undertakings shall be that of the country in which the headquarters of the undertaking is located or in which the agency of the undertaking for which the employee works is located.

3. An employee who leaves his country of normal residence to carry out abroad, on behalf of his employer, any work covering a period not exceeding one year, shall continue to be subject to the legislation of the country where he normally resides.
4. The highest administrative authorities may agree on individual or general exemptions from the provisions of paragraphs 1 to 3 of this Article.

Article 5

A national of a contracting country who moves to the territory of another contracting country in order to establish his residence there shall be entitled voluntarily to acquire membership in the compulsory social insurance of the latter country under the same conditions as nationals. His period of membership in the social insurance of another contracting country shall be considered, when voluntarily acquiring membership in the social insurance of his new country of residence, as a period of membership acquired under the legislation of the latter.

II. SPECIAL PROVISIONS

A. Insurance covering Sickness-Maternity-Death (funeral grants)

Article 6

In order to acquire, maintain or recover rights to benefits, all the insurance periods as well as the assimilated periods completed in all the contracting countries shall be totalled, except that such periods shall not overlap.

Article 7

1. Cash benefits shall be allocated by the insurance institution of which the person concerned was last a member and shall be determined and paid out according to the legislation applicable to the said institution. However, it may be agreed between the highest administrative authorities of the countries concerned that cash benefits in case of maternity shall be the responsibility of the insurance institution to which the person concerned belonged on the presumed date of conception; in this case, the benefits shall be determined and paid out according to the legislation applicable to the insurance institution assuming the responsibility.

2. Cash benefits cannot be suspended or reduced by the fact that the applicant resides abroad or that the beneficiary has transferred his residence abroad, so long as his residence is on the territory of another contracting country.

Article 8

1. Benefits in kind which the insured person, member of the insurance institution of a contracting country and residing on the territory of another contracting country may claim, shall be paid by the insurance institution of the latter country.

2. Benefits in kind, which a member of the family of the insured person who belongs to the insurance institution of another contracting country may claim, shall be paid by the insurance institution of the country where the member of the family resides, subject to the condition that the legislation of the country of the insurance institution to which the member of the family belongs and the legislation of the country of residence grant benefits in kind to the members of families of insured persons.

3. The right to benefits in kind, according to paragraphs 1 and 2 of this Article, shall be subject to the condition that the person concerned is in a region in which the insurance institution responsible for payment of benefits carries out its activities.

4. Benefits in kind, in accordance with paragraphs 1 and 2, shall, in principle, be the responsibility of the insurance institution which maintains their service. Such benefits shall be granted in accordance
with the legislative provisions and the administrative rules valid for
the insurance institution assuming responsibility for their service.

5. The highest administrative authorities of the countries con­
cerned may agree that, notwithstanding the provisions of paragraph 4
of this Article, expenses arising from the granting of benefits in kind,
according to paragraphs 1 and 2 of this Article, shall be reimbursed
by the institution of which the beneficiary is a member to the
institution which has paid the benefits. This reimbursement can be
made either according to the individual expense or at a fixed rate.

B. Invalidity-Old-age-Survivors’ (Pensions) Insurance

Article 9

In order to acquire, maintain or recover rights to benefits, all
the insurance periods as well as the assimilated periods completed in
all the contracting countries shall be totalled, except that such periods
shall not overlap.

Article 10

1. Any insurance institution from which, on the basis of the
totalled insurance periods under the provisions of Article 9, the claimant
is entitled to benefit, shall calculate the amount of such benefit
according to the legislation applicable to the claimant.

2. Benefits or elements of benefits which vary in accordance with
the insurance period and are determined with sole regard to the periods
completed under the legislation governing the institution responsible
for payment, shall not be subject to reduction.

3. Benefits or elements of benefits which are determined independ­
ently of the insurance period shall be reduced in the ratio of the periods
spent under the legislation governing the institution responsible for
payment to the total of the periods taken into account for the totalling
of insurance periods in accordance with Article 9.

4. The provisions of paragraphs 2 and 3 apply equally to subsidies,
increases or fractions of benefits payable out of public funds.

Article 11

1. When the total duration of the insurance periods and assimilated
periods completed in a contracting country does not make up one year
(52 weeks, 12 months, 4 quarters), such periods will be totalled accord­
ing to the provisions of Article 9, but
(a) the insurance institution of the country shall not be bound to pay
any benefit, on condition that the national legislation does not
include more favourable provisions;
(b) the reduction provided for in Article 10, paragraph 3, shall not
apply.

2. When the minimum of periods, according to paragraph 1 of
this Article, are not reached in any of the contracting countries, the
benefit shall be paid by the insurance institution of which the insured
person was formerly a member, according to the legislation governing
this institution and taking into account the totalling of insurance
periods in accordance with Article 9. The reduction provided for in
Article 10, paragraph 3, shall not apply.

Article 12

When the amount of the pension which the applicant might claim
by virtue of the periods completed in a single contracting country is
higher than the total of pensions allocated by virtue of Articles 9 and 10,
he shall be entitled to a supplement equal to the difference, to be
allocated to him by the insurance institution of that country.
**Article 13**

The highest administrative authorities may agree that the benefits or certain categories of benefits be awarded and calculated in a different manner from those set forth in Articles 10, 11 and 12, on condition that the solution is no less advantageous for the applicant.

**Article 14**

Cash benefits cannot be suspended or reduced by reason of the fact that the applicant resides abroad or that the beneficiary has taken up his residence abroad, so long as his residence is on the territory of another contracting country.

**Article 15**

1. When the legislation applicable to the institution responsible for payment provides medical care to those in receipt of a pension, the beneficiary residing on the territory of another contracting country shall be entitled to such assistance, on condition that the national legislation of the country where he resides grants that medical assistance to its own pensioners.

2. Medical care, in accordance with paragraph 1, shall be supplied by the insurance institution of the country in which the beneficiary resides, in accordance with the legislative provisions and administrative rules provided for the beneficiaries of this institution.

3. Medical care shall be the responsibility of the institution which supplies it. However, the highest administrative authorities of the countries concerned may agree that the expenses be reimbursed by the institution responsible for the payment of the pension to the institution responsible for the medical care service, either on the basis of individual expenses or at a fixed rate.

**C. Employment Injuries**

**Article 16**

1. Cash benefits cannot be suspended or reduced by the fact that the applicant resides abroad or the beneficiary takes up his residence abroad, so long as his residence is on the territory of another contracting country.

2. The provisions of Article 8 are equally applicable, on condition that the national legislation to which the person concerned is subject on the date on which the contingency occurs and the national legislation of the country in which he resides cover occupational risks by compulsory social insurance.

3. In any case not covered by the provisions of paragraph 2, the benefits in kind which a victim residing on the territory of another contracting country may claim should be granted by the insurance institution to which the victim belonged on the date on which the contingency occurred, or by the employer liable to pay compensation, just as if the contingency had occurred on the territory of the country the legislation of which is applicable.

**D. Unemployment Insurance and Family Allowances**

**Article 17**

1. When the right to benefits is subject to the completion of a waiting period, the insurance periods as well as the assimilated periods completed in all the contracting countries shall be totalled in order that this right may be acquired, maintained or recovered, except that such periods shall not overlap.
2. When the right to benefits is subject to the condition that the person concerned has carried out a determined employment during a period prescribed by national legislation, the period of this employment completed on the territory of any other contracting country shall be taken into account.

III. COMMON PROVISIONS

Article 18

1. The social security institutions, the administrative authorities and the courts of justice of each contracting country will lend their good offices for the application of this instrument, to the same extent as in the case of the application of their own social security legislation.

2. Such administrative inter-aid shall, in principle, be free; however, the highest administrative authorities may agree on the reimbursement of certain expenses.

Article 19

1. Any social security institution shall discharge its obligations abroad in its own national currency. The highest administrative authorities of the countries concerned shall facilitate such transfer, and transfers from one country to another, carried out by virtue of this instrument, shall receive a treatment no less favourable than the transfers of salaries.

2. At the request of a beneficiary residing in one of the contracting countries, the institution of his country of residence may resume responsibility for the payment of cash benefits owed by a social security institution of another contracting country, under the conditions laid down by an arrangement concluded among the institutions.

Article 20

1. The exemption from taxes, stamps, fiscal or register charges, provided under legislation of a contracting country for the documents to be submitted to the social security authorities or institutions of that country, shall be extended to the documents to be submitted to the social security authorities or institution of any other contracting country.

2. Any papers, documents and evidence to be submitted for the application of this instrument are exempted from the legalisation visa of the diplomatic and consular authorities.

Article 21

Whenever benefits are made up of elements due by the institutions of several contracting countries, the applicant may submit his application to only one of the institutions of which he has been a member. If the applicant resides in a contracting country other than the country of the institution of which he is a member he may submit his request to the competent institution in his place of residence. The institution referred to in each of the two above-mentioned cases shall bring the necessary information before the other institutions concerned which are indicated in the application.

Article 22

The appeals which should have been made within a fixed period to the authority or agency competent to receive appeals on social security questions in one of the contracting countries shall be receivable
IV. TRANSITORY AND FINAL PROVISIONS

Article 23

1. Benefits which have not been liquidated or which have been suspended prior to the coming into force of the present instrument owing to the fact that this instrument did not yet exist, shall be liquidated or re-established as from the day of the coming into force of this instrument, on condition that the application be formulated within a term of two years as from that day.

2. Insurance, employment or residence periods, prior to the coming into force of this instrument, shall be taken into account in its application.

Article 24 and Subsequent Articles

(Clauses concerning ratification, coming into force and denunciation of the instrument.)

V

Resolution concerning Future Policy in the Field of Social Security

(Adopted on 29 April 1952)¹

The Fifth Conference of American States Members of the International Labour Organisation, having met at Petropolis from 17 to 29 April 1952,

Considering—

(a) that the First Conference of American States Members of the International Labour Organisation, which met at Santiago de Chile in 1936 and the Second, which met at Havana in 1939, adopted resolutions tending to generalise in the countries of the hemisphere systems of social insurance based on the Conventions and Recommendations adopted up to that time by the International Labour Conference;

(b) that, furthermore, the Inter-American Conference on Social Security in its sessions held at Santiago de Chile, Rio de Janeiro, Buenos Aires and Mexico, has adopted various resolutions towards the development and the improvement of the social security systems in America;

¹ Adopted unanimously.
that with the consensus of the American States, the International Labour Conference in 1944 approved a Recommendation concerning income security and another concerning medical care;

that the International Labour Conference is studying various proposals to draw up a Convention concerning the minimum standards of social security so that such standards may be applied in harmony with the economic conditions of each country and may be amplified in accordance with subsequent developments;

that the majority of American States has recognised the right to the protection of social security measures and has established or intends to establish to this end different systems in structure and scope;

that between 1936 and 1951 the number of American States having in force social security systems has increased and that even though the progress achieved is well known and considerable, the organisation of the systems should be perfected in so far as is possible, their scope should be extended and the quality of benefits should be improved;

Adopts this twenty-ninth day of April 1952 the following resolution:

The Conference resolves to adopt the following principles and recommendations in order to guide the increase of the efficiency of social security measures:

1. Social security, like any other policy promoting the welfare of the community, depends on an increase in production and in national income which, equitably distributed, will make it possible to improve general living conditions, increase opportunities for employment and guarantee the attainment of higher income, goods and services. Social security should be conceived and applied in such a way that it will contribute to the attainment of these goals and will be fully successful only when such policy coincides with parallel programmes of economic development, of the protection of health, of the promotion of education, of sufficient production of goods and services and of proper equilibrium in the relationship between capital and labour.

2. The future policy of social security should take into consideration the deficiencies in the existing systems, both to correct such deficiencies and to introduce the reforms which would be suitable to new and broader objectives. In both cases, the revision of systems will remain subject to conditions existing in each country, and the methods proposed should be sufficiently flexible to permit their adaptation to any changes which may occur in its economic and social structure.
3. The most important but most complex aspect of social security is that of its extension to rural populations, which in some countries and in certain regions include large indigenous groups. Although the difficulties vary in intensity from one country to another, frequently such difficulties are aggravated by the continued existence of problems arising out of poverty, ignorance, dispersion of rural population and the diversity of occupations. In areas where these circumstances predominate, it will be indispensable to put social security measures into harmony with other measures tending to improve the working and living conditions of the rural population. In some countries favourable results have already been obtained, and their methods and experience may facilitate similar achievements in other countries.

4. The extension of social security measures to the rural areas in so far as concerns the basic protection of health is retarded by the insufficiency or lack of professional doctors and of prevention and treatment services, so that the benefits which the insured person receives are only partial and even less complete in the case of the spouse and children of an insured person because such persons are very commonly excluded from the benefits of insurance.

In order to fill these gaps, additional resources must be found which at the same time will work towards the establishment of hospital services and the employment of a suitable number of doctors and auxiliary technical staff. It is also necessary to have co-ordination between the medical services of social insurance and public medical services, with a view to avoiding duplication of services and to reducing costs.

5. Through the simplification of administrative organisation, the economic capacity of institutions may be increased without lowering the level of benefits. It would therefore be desirable that the methods of administrative organisation be submitted to systematic technical examination, with a view to rationalising the work, shortening administrative procedures and reducing to a minimum the staff and the costs of administration. National programmes should, moreover, be drawn up for further training of officials and specialised courses should be organised for the internal staff and the staff of institutions in countries of the same region or of a given area.

6. Existing legislation should be reviewed from time to time by the competent national authorities in order that benefits may be revised to take into account changes in wages and prices, improvements in the standard of living, and other related factors as economic conditions and development of actuarial techniques allow.

7. The industrialisation of the American countries has created a need for skilled manpower. These conditions make it desirable to consider the possibility of establishing employ-
ment services with the object of assisting in the recruitment and placement of workers.

8. The interdependence of social security measures justifies any effort which works towards their unification or at least towards a close and constant agreement on the orientation and forms of activity. It is important, when dealing with social insurance systems, that unification should not affect the recognised right held by insured persons to participate in the administration of the institutions, nor should it restrict the free right to appeal, nor guarantees for the just solution of disputes. Thus, when unification consolidates in one body other bodies established for different occupational groups, it should guarantee the maintenance of rights in course of acquisition. In the case of unification of pension insurance, it would be useful to facilitate the introduction of medical assistance for pensioners or to improve, if such assistance is already provided, the level of benefits. In support of the tendency towards unification, it must be added that this will lower the costs of administration and will consolidate duties which formerly were spread out over a great number of bodies, such as in the inspection service, control of benefits and investment of funds.

9. In many cases, the extension of social security measures and the perfecting of systems already adopted are interfered with by elements of an essentially technical nature. In order to remove these obstacles, at the request of the Government the assistance of experts should be provided, the exchange of plans, programmes and experience should be encouraged and the carrying out of investigations and research should be sponsored.

10. In this respect, the co-operation of the International Labour Office would be extremely useful. Indeed, the latter has already stated its intention of setting up in Latin America a technical assistance centre to assist the progress of social security in the hemisphere. The need for such a new service is generally recognised and the measure proposed would meet it satisfactorily.

11. In view of the special importance for the future development of social security of providing qualified administrative personnel the International Labour Organisation is requested to organise—

(a) training courses, to be given under the Expanded Programme of Technical Assistance, for officials of social security institutions and agencies, in order to enable them to broaden their knowledge of legislative, financial and administrative problems of social security as well as of the solutions given for such problems. The courses should not be restricted to purely theoretical studies, and those participating in them should be given an opportunity of studying the national administration in social security institutions in one or more American countries;
(b) the exchange, both under its ordinary programme and under its Expanded Programme of Technical Assistance, of officials of the social security institutions in American countries, so as to permit such persons to carry out for a sufficient period of time the day-to-day tasks involved in the various administrative services of social security. Particular attention should be paid to the study of organisation and methods utilised by the various services, bearing on such subjects as the provision of benefits in cash and in kind, the collection of contributions, the keeping of records, the identification of insured persons, etc.;

(c) assistance to social security institutions in the drawing up of training programmes for staff training, and in the execution and expansion of such programmes where requested by the institutions concerned.

It is recommended that the International Labour Office carry out the above activities in close co-operation with the other international organisations concerned with these questions.

VI

Resolution concerning the Investment of Funds of Social Insurance Institutions

(Adopted on 29 April 1952)¹

The Fifth Conference of American States Members of the International Labour Organisation, having met at Petropolis from 17 to 29 April 1952,

Considering the importance of the existing system of social insurance in the economic and social development of the American countries in their present phase of industrialisation;

Considering that the creation or extension of methods or systems of social insurance should be effected in a manner that does not prevent, impair or delay the economic development of our countries; and

Considering that the investment of the reserves of social insurance institutions should be effected in conformity with the fundamental principles of security, interest bearing and liquidity, and that these investments should not give rise to unfair competition with private activities, which should be respected and increased so as to favour the economic development of the American countries;

Adopts this twenty-ninth day of April 1952 the following resolution:

¹ Adopted unanimously.
The Conference recommends—

That in connection with the observance of the basic principles that should govern any investment of funds of social insurance institutions, such as security in their application, liquidity of the investment, and appropriate interest rate, these reserves should be utilised following the criteria of social and economic utility, giving preference to investments of a social character, for such purposes as the financing of workers' housing, without prejudice to provisions in national legislation;

That in no case should the investments of reserves of social insurance institutions be applied in a manner that gives rise to unfair competition with the scope of activities of private investment;

That in the planning, administration and application of social insurance established on the basis of a tripartite contribution, Governments, employers and workers should be represented, without prejudice to provisions in national legislation.

VII

Resolution concerning Medical Care

(Adopted on 29 April 1952)¹

The Fifth Conference of American States Members of the International Labour Organisation, having met at Petropolis from 17 to 29 April 1952,

Considering the great importance attributed in recent international conferences to the problem of the extension of the scope of medical services by social security systems and other methods;

Considering that this extension is required not only for relevant reasons of a human and social character, but also as an imperative measure for the prevention of the risks covered by social security and other methods; and

Considering the need of giving a greater protection to insured persons who have become invalids through sicknesses harmful to society, among which tuberculosis is outstanding, in view of the greater social repercussion that it produces in these cases;

Adopts this twenty-ninth day of April 1952 the following resolution:

The Conference resolves to recommend to American countries—

¹ Adopted unanimously.
1. To try to extend, as soon as possible, to the greatest number of persons, within the possibilities of each country, social security medical services, or other appropriate methods, including provision for medicines, dental treatment, examinations by specialists and hospital treatment in clinical and in maternity cases.

2. To try to intensify the measures of prevention against diseases harmful to society and to increase the measures of protection to insured persons affected by such diseases, especially to persons affected by tuberculosis—

(a) by guaranteeing to these persons a specialised medical treatment and, whenever necessary, in a sanatorium for a period of time sufficient to procure them a clinical cure;

(b) by increasing the number of beds available for such cases in hospitals and sanatoria;

(c) by endeavouring, in the measure of the economic possibilities of the respective social insurance plans, to guarantee such persons a compensation for inactivity approaching, as far as possible, the salary received when active and reaching, if possible, the full salary, within such provisions relating to the maximum amount of compensation as may be established by national legislation; and

Resolves to request the Governing Body of the International Labour Office to communicate this resolution to the World Health Organisation.

VIII

Resolution concerning Methods of Remuneration of Salaried Employees

(Adopted on 29 April 1952)

The Fifth Conference of American States Members of the International Labour Organisation, having met at Petropolis from 17 to 29 April 1952,

Reaffirming the principles enunciated in the Declaration of Philadelphia that labour is not a commodity and that all human beings, irrespective of race, creed or sex, have the right to pursue both their material wellbeing and their spiritual

1 In its Report to the Conference the Committee set up to consider this subject, which formed the third item on the agenda, stated that it considered that the wording of this item did not preclude it from deciding that certain conclusions relating to salaried employees should also be applicable to wage earners. Accordingly, the term “employees” was used in the English text and the term “trabajadores” in the Spanish text as covering both salaried employees and wage earners. At the same time, the Committee recognised that nothing should be included in the resolution which applied solely to wage earners and not to salaried employees.

2 Adopted unanimously.
development in conditions of freedom and dignity, of economic security and equal opportunity, and that poverty anywhere constitutes a danger to prosperity everywhere;

Considering that remuneration aside from fulfilling its economic function of compensating human work must fulfil its social function so as to assure a decent and dignified life to employees;

Considering that an increase in productivity is an important factor towards raising real wages and the standard of living of all people;

Considering that the incomes of employees are directly affected by changes in economic conditions and therefore problems of remuneration of employees should be dealt with within the framework of general economic and social policy and plans for balanced economic development in each country; and

Taking into account the practices in each country;

Adopts this twenty-ninth day of April 1952 the following resolution:

The Conference resolves that the following fundamental principles should be applied through the appropriate procedure effective in the country concerned, that is, collective bargaining, legislation or administrative action, and with consideration of social justice and economic factors.

I. GENERAL POLICY

General Aims of Salary Policy

1. The general aim of salary policy for employees should be that conditions of remuneration be adjusted to economic conditions in the country as a whole and to its economic development so as to enable them to participate equitably in the national income and economic development of each country.

2. When adjusting salaries of employees, consideration should be given to the changes in the cost of living and in the economic situation generally with a view to increasing the standard of living of employees. Appropriate precautions should be taken to avoid such changes contributing to inflationary pressures.

Collective Bargaining and Adjustment of Disputes

3. Employees should be free to engage in collective bargaining for the determination of salaries of appropriate classes of salaried employees and for the settlement of matters affecting their remuneration as well as in regard to other conditions of
employment. Provision should be made for the enforcement of the provisions of collective agreements in accordance with the practice of each country.

4. Conciliation machinery should be established to assist in the adjustment of disputes affecting employees including those arising out of collective bargaining. Employers and workers should be encouraged to use voluntary arbitration in appropriate cases or to appeal to the competent courts where the procedures of a country provide for such an appeal.

Minimum Wage Fixing

5. Without prejudice to higher salaries fixed by collective agreements or otherwise, the principle of a minimum wage equally applicable to salaried employees and wage earners should be established having in mind that in fixing minimum rates of remuneration account should be taken of the necessity of enabling employees and wage earners to have a suitable standard of living.

6. Employers and employees concerned should be consulted on an equal footing in the fixing of statutory minimum wages and they should participate on an equal footing in the operation of wage fixing machinery where such joint machinery exists.

7. Minimum rates of remuneration which have been fixed should be binding on the employers and salaried employees concerned so as not to be subject to abatement by them by individual agreement or by collective agreement.

8. Steps should be taken to ensure that employers and salaried employees concerned are informed of the minimum rates of remuneration in force and that salaries are not paid at less than these rates in cases where they are applicable, so as to protect the salaries of employees concerned and to safeguard employers against the possibility of unfair competition.

Protection of Wages

9. Salaries should be paid regularly. The maximum interval for payment of salary to employees should not exceed one month. Upon termination of a contract of employment, final settlement of all salary due should be effected within a reasonable period of time.

10. Salaries should be paid directly to the employees. Reductions from salaries should be allowed only under conditions and to the extent permitted by law or regulations or fixed by collective agreement or voluntarily agreed to by the employee in the case of deductions made for social welfare and other arrangements to benefit the employee. Any deduction from salaries with a view to ensuring a direct or indirect payment for the purpose of obtaining or retaining employment, made by a worker to an employer or his representative or to
any intermediary (such as a labour contractor or recruiter), should be prohibited. Employees should be informed with each payment of salary, in so far as such particulars may be subject to change, of the gross amount of wages earned, any deductions which may have been made, including the reasons therefor and the amount thereof, and the net amount of wages due.

11. Employers should be prohibited from limiting in any manner the freedom of the employee to dispose of his wages.

12. Normally salaries should be paid in legal tender; payment of wages by means of scrip or coupons (truck system) should be prohibited and payment in goods supplied by the employer should be restricted.

Labour Clauses in Public Contracts

13. Public contracts, as defined in the Labour Clauses (Public Contracts) Convention, 1949, should include clauses ensuring to salaried employees as well as to other workers concerned wages (including allowances) which are not less favourable than those established for work of the same character in the trade or industry concerned in the district where the work is carried on by collective agreement or national laws or regulations; where wages are not so regulated in the district where the work is carried on, public contracts should provide for wages (including allowances) not less favourable than those established for work of the same character in the trade or industry concerned in the nearest appropriate district.

Equal Remuneration for Equal Work

14. The principle of equal remuneration for equal work should be respected irrespective of race, creed, sex or nationality. It shall not be considered a violation of this principle to pay extra remuneration to experts and technicians brought from a foreign country to compensate them for the inconvenience and extra cost of living outside their own country. It would be understood that the engagement of such experts and technicians would be confined to those not available in the country.

II. Action to be Taken by Governments

15. The Conference suggests to American States Members of the International Labour Organisation which have ratified the Protection of Wages Convention, 1949, not to make use of the discretion left by the Convention so as to exclude salaried employees as a general group from its application.

17. In order to provide a fuller understanding of action to be taken on problems of remuneration of employees, Governments should compile and publish practical documents on salaries and the cost of living and especially on the relevant statutory and contractual provisions, their application and effects.

III. Action to be Taken by the International Labour Organisation

18. The International Labour Organisation should be prepared to supply technical assistance whenever requested to Governments on special problems of remuneration of salaried employees, in particular—

(a) in the study and introduction of the most appropriate methods of remuneration and in the application of existing provisions relating to this subject;

(b) in the application of methods enabling minimum salaries to be established;

(c) in the selection of the best systems of basic and supplementary remuneration;

(d) in the development of the services responsible for enforcement and inspection; and

(e) in the selection and introduction of the appropriate methods of adjusting wages and salaries to changes in the economic situation.

19. The International Labour Office should prepare and publish a detailed study of salary and wage regulation in Latin American countries and publish additional information from time to time on new developments in this field. This study should be supplemented at a later stage by a study of the application and effects of provisions in force as information from Government sources recommended in section II, paragraph 17, becomes available.

20. In view of existing divergencies between the practice in different countries with respect to supplementary compensation for employees and the need for further experience in the application of some of the measures at present in operation, it would be premature for this Conference to make detailed recommendations in regard to such items as profit sharing, dismissal compensation, bonuses, gratuities, family allowances, commissions, additional remuneration for employees required to work in dangerous or unhealthy conditions or for night work and work beyond normal working hours, payment for compulsory days of rest, salary range scales and merit increases in salaries. Accordingly the Governing Body is requested to authorise the International Labour Office to undertake further investigations of these systems with a view to the I.L.O. providing practical advice on their operation when so requested, and also with a view to the question of supplementary or
additional remuneration being considered for inclusion in the agenda of the next Regional Conference of American States. In carrying out these investigations on supplementary or additional remuneration the International Labour Office should be guided by the following considerations:

(a) the primary object of policy should be to promote higher levels of wages on the basis of increased productive efficiency in a manner which ensures an improvement of the standard of living on a stable basis;

(b) such forms of additional remuneration should be considered as a whole in the light of their cumulative effect on the attainment of this objective with a view to ensuring that they do not in future result in retarding the development of higher standards of wages and of an improvement in standards of living based on successful and balanced economic development;

(c) they should be examined in relation to the desirability of other methods of affording economic protection to the employee, such as forms of social security, with a view to ensuring that such schemes do not have the effect of retarding the development of measures of social security which can give more effective protection to the workers and their dependants;

(d) full regard should be had to the desirability of encouraging the development of a stable labour force, while at the same time facilitating mobility of labour as between different occupations and between different undertakings as conditions, particularly conditions of economic development, may require;

(e) full consideration should be given to the greater flexibility which can be secured by dealing with these matters by collective agreements or other appropriate procedures rather than by the enactment of further legislation.

21. In general the International Labour Office should continue to analyse and study the principles and methods of equitable distribution of national income by means of wage policy, social security policy and fiscal policy. Studies to be undertaken by the Office on remuneration of salaried employees should be directed to practical problems and provide a basis for technical assistance to Governments.

IX

Resolution concerning Freedom of Association

(Adopted on 29 April 1952)¹

The Fifth Conference of American States Members of the International Labour Organisation, having met at Petropolis from 17 to 29 April 1952,

¹ Adopted by 30 votes to 3, with no abstentions.
Considering that the First and Second Conferences of American States Members of the International Labour Organisation meeting respectively at Santiago de Chile in 1936 and at Havana in 1939 adopted resolutions calling attention to the necessity of ensuring the application of the principle of freedom of association, and the Third Conference of American States Members of the International Labour Organisation meeting at Mexico City in 1946 adopted resolutions defining freedom of association and principles for the protection of the right to organise and for collective bargaining;

Considering that the Third Conference of American States also requested the International Labour Conference to pursue the consideration of the question of freedom of association on a general basis;

Considering that the International Labour Conference subsequently carried a stage further the work so initiated by the Conferences of American States by the adoption of the Freedom of Association Convention, 1948, and the Protection of the Right to Organise and Collective Bargaining Convention, 1949;

Considering that the Fourth Conference of American States Members of the International Labour Organisation meeting at Montevideo in 1949 adopted a resolution in which it recommended to the American States Members of the International Labour Organisation the prompt ratification and application of the Convention concerning freedom of association and recommended the Governing Body of the International Labour Office to pursue actively as a matter of urgency its consideration of the establishment of effective machinery for the investigation, in an authoritative and impartial manner, of allegations of the infringement of trade union rights, some of which were mentioned in the resolution;

Considering that the Governing Body as requested by the resolution mentioned has established on behalf of the United Nations as well as on behalf of the International Labour Organisation a Fact-Finding and Conciliation Commission on Freedom of Association, which is authorised, subject to the consent of the Government concerned, to consider with the fullest impartiality and objectivity such allegations concerning infringements of trade union rights as may be referred to it by the Governing Body after preliminary examination by the Governing Body Committee on Freedom of Association;

Considering that in certain cases already given preliminary examination by the Governing Body Committee on Freedom of Association, some American States Members have supplied the information required for adequate preliminary consideration of the allegations by the Governing Body Committee; and

Considering that impartial and objective examination of allegations concerning infringements of trade union rights may
be an effective means of alleviating tensions arising out of such allegations and the consent of States concerned to referral of such allegations to the Fact-Finding Commission would show to the world their good faith in matters of freedom of association;

Adopts this twenty-ninth day of April 1952 the following resolution:

The Conference resolves—


2. To emphasise that the development of a stable and durable trade union movement in the American countries capable of playing a leading part in their social and economic development can only be achieved if trade unions are constituted without regard to the race, nationality or political affiliation of their members and pursue their trade union objectives on the basis of the solidarity and the economic and social interests of all workers.

3. To urge those formulating complaints concerning alleged infringements of trade union rights to present such complaints in the form of adequately substantiated factual statements.

4. To urge all Governments to supply the fullest possible factual information relevant to any allegations concerning them as a basis for preliminary examination of such allegations by the Governing Body Committee on Freedom of Association and such further information as may in certain circumstances be requested by this Committee.

5. To draw the attention of Governments which may be concerned in any cases which the Governing Body may recommend for referral to the Fact-Finding Commission for examination to the desirability of having full regard, when considering whether or not they are prepared to give their consent to such referral, to the advantages of impartial and objective examination of such allegations by the Commission as a means of alleviating tensions arising out of such allegations.

X

Resolution concerning Manpower
(Adopted on 29 April 1952)²

The Fifth Conference of American States Members of the International Labour Organisation, having met at Petropolis from 17 to 29 April 1952,

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¹ This is not intended to protect political groups whose activities are directed by a foreign Power.

² Adopted unanimously.
Considering that the International Labour Conference has adopted at recent sessions several Conventions and Recommendations concerning manpower problems, which establish international standards relating to the organisation of the employment service, migration, and vocational training and guidance;

Considering that the International Labour Organisation has shown great interest in studies relating to manpower problems;

Considering that the International Labour Organisation, in conjunction with other national and international bodies in Latin America, is developing its activities aimed at assessing manpower resources, with a view to establishing methods and procedures for the rapid recruitment and placement of workers, in order to facilitate the immigration of foreign skilled workers and to implement placement programmes so that these programmes would enhance their absorption into the economic life of the countries receiving them and improve the opportunities for vocational training; and

Recognising the importance of the problems concerning manpower in relation with the economic development of and the increase of productivity in the countries concerned, considering that it is most urgent to find solutions for the problems of manpower in connection with national development, and wishing also that the International Labour Organisation should consider and assist the programmes of action and other measures of an economic and financial character adopted by the Governments concerned;

Adopts this twenty-ninth day of April 1952 the following resolution:

The Conference resolves—

1. To recommend to Governments which have not yet done so that they should examine as soon as possible the possibility of ratifying the Employment Service Convention, 1948 and the Migration for Employment Convention (Revised), 1949 and also of putting into application the Migration for Employment Recommendation (Revised), 1949, the Vocational Training Recommendation, 1939, the Apprenticeship Recommendation, 1939, the Vocational Guidance Recommendation, 1949, and the Vocational Training (Adults) Recommendation, 1950.

2. To recommend that the International Labour Organisation, without prejudice to its basic functions, should render any technical assistance that may be required by the Governments of American nations in connection with manpower problems, as well as in relation with the programmes for the organisation of the employment service, migration and vocational training and guidance.

3. To recommend more particularly that the Governing Body should consider the desirability of authorising the Director-
General to convene during 1952 a manpower technical conference whose practical objectives would be the following:

(a) to assess the manpower programmes in Latin America in accordance with the desires, needs and priorities of the countries concerned;

(b) to undertake a study of the measures necessary to integrate such a programme within the framework of national action and international co-operation.

XI

Resolution concerning Co-operation and Handicrafts

(Adopted on 29 April 1952)

The Fifth Conference of American States Members of the International Labour Organisation, having met at Petropolis from 17 to 29 April 1952,

Considering that co-operatives of various kinds can contribute materially to the social and economic betterment of the working populations in both rural and urban areas;

Considering that co-operative organisation constitutes a useful means for improving techniques, increasing productivity and reducing costs of production and distribution in agriculture, handicrafts and small industries, thereby serving the interests of the community in general and helping to facilitate economic development programmes; and

Considering the interest already displayed by Governments of various American countries in encouraging co-operative institutions by the adoption of appropriate legislation;

Adopts this twenty-ninth day of April 1952 the following resolution:

The Conference recommends that the International Labour Organisation should develop its practical work in the fields of co-operative organisation and handicrafts and, in particular—

(a) facilitate regional and international exchange of experience concerning co-operative institutions and assist States Members in the region in the preparation and implementation of national programmes for the development of the co-operative movement;

(b) facilitate inter-co-operative relations in the region, in particular economic relations between co-operatives in the various countries;

1 Adopted by 32 votes to 2, with 2 abstentions.
(c) help to establish pilot co-operation and handicrafts projects in appropriate cases;

(d) provide assistance in the training of co-operative officials and on training in handicrafts;

(e) give expert assistance on technical and organisational problems of handicrafts and cottage industries;

(f) give particular attention to the development of handicrafts among the indigenous populations; and

(g) assist in setting up national co-operative councils or committees including Government officials, where it is considered desirable, co-operative leaders, and other competent persons to review co-operative progress and make recommendations for future action.

The Conference further recommends that in giving assistance on co-operative and handicraft questions in different countries, the International Labour Organisation should—

(a) give particular attention to the role which small industries can play in furthering economic development plans by developing local sources of supply and by performing functions complementary to larger-scale industrial development;

(b) consider where appropriate the possibility of joint action with other international organisations concerned, such as the Food and Agriculture Organisation, the United Nations Educational, Scientific and Cultural Organisation and the Organization of American States.

Draft Resolution concerning Housing, Submitted by the Government and Workers' Delegates of Brazil\(^1\)

Considering that the problem of building and financing low-cost houses for the economically less favoured classes has been becoming more important in recent years, as one which most urgently requires effective measures on the part of the Governments for its solution;

Considering that many American countries already have acquired more or less wide experience in this respect, thus making it possible for their achievements to give encouragement as well as a basis for the efforts of the other countries;

\(^1\) This draft resolution was submitted by the Government and Workers' delegates of Brazil after the Resolutions Committee had finished its work. The Officers of that Committee transmitted it to the Conference for information. It was not discussed or adopted by the Conference. The draft resolution was, however, brought to the attention of the Governing Body, which took note of it.
The Fifth Conference of American States Members of the International Labour Organisation resolves to recommend that the countries of America should adopt measures for increasing the construction and utilisation of workers' housing, with particular attention to lowering the cost and to facilitating the possibilities of purchase of such houses, through the adoption of construction systems based on fixed patterns, whenever possible under the responsibility of the persons concerned, and the adoption of payment terms which would make it possible to pay off the price in small instalments, taking into particular consideration the initial reduction of payments in the case of younger workers with gradual increases as such workers begin to receive higher wages.

**First Report of the Credentials Committee**

**Extract Relating to Incomplete Delegations**

The First Report of the Credentials Committee of the Conference included the following passage relating to incomplete delegations:

6. The Credentials Committee, having observed that several of the delegations present at the Conference are incomplete, earnestly requests the Governments concerned to make every effort in future to ensure the tripartite character of their delegations, which constitutes the basic characteristic of the structure of international labour Conferences.

**Action to be Taken on the Conclusions of the Conference**

At its 119th Session (Geneva, May-June 1952), the Governing Body took the following decisions in this respect:

**Communication of Resolutions Adopted by the Conference**

I. Resolution concerning the application and supervision of labour legislation in agriculture.

II. Resolution concerning land reform.

IV. Resolution concerning the protection of social security rights of migrant workers.

V. Resolution concerning future policy in the field of social security.

---

1 The Conference took note of this report on 29 April 1952.
VI. Resolution concerning the investment of funds of social insurance institutions.

VII. Resolution concerning medical care.

VIII. Resolution concerning methods of remuneration of salaried employees.

IX. Resolution concerning freedom of association.

XI. Resolution concerning co-operation and handicrafts.

The Director-General will communicate the above-mentioned resolutions to the Governments of American States Members of the Organisation.

II. Resolution concerning land reform.

The Director-General will communicate this resolution to the United Nations and to the Food and Agriculture Organisation.

VII. Resolution concerning medical care.

The Director-General will communicate this resolution to the United Nations and the World Health Organisation.

OTHER ACTION

III. Resolution concerning financial guarantees and minimum prices for agricultural produce and concerning voluntary insurance.

The Director-General will discuss with the United Nations and the Food and Agriculture Organisation the desirability and practicability of a detailed study of the problem referred to in this resolution.

IV. Resolution concerning the protection of social security rights of migrant workers.

The Director-General will submit proposals on this subject to the Governing Body at a later session.

V. Resolution concerning future policy in the field of social security.

The Director-General will take account of the various requests submitted in this resolution in the course of the Office's normal activities in the field of social security and in its relations with the other international bodies concerned.

VIII. Resolution concerning methods of remuneration of salaried employees.

The Director-General will ensure that when requests for technical assistance are received from Governments the Office endeavours to meet them with a view to solving the problems
enumerated in the resolution; the Director-General will also undertake the further investigations proposed by the resolution, with a view to the possible inclusion of the question in the agenda of the next Regional Conference of American States; lastly, the Office will take account of the considerations submitted in the final paragraph of the resolution in any studies which it undertakes of the remuneration of salaried employees.

X. Resolution concerning manpower.

The Director-General will take due account, when he receives requests for technical assistance from American countries, of the recommendation that the International Labour Organisation should render any technical assistance that may be required by these countries in connection with manpower problems, as well as in relation to the programme for the organisation of employment services, migration, and vocational training and guidance.

In addition, arrangements are being made for the convening during 1952 of a Latin American Manpower Technical Conference.

XI. Resolution concerning co-operation and handicrafts.

The Director-General will ensure that due account is taken of the various recommendations contained in this resolution and will examine the conditions under which the joint action it suggests might be undertaken.

First Report of the Credentials Committee: Extract relating to incomplete delegations

In letters of convocation of future Regional Conferences of American States Members of the International Labour Organisation, the Director-General will insert, in addition to the usual passage reminding Governments that under Article 1 of the Rules concerning Regional Conferences the delegations of States or territories invited to be represented should consist of two Government delegates, one Employers' delegate and one Workers' delegate, an appropriate reference to this Report of the Credentials Committee.

1 For the text of the relevant extract from the report, see p. 36.
CONVENTIONS

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Convention (No. 101) concerning Holidays with Pay in Agriculture

The General Conference of the International Labour Organisation, having been convened at Geneva by the Governing Body of the International Labour Office, and having met in its Thirty-fifth Session on 4 June 1952, and having decided upon the adoption of certain proposals with regard to holidays with pay in agriculture, which is the fourth item on the agenda of the session, and having determined that these proposals shall take the form of an international Convention, adopts this twenty-sixth day of June of the year one thousand nine hundred and fifty-two the following Convention, which may be cited as the Holidays with Pay (Agriculture) Convention, 1952:

Article 1

Workers employed in agricultural undertakings and related occupations shall be granted an annual holiday with pay after a period of continuous service with the same employer.

Article 2

1. Each Member which ratifies this Convention shall be free to decide the manner in which provision shall be made for holidays with pay in agriculture.

2. Such provision may be made, where appropriate, by means of collective agreement or by entrusting the regulation of holidays with pay in agriculture to special bodies.

3. Wherever the manner in which provision is made for holidays with pay in agriculture permits—
   (a) there shall be full preliminary consultation with the most representative organisations of employers and workers concerned, where such exist, and with any other persons, specially qualified by their
trade or functions, whom the competent authority deems it useful to consult;

(b) the employers and workers concerned shall participate in the regulation of holidays with pay, or be consulted or have the right to be heard, in such manner and to such extent as may be determined by national laws or regulations, but in any case on a basis of complete equality.

Article 3

The required minimum period of continuous service and the minimum duration of the annual holiday with pay shall be determined by national laws or regulations, collective agreement, or arbitration award, or by special bodies entrusted with the regulation of holidays with pay in agriculture, or in any other manner approved by the competent authority.

Article 4

1. Each Member which ratifies this Convention shall be free to determine, after consultation with the most representative organisations of employers and workers concerned, where such exist, to which undertakings, occupations, and categories of persons referred to in Article 1 the provisions of the Convention shall apply.

2. Each Member which ratifies this Convention may exclude from the application of all or any of the provisions of the Convention categories of persons whose conditions of employment render such provisions inapplicable to them, such as members of the farmer's family employed by him.

Article 5

Where appropriate, provision shall be made, in accordance with the established procedure for the regulation of holidays with pay in agriculture, for—

(a) more favourable treatment for young workers, including apprentices, in cases in which the annual holiday with pay granted to adult workers is not considered adequate for young workers;

(b) an increase in the duration of the annual paid holiday with the length of service;

(c) proportionate holidays or payment in lieu thereof, in cases where the period of continuous service of a worker is not of sufficient duration to qualify him for an annual holiday with pay but exceeds such minimum period as may be determined in accordance with the established procedure;

(d) the exclusion from the annual holiday with pay of public and customary holidays and weekly rest periods, and, to such extent as may be determined in accordance with the established procedure, temporary interruptions of attendance at work due to such causes as sickness or accident.

Article 6

The annual holiday with pay may be divided within such limits as may be laid down by national laws or regulations, collective agreement, or
arbitration award, or by special bodies entrusted with the regulation of holidays with pay in agriculture, or in any other manner approved by the competent authority.

**Article 7**

1. Every person taking a holiday in virtue of this Convention shall receive, in respect of the full period of the holiday, not less than his usual remuneration, or such remuneration as may be prescribed in accordance with paragraphs 2 and 3 of this Article.

2. The remuneration payable in respect of the holiday shall be calculated as prescribed by national laws or regulations, collective agreement, or arbitration award, or by special bodies entrusted with the regulation of holidays with pay in agriculture, or in any other manner approved by the competent authority.

3. Where the remuneration of the person taking a holiday includes payments in kind, provision may be made for the payment in respect of holidays of the cash equivalent of such payments in kind.

**Article 8**

Any agreement to relinquish the right to an annual holiday with pay, or to forgo such a holiday, shall be void.

**Article 9**

A person dismissed for a reason other than his own misconduct before he has taken a holiday due to him shall receive in respect of every day of holiday due to him in virtue of this Convention the remuneration provided for in Article 7.

**Article 10**

Each Member which ratifies this Convention undertakes to maintain, or satisfy itself that there is maintained, an adequate system of inspection and supervision to ensure the application of its provisions.

**Article 11**

Each Member which ratifies this Convention shall communicate annually to the International Labour Office a general statement indicating the manner in which the provisions of the Convention are implemented, and, in summary form, the occupations, categories and approximate number of workers covered, the duration of the holidays granted, and the more important of the other conditions, if any, established relevant to holidays with pay in agriculture.

**Article 12**

The formal ratifications of this Convention shall be communicated to the Director-General of the International Labour Office for registration.

**Article 13**

1. This Convention shall be binding only upon those Members of the International Labour Organisation whose ratifications have been registered with the Director-General.
2. It shall come into force twelve months after the date on which the ratifications of two Members have been registered with the Director-General.

3. Thereafter, this Convention shall come into force for any Member twelve months after the date on which its ratification has been registered.

**Article 14**

1. Declarations communicated to the Director-General of the International Labour Office in accordance with paragraph 2 of Article 35 of the Constitution of the International Labour Organisation shall indicate—

(a) the territories in respect of which the Member concerned undertakes that the provisions of the Convention shall be applied without modification;

(b) the territories in respect of which it undertakes that the provisions of the Convention shall be applied subject to modifications, together with details of the said modifications;

(c) the territories in respect of which the Convention is inapplicable and in such cases the grounds on which it is inapplicable;

(d) the territories in respect of which it reserves its decision pending further consideration of the position.

2. The undertakings referred to in subparagraphs (a) and (b) of paragraph 1 of this Article shall be deemed to be an integral part of the ratification and shall have the force of ratification.

3. Any Member may at any time by a subsequent declaration cancel in whole or in part any reservation made in its original declaration in virtue of subparagraphs (b), (c) or (d) of paragraph 1 of this Article.

4. Any Member may, at any time at which the Convention is subject to denunciation in accordance with the provisions of Article 16, communicate to the Director-General a declaration modifying in any other respect the terms of any former declaration and stating the present position in respect of such territories as it may specify.

**Article 15**

1. Declarations communicated to the Director-General of the International Labour Office in accordance with paragraphs 4 or 5 of Article 35 of the Constitution of the International Labour Organisation shall indicate whether the provisions of the Convention will be applied in the territory concerned without modification or subject to modifications; when the declaration indicates that the provisions of the Convention will be applied subject to modifications, it shall give details of the said modifications.

2. The Member, Members or international authority concerned may at any time by a subsequent declaration renounce in whole or in part the right to have recourse to any modification indicated in any former declaration.

3. The Member, Members or international authority concerned may, at any time at which this Convention is subject to denunciation in accordance with the provisions of Article 16, communicate to the Director-General a declaration modifying in any other respect the terms of any former declaration and stating the present position in respect of the application of the Convention.
Article 16

1. A Member which has ratified this Convention may denounce it after the expiration of ten years from the date on which the Convention first comes into force, by an act communicated to the Director-General of the International Labour Office for registration. Such denunciation shall not take effect until one year after the date on which it is registered.

2. Each Member which has ratified this Convention and which does not, within the year following the expiration of the period of ten years mentioned in the preceding paragraph, exercise the right of denunciation provided for in this Article, will be bound for another period of ten years and, thereafter, may denounce this Convention at the expiration of each period of ten years under the terms provided for in this Article.

Article 17

1. The Director-General of the International Labour Office shall notify all Members of the International Labour Organisation of the registration of all ratifications, declarations and denunciations communicated to him by the Members of the Organisation.

2. When notifying the Members of the Organisation of the registration of the second ratification communicated to him, the Director-General shall draw the attention of the Members of the Organisation to the date upon which the Convention will come into force.

Article 18

The Director-General of the International Labour Office shall communicate to the Secretary-General of the United Nations for registration in accordance with Article 102 of the Charter of the United Nations full particulars of all ratifications, declarations and acts of denunciation registered by him in accordance with the provisions of the preceding Articles.

Article 19

At such times as it may consider necessary the Governing Body of the International Labour Office shall present to the General Conference a report on the working of this Convention and shall examine the desirability of placing on the agenda of the Conference the question of its revision in whole or in part.

Article 20

1. Should the Conference adopt a new Convention revising this Convention in whole or in part, then, unless the new Convention otherwise provides:

(a) the ratification by a Member of the new revising Convention shall ipso jure involve the immediate denunciation of this Convention, notwithstanding the provisions of Article 16 above, if and when the new revising Convention shall have come into force;

(b) as from the date when the new revising Convention comes into force this Convention shall cease to be open to ratification by the Members.

2. This Convention shall in any case remain in force in its actual form and content for those Members which have ratified it but have not ratified the revising Convention.
Article 21

The English and French versions of the text of this Convention are equally authoritative.

The foregoing is the authentic text of the Convention duly adopted by the General Conference of the International Labour Organisation during its Thirty-fifth Session which was held at Geneva and declared closed the twenty-eighth day of June 1952.

IN FAITH WHEREOF we have appended our signatures this fourth day of July 1952.

The President of the Conference,
José de Segadas Viana.

The Director-General of the International Labour Office,
David A. Morse.

Recommendation (No. 93) concerning Holidays with Pay in Agriculture

The General Conference of the International Labour Organisation, having been convened at Geneva by the Governing Body of the International Labour Office, and having met in its Thirty-fifth Session on 4 June 1952, and having decided upon the adoption of certain proposals with regard to holidays with pay in agriculture, which is the fourth item on the agenda of the session, and having decided that these proposals shall take the form of a Recommendation supplementing the Holidays with Pay (Agriculture) Convention, 1952,

adopts this twenty-sixth day of June of the year one thousand nine hundred and fifty-two the following Recommendation, which may be cited as the Holidays with Pay (Agriculture) Recommendation, 1952:

The Conference recommends that each Member should apply the following provisions as rapidly as national conditions allow and report to the International Labour Office as requested by the Governing Body concerning the measures taken to give effect thereto.

1. The minimum length of the holiday with pay should be one working week for a period of one year's continuous service, with proportionate holidays for a lesser period of continuous service.

2. The competent authority should consider the possibility of making more favourable provision for young workers under eighteen years of age, including apprentices, in order to ease the transition from school to farm life during the period of physical development.
3. For young workers under sixteen years of age, including apprentices, the minimum length of the holiday with pay should be two working weeks for a period of one year's continuous service, with proportionate holidays for a lesser period of continuous service.

4. The continuity of service required for a worker to become entitled to a holiday with pay should not be affected by temporary interruptions due to sickness or accident, family events, or other similar circumstances.

5. The competent authority should provide, where appropriate, for an increase in the length of the paid holiday with the duration of the service, this increase to begin to operate as soon as possible and to be effected by regular stages so that a prescribed minimum will be attained after a prescribed number of years.

6. Although it may be desirable that provision should be made, in exceptional cases, for holidays with pay to be divided, care should be exercised to ensure that such division does not run counter to the purpose of the holiday, which is to enable the worker to recuperate. With this end in view the worker should have the right to take at least one part of his holiday in an uninterrupted period which should not be less than a prescribed minimum.

7. Where appropriate, provision should be made, in accordance with the established procedure, to ensure that holidays with pay do not interfere with peak work periods or seriously prejudice agricultural production.

The foregoing is the authentic text of the Recommendation duly adopted by the General Conference of the International Labour Organisation during its Thirty-fifth Session which was held at Geneva and declared closed the twenty-eighth day of June 1952.

IN FAITH WHEREOF we have appended our signatures this fourth day of July 1952.

The President of the Conference,  
José de Segadas Viana.

The Director-General of the International Labour Office,  
David A. Morse.

Convention (No. 102) concerning Minimum Standards of Social Security

The General Conference of the International Labour Organisation,  
Having been convened at Geneva by the Governing Body of the International Labour Office, and having met in its Thirty-fifth Session on 4 June 1952, and  
Having decided upon the adoption of certain proposals with regard to minimum standards of social security, which are included in the fifth item on the agenda of the session, and
Having determined that these proposals shall take the form of an international Convention,
adopts this twenty-eighth day of June of the year one thousand nine hundred and fifty-two the following Convention, which may be cited as the Social Security (Minimum Standards) Convention, 1952:

PART I. GENERAL PROVISIONS

Article 1

1. In this Convention—
   (a) the term “prescribed” means determined by or in virtue of national laws or regulations;
   (b) the term “residence” means ordinary residence in the territory of the Member and the term “resident” means a person ordinarily resident in the territory of the Member;
   (c) the term “wife” means a wife who is maintained by her husband;
   (d) the term “widow” means a woman who was maintained by her husband at the time of his death;
   (e) the term “child” means a child under school-leaving age or under 15 years of age, as may be prescribed;
   (f) the term “qualifying period” means a period of contribution, or a period of employment, or a period of residence, or any combination thereof, as may be prescribed.

2. In Articles 10, 34 and 49 the term “benefit” means either direct benefit in the form of care or indirect benefit consisting of a reimbursement of the expenses borne by the person concerned.

Article 2

Each Member for which this Convention is in force—
   (a) shall comply with—
      (i) Part I;
      (ii) at least three of Parts II, III, IV, V, VI, VII, VIII, IX and X, including at least one of Parts IV, V, VI, IX and X;
      (iii) the relevant provisions of Parts XI, XII and XIII; and
      (iv) Part XIV; and
   (b) shall specify in its ratification in respect of which of Parts II to X it accepts the obligations of the Convention.

Article 3

1. A Member whose economy and medical facilities are insufficiently developed may, if and for so long as the competent authority considers necessary, avail itself, by a declaration appended to its ratification, of the temporary exceptions provided for in the following Articles: 9 (d); 12 (2); 15 (d); 18 (2); 21 (c); 27 (d); 33 (b); 34 (3); 41 (d); 48 (c); 55 (d); and 61 (d).
2. Each Member which has made a declaration under paragraph 1 of this Article shall include in the annual report upon the application of this Convention submitted under Article 22 of the Constitution of the International Labour Organisation a statement, in respect of each exception of which it avails itself—

(a) that its reason for doing so subsists; or

(b) that it renounces its right to avail itself of the exception in question as from a stated date.

Article 4

1. Each Member which has ratified this Convention may subsequently notify the Director-General of the International Labour Office that it accepts the obligations of the Convention in respect of one or more of Parts II to X not already specified in its ratification.

2. The undertakings referred to in paragraph 1 of this Article shall be deemed to be an integral part of the ratification and to have the force of ratification as from the date of notification.

Article 5

Where, for the purpose of compliance with any of the Parts II to X of this Convention which are to be covered by its ratification, a Member is required to protect prescribed classes of persons constituting not less than a specified percentage of employees or residents, the Member shall satisfy itself, before undertaking to comply with any such Part, that the relevant percentage is attained.

Article 6

For the purpose of compliance with Parts II, III, IV, V, VIII (in so far as it relates to medical care), IX or X of this Convention, a Member may take account of protection effected by means of insurance which, although not made compulsory by national laws or regulations for the persons to be protected—

(a) is supervised by the public authorities or administered, in accordance with prescribed standards, by joint operation of employers and workers;

(b) covers a substantial part of the persons whose earnings do not exceed those of the skilled manual male employee; and

(c) complies, in conjunction with other forms of protection, where appropriate, with the relevant provisions of the Convention.

PART II. MEDICAL CARE

Article 7

Each Member for which this Part of this Convention is in force shall secure to the persons protected the provision of benefit in respect of a condition requiring medical care of a preventive or curative nature in accordance with the following Articles of this Part.
Article 8

The contingencies covered shall include any morbid condition, whatever its cause, and pregnancy and confinement and their consequences.

Article 9

The persons protected shall comprise—

(a) prescribed classes of employees, constituting not less than 50 per cent. of all employees, and also their wives and children; or

(b) prescribed classes of the economically active population, constituting not less than 20 per cent. of all residents, and also their wives and children; or

(c) prescribed classes of residents, constituting not less than 50 per cent. of all residents; or

(d) where a declaration made in virtue of Article 3 is in force, prescribed classes of employees constituting not less than 50 per cent. of all employees in industrial workplaces employing 20 persons or more, and also their wives and children.

Article 10

1. The benefit shall include at least—

(a) in case of a morbid condition—

(i) general practitioner care, including domiciliary visiting;

(ii) specialist care at hospitals for in-patients and out-patients, and such specialist care as may be available outside hospitals;

(iii) the essential pharmaceutical supplies as prescribed by medical or other qualified practitioners; and

(iv) hospitalisation where necessary; and

(b) in case of pregnancy and confinement and their consequences—

(i) pre-natal, confinement and post-natal care either by medical practitioners or by qualified midwives; and

(ii) hospitalisation where necessary.

2. The beneficiary or his breadwinner may be required to share in the cost of the medical care the beneficiary receives in respect of a morbid condition; the rules concerning such cost-sharing shall be so designed as to avoid hardship.

3. The benefit provided in accordance with this Article shall be afforded with a view to maintaining, restoring or improving the health of the person protected and his ability to work and to attend to his personal needs.

4. The institutions or Government departments administering the benefit shall, by such means as may be deemed appropriate, encourage the persons protected to avail themselves of the general health services placed at their disposal by the public authorities or by other bodies recognised by the public authorities.
Article 11

The benefit specified in Article 10 shall, in a contingency covered, be secured at least to a person protected who has completed, or whose breadwinner has completed, such qualifying period as may be considered necessary to preclude abuse.

Article 12

1. The benefit specified in Article 10 shall be granted throughout the contingency covered, except that, in case of a morbid condition, its duration may be limited to 26 weeks in each case, but benefit shall not be suspended while a sickness benefit continues to be paid, and provision shall be made to enable the limit to be extended for prescribed diseases recognised as entailing prolonged care.

2. Where a declaration made in virtue of Article 3 is in force, the duration of the benefit may be limited to 13 weeks in each case.

PART III. SICKNESS BENEFIT

Article 13

Each Member for which this Part of this Convention is in force shall secure to the persons protected the provision of sickness benefit in accordance with the following Articles of this Part.

Article 14

The contingency covered shall include incapacity for work resulting from a morbid condition and involving suspension of earnings, as defined by national laws or regulations.

Article 15

The persons protected shall comprise—

(a) prescribed classes of employees, constituting not less than 50 per cent. of all employees; or

(b) prescribed classes of the economically active population, constituting not less than 20 per cent. of all residents; or

(c) all residents whose means during the contingency do not exceed limits prescribed in such a manner as to comply with the requirements of Article 67; or

(d) where a declaration made in virtue of Article 3 is in force, prescribed classes of employees, constituting not less than 50 per cent. of all employees in industrial workplaces employing 20 persons or more.

Article 16

1. Where classes of employees or classes of the economically active population are protected, the benefit shall be a periodical payment calculated in such a manner as to comply either with the requirements of Article 65 or with the requirements of Article 66.
2. Where all residents whose means during the contingency do not exceed prescribed limits are protected, the benefit shall be a periodical payment calculated in such a manner as to comply with the requirements of Article 67.

**Article 17**

The benefit specified in Article 16 shall, in a contingency covered, be secured at least to a person protected who has completed such qualifying period as may be considered necessary to preclude abuse.

**Article 18**

1. The benefit specified in Article 16 shall be granted throughout the contingency, except that the benefit may be limited to 26 weeks in each case of sickness, in which event it need not be paid for the first three days of suspension of earnings.

2. Where a declaration made in virtue of Article 3 is in force, the duration of the benefit may be limited—

(a) to such period that the total number of days for which the sickness benefit is granted in any year is not less than ten times the average number of persons protected in that year; or

(b) to 13 weeks in each case of sickness, in which event it need not be paid for the first three days of suspension of earnings.

**PART IV. UNEMPLOYMENT BENEFIT**

**Article 19**

Each Member for which this Part of this Convention is in force shall secure to the persons protected the provision of unemployment benefit in accordance with the following Articles of this Part.

**Article 20**

The contingency covered shall include suspension of earnings, as defined by national laws or regulations, due to inability to obtain suitable employment in the case of a person protected who is capable of, and available for, work.

**Article 21**

The persons protected shall comprise—

(a) prescribed classes of employees, constituting not less than 50 per cent. of all employees; or

(b) all residents whose means during the contingency do not exceed limits prescribed in such a manner as to comply with the requirements of Article 67; or

(c) where a declaration made in virtue of Article 3 is in force, prescribed classes of employees, constituting not less than 50 per cent. of all employees in industrial workplaces employing 20 persons or more.
Article 22

1. Where classes of employees are protected, the benefit shall be a periodical payment calculated in such a manner as to comply either with the requirements of Article 65 or with the requirements of Article 66.

2. Where all residents whose means during the contingency do not exceed prescribed limits are protected, the benefit shall be a periodical payment calculated in such a manner as to comply with the requirements of Article 67.

Article 23

The benefit specified in Article 22 shall, in a contingency covered, be secured at least to a person protected who has completed such qualifying period as may be considered necessary to preclude abuse.

Article 24

1. The benefit specified in Article 22 shall be granted throughout the contingency, except that its duration may be limited—
   (a) where classes of employees are protected, to 13 weeks within a period of 12 months, or
   (b) where all residents whose means during the contingency do not exceed prescribed limits are protected, to 26 weeks within a period of 12 months.

2. Where national laws or regulations provide that the duration of the benefit shall vary with the length of the contribution period and/or the benefit previously received within a prescribed period, the provisions of subparagraph (a) of paragraph 1 shall be deemed to be fulfilled if the average duration of benefit is at least 13 weeks within a period of 12 months.

3. The benefit need not be paid for a waiting period of the first seven days in each case of suspension of earnings, counting days of unemployment before and after temporary employment lasting not more than a prescribed period as part of the same case of suspension of earnings.

4. In the case of seasonal workers the duration of the benefit and the waiting period may be adapted to their conditions of employment.

Part V. Old-Age Benefit

Article 25

Each Member for which this Part of this Convention is in force shall secure to the persons protected the provision of old-age benefit in accordance with the following Articles of this Part.

Article 26

1. The contingency covered shall be survival beyond a prescribed age.

2. The prescribed age shall be not more than 65 years or such higher age as may be fixed by the competent authority with due regard to the working ability of elderly persons in the country concerned.
3. National laws or regulations may provide that the benefit of a person otherwise entitled to it may be suspended if such person is engaged in any prescribed gainful activity or that the benefit, if contributory, may be reduced where the earnings of the beneficiary exceed a prescribed amount and, if non-contributory, may be reduced where the earnings of the beneficiary or his other means or the two taken together exceed a prescribed amount.

Article 27

The persons protected shall comprise—

(a) prescribed classes of employees, constituting not less than 50 per cent. of all employees; or

(b) prescribed classes of the economically active population, constituting not less than 20 per cent. of all residents; or

(c) all residents whose means during the contingency do not exceed limits prescribed in such a manner as to comply with the requirements of Article 67; or

(d) where a declaration made in virtue of Article 3 is in force, prescribed classes of employees, constituting not less than 50 per cent. of all employees in industrial workplaces employing 20 persons or more.

Article 28

The benefit shall be a periodical payment calculated as follows:

(a) where classes of employees or classes of the economically active population are protected, in such a manner as to comply either with the requirements of Article 65 or with the requirements of Article 66;

(b) where all residents whose means during the contingency do not exceed prescribed limits are protected, in such a manner as to comply with the requirements of Article 67.

Article 29

1. The benefit specified in Article 28 shall, in a contingency covered, be secured at least—

(a) to a person protected who has completed, prior to the contingency, in accordance with prescribed rules, a qualifying period which may be 30 years of contribution or employment, or 20 years of residence; or

(b) where, in principle, all economically active persons are protected, to a person protected who has completed a prescribed qualifying period of contribution and in respect of whom, while he was of working age, the prescribed yearly average number of contributions has been paid.

2. Where the benefit referred to in paragraph 1 is conditional upon a minimum period of contribution or employment, a reduced benefit shall be secured at least—

(a) to a person protected who has completed, prior to the contingency, in accordance with prescribed rules, a qualifying period of 15 years of contribution or employment; or

(b) where, in principle, all economically active persons are protected, to a person protected who has completed a prescribed qualifying period of contribution and in respect of whom, while he was of working age,
half the yearly average number of contributions prescribed in accordance with subparagraph \((b)\) of paragraph 1 of this Article has been paid.

3. The requirements of paragraph 1 of this Article shall be deemed to be satisfied where a benefit calculated in conformity with the requirements of Part XI but at a percentage of ten points lower than shown in the Schedule appended to that Part for the standard beneficiary concerned is secured at least to a person protected who has completed, in accordance with prescribed rules, ten years of contribution or employment, or five years of residence.

4. A proportional reduction of the percentage indicated in the Schedule appended to Part XI may be effected where the qualifying period for the benefit corresponding to the reduced percentage exceeds ten years of contribution or employment but is less than 30 years of contribution or employment; if such qualifying period exceeds 15 years, a reduced benefit shall be payable in conformity with paragraph 2 of this Article.

5. Where the benefit referred to in paragraphs 1, 3 or 4 of this Article is conditional upon a minimum period of contribution or employment, a reduced benefit shall be payable under prescribed conditions to a person protected who, by reason only of his advanced age when the provisions concerned in the application of this Part come into force, has not satisfied the conditions prescribed in accordance with paragraph 2 of this Article, unless a benefit in conformity with the provisions of paragraphs 1, 3 or 4 of this Article is secured to such person at an age higher than the normal age.

Article 30

The benefits specified in Articles 28 and 29 shall be granted throughout the contingency.

PART VI. EMPLOYMENT INJURY BENEFIT

Article 31

Each Member for which this Part of this Convention is in force shall secure to the persons protected the provision of employment injury benefit in accordance with the following Articles of this Part.

Article 32

The contingencies covered shall include the following where due to accident or a prescribed disease resulting from employment:

(a) a morbid condition;

(b) incapacity for work resulting from such a condition and involving suspension of earnings, as defined by national laws or regulations;

(c) total loss of earning capacity or partial loss thereof in excess of a prescribed degree, likely to be permanent, or corresponding loss of faculty; and
the loss of support suffered by the widow or child as the result of the death of the breadwinner; in the case of a widow, the right to benefit may be made conditional on her being presumed, in accordance with national laws or regulations, to be incapable of self-support.

**Article 33**

The persons protected shall comprise—

(a) prescribed classes of employees, constituting not less than 50 per cent. of all employees, and, for benefit in respect of death of the breadwinner, also their wives and children; or

(b) where a declaration made in virtue of Article 3 is in force, prescribed classes of employees, constituting not less than 50 per cent. of all employees in industrial workplaces employing 20 persons or more, and, for benefit in respect of death of the breadwinner, also their wives and children.

**Article 34**

1. In respect of a morbid condition, the benefit shall be medical care as specified in paragraphs 2 and 3 of this Article.

2. The medical care shall comprise—

(a) general practitioner and specialist in-patient care and out-patient care, including domiciliary visiting;

(b) dental care;

(c) nursing care at home or in hospital or other medical institutions;

(d) maintenance in hospitals, convalescent homes, sanatoria or other medical institutions;

(e) dental, pharmaceutical and other medical or surgical supplies, including prosthetic appliances, kept in repair, and eyeglasses; and

(f) the care furnished by members of such other professions as may at any time be legally recognised as allied to the medical profession, under the supervision of a medical or dental practitioner.

3. Where a declaration made in virtue of Article 3 is in force, the medical care shall include at least—

(a) general practitioner care, including domiciliary visiting;

(b) specialist care at hospitals for in-patients and out-patients, and such specialist care as may be available outside hospitals;

(c) the essential pharmaceutical supplies as prescribed by a medical or other qualified practitioner; and

(d) hospitalisation where necessary.

4. The medical care provided in accordance with the preceding paragraphs shall be afforded with a view to maintaining, restoring or improving the health of the person protected and his ability to work and to attend to his personal needs.

**Article 35**

1. The institutions or Government departments administering the medical care shall co-operate, wherever appropriate, with the general vocational rehabilitation services, with a view to the re-establishment of handicapped persons in suitable work.
2. National laws or regulations may authorise such institutions or departments to ensure provision for the vocational rehabilitation of handicapped persons.

Article 36

1. In respect of incapacity for work, total loss of earning capacity likely to be permanent or corresponding loss of faculty, or the death of the breadwinner, the benefit shall be a periodical payment calculated in such a manner as to comply either with the requirements of Article 65 or with the requirements of Article 66.

2. In case of partial loss of earning capacity likely to be permanent, or corresponding loss of faculty, the benefit, where payable, shall be a periodical payment representing a suitable proportion of that specified for total loss of earning capacity or corresponding loss of faculty.

3. The periodical payment may be commuted for a lump sum—
   (a) where the degree of incapacity is slight; or
   (b) where the competent authority is satisfied that the lump sum will be properly utilised.

Article 37

The benefit specified in Articles 34 and 36 shall, in a contingency covered, be secured at least to a person protected who was employed in the territory of the Member at the time of the accident if the injury is due to accident or at the time of contracting the disease if the injury is due to a disease and, for periodical payments in respect of death of the breadwinner, to the widow and children of such person.

Article 38

The benefit specified in Articles 34 and 36 shall be granted throughout the contingency, except that, in respect of incapacity for work, the benefit need not be paid for the first three days in each case of suspension of earnings.

PART VII. FAMILY BENEFIT

Article 39

Each Member for which this Part of this Convention is in force shall secure to the persons protected the provision of family benefit in accordance with the following Articles of this Part.

Article 40

The contingency covered shall be responsibility for the maintenance of children as prescribed.

Article 41

The persons protected shall comprise—
   (a) prescribed classes of employees, constituting not less than 50 per cent. of all employees; or
(b) prescribed classes of the economically active population, constituting not less than 20 per cent. of all residents; or
(c) all residents whose means during the contingency do not exceed prescribed limits; or
(d) where a declaration made in virtue of Article 3 is in force, prescribed classes of employees, constituting not less than 50 per cent. of all employees in industrial workplaces employing 20 persons or more.

Article 42

The benefit shall be—

(a) a periodical payment granted to any person protected having completed the prescribed qualifying period; or
(b) the provision to or in respect of children, of food, clothing, housing, holidays or domestic help; or
(c) a combination of (a) and (b).

Article 43

The benefit specified in Article 42 shall be secured at least to a person protected who, within a prescribed period, has completed a qualifying period which may be three months of contribution or employment, or one year of residence, as may be prescribed.

Article 44

The total value of the benefits granted in accordance with Article 42 to the persons protected shall be such as to represent—

(a) 3 per cent. of the wage of an ordinary adult male labourer, as determined in accordance with the rules laid down in Article 66, multiplied by the total number of children of persons protected; or
(b) 1.5 per cent. of the said wage, multiplied by the total number of children of all residents.

Article 45

Where the benefit consists of a periodical payment, it shall be granted throughout the contingency.

PART VIII. MATERNITY BENEFIT

Article 46

Each Member for which this Part of this Convention is in force shall secure to the persons protected the provision of maternity benefit in accordance with the following Articles of this Part.

Article 47

The contingencies covered shall include pregnancy and confinement and their consequences, and suspension of earnings, as defined by national laws or regulations, resulting therefrom.
Article 48

The persons protected shall comprise—

(a) all women in prescribed classes of employees, which classes constitute not less than 50 per cent. of all employees, and, for maternity medical benefit, also the wives of men in these classes; or

(b) all women in prescribed classes of the economically active population, which classes constitute not less than 20 per cent. of all residents, and, for maternity medical benefit, also the wives of men in these classes; or

(c) where a declaration made in virtue of Article 3 is in force, all women in prescribed classes of employees, which classes constitute not less than 50 per cent. of all employees in industrial workplaces employing 20 persons or more, and, for maternity medical benefit, also the wives of men in these classes.

Article 49

1. In respect of pregnancy and confinement and their consequences, the maternity medical benefit shall be medical care as specified in paragraphs 2 and 3 of this Article.

2. The medical care shall include at least—

(a) pre-natal, confinement and post-natal care either by medical practitioners or by qualified midwives; and

(b) hospitalisation where necessary.

3. The medical care specified in paragraph 2 of this Article shall be afforded with a view to maintaining, restoring or improving the health of the woman protected and her ability to work and to attend to her personal needs.

4. The institutions or Government departments administering the maternity medical benefit shall, by such means as may be deemed appropriate, encourage the women protected to avail themselves of the general health services placed at their disposal by the public authorities or by other bodies recognised by the public authorities.

Article 50

In respect of suspension of earnings resulting from pregnancy and from confinement and their consequences, the benefit shall be a periodical payment calculated in such a manner as to comply either with the requirements of Article 65 or with the requirements of Article 66. The amount of the periodical payment may vary in the course of the contingency, subject to the average rate thereof complying with these requirements.

Article 51

The benefit specified in Articles 49 and 50 shall, in a contingency covered, be secured at least to a woman in the classes protected who has completed such qualifying period as may be considered necessary to preclude abuse, and the benefit specified in Article 49 shall also be secured to the wife of a man in the classes protected where the latter has completed such qualifying period.
Article 52

The benefit specified in Articles 49 and 50 shall be granted throughout the contingency, except that the periodical payment may be limited to 12 weeks, unless a longer period of abstention from work is required or authorised by national laws or regulations, in which event it may not be limited to a period less than such longer period.

PART IX. INVALIDITY BENEFIT

Article 53

Each Member for which this Part of this Convention is in force shall secure to the persons protected the provision of invalidity benefit in accordance with the following Articles of this Part.

Article 54

The contingency covered shall include inability to engage in any gainful activity, to an extent prescribed, which inability is likely to be permanent or persists after the exhaustion of sickness benefit.

Article 55

The persons protected shall comprise—

(a) prescribed classes of employees, constituting not less than 50 per cent. of all employees; or

(b) prescribed classes of the economically active population, constituting not less than 20 per cent. of all residents; or

(c) all residents whose means during the contingency do not exceed limits prescribed in such a manner as to comply with the requirements of Article 67; or

(d) where a declaration made in virtue of Article 3 is in force, prescribed classes of employees, constituting not less than 50 per cent. of all employees in industrial workplaces employing 20 persons or more.

Article 56

The benefit shall be a periodical payment calculated as follows:

(a) where classes of employees or classes of the economically active population are protected, in such a manner as to comply either with the requirements of Article 65 or with the requirements of Article 66;

(b) where all residents whose means during the contingency do not exceed prescribed limits are protected, in such a manner as to comply with the requirements of Article 67.

Article 57

1. The benefit specified in Article 56 shall, in a contingency covered, be secured at least—
(a) to a person protected who has completed, prior to the contingency, in accordance with prescribed rules, a qualifying period which may be 15 years of contribution or employment, or 10 years of residence; or

(b) where, in principle, all economically active persons are protected, to a person protected who has completed a qualifying period of three years of contribution and in respect of whom, while he was of working age, the prescribed yearly average number of contributions has been paid.

2. Where the benefit referred to in paragraph 1 is conditional upon a minimum period of contribution or employment, a reduced benefit shall be secured at least—

(a) to a person protected who has completed, prior to the contingency, in accordance with prescribed rules, a qualifying period of five years of contribution or employment; or

(b) where, in principle, all economically active persons are protected, to a person protected who has completed a qualifying period of three years of contribution and in respect of whom, while he was of working age, half the yearly average number of contributions prescribed in accordance with subparagraph (b) of paragraph 1 of this Article has been paid.

3. The requirements of paragraph 1 of this Article shall be deemed to be satisfied where a benefit calculated in conformity with the requirements of Part XI but at a percentage of ten points lower than shown in the Schedule appended to that Part for the standard beneficiary concerned is secured at least to a person protected who has completed, in accordance with prescribed rules, five years of contribution, employment or residence.

4. A proportional reduction of the percentage indicated in the Schedule appended to Part XI may be effected where the qualifying period for the pension corresponding to the reduced percentage exceeds five years of contribution or employment but is less than 15 years of contribution or employment; a reduced pension shall be payable in conformity with paragraph 2 of this Article.

Article 58

The benefit specified in Articles 56 and 57 shall be granted throughout the contingency or until an old-age benefit becomes payable.

PART X. SURVIVORS' BENEFIT

Article 59

Each Member for which this Part of this Convention is in force shall secure to the persons protected the provision of survivors' benefit in accordance with the following Articles of this Part.

Article 60

1. The contingency covered shall include the loss of support suffered by the widow or child as the result of the death of the breadwinner; in
the case of a widow, the right to benefit may be made conditional on her being presumed, in accordance with national laws or regulations, to be incapable of self-support.

2. National laws or regulations may provide that the benefit of a person otherwise entitled to it may be suspended if such person is engaged in any prescribed gainful activity or that the benefit, if contributory, may be reduced where the earnings of the beneficiary exceed a prescribed amount, and, if non-contributory, may be reduced where the earnings of the beneficiary or his other means or the two taken together exceed a prescribed amount.

Article 61

The persons protected shall comprise—

(a) the wives and the children of breadwinners in prescribed classes of employees, which classes constitute not less than 50 per cent. of all employees; or

(b) the wives and the children of breadwinners in prescribed classes of the economically active population, which classes constitute not less than 20 per cent. of all residents; or

(c) all resident widows and resident children who have lost their breadwinner and whose means during the contingency do not exceed limits prescribed in such a manner as to comply with the requirements of Article 67; or

(d) where a declaration made in virtue of Article 3 is in force, the wives and the children of breadwinners in prescribed classes of employees, which classes constitute not less than 50 per cent. of all employees in industrial workplaces employing 20 persons or more.

Article 62

The benefit shall be a periodical payment calculated as follows:

(a) where classes of employees or classes of the economically active population are protected, in such a manner as to comply either with the requirements of Article 65 or with the requirements of Article 66;

(b) where all residents whose means during the contingency do not exceed prescribed limits are protected, in such a manner as to comply with the requirements of Article 67.

Article 63

1. The benefit specified in Article 62 shall, in a contingency covered, be secured at least—

(a) to a person protected whose breadwinner has completed, in accordance with prescribed rules, a qualifying period which may be 15 years of contribution or employment, or 10 years of residence; or

(b) where, in principle, the wives and children of all economically active persons are protected, to a person protected whose breadwinner has completed a qualifying period of three years of contribution and in respect of whose breadwinner, while he was of working age, the prescribed yearly average number of contributions has been paid.
2. Where the benefit referred to in paragraph 1 is conditional upon a minimum period of contribution or employment, a reduced benefit shall be secured at least—

(a) to a person protected whose breadwinner has completed, in accordance with prescribed rules, a qualifying period of five years of contribution or employment; or

(b) where, in principle, the wives and children of all economically active persons are protected, to a person protected whose breadwinner has completed a qualifying period of three years of contribution and in respect of whose breadwinner, while he was of working age, half the yearly average number of contributions prescribed in accordance with subparagraph (b) of paragraph 1 of this Article has been paid.

3. The requirements of paragraph 1 of this Article shall be deemed to be satisfied where a benefit calculated in conformity with the requirements of Part XI but at a percentage of ten points lower than shown in the Schedule appended to that Part for the standard beneficiary concerned is secured at least to a person protected whose breadwinner has completed, in accordance with prescribed rules, five years of contribution, employment or residence.

4. A proportional reduction of the percentage indicated in the Schedule appended to Part XI may be effected where the qualifying period for the benefit corresponding to the reduced percentage exceeds five years of contribution or employment but is less than 15 years of contribution or employment; a reduced benefit shall be payable in conformity with paragraph 2 of this Article.

5. In order that a childless widow presumed to be incapable of self-support may be entitled to a survivor's benefit, a minimum duration of the marriage may be required.

Article 64

The benefit specified in Articles 62 and 63 shall be granted throughout the contingency.

PART XI. STANDARDS TO BE COMPLIED WITH BY PERIODICAL PAYMENTS

Article 65

1. In the case of a periodical payment to which this Article applies, the rate of the benefit, increased by the amount of any family allowances payable during the contingency, shall be such as to attain, in respect of the contingency in question, for the standard beneficiary indicated in the Schedule appended to this Part, at least the percentage indicated therein of the total of the previous earnings of the beneficiary or his breadwinner and of the amount of any family allowances payable to a person protected with the same family responsibilities as the standard beneficiary.

2. The previous earnings of the beneficiary or his breadwinner shall be calculated according to prescribed rules, and, where the persons protected or their breadwinners are arranged in classes according to their earnings, their previous earnings may be calculated from the basic earnings of the classes to which they belonged.
3. A maximum limit may be prescribed for the rate of the benefit or for the earnings taken into account for the calculation of the benefit, provided that the maximum limit is fixed in such a way that the provisions of paragraph 1 of this Article are complied with where the previous earnings of the beneficiary or his breadwinner are equal to or lower than the wage of a skilled manual male employee.

4. The previous earnings of the beneficiary or his breadwinner, the wage of the skilled manual male employee, the benefit and any family allowances shall be calculated on the same time basis.

5. For the other beneficiaries, the benefit shall bear a reasonable relation to the benefit for the standard beneficiary.

6. For the purpose of this Article, a skilled manual male employee shall be—

(a) a fitter or turner in the manufacture of machinery other than electrical machinery; or

(b) a person deemed typical of skilled labour selected in accordance with the provisions of the following paragraph; or

(c) a person whose earnings are such as to be equal to or greater than the earnings of 75 per cent. of all the persons protected, such earnings to be determined on the basis of annual or shorter periods as may be prescribed; or

(d) a person whose earnings are equal to 125 per cent. of the average earnings of all the persons protected.

7. The person deemed typical of skilled labour for the purposes of subparagraph (b) of the preceding paragraph shall be a person employed in the major group of economic activities with the largest number of economically active male persons protected in the contingency in question, or of the breadwinners of the persons protected, as the case may be, in the division comprising the largest number of such persons or breadwinners; for this purpose, the international standard industrial classification of all economic activities, adopted by the Economic and Social Council of the United Nations at its Seventh Session on 27 August 1948, and reproduced in the Annex to this Convention, or such classification as at any time amended, shall be used.

8. Where the rate of benefit varies by region, the skilled manual male employee may be determined for each region in accordance with paragraphs 6 and 7 of this Article.

9. The wage of the skilled manual male employee shall be determined on the basis of the rates of wages for normal hours of work fixed by collective agreements, by or in pursuance of national laws or regulations, where applicable, or by custom, including cost-of-living allowances if any; where such rates differ by region but paragraph 8 of this Article is not applied, the median rate shall be taken.

10. The rates of current periodical payments in respect of old age, employment injury (except in case of incapacity for work), invalidity and death of breadwinner, shall be reviewed following substantial changes in the general level of earnings where these result from substantial changes in the cost of living.
Article 66

1. In the case of a periodical payment to which this Article applies, the rate of the benefit, increased by the amount of any family allowances payable during the contingency, shall be such as to attain, in respect of the contingency in question, for the standard beneficiary indicated in the Schedule appended to this Part, at least the percentage indicated therein of the total of the wage of an ordinary adult male labourer and of the amount of any family allowances payable to a person protected with the same family responsibilities as the standard beneficiary.

2. The wage of the ordinary adult male labourer, the benefit and any family allowances shall be calculated on the same time basis.

3. For the other beneficiaries, the benefit shall bear a reasonable relation to the benefit for the standard beneficiary.

4. For the purpose of this Article, the ordinary adult male labourer shall be—

(a) a person deemed typical of unskilled labour in the manufacture of machinery other than electrical machinery; or

(b) a person deemed typical of unskilled labour selected in accordance with the provisions of the following paragraph.

5. The person deemed typical of unskilled labour for the purpose of subparagraph (b) of the preceding paragraph shall be a person employed in the major group of economic activities with the largest number of economically active male persons protected in the contingency in question, or of the breadwinners of the persons protected, as the case may be, in the division comprising the largest number of such persons or breadwinners; for this purpose the international standard industrial classification of all economic activities, adopted by the Economic and Social Council of the United Nations at its Seventh Session on 27 August 1948, and reproduced in the Annex to this Convention, or such classification as at any time amended, shall be used.

6. Where the rate of benefit varies by region, the ordinary adult male labourer may be determined for each region in accordance with paragraphs 4 and 5 of this Article.

7. The wage of the ordinary adult male labourer shall be determined on the basis of the rates of wages for normal hours of work fixed by collective agreements, by or in pursuance of national laws or regulations, where applicable, or by custom, including cost-of-living allowances if any; where such rates differ by region but paragraph 6 of this Article is not applied, the median rate shall be taken.

8. The rates of current periodical payments in respect of old age, employment injury (except in case of incapacity for work), invalidity and death of breadwinner, shall be reviewed following substantial changes in the general level of earnings where these result from substantial changes in the cost of living.

Article 67

In the case of a periodical payment to which this Article applies—

(a) the rate of the benefit shall be determined according to a prescribed scale or a scale fixed by the competent public authority in conformity with prescribed rules;
(b) such rate may be reduced only to the extent by which the other means of the family of the beneficiary exceed prescribed substantial amounts or substantial amounts fixed by the competent public authority in conformity with prescribed rules;

(c) the total of the benefit and any other means, after deduction of the substantial amounts referred to in subparagraph (b), shall be sufficient to maintain the family of the beneficiary in health and decency, and shall be not less than the corresponding benefit calculated in accordance with the requirements of Article 66;

(d) the provisions of subparagraph (c) shall be deemed to be satisfied if the total amount of benefits paid under the Part concerned exceeds by at least 30 per cent. the total amount of benefits which would be obtained by applying the provisions of Article 66 and the provisions of:

(i) Article 15 (b) for Part III;
(ii) Article 27 (b) for Part V;
(iii) Article 55 (b) for Part IX;
(iv) Article 61 (b) for Part X.

SCHEDULE TO PART XI. PERIODICAL PAYMENTS TO STANDARD BENEFICIARIES

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<tr>
<td>X</td>
<td>Survivors</td>
<td>Widow with two children</td>
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PART XII. EQUALITY OF TREATMENT OF NON-NATIONAL RESIDENTS

Article 68

1. Non-national residents shall have the same rights as national residents: Provided that special rules concerning non-nationals and nationals born outside the territory of the Member may be prescribed in respect of benefits or portions of benefits which are payable wholly or mainly out of public funds and in respect of transitional schemes.

2. Under contributory social security schemes which protect employees, the persons protected who are nationals of another Member which has accepted the obligations of the relevant Part of the Convention shall have, under that Part, the same rights as nationals of the Member
concerned: Provided that the application of this paragraph may be made subject to the existence of a bilateral or multilateral agreement providing for reciprocity.

PART XIII. COMMON PROVISIONS

Article 69

A benefit to which a person protected would otherwise be entitled in compliance with any of Parts II to X of this Convention may be suspended to such extent as may be prescribed—

(a) as long as the person concerned is absent from the territory of the Member;
(b) as long as the person concerned is maintained at public expense, or at the expense of a social security institution or service, subject to any portion of the benefit in excess of the value of such maintenance being granted to the dependants of the beneficiary;
(c) as long as the person concerned is in receipt of another social security cash benefit, other than a family benefit, and during any period in respect of which he is indemnified for the contingency by a third party, subject to the part of the benefit which is suspended not exceeding the other benefit or the indemnity by a third party;
(d) where the person concerned has made a fraudulent claim;
(e) where the contingency has been caused by a criminal offence committed by the person concerned;
(f) where the contingency has been caused by the wilful misconduct of the person concerned;
(g) in appropriate cases, where the person concerned neglects to make use of the medical or rehabilitation services placed at his disposal or fails to comply with rules prescribed for verifying the occurrence or continuance of the contingency or for the conduct of beneficiaries;
(h) in the case of unemployment benefit, where the person concerned has failed to make use of the employment services placed at his disposal;
(i) in the case of unemployment benefit, where the person concerned has lost his employment as a direct result of a stoppage of work due to a trade dispute, or has left it voluntarily without just cause; and
(j) in the case of survivors' benefit, as long as the widow is living with a man as his wife.

Article 70

1. Every claimant shall have a right of appeal in case of refusal of the benefit or complaint as to its quality or quantity.

2. Where in the application of this Convention a Government department responsible to a legislature is entrusted with the administration of medical care, the right of appeal provided for in paragraph 1 of this Article may be replaced by a right to have a complaint concerning the refusal of medical care or the quality of the care received investigated by the appropriate authority.
3. Where a claim is settled by a special tribunal established to deal with social security questions and on which the persons protected are represented, no right of appeal shall be required.

Article 71

1. The cost of the benefits provided in compliance with this Convention and the cost of the administration of such benefits shall be borne collectively by way of insurance contributions or taxation or both in a manner which avoids hardship to persons of small means and takes into account the economic situation of the Member and of the classes of persons protected.

2. The total of the insurance contributions borne by the employees protected shall not exceed 50 per cent. of the total of the financial resources allocated to the protection of employees and their wives and children. For the purpose of ascertaining whether this condition is fulfilled, all the benefits provided by the Member in compliance with this Convention, except family benefit and, if provided by a special branch, employment injury benefit, may be taken together.

3. The Member shall accept general responsibility for the due provision of the benefits provided in compliance with this Convention, and shall take all measures required for this purpose; it shall ensure, where appropriate, that the necessary actuarial studies and calculations concerning financial equilibrium are made periodically and, in any event, prior to any change in benefits, the rate of insurance contributions, or the taxes allocated to covering the contingencies in question.

Article 72

1. Where the administration is not entrusted to an institution regulated by the public authorities or to a Government department responsible to a legislature, representatives of the persons protected shall participate in the management, or be associated therewith in a consultative capacity, under prescribed conditions; national laws or regulations may likewise decide as to the participation of representatives of employers and of the public authorities.

2. The Member shall accept general responsibility for the proper administration of the institutions and services concerned in the application of the Convention.

PART XIV. MISCELLANEOUS PROVISIONS

Article 73

This Convention shall not apply to—

(a) contingencies which occurred before the coming into force of the relevant Part of the Convention for the Member concerned;

(b) benefits in contingencies occurring after the coming into force of the relevant Part of the Convention for the Member concerned in so far as the rights to such benefits are derived from periods preceding that date.
Article 74

This Convention shall not be regarded as revising any existing Convention.

Article 75

If any Convention which may be adopted subsequently by the Conference concerning any subject or subjects dealt with in this Convention so provides, such provisions of this Convention as may be specified in the said Convention shall cease to apply to any Member having ratified the said Convention as from the date at which the said Convention comes into force for that Member.

Article 76

1. Each Member which ratifies this Convention shall include in the annual report upon the application of this Convention submitted under Article 22 of the Constitution of the International Labour Organisation—
   (a) full information concerning the laws and regulations by which effect is given to the provisions of the Convention; and
   (b) evidence, conforming in its presentation as closely as is practicable with any suggestions for greater uniformity of presentation made by the Governing Body of the International Labour Office, of compliance with the statistical conditions specified in—
      (i) Articles 9 (a), (b), (c) or (d); 15 (a), (b) or (d); 21 (a) or (c); 27 (a), (b) or (d); 33 (a) or (b); 41 (a), (b) or (d); 48 (a), (b) or (c); 55 (a), (b) or (d); 61 (a), (b) or (d), as regards the number of persons protected;
      (ii) Articles 44, 65, 66 or 67, as regards the rates of benefit;
      (iii) subparagraph (a) of paragraph 2 of Article 18, as regards duration of sickness benefit;
      (iv) paragraph 2 of Article 24, as regards duration of unemployment benefit; and
      (v) paragraph 2 of Article 71, as regards the proportion of the financial resources constituted by the insurance contributions of employees protected.

2. Each Member which ratifies this Convention shall report to the Director-General of the International Labour Office at appropriate intervals, as requested by the Governing Body, on the position of its law and practice in regard to any of Parts II to X of the Convention not specified in its ratification or in a notification made subsequently in virtue of Article 4.

Article 77

1. This Convention does not apply to seamen or seafishermen; provision for the protection of seamen and seafishermen has been made by the International Labour Conference in the Social Security (Seafarers) Convention, 1946, and the Seafarers' Pensions Convention, 1946.

2. A Member may exclude seamen and seafishermen from the number of employees, of the economically active population or of residents, when calculating the percentage of employees or residents protected in compliance with any of Parts II to X covered by its ratification.
PART XV. FINAL PROVISIONS

Article 78
The formal ratifications of this Convention shall be communicated to the Director-General of the International Labour Office for registration.

Article 79
1. This Convention shall be binding only upon those Members of the International Labour Organisation whose ratifications have been registered with the Director-General.

2. It shall come into force twelve months after the date on which the ratifications of two Members have been registered with the Director-General.

3. Thereafter, this Convention shall come into force for any Member twelve months after the date on which its ratification has been registered.

Article 80
1. Declarations communicated to the Director-General of the International Labour Office in accordance with paragraph 2 of Article 35 of the Constitution of the International Labour Organisation shall indicate—

(a) the territories in respect of which the Member concerned undertakes that the provisions of the Convention or of any Parts thereof shall be applied without modification;

(b) the territories in respect of which it undertakes that the provisions of the Convention or of any Parts thereof shall be applied subject to modifications, together with details of the said modifications;

(c) the territories in respect of which the Convention is inapplicable and in such cases the grounds on which it is inapplicable;

(d) the territories in respect of which it reserves its decision pending further consideration of the position.

2. The undertakings referred to in subparagraphs (a) and (b) of paragraph 1 of this Article shall be deemed to be an integral part of the ratification and shall have the force of ratification.

3. Any Member may at any time by a subsequent declaration cancel in whole or in part any reservation made in its original declaration in virtue of subparagraphs (b), (c) or (d) of paragraph 1 of this Article.

4. Any Member may, at any time at which the Convention is subject to denunciation in accordance with the provisions of Article 82, communicate to the Director-General a declaration modifying in any other respect the terms of any former declaration and stating the present position in respect of such territories as it may specify.

Article 81
1. Declarations communicated to the Director-General of the International Labour Office in accordance with paragraphs 4 or 5 of Article 35 of the Constitution of the International Labour Organisation shall indicate
whether the provisions of the Convention or of the Parts thereof accepted by the Declaration will be applied in the territory concerned without modification or subject to modifications; when the Declaration indicates that the provisions of the Convention or of certain Parts thereof will be applied subject to modifications, it shall give details of the said modifications.

2. The Member, Members or international authority concerned may at any time by a subsequent declaration renounce in whole or in part the right to have recourse to any modification indicated in any former declaration.

3. The Member, Members or international authority concerned may, at any time at which this Convention is subject to denunciation in accordance with the provisions of Article 82, communicate to the Director-General a declaration modifying in any other respect the terms of any former declaration and stating the present position in respect of the application of the Convention.

Article 82

1. A Member which has ratified this Convention may, after the expiration of ten years from the date on which the Convention first comes into force, denounce the Convention or any one or more of Parts II to X thereof by an act communicated to the Director-General of the International Labour Office for registration. Such denunciation shall not take effect until one year after the date on which it is registered.

2. Each Member which has ratified this Convention and which does not, within the year following the expiration of the period of ten years mentioned in the preceding paragraph, exercise the right of denunciation provided for in this Article, will be bound for another period of ten years and, thereafter, may denounce the Convention or any one of Parts II to X thereof at the expiration of each period of ten years under the terms provided for in this Article.

Article 83

1. The Director-General of the International Labour Office shall notify all Members of the International Labour Organisation of the registration of all ratifications, declarations and denunciations communicated to him by the Members of the Organisation.

2. When notifying the Members of the Organisation of the registration of the second ratification communicated to him, the Director-General shall draw the attention of the Members of the Organisation to the date upon which the Convention will come into force.

Article 84

The Director-General of the International Labour Office shall communicate to the Secretary-General of the United Nations for registration in accordance with Article 102 of the Charter of the United Nations full particulars of all ratifications, declarations and acts of denunciation registered by him in accordance with the provisions of the preceding Articles.
Article 85

At such times as it may consider necessary the Governing Body of the International Labour Office shall present to the General Conference a report on the working of this Convention and shall examine the desirability of placing on the agenda of the Conference the question of its revision in whole or in part.

Article 86

1. Should the Conference adopt a new Convention revising this Convention in whole or in part, then, unless the new Convention otherwise provides—

(a) the ratification by a Member of the new revising Convention shall ipso jure involve the immediate denunciation of this Convention, notwithstanding the provisions of Article 82 above, if and when the new revising Convention shall have come into force;

(b) as from the date when the new revising Convention comes into force this Convention shall cease to be open to ratification by the Members.

2. This Convention shall in any case remain in force in its actual form and content for those Members which have ratified it but have not ratified the revising Convention.

Article 87

The English and French versions of the text of this Convention are equally authoritative.

ANNEX

International standard industrial classification of all economic activities

List of Divisions and Major Groups

Division 0. Agriculture, Forestry, Hunting and Fishing:

01. Agriculture and livestock production.
02. Forestry and logging.
03. Hunting, trapping and game propagation.
04. Fishing.

Division 1. Mining and Quarrying:

11. Coal mining.
12. Metal mining.
13. Crude petroleum and natural gas.

Divisions 2-3. Manufacturing:

20. Food manufacturing industries, except beverage industries.
22. Tobacco manufactures.
23. Manufacture of textiles.
24. Manufacture of footwear, other wearing apparel and made-up textile goods.
25. Manufacture of wood and cork, except manufacture of furniture.
26. Manufacture of furniture and fixtures.
27. Manufacture of paper and paper products.
28. Printing, publishing and allied industries.
29. Manufacture of leather and leather products, except footwear.
30. Manufacture of rubber products.
31. Manufacture of chemicals and chemical products.
32. Manufacture of products of petroleum and coal.
33. Manufacture of non-metallic mineral products, except products of petroleum and coal.
34. Basic metal industries.
35. Manufacture of metal products, except machinery and transport equipment.
37. Manufacture of electrical machinery, apparatus, appliances and supplies.
38. Manufacture of transport equipment.

Division 4. Construction:
40. Construction.

Division 5. Electricity, Gas, Water and Sanitary Services:
51. Electricity, gas and steam.
52. Water and sanitary services.

Division 6. Commerce:
61. Wholesale and retail trade.
62. Banks and other financial institutions.
63. Insurance.
64. Real estate.

Division 7. Transport, Storage and Communication:
71. Transport.
72. Storage and warehousing.
73. Communication.

Division 8. Services:
81. Government services.
82. Community and business services.
83. Recreation services.
84. Personal services.

Division 9. Activities not Adequately Described:
90. Activities not adequately described.

The foregoing is the authentic text of the Convention duly adopted by the General Conference of the International Labour Organisation during its Thirty-fifth Session which was held at Geneva and declared closed the twenty-eighth day of June 1952.

IN FAITH WHEREOF we have appended our signatures this fourth day of July 1952.

The President of the Conference,
JOSÉ de SEGADAS VIANNA.

The Director-General of the International Labour Office,
DAVID A. MORSE.
Recommendation (No. 94) concerning Consultation and Co-operation between Employers and Workers at the Level of the Undertaking

The General Conference of the International Labour Organisation,

Having been convened at Geneva by the Governing Body of the International Labour Office, and having met in its Thirty-fifth Session on 4 June 1952, and

Having decided upon the adoption of certain proposals with regard to consultation and co-operation between employers and workers at the level of the undertaking, which is included in the sixth item on the agenda of the session, and

Having determined that these proposals shall take the form of a Recommendation designed to be implemented by the parties concerned or by the public authorities as may be appropriate under national conditions,

adopts this twenty-sixth day of June of the year one thousand nine hundred and fifty-two the following Recommendation, which may be cited as the Co-operation at the Level of the Undertaking Recommendation, 1952:

1. Appropriate steps should be taken to promote consultation and co-operation between employers and workers at the level of the undertaking on matters of mutual concern not within the scope of collective bargaining machinery, or not normally dealt with by other machinery concerned with the determination of terms and conditions of employment.

2. In accordance with national custom or practice, such consultation and co-operation should be—

(a) facilitated by the encouragement of voluntary agreements between the parties, or

(b) promoted by laws or regulations which would establish bodies for consultation and co-operation and determine their scope, functions, structure and methods of operation as may be appropriate to the conditions in the various undertakings, or

(c) facilitated or promoted by a combination of these methods.

The foregoing is the authentic text of the Recommendation duly adopted by the General Conference of the International Labour Organisation during its Thirty-fifth Session which was held at Geneva and declared closed the twenty-eighth day of June 1952.

IN FAITH WHEREOF we have appended our signatures this fourth day of July 1952.

The President of the Conference,
José de Segadas Vianna.

The Director-General of the International Labour Office,
David A. Morse.
Convention (No. 103) concerning Maternity Protection (Revised 1952)

The General Conference of the International Labour Organisation,
Having been convened at Geneva by the Governing Body of the International Labour Office, and having met in its Thirty-fifth Session on 4 June 1952, and
Having decided upon the adoption of certain proposals with regard to maternity protection, which is the seventh item on the agenda of the session, and
Having determined that these proposals shall take the form of an international Convention,

adopts this twenty-eighth day of June of the year one thousand nine hundred and fifty-two the following Convention, which may be cited as the Maternity Protection Convention (Revised), 1952.

Article 1

1. This Convention applies to women employed in industrial undertakings and in non-industrial and agricultural occupations, including women wage earners working at home.

2. For the purpose of this Convention, the term "industrial undertaking" comprises public and private undertakings and any branch thereof and includes particularly—

(a) mines, quarries, and other works for the extraction of minerals from the earth;
(b) undertakings in which articles are manufactured, altered, cleaned, repaired, ornamented, finished, adapted for sale, broken up or demolished, or in which materials are transformed, including undertakings engaged in shipbuilding, or in the generation, transformation or transmission of electricity or motive power of any kind;
(c) undertakings engaged in building and civil engineering work, including constructional, repair, maintenance, alteration and demolition work;
(d) undertakings engaged in the transport of passengers or goods by road, rail, sea, inland waterway or air, including the handling of goods at docks, quays, wharves, warehouses or airports.

3. For the purpose of this Convention, the term "non-industrial occupations" includes all occupations which are carried on in or in connection with the following undertakings or services, whether public or private:

(a) commercial establishments;
(b) postal and telecommunication services;
(c) establishments and administrative services in which the persons employed are mainly engaged in clerical work;
(d) newspaper undertakings;
(e) hotels, boarding houses, restaurants, clubs, cafés and other refreshment houses;
(f) establishments for the treatment and care of the sick, infirm or destitute and of orphans;
(g) theatres and places of public entertainment;
(h) domestic work for wages in private households;
and any other non-industrial occupations to which the competent authority
may decide to apply the provisions of the Convention.

4. For the purpose of this Convention, the term “agricultural occupa­tions” includes all occupations carried on in agricultural undertakings,
including plantations and large-scale industrialised agricultural undertak­ings.

5. In any case in which it is doubtful whether this Convention applies
to an undertaking, branch of an undertaking or occupation, the question
shall be determined by the competent authority after consultation with
the representative organisations of employers and workers concerned
where such exist.

6. National laws or regulations may exempt from the application of
this Convention undertakings in which only members of the employer’s
family, as defined by national laws or regulations, are employed.

Article 2

For the purpose of this Convention, the term “woman” means any
female person, irrespective of age, nationality, race or creed, whether
married or unmarried, and the term “child” means any child whether
born of marriage or not.

Article 3

1. A woman to whom this Convention applies shall, on the produc­tion of a medical certificate stating the presumed date of her confinement,
be entitled to a period of maternity leave.

2. The period of maternity leave shall be at least twelve weeks, and
shall include a period of compulsory leave after confinement.

3. The period of compulsory leave after confinement shall be pre­scribed by national laws or regulations, but shall in no case be less than
six weeks; the remainder of the total period of maternity leave may be
provided before the presumed date of confinement or following expiration
of the compulsory leave period or partly before the presumed date of
confinement and partly following the expiration of the compulsory leave
period as may be prescribed by national laws or regulations.

4. The leave before the presumed date of confinement shall be
extended by any period elapsing between the presumed date of confine­ment and the actual date of confinement and the period of compulsory
leave to be taken after confinement shall not be reduced on that account.

5. In case of illness medically certified arising out of pregnancy,
national laws or regulations shall provide for additional leave before
confinement, the maximum duration of which may be fixed by the com­petent authority.

6. In case of illness medically certified arising out of confinement,
the woman shall be entitled to an extension of the leave after confinement,
the maximum duration of which may be fixed by the competent authority.
Article 4

1. While absent from work on maternity leave in accordance with the provisions of Article 3, the woman shall be entitled to receive cash and medical benefits.

2. The rates of cash benefit shall be fixed by national laws or regulations so as to ensure benefits sufficient for the full and healthy maintenance of herself and her child in accordance with a suitable standard of living.

3. Medical benefits shall include pre-natal, confinement and post-natal care by qualified midwives or medical practitioners as well as hospitalisation care where necessary; freedom of choice of doctor and freedom of choice between a public and private hospital shall be respected.

4. The cash and medical benefits shall be provided either by means of compulsory social insurance or by means of public funds; in either case they shall be provided as a matter of right to all women who comply with the prescribed conditions.

5. Women who fail to qualify for benefits provided as a matter of right shall be entitled, subject to the means test required for social assistance, to adequate benefits out of social assistance funds.

6. Where cash benefits provided under compulsory social insurance are based on previous earnings, they shall be at a rate of not less than two-thirds of the woman’s previous earnings taken into account for the purpose of computing benefits.

7. Any contribution due under a compulsory social insurance scheme providing maternity benefits and any tax based upon payrolls which is raised for the purpose of providing such benefits shall, whether paid both by the employer and the employees or by the employer, be paid in respect of the total number of men and women employed by the undertakings concerned, without distinction of sex.

8. In no case shall the employer be individually liable for the cost of such benefits due to women employed by him.

Article 5

1. If a woman is nursing her child she shall be entitled to interrupt her work for this purpose at a time or times to be prescribed by national laws or regulations.

2. Interruptions of work for the purpose of nursing are to be counted as working hours and remunerated accordingly in cases in which the matter is governed by or in accordance with laws and regulations; in cases in which the matter is governed by collective agreement, the position shall be as determined by the relevant agreement.

Article 6

While a woman is absent from work on maternity leave in accordance with the provisions of Article 3 of this Convention, it shall not be lawful for her employer to give her notice of dismissal during such absence, or to give her notice of dismissal at such a time that the notice would expire during such absence.
Article 7

1. Any Member of the International Labour Organisation which ratifies this Convention may, by a declaration accompanying its ratification, provide for exceptions from the application of the Convention in respect of—

   (a) certain categories of non-industrial occupations;
   (b) occupations carried on in agricultural undertakings, other than plantations;
   (c) domestic work for wages in private households;
   (d) women wage earners working at home;
   (e) undertakings engaged in the transport of passengers or goods by sea.

2. The categories of occupations or undertakings in respect of which the Member proposes to have recourse to the provisions of paragraph 1 of this Article shall be specified in the declaration accompanying its ratification.

3. Any Member which has made such a declaration may at any time cancel that declaration, in whole or in part, by a subsequent declaration.

4. Every Member for which a declaration made under paragraph 1 of this Article is in force shall indicate each year in its annual report upon the application of this Convention the position of its law and practice in respect of the occupations or undertakings to which paragraph 1 of this Article applies in virtue of the said declaration and the extent to which effect has been given or is proposed to be given to the Convention in respect of such occupations or undertakings.

5. At the expiration of five years from the first entry into force of this Convention, the Governing Body of the International Labour Office shall submit to the Conference a special report concerning the application of these exceptions, containing such proposals as it may think appropriate for further action in regard to the matter.

Article 8

The formal ratifications of this Convention shall be communicated to the Director-General of the International Labour Office for registration.

Article 9

1. This Convention shall be binding only upon those Members of the International Labour Organisation whose ratifications have been registered with the Director-General.

2. It shall come into force twelve months after the date on which the ratifications of two Members have been registered with the Director-General.

3. Thereafter, this Convention shall come into force for any Member twelve months after the date on which its ratification has been registered.

Article 10

1. Declarations communicated to the Director-General of the International Labour Office in accordance with paragraph 2 of Article 35 of the Constitution of the International Labour Organisation shall indicate—
(a) the territories in respect of which the Member concerned undertakes that the provisions of the Convention shall be applied without modification;

(b) the territories in respect of which it undertakes that the provisions of the Convention shall be applied subject to modifications, together with details of the said modifications;

(c) the territories in respect of which the Convention is inapplicable and in such cases the grounds on which it is inapplicable;

(d) the territories in respect of which it reserves its decision pending further consideration of the position.

2. The undertakings referred to in subparagraphs (a) and (b) of paragraph 1 of this Article shall be deemed to be an integral part of the ratification and shall have the force of ratification.

3. Any Member may at any time by a subsequent declaration cancel in whole or in part any reservation made in its original declaration in virtue of subparagraphs (b), (c) or (d) of paragraph 1 of this Article.

4. Any Member may, at any time at which the Convention is subject to denunciation in accordance with the provisions of Article 12, communicate to the Director-General a declaration modifying in any other respect the terms of any former declaration and stating the present position in respect of such territories as it may specify.

Article 11

1. Declarations communicated to the Director-General of the International Labour Office in accordance with paragraphs 4 or 5 of Article 35 of the Constitution of the International Labour Organisation shall indicate whether the provisions of the Convention will be applied in the territory concerned without modification or subject to modifications; when the declaration indicates that the provisions of the Convention will be applied subject to modifications, it shall give details of the said modifications.

2. The Member, Members or international authority concerned may at any time by a subsequent declaration renounce in whole or in part the right to have recourse to any modification indicated in any former declaration.

3. The Member, Members or international authority concerned may, at any time at which this Convention is subject to denunciation in accordance with the provisions of Article 12, communicate to the Director-General a declaration modifying in any other respect the terms of any former declaration and stating the present position in respect of the application of the Convention.

Article 12

1. A Member which has ratified this Convention may denounce it after the expiration of ten years from the date on which the Convention first comes into force, by an act communicated to the Director-General of the International Labour Office for registration. Such denunciation shall not take effect until one year after the date on which it is registered.
2. Each Member which has ratified this Convention and which does not, within the year following the expiration of the period of ten years mentioned in the preceding paragraph, exercise the right of denunciation provided for in this Article, will be bound for another period of ten years and, thereafter, may denounce this Convention at the expiration of each period of ten years under the terms provided for in this Article.

**Article 13**

1. The Director-General of the International Labour Office shall notify all Members of the International Labour Organisation of the registration of all ratifications, declarations and denunciations communicated to him by the Members of the Organisation.

2. When notifying the Members of the Organisation of the registration of the second ratification communicated to him, the Director-General shall draw the attention of the Members of the Organisation to the date upon which the Convention will come into force.

**Article 14**

The Director-General of the International Labour Office shall communicate to the Secretary-General of the United Nations for registration in accordance with Article 102 of the Charter of the United Nations full particulars of all ratifications, declarations and acts of denunciation registered by him in accordance with the provisions of the preceding Articles.

**Article 15**

At such times as it may consider necessary the Governing Body of the International Labour Office shall present to the General Conference a report on the working of this Convention and shall examine the desirability of placing on the agenda of the Conference the question of its revision in whole or in part.

**Article 16**

1. Should the Conference adopt a new Convention revising this Convention in whole or in part, then, unless the new Convention otherwise provides—

   (a) the ratification by a Member of the new revising Convention shall *ipso jure* involve the immediate denunciation of this Convention, notwithstanding the provisions of Article 12 above, if and when the new revising Convention shall have come into force;

   (b) as from the date when the new revising Convention comes into force this Convention shall cease to be open to ratification by the Members.

2. This Convention shall in any case remain in force in its actual form and content for those Members which have ratified it but have not ratified the revising Convention.
Article 17

The English and French versions of the text of this Convention are equally authoritative.

The foregoing is the authentic text of the Convention duly adopted by the General Conference of the International Labour Organisation during its Thirty-fifth Session which was held at Geneva and declared closed the twenty-eighth day of June 1952.

IN FAITH WHEREOF we have appended our signatures this fourth day of July 1952.

The President of the Conference,
JOSE de SEGADAS VIANNA.

The Director-General of the International Labour Office,
DAVID A. MORSE.

Recommendation (No. 95) concerning Maternity Protection

The General Conference of the International Labour Organisation,
Having been convened at Geneva by the Governing Body of the International Labour Office, and having met in its Thirty-fifth Session on 4 June 1952, and
Having decided upon the adoption of certain proposals with regard to maternity protection, which is the seventh item on the agenda of the session, and
Having determined that these proposals shall take the form of a Recommendation supplementing the Maternity Protection Convention (Revised), 1952,
adopts this twenty-eighth day of June of the year one thousand nine hundred and fifty-two the following Recommendation, which may be cited as the Maternity Protection Recommendation, 1952.

I. MATERNITY LEAVE

1. (1) Where necessary to the health of the woman and wherever practicable, the maternity leave provided for in Article 3, paragraph 2, of the Maternity Protection Convention (Revised), 1952, should be extended to a total period of 14 weeks.

   (2) The supervisory bodies should have power to prescribe in individual cases, on the basis of a medical certificate, a further extension of
the ante-natal and post-natal leave provided for in paragraphs 4, 5 and 6 of Article 3 of the Maternity Protection Convention (Revised), 1952, if such an extension seems necessary for safeguarding the health of the mother and the child, and, in particular, in the event of actual or threatening abnormal conditions, such as miscarriage and other ante-natal and post-natal complications.

II. MATERNITY BENEFITS

2. (1) Wherever practicable the cash benefits to be granted in conformity with Article 4 of the Maternity Protection Convention (Revised), 1952, should be fixed at a higher rate than the minimum standard provided in the Convention, equalling, where practicable, 100 per cent. of the woman’s previous earnings taken into account for the purpose of computing benefits.

(2) Wherever practicable the medical benefits to be granted in conformity with Article 4 of the said Convention should comprise general practitioner and specialist out-patient and in-patient care, including domiciliary visiting; dental care; the care given by qualified midwives and other maternity services at home or in hospital; nursing care at home or in hospital or other medical institutions; maintenance in hospitals or other medical institutions; pharmaceutical, dental or other medical or surgical supplies; and the care furnished under appropriate medical supervision by members of such other profession as may at any time be legally recognised as competent to furnish services associated with maternity care.

(3) The medical benefit should be afforded with a view to maintaining, restoring or improving the health of the woman protected and her ability to work and to attend to her personal needs.

(4) The institutions or government departments administering the medical benefit should encourage the women protected, by such means as may be deemed appropriate, to avail themselves of the general health services placed at their disposal by the public authorities or by other bodies recognised by the public authorities.

(5) In addition, national laws or regulations may authorise such institutions or government departments to make provision for the promotion of the health of the women protected and their infants.

(6) Other benefits in kind or in cash, such as layettes or payment for the purchase of layettes, the supply of milk or of nursing allowance for nursing mothers, etc., might be usefully added to the benefits mentioned in subparagraphs (1) and (2) of this paragraph.

III. FACILITIES FOR NURSING MOTHERS AND INFANTS

3. (1) Wherever practicable nursing breaks should be extended to a total period of at least one-and-a-half hours during the working day and adjustments in the frequency and length of the nursing periods should be permitted on production of a medical certificate.
(2) Provision should be made for the establishment of facilities for nursing or day care, preferably outside the undertakings where the women are working; wherever possible provision should be made for the financing or at least subsidising of such facilities at the expense of the community or by compulsory social insurance.

(3) The equipment and hygienic requirements of the facilities for nursing and day care and the number and qualifications of the staff of the latter should comply with adequate standards laid down by appropriate regulations, and they should be approved and supervised by the competent authority.

IV. PROTECTION OF EMPLOYMENT

4. (1) Wherever possible the period before and after confinement during which the woman is protected from dismissal by the employer in accordance with Article 6 of the Maternity Protection Convention (Revised), 1952, should be extended to begin as from the date when the employer of the woman has been notified by medical certificate of her pregnancy and to continue until one month at least after the end of the period of maternity leave provided for in Article 3 of the Convention.

(2) Among the legitimate reasons for dismissal during the protected period to be defined by law should be included cases of serious fault on the part of the employed woman, shutting down of the undertaking or expiry of the contract of employment. Where works councils exist it would be desirable that they should be consulted regarding such dismissals.

(3) During her legal absence from work before and after confinement, the seniority rights of the woman should be preserved as well as her right to reinstatement in her former work or in equivalent work paid at the same rate.

V. PROTECTION OF THE HEALTH OF EMPLOYED WOMEN DURING THE MATERNITY PERIOD

5. (1) Night work and overtime work should be prohibited for pregnant and nursing women and their working hours should be planned so as to ensure adequate rest periods.

(2) Employment of a woman on work prejudicial to her health or that of her child, as defined by the competent authority, should be prohibited during pregnancy and up to at least three months after confinement and longer if the woman is nursing her child.

(3) Work falling under the provisions of subparagraph (2) should include, in particular—

(a) any hard labour involving—

(i) heavy weight-lifting, pulling or pushing; or

(ii) undue and unaccustomed physical strain, including prolonged standing;

(b) work requiring special equilibrium; and

(c) work with vibrating machines.
(4) A woman ordinarily employed at work defined as prejudicial to health by the competent authority should be entitled without loss of wages to a transfer to another kind of work not harmful to her health.

(5) Such a right of transfer should also be given for reasons of maternity in individual cases to any woman who presents a medical certificate stating that a change in the nature of her work is necessary in the interest of her health and that of her child.

The foregoing is the authentic text of the Recommendation duly adopted by the General Conference of the International Labour Organization during its Thirty-fifth Session which was held at Geneva and declared closed the twenty-eighth day of June 1952.

IN FAITH WHEREOF we have appended our signatures this fourth day of July 1952.

The President of the Conference,
José de Segadas Viana.

The Director-General of the International Labour Office,
David A. Morse.
Resolutions adopted by the International Labour Conference at its 35th Session
(Geneva, 1952)

I

Resolution concerning the Independence of the Trade Union Movement
(Adopted on 26 June 1952)¹

Whereas the International Labour Conference at its recent session has formulated in international Conventions and Recommendations principles for the establishment of freedom of association and good industrial relations;

Whereas a stable, free and independent trade union movement is an essential condition for good industrial relations and should contribute to the improvement of social conditions generally in each country;

Whereas the relations between the trade union movement and political parties will inevitably vary for each country; and

Whereas any political affiliation or political action by the trade unions depends on national conditions in each country;

Considering nevertheless that there are certain principles which should be laid down in this regard which are essential to protect the freedom and independence of the trade union movement and its fundamental task of advancing the social and economic wellbeing of the workers,

The International Labour Conference at its 35th Session adopts this twenty-sixth day of June 1952 the following resolution:

1. The fundamental and permanent mission of the trade union movement is the economic and social advancement of the workers.

2. The trade unions also have an important role to perform in cooperation with other elements in promoting social and economic development and the advancement of the community as a whole in each country.

3. To these ends it is essential for the trade union movement in each country to preserve its freedom and independence so as to be in a position to carry forward its economic and social mission irrespective of political changes.

4. A condition for such freedom and independence is that trade unions be constituted as to membership without regard to race, national origin or political affiliations and pursue their trade union objectives on the basis of the solidarity and economic and social interests of all workers.

5. When trade unions in accordance with national law and practice of their respective countries and at the decision of their members decide

¹ Adopted by 112 votes to nil, with 37 abstentions.
to establish relations with a political party or to undertake constitutional political action as a means towards the advancement of their economic and social objectives, such political relations or actions should not be of such a nature as to compromise the continuance of the trade union movement or its social and economic functions irrespective of political changes in the country.

6. Governments in seeking the co-operation of trade unions to carry out their economic and social policies should recognise that the value of this co-operation rests to a large extent on the freedom and independence of the trade union movement as an essential factor in promoting social advancement and should not attempt to transform the trade union movement into an instrument for the pursuance of political aims, nor should they attempt to interfere with the normal functions of a trade union movement because of its freely established relationship with a political party.

II

Resolution concerning Assistance to Underdeveloped Countries
(Adopted on 27 June 1952)¹

The Conference,

Convinced that the acceleration of the development of underdeveloped countries is one of the basic conditions both of the expansion and development of the world economy as a whole and of the maintenance and strengthening of world peace;

Convinced that the acceleration of the development of underdeveloped countries is conditioned not only by the national efforts of the underdeveloped countries themselves but also by the quantity and quality of international assistance rendered by developed countries and international agencies;

Noting with interest the decisions taken on this subject by the General Assembly of the United Nations at its Sixth Session;

Noting with satisfaction the contribution afforded to the economic development of underdeveloped countries through national efforts, international aid, bilateral arrangements and other forms of assistance,

Expresses its hope that the United Nations and the specialised agencies will make every effort to make international assistance to underdeveloped countries increasingly effective,

Notes with satisfaction the activity of the International Labour Organisation in the field of assistance to underdeveloped countries, as stated in the Report of the Director-General, and

Requests the Governing Body and the Director-General of the International Labour Office to continue to develop and extend this activity so that the International Labour Organisation may give its greatest contribution to the economic and social development of underdeveloped countries.

¹ Adopted by 121 votes to nil, with 7 abstentions.
III

Resolution concerning the Effective Prosecution in All Countries of the Aims and Objectives of the International Labour Organisation in Conditions of Freedom and Security

(Adopted on 27 June 1952)¹

Whereas it is laid down in the Declaration of Philadelphia that the central aim of national and international policy shall be the attainment of conditions in which all human beings have the right to pursue both their material wellbeing and their spiritual development in conditions of freedom and dignity, of economic security and equal opportunity,

Whereas the available resources of many countries are severely extended by the claims of economic development and national security as well as by efforts to maintain or improve the present living standards of their peoples,

The Conference calls upon all States Members to make every effort, both national and international, more particularly through their mutual relations in the field of economics and trade, to secure that adequate resources are progressively available for the purpose of the effective prosecution in all countries of the aims and objectives of the International Labour Organisation in conditions of freedom and security.

IV

Resolution concerning the Admission of the United Kingdom of Libya to Membership of the International Labour Organisation

(Adopted on 11 June 1952)²

The General Conference of the International Labour Organisation,

Having been seized of an application from the Government of the United Kingdom of Libya for membership in the International Labour Organisation,

Recalling that it has always been the firm conviction of the Organisation that its ends can be more effectively advanced if the membership of the Organisation could be made universal,

Decides to admit the United Kingdom of Libya to membership in the International Labour Organisation with the same rights and obligations as the other Members of the International Labour Organisation.

The Conference takes note that the United Kingdom of Libya accepts the undertakings given on its behalf by the Government of Italy under the provisions of Article 35 of the Constitution of the International Labour Organisation and that the Government of Libya will give consideration at a very early date to the formal ratification of these Conventions.

The Conference authorises the Governing Body to make the necessary arrangements with the Government of the United Kingdom of Libya with regard to its financial contributions.

¹ Adopted by 118 votes to 7, with 1 abstention.
² Adopted unanimously.
The Conference notes that the Government of Libya has already communicated to the Director-General of the International Labour Office its formal acceptance of the obligations of the Constitution of the International Labour Organisation, and that accordingly the admission of the United Kingdom of Libya to membership in the International Labour Organisation will take effect on the adoption of the present resolution by the Conference.

V

Resolution concerning the Placing on the Agenda of the Next General Session of the Conference of the Question of Protection of the Health of Workers in Places of Employment

(Adopted on 28 June 1952)¹

The Conference,

Having before it the eighth item on its agenda dealing with the protection of the health of workers in places of employment;

Having adopted the report of the Committee appointed to consider the eighth item on the agenda;

Having taken note of the view expressed in that report that the decision as to the form of the international regulations should be taken at the next general session of the Conference;

Decides:

(1) to put on the agenda of its next general session the question of protection of the health of workers in places of employment;

(2) to instruct the Office to include in the report to be submitted to Governments under paragraph 6 of Article 39 of the Standing Orders of the Conference the following alternative texts:

(a) a Convention supplemented by a Recommendation;

(b) a Recommendation;

(3) that the decision as to which of these forms the international regulations shall take shall be taken at the next general session of the Conference.

VI

Resolution concerning the Placing on the Agenda of the Next General Session of the Conference of the Question of the Minimum Age of Admission to Work Underground in Coal Mines

(Adopted on 28 June 1952)²

The Conference decides to include in the agenda of its next general session in 1953 the question of the minimum age of admission to work underground in coal mines for a second discussion with a view to the adoption of a Recommendation on this question.

¹ Adopted by 118 votes to nil, with 30 abstentions.
² Adopted by 121 votes to 31, with 13 abstentions.
VII

Resolution concerning Objectives and Advanced Standards of Social Security
(Adopted on 27 June 1952)¹

The Conference,
Having considered the report of the Committee appointed to examine the fifth item on its agenda; and
Considering that the preparation of an instrument dealing with the objectives and advanced standards of social security is likely to involve problems of even greater complexity,
Invites the Governing Body to re-examine the question of objectives and advanced standards of social security and to choose an appropriate time for placing it on the agenda of the Conference.

VIII

Resolution concerning the Situation of Aliens and Migrant Workers in the Field of Social Security
(Adopted on 25 June 1952)²

The Conference,
Having considered the report of the Committee on Social Security concerning minimum standards of social security, and
Having taken note that the provisions in the proposed Convention on minimum standards of social security concerning equality of treatment of non-national residents do not deal fully with the complex problem which the status of non-national residents and migrant workers raises in the social security field;
Invites the Governing Body to consider any appropriate measures for the establishment of an international instrument which would deal with the situation of aliens and migrant workers in the field of social security.

IX

Resolution concerning Social Security and Social Welfare Facilities in Coal Mines
(Adopted on 26 June 1952)³

The Conference requests the Governing Body to refer the questions of social security and social welfare facilities and services in so far as they apply particularly to workers in coal mines to the next session of the Coal Mines Committee for further study of these questions with regard to all workers, including young workers.

¹ Adopted by 132 votes to 1, with 29 abstentions.
² Adopted by 125 votes to 1, with 5 abstentions.
³ Adopted unanimously.
Resolution concerning the Regulation of the Employment of Young Persons in Underground Work in Coal Mines

(Adopted on 27 June 1952)\(^1\)

Whereas the General Conference of the International Labour Organisation has adopted a series of Conventions and Recommendations dealing particularly with the regulation of employment of young persons in industry and their vocational preparation, namely, the Minimum Age (Industry) Convention, 1919, the Minimum Age (Industry) Convention (Revised), 1937, the Medical Examination of Young Persons (Industry) Convention, 1946, the Night Work of Young Persons (Industry) Convention (Revised), 1948, the Vocational Training and Apprenticeship Recommendations, 1939, the Vocational Guidance Recommendation, 1949; or including young workers in more general provisions, as in the Hours of Work (Coal Mines) Convention (Revised), 1935 and the Labour Inspection (Mining and Transport) Recommendation, 1947; and

Whereas the Coal Mines Committee of the International Labour Organisation has adopted a series of resolutions concerning respectively, in 1947, apprenticeship and vocational training in coal mines, in 1949, various aspects of the regulation of employment of young workers underground in coal mines, and, in 1951, minimum age of admission to employment underground in coal mines; and

Whereas in the prevailing circumstances of life and work in mining areas it is necessary that special attention be devoted to appropriate social measures to permit the full cultural, physical and vocational development of young persons; and

Whereas the measures to be taken will necessarily vary with the nature of the question concerned and with national conditions, some of these measures being legislative, while others may be more appropriate for application by the parties concerned by means of collective agreements or otherwise,

The International Labour Conference, meeting at Geneva in its 35th Session, adopts this twenty-seventh day of June 1952 the following resolution concerning the regulation of the employment of young persons in underground work in coal mines:

I. MINIMUM AGE

1. Young persons under sixteen years of age should not be employed underground in coal mines.

2. Young persons who have attained the age of sixteen years but are under eighteen years of age should not be employed underground in coal mines except—

\( (a) \) for purposes of apprenticeship or other systematic vocational training provided under adequate supervision, by competent persons with technical and practical experience of the work, or

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\(^1\) Adopted by 104 votes to 13, with 24 abstentions.
under conditions determined by the competent authority prescribing the places of work and occupations permitted and the measures of systematic medical supervision to be applied.

II. VOCATIONAL GUIDANCE

3. Systematic vocational guidance with regard to the coal-mining industry should be made available to all young persons wherever appropriate to the national economy and individual welfare.

4. Such vocational guidance should be developed within the framework of a general vocational guidance programme covering all occupations and should be consistent with the purposes and standards of general education.

5. It should provide, inter alia—

(a) where appropriate, from a given time before school-leaving age, a curriculum in elementary schools, which should include material relating to the coal-mining industry; the curriculum should avoid premature specialisation and the material should be presented objectively so as not to exercise undue pressure, but so as to stimulate the students' respect for and interest in work in the mines;

(b) where practicable, in the last year of school attendance, conducted visits to the pits or training centres, supplemented by talks dealing both with what the students have been able to see and with the different careers which the coal industry can offer to its employees;

(c) where practicable, curricula in secondary and technical schools, including the study of the various aspects of the coal industry and work in the mines, together with visits to the collieries in order to stimulate among students interest in the industry and, in particular, in the work of mining technicians and engineers.

6. Young persons seeking to enter coal mining should be advised, if they have not already done so, to obtain vocational guidance where it is available to them.

7. The principles and methods of vocational guidance as described in Part III of the Vocational Guidance Recommendation, 1949, should be applied to young persons considering underground employment in coal mines in any of its aspects as a career.

III. VOCATIONAL TRAINING

8. Where appropriate to the national economy, systematic vocational training which should be theoretical and practical in character and free of charge should be made available to all young persons employed in coal mines and wishing to engage in underground work.

9. (1) This training should be such as to enable young persons to acquire the professional trade qualifications necessary to perform their work competently and with a maximum of safety and to facilitate their adjustment to new technical developments in coal mining.
(2) It should be given in vocational schools, training centres, or during the performance of work under the direction of qualified instructors with practical experience.

10. Training programmes should include—
   
   (a) courses in general education and physical training;
   
   (b) courses in the basic theory and practice of mining necessary for the performance of work in the mines, including visits to the mines;
   
   (c) instruction in hygiene and safety measures; and
   
   (d) after at least three months of training, essentially productive work under the direction of experienced instructors.

11. Examinations should be held at the end of the training period and, if so desired, during the course of training, in order to assess the qualifications of the trainees, and should lead to the awarding of recognised certificates attesting the results of these examinations.

12. The employers and the representatives of the recognised organisations of employees should collaborate in the organisation and application of these training programmes.

13. A training centre should be attached to every colliery or at least to every coalfield and should be established at the colliery, in the vicinity, or on any other suitable site, reproducing, as far as possible, the conditions of underground work.

14. Where such centres exist, all young persons engaged for underground work should receive suitable training in them sufficiently thorough to enable them to attain the qualifications required for the jobs for which they have been selected.

15. Where such training centres do not exist, young persons under eighteen years of age whose aptitudes appear to justify it should have the opportunity to follow courses of general and technical education and physical training during working hours without loss of earnings.

16. (1) The collieries should, with the co-operation of workers' organisations and the public authorities, undertake the training in teaching methods of the instructors and also, so far as possible, of the workers called upon to take charge of apprentices.

   (2) The methods of vocational training should be periodically studied and reviewed, so as to ensure their adaptation to modern teaching principles and techniques and to take account of new technical developments in the mining industry.

17. The young persons who have obtained the best results in the final examinations, and whose aptitudes appear to justify it, should, after a suitable period of work in the mine, be admitted to schools for the training of supervisory and higher-grade staff.

18. (1) In order to make it possible for young persons employed in the mines to rise to the highest posts, scholarships should be made available for study either in their own country or abroad.

   (2) International exchange of trainees and instructors should be organised and developed.
IV. Medical Examination

19. Provision should be made for the compulsory medical examination of all young persons under twenty-one years of age to ensure the maintenance of their health when employed underground in coal mines.

20. Such provision should include—

(a) a thorough pre-employment medical examination, including radiological examination, to determine fitness for admission to vocational training or employment underground in coal mines;

(b) a general re-examination, at least every two years, supplemented by special examinations, where appropriate, to confirm continued fitness; and

(c) where appropriate, particularly between the ages of sixteen and eighteen years, examinations at more frequent intervals.

21. Young persons in whom such medical re-examination after a given period of employment in underground work reveals unfitness, handicaps or deficiencies caused by underground work or the early symptoms of occupational disease, and young persons who have suffered injury in the course of their duty, should have access—without prejudice to the payment of monetary compensation due on account of accident or occupational disease—to services which will ensure their physical and vocational rehabilitation and, where appropriate or desirable, to services ensuring their vocational re-orientation within the coal industry or in a more suitable occupation.

22. The medical examinations and re-examinations should be the responsibility of qualified physicians familiar with conditions of work underground in coal mines.

V. Night Work

23. Young persons under eighteen years of age should not be employed at night on underground work in coal mines.

VI. Rest Pauses and Holidays

24. Young persons under eighteen years of age employed underground in coal mines should be assured daily breaks, weekly rest periods and annual paid holidays of sufficient duration to enable the physical and mental energy lost as a result of employment underground to be made good.

25. These periods should comprise as a minimum—

(a) a rest period during the working day, paid for at the same rate as working hours, of specified minimum duration sufficient to permit a meal to be eaten;

(b) a weekly rest period averaging thirty-six consecutive hours, the average to be calculated on a basis of four weeks, including, in accordance with the provisions of the Hours of Work (Coal Mines) Convention (Revised), 1935, Sunday or the day established by the tradition or custom of the country or district;
(c) rest on legal public holidays;
(d) annual paid holidays of a minimum duration of eighteen working days.

VII. INSPECTION SERVICES

26. Primary consideration should be given to extending appropriate supervisory services to areas where young persons are employed underground.

27. Methods of supervision of the employment of young workers underground in coal mines should include the following:

(a) supervisory authorities should be empowered, within limits carefully defined by law, to take the necessary steps with a view to remedying as quickly as possible conditions they consider to constitute a threat to the health or safety of the young workers employed underground;
(b) supervision of the employment conditions of young workers should be effected by means of close collaboration between various agencies, such as the employment and labour inspection services, the public medical and social services, and the appropriate departments of undertakings in accordance with their respective responsibilities.

28. Employers should be required to facilitate the tasks of inspectors by placing at their disposal the special register provided for in the relevant Conventions dealing with minimum age, night work and medical examination of young persons, or general registers including the data on young persons required by these texts, and all such other documents as give precise information in regard to young persons employed underground.

XI

Resolution concerning the Elimination or Reduction of Risks of Workers Exposed to or in Contact with Harmful Substances or Radiations

(Adopted on 26 June 1952)¹

Whereas the International Labour Conference at its 35th Session has had under consideration proposals for international regulations relating to protection of the health of workers in places of employment;

And whereas it is proposed that such international regulations should include provisions concerning methods of reducing or eliminating risks to health in places of employment, including particular methods of protecting the health of workers which may be applied, as necessary and appropriate, in connection with special risks of injury to health;

And whereas, in view of the great variety of such special risks and of circumstances in which they are encountered, it is not possible to formulate rules of a general nature as to the methods to be applied, but it is desirable to draw attention to particular types of method which should be considered;

¹ Adopted by 137 votes to nil, with 16 abstentions.
The Conference resolves as follows:

With a view to eliminating or reducing risks of workers becoming exposed to or in contact with harmful substances or radiations, whether in the atmosphere or in more direct connection with their work, employers and others concerned in the various countries should be encouraged by Governments to consider always the types of method indicated below and apply such of them, or such combinations of them, as appear to be appropriate and reasonably practicable in the circumstances of the particular case:

(a) substitution of harmless or less harmful substances;
(b) use of mechanical methods or of tools so as to eliminate or reduce direct contact with the substance;
(c) use of wet or damp working methods (or use of foams, colloids, etc.) so that giving off of harmful dust is reduced or eliminated;
(d) enclosure of the operation, in conjunction where appropriate with exhaust ventilation of the enclosure, to prevent or reduce the escape of dust, fumes, vapours or radiations into the atmosphere of the workplace;
(e) without enclosure (or without complete enclosure), use of local exhaust ventilation as near as practicable to the point where dust, fume, vapour or radiation is given off;
(f) good general ventilation of the workroom or workplace so that harmful substances escaping into the atmosphere notwithstanding any other precautions do not accumulate or remain there in dangerous concentrations;
(g) periodic vacuum or damp cleaning of parts of the workplace and of its equipment where harmful dust is liable to accumulate and thence become dispersed into the atmosphere;
(h) isolation of the operation in a separated room or area so that the number of workers exposed to the hazard is reduced to a minimum;
(i) provision for the workers of protective clothing or equipment or other means of personal protection (for instance, substances to protect the skin), of kinds appropriate in the circumstances of the case.

XII

Resolution concerning the Collection and Diffusion of Information on the Substitution of Harmless or Less Harmful Substances for Harmful Substances

(Adopted on 26 June 1952)\(^1\)

The Conference,

Having adopted the proposed conclusions for the eighth item on the agenda of the Conference;

Having, in particular, approved the principle suggested in Point 10 of the draft conclusions submitted by the Office concerning the substitution of harmless or less harmful substances for harmful substances;

Having, furthermore, approved an amendment proposed by the Workers' members, according to which the national authority should promote and

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\(^1\) Adopted unanimously.
where possible undertake the study of the substitution of harmless or less harmful substances for harmful substances;

Considering that the application of the principle of substitution would be facilitated by the collection and diffusion on the international level of information on the problems arising and the progress achieved in this field; and

Recalling in addition that the International Labour Conference, at its Third Session in 1921, adopted the White Lead (Painting) Convention which prohibits the use of this toxic substance in the internal painting of buildings,

(1) Invites the Governing Body of the International Labour Office to instruct the Office to assemble, and to promote exchanges between the various countries of, information on the technical possibility of substituting harmless or less harmful substances for harmful substances, in order that countries less advanced in the field of scientific research and its industrial applications may benefit from the results achieved in the more advanced countries;

(2) Invites the Governing Body to consider when the technical and economic possibility of applying substitution in certain cases has been adequately demonstrated, whether the question of the adoption of international Conventions making such substitution obligatory should be placed on the agenda of the International Labour Conference.

XIII

Resolution concerning Consultation and Co-operation between Employers and Workers at the Level of the Undertaking

(Adopted on 26 June 1952)¹

The Conference,

Considering that the International Labour Conference, at its 35th Session, adopted a Recommendation enunciating the principle of consultation and co-operation between employers and workers at the level of the undertaking;

Considering that the Declaration of Philadelphia recognises the solemn obligation of the International Labour Organisation to further among the nations of the world programmes which will achieve the co-operation of management and labour in the continuous improvement of productive efficiency and the collaboration of workers and employers in the preparation and application of social and economic measures;

Considering that employers and workers recognise that consultation and co-operation on a basis of mutual confidence render an essential contribution to the efficiency and productivity of an undertaking, and also contribute to the social and economic wellbeing of the workers, and considering that Governments also recognise that it is in the national interest to encourage consultation and co-operation between employers and workers at the level of the undertaking;

Realising that the wide diversity of national practices and the different stages of development attained by the various countries make it difficult

¹ Adopted by 137 votes to 2, with 16 abstentions.
to frame precise or universal standards which should govern the principles and practice of consultation and co-operation between employers and workers at the level of the undertaking;

Desiring, however, to further the efforts being made in different countries by the parties concerned towards consultation and co-operation between employers and workers at the level of the undertaking,

Decides to embody in the present resolution the provisions set out in paragraphs 1 to 7 below by which the parties concerned, acting on a voluntary basis, or the public authority making laws or regulations, may be guided when making arrangements for consultation and co-operation between employers and workers at the level of the undertaking:

1. The representatives of the workers on bodies for consultation and co-operation should be freely appointed or recalled by the workers themselves in the undertaking.

2. The different categories of workers employed in the undertaking should be represented on an appropriate basis on the bodies for consultation and co-operation.

3. (1) Bodies for consultation and co-operation should have the essential function of increasing understanding of each other's point of view between all parties in the undertaking on a basis of real equality of discussion, and of assisting management by giving advice, information and suggestions on matters relating to production and the comfort and well-being of the workers.

   (2) In accordance with national custom or practice such consultation and co-operation should be—

      (a) facilitated by the encouragement of voluntary agreements between the parties, or

      (b) promoted by laws or regulations which would establish bodies for consultation and co-operation and determine their scope, functions, structure and methods of operation as may be appropriate to the conditions in the various undertakings, or

      (c) facilitated or promoted by a combination of these methods.

4. The managements of undertakings should take appropriate measures to facilitate the proper functioning of bodies for consultation and co-operation such as—

    (a) placing at the disposal of the body for consultation and co-operation the premises, material, and, in appropriate cases, the staff essential to its meetings or indispensable for its secretariat;

    (b) informing the body for consultation and co-operation, at regular intervals, and not less than once a year, regarding the activity of the undertaking and the plans for the coming twelve months, and to give general information regarding the economic and technical situation of the undertaking;

    (c) allowing the representatives of the workers the necessary time to perform their functions without loss of pay.

5. Appropriate measures should be taken to ensure that members of bodies for consultation and co-operation should not disclose confidential information which may be brought to their knowledge during the performance of their functions.
6. Appropriate measures should be taken to ensure the adequate protection of the representatives of the workers against discrimination because of the exercise of their functions.

7. All parties concerned with the activities of bodies for consultation and co-operation should take special measures to keep the whole of the personnel informed of such activities subject to the non-disclosure of confidential information referred to in paragraph 5 above.

The Conference requests the Governing Body to invite the Director-General to follow the developments in the different countries in this matter very closely and to report thereon to the Governing Body.

XIV

Resolution concerning the Adoption of the Budget for the 35th Financial Period (1953) and the Allocation of Expenses among States Members for 1953

(Adopted on 24 June 1952)¹

In virtue of the Financial Regulations the Conference passes for the 35th financial period, ending 31 December 1953, the budget of expenditure of the International Labour Organisation, amounting to 6,469,085 U.S. dollars and the budget of income amounting to 6,469,085 U.S. dollars, and resolves that the budget of income from States Members shall be allocated among them in accordance with the scale of contributions recommended by the Finance Committee of Government Representatives.

XV

Resolution concerning Contributions Payable to the I.L.O. Staff Pensions Fund in 1953

(Adopted on 24 June 1952)²

The International Labour Conference—

Decides that the contribution of the International Labour Organisation to the Pensions Fund for 1953 under Article 7, paragraph (a) of the Staff Pensions Regulations shall be 14 per cent. of the pensionable emoluments of the Members of the Fund;

Decides that, for the year 1953, the officials mentioned in Article 4, paragraph (a) (i) of the I.L.O. Staff Pensions Regulations shall continue to pay an additional one per cent. of their pensionable emoluments (making a total of seven-and-one-half per cent.), and those mentioned in Article 4, paragraph (a) (ii), an additional half per cent. (making a total of five-and-one-half per cent.) if their pensionable emoluments exceed the equivalent of Swiss francs 6,500 per annum, and an additional quarter per cent. (making a total of five-and-one-quarter per cent.) if these emoluments are the equivalent of Swiss francs 6,500 or less.

Resolves that, in continuation of the arrangement approved in previous years, the whole budgetary vote for 1953 in respect of the contributions

¹ Adopted by 184 votes to 8, with no abstentions.
² Adopted unanimously.
of the Organisation to the I.L.O. Staff Pensions Fund should be paid to the Fund.

XVI

Resolution concerning the Early Payment of Contributions by States Members
(Adopted on 24 June 1952)\(^1\)

The International Labour Conference—
Noting the proposal made by the Governing Body following upon its consideration of the problem of arrears of contributions due by States Members to the budget of the Organisation,
Recommends all States Members to pay their contributions within the year for which they are assessed and as early in the year as their national budgetary procedures permit.

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\(^1\) Adopted unanimously.
Additional Texts Adopted by the International Labour Conference at its 35th Session
(Geneva, 1952)

Revised Text of the Financial Regulations
(Articles 19-22 bis)

The Finance Committee of Government Representatives had before it proposals made by the Governing Body for the amalgamation of the Working Fund and the Reserve Fund. These proposals included certain amendments to the relevant articles of the Financial Regulations.

In accordance with the recommendation of the Finance Committee of Government Representatives, the Conference, at its sitting of 28 June 1952, adopted the proposed amendments. The revised text of the relevant articles of the Financial Regulations is as follows:

CHAPTER V. THE WORKING CAPITAL FUND

Article 19

1. The Working Capital Fund is a fund established for the following purposes:

(a) to finance budgetary appropriations pending receipt of contributions or other income; and

(b) in exceptional circumstances and subject to prior authorisation of the Governing Body, to provide advances to meet contingencies and emergencies.

2. The Working Capital Fund shall be of such amount as may be voted from time to time by the Conference and shall be constituted by—

(a) moneys placed in the Fund by the Members of the Organisation, the amount of the share of each Member being assessed in accordance with the budgetary scale of contributions, and

(b) any sums which the Conference may cause to be paid into it from time to time.

3. The sums paid by Members of the Organisation under paragraph 2 (a) for the purpose of constituting or augmenting the Working Capital Fund shall be carried to the credit of the Members which have paid such sums. The sums which the Conference causes to be paid into the Fund from time to time shall be carried to the credit of the Organisation.

4. The Conference may liberate all or part of the sums constituting the Working Capital Fund, and the sums so liberated in so far as they are derived from moneys placed in the Fund under paragraph 2 (a) shall be returned to the Members which have contributed to the Fund in proportion to their respective contributions.

5. Subject to a decision of the Conference, States which for any reason cease to be Members of the Organisation shall be entitled to the reimbursement of the total amount of their contributions to the Working Capital Fund, under paragraph 2 (a).

6. Members joining the Organisation shall contribute to the Working Capital Fund even if such contributions would bring the Working Capital Fund above a maximum limit fixed for it by the Conference, provided that the position with regard to the Fund shall be reviewed by the Conference from time to time with a view to determining what adjustment, if any, should be made in the amount of the Fund, having regard to consequent excess over the maximum limit.

Article 20

1. The Working Capital Fund shall be administered as a separate account.
A statement showing the position of the Fund, audited by the auditor, shall be submitted each year to the Conference. Contributions to the Fund under Article 19 paragraph 2 (a) shall be made through the annual budget. As soon as a Member pays its contribution, the Working Capital Fund account shall be immediately credited with a portion of the contribution corresponding to the ratio between the amount voted in respect of the Working Capital Fund for the year and the total amount voted for the year.

2. Interest earned on the Fund shall be added to the shares in the Fund standing to the credit (a) of individual Members and (b) of the Organisation in proportion to the amount of their shares.

**Article 21**

1. (a) Sums not exceeding the total contributions to the Fund by the Members of the Organisation may be withdrawn from the Working Capital Fund to finance budgetary appropriations for any year pending receipt of contributions or other income and shall be reimbursed to the Fund in the course of that financial year as soon as receipts from contributions or other income are available for this purpose.

(b) In exceptional circumstances and subject to the prior authorisation of the Governing Body, should the sums contributed to the Working Capital Fund by the Members be temporarily inadequate to finance budgetary appropriations pending receipt of contributions, advances may be made from that part of the Working Capital Fund which stands to the credit of the Organisation. Such advances shall be reimbursed to the Fund as soon as receipts from contributions or other income are available.

2. If in any financial year any sum withdrawn from the Working Capital Fund, to finance budgetary expenditure pending receipt of contributions or other income, cannot be reimbursed in the course of the financial year owing to the fact that total budgetary income for the year falls short of total budgetary expenditure, such sum shall be reimbursed to the Fund by including an appropriate credit in the budget for the next year but one.

3. Sums withdrawn from the Working Capital Fund to provide advances to meet contingencies and emergencies shall be reimbursed to the Fund by including an appropriate credit in the budget for the next year but one.

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**Extracts from the Report of the Committee on Standing Orders**

I. **SIMPLIFICATION OF THE PROCEDURE OF THE CONFERENCE**

At its 118th Session (Geneva, March 1952) the Governing Body of the International Labour Office considered a number of proposals made by its Committee on Standing Orders and Application of Conventions and Recommendations for simplifying the procedure of the Conference and decided to transmit them to the President of the 35th Session of the Conference and to the Selection Committee in order that the latter might take such action upon them as might be practicable.

On the recommendation of the Selection Committee the Conference gave immediate effect to the following recommendations:

(a) **Punctuality in beginning meetings.**

Plenary sittings of the Conference should invariably begin precisely at the hour announced and if the President of the Conference is unable

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1 Articles 22 (Purpose and Constitution of the Reserve Fund) and 22 bis (Withdrawals from and Reimbursement to the Reserve Fund) are deleted.


3 By a decision taken on 5 June 1952.
to take the Chair at that hour his place should be filled by one of the Vice-Presidents.

(b) **Publication of names of members of Committees instead of the reading of these names at a plenary sitting of the Conference.**

The Conference should approve the nominations made by the groups without having the lists of names read to it; these lists would, of course, be published in the *Provisional Record*, and it was suggested that appropriate arrangements should be made for the lists to be reviewed on behalf of the three groups before being printed in the *Provisional Record*.

On the recommendation of the Selection Committee, the Conference decided to refer the other Governing Body recommendations concerning the simplification of the Conference procedure to the Committee on Standing Orders for consideration and report. These recommendations were the following.

(c) **Arrangements for setting up Committees at the beginning of the Conference.**

The Standing Orders Committee does not propose the laying down of rigid rules governing this question, but offers certain suggestions which would, in particular, serve as a guide for the Selection Committee in its approach to its work.

On the assumption that the session would open officially on a Wednesday, the Standing Orders Committee recommends that the following timetable should as far as possible be followed during the first two days.

**Wednesday.**

The opening sitting should start at 10 a.m., as at the present session, instead of at 11 a.m. as in the past, and proceed to the election of its President. This would enable the groups to hold official meetings at the close of the opening sitting for the selection of the Officers of the groups, the nomination of groups' representatives on the Selection Committee, and the nomination of the Vice-Presidents of the Conference. The Conference would meet again at the beginning of the afternoon to elect its Vice-Presidents and appoint the Selection Committee. This Committee would meet immediately after the close of the plenary sitting in order to draw up its recommendations concerning the Committees to be established and membership targets to be used as the basis for the usual negotiations between the groups on the following morning.

**Thursday.**

Thursday morning would be occupied by group meetings and inter-group consultations. The results of these consultations would be reported to the Selection Committee, which would meet at 3 p.m. and which would submit its report to a plenary sitting of the Conference at 4 p.m.

Arrangements should be made for the largest possible number of committees to meet on Thursday afternoon to elect their officers—the precise arrangements being left to the Selection Committee.

The arrangements thereafter would be decided by the Selection Committee according to circumstances.
The Standing Orders Committee also recommends that the Selection Committee should consider the desirability of delegating to its officers authority to take the necessary steps, in consultation with the Chairmen of the groups, to communicate to the Conference for formal confirmation arrangements necessitated by the provision of additional seats as members of Committees for latecomers and other slight adjustments which are not of a controversial nature. It would, of course, be understood that any change in the composition of Committees which was not completely non-controversial would, as at present, be considered by the Selection Committee.

The Standing Orders Committee decided not to make any recommendation to the Conference concerning group meetings which might take place on the Monday and Tuesday preceding the opening of the Conference, it being understood that it would be open to each group to make its own arrangements.

(d) Arrangements for the discussion of the Director-General's Report.

(i) The Standing Orders Committee recommends to the Conference that the discussion of the Director-General's Report should normally begin on the Monday following the opening of the session and that the time limit within which delegates must put down their names on the list of speakers should normally expire on the following Saturday, it being understood that this time limit would not apply to visiting Ministers.

(ii) The Committee recommends that this procedure should each year be brought to the attention of delegates.

(iii) The Committee recommends that the Conference should draw attention to the inconvenience which is caused to the Conference as a whole and to other speakers if speakers on the list who have been warned of the approximate time at which they will be invited to speak are not ready to do so at the time fixed; it considers that such speakers must run the risk of a time which is convenient to them and has not already been pledged to another speaker not being available; if the volume of business coming before the plenary sittings leaves no margin of time, they may even run the risk of losing their chance to speak altogether.

(iv) Speakers should be asked to warn the Clerk of the Conference as soon as possible in the event of being prevented from speaking.

(v) The Committee draws attention with particular emphasis to paragraph 6 of Article 14 of the Standing Orders of the Conference, which provides that no speech shall exceed 15 minutes, it being understood that the Conference would maintain the courtesy in this matter which it has been customary to extend to visiting Ministers.

(vi) The Committee also recommends that speakers should be requested to concentrate their attention as far as possible on questions relating to the Director-General's Report and on the activities of the International Labour Organisation during the year under review.

II. Amendment of the Spanish Text of Article 17 of the Standing Orders of the Conference

The Standing Orders Committee had before it a proposed amendment to the Spanish text of Article 17 of the Standing Orders of the Conference,
put forward by the Government delegates of Guatemala. The Spanish text of Article 17, 1 (1) reads at present as follows:

No se podrá presentar durante las sesiones de la Conferencia ninguna resolución que no se refiera a un punto del orden del día, a menos que su texto se haya enviado al Director General de la Oficina Internacional del Trabajo, por lo menos, siete días antes de la fecha fijada para la apertura de la Conferencia.

In accordance with the proposal made by the Guatemalan Government delegates the Standing Orders Committee recommends the Conference to replace the words se haya enviado al (has been sent to) in the above-mentioned provision by the words haya llegado a poder del (has been deposited with).

The Spanish text of Article 17, 1 (1) of the Standing Orders of the Conference, thus amended, would read as follows:

No se podrá presentar durante las sesiones de la Conferencia ninguna resolución que no se refiera a un punto del orden del día, a menos que su texto haya llegado a poder del Director General de la Oficina Internacional del Trabajo, por lo menos, siete días antes de la fecha fijada para la apertura de la Conferencia.

This amendment would have the advantage of making the Spanish text of Article 17, 1 (1) correspond to the English and French texts of that Article. The amendment affects only the Spanish text of the Standing Orders.

Texts concerning the Consideration of Questions relating to Industrial Relations, including Co-operation

I. EXTRACT FROM THE THIRD REPORT OF THE SELECTION COMMITTEE

Co-operation between Employers and Workers

At its 117th Session (November 1951) the Governing Body, anxious to lighten the agenda of the Conference in 1953, authorised the Director-General to suggest to the Conference that it should not carry over beyond the 35th Session its consideration of questions relating to industrial relations, including co-operation.

The Selection Committee has considered this suggestion and recommends the Conference to adopt it.

II. FOURTEENTH REPORT OF THE SELECTION COMMITTEE

Co-operation between Employers and Workers

The Third Report of the Selection Committee, unanimously adopted by the Conference, while providing that the Conference shall not carry over beyond the 35th Session its consideration of questions relating to industrial relations, including co-operation, is not to be regarded as limiting the right of the Governing Body, in accordance with normal practice, to determine if and when these questions shall again be placed on the agenda of a future session of the Conference.

1 The English text reads as follows:

"No Resolution relating to a matter not included in an item on the agenda of the Conference shall be moved at any sitting of the Conference unless a copy of the Resolution has been deposited with the Director-General of the International Labour Office at least seven days before the opening of the Conference."


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Industrial Committees

Advisory Committee on Salaried Employees and Professional Workers

(Second Session, Geneva, 18 February-1 March 1952) ¹

Convocation of the Committee

The Governments of States Members of the International Labour Organisation represented on the Advisory Committee on Salaried Employees and Professional Workers ² were informed by a letter of 13 December 1951 of the date and place of the Second Session of the Committee. ³

In accordance with a decision taken by the Governing Body at its 113th Session (Brussels, November 1950) the agenda of the session was as follows:

I. General Report, dealing particularly with—

(a) action taken in the various countries in the light of the conclusions of the First Session;

(b) steps taken by the Office to follow up the studies and enquiries proposed by the Committee;

(c) recent events and developments affecting salaried employees and professional workers.


² For the list of these governments, see below the chart showing the composition of Industrial Committees, etc., p. 237.

³ The text of this communication is not reproduced here. It is on the whole similar to letters of convocation to previous sessions of Industrial Committees (see, for instance, Official Bulletin, Vol. XXXII, No. 4, 15 Dec. 1949, p. 255, letter convening the Third Session of the Metal Trades Committee).
II. General hygiene of workplaces in commerce and offices.

III. Rights of performers as regards broadcasting, television and the mechanical reproduction of sound.

**PROCEEDINGS OF THE COMMITTEE**

The Second Session of the Advisory Committee on Salaried Employees and Professional Workers was held in Geneva from 18 February to 1 March 1952. In accordance with a decision taken by the Governing Body at its 117th Session (Geneva, November 1951), Mr. M. KAUFMANN (Switzerland), Government member of the Governing Body, presided at the session.

The Committee elected two Vice-Chairmen: Mr. R. P. DOHERTY, Director of the Employer-Employee Relations Division, National Association of Radio and Television Broadcasters, Washington, D.C. (Employers' delegate) and Mr. J. M. EKLUND, President of the American Federation of Teachers (Workers' delegate).

The following ten countries were represented:

- Brazil
- China
- France
- India
- Italy
- Peru
- Sweden
- United Kingdom
- United States
- Uruguay

All these countries sent a tripartite delegation.

The Governing Body of the International Labour Office was represented as follows:

- Government group: Mr. M. KAUFMANN (Switzerland).
- Employers' group: Mr. C. KUNTSCHEN (Swiss).
- Workers' group: Mr. J. MÖRI (Swiss).

The United Nations Educational, Scientific and Cultural Organisation was represented by Mr. A. BOGSCH, Deputy Head of the Copyright Division, and the World Health Organisation by Mr. J. WRIGHT, Division of Environmental Sanitation.

The International Union for the Protection of Literary and Artistic Works was represented by Mr. B. MENTHA, Director of its Office, as an observer.

The following non-governmental international organisations were represented by observers: World Federation of Trade Unions; International Confederation of Free Trade Unions; International Federation of Christian Trade Unions; International Co-operative Alliance; International Council of Commerce Employers; European Broadcasting Union; International Federation of the Phonographic Industry; International Federation of Commercial, Clerical and Technical Employees; International Federation of Christian Trade Unions of Employees, Professional Workers and Supervisors; International Executive Staff Federation; International Secretariat of Catholic Engineers; International Federation of Unions of Employees in Public and Civil Services; International

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1 See also *Industry and Labour*, Vol. VII, No. 11, 1 June 1952, pp. 400-413.
Federation of Christian Trade Unions of Employees in Public and Civil Service; Postal, Telegraph and Telephone International; International Federation of Musicians; Cartel of German-speaking Stage Performers; International Confederation of Professional and Intellectual Workers; International Federation of Business and Professional Women; World Organisation of the Teaching Profession; International League of Commercial Travellers', Representatives' and Agents' Associations.

The Committee set up a Steering Committee, which also acted as a Resolutions Committee, and the following two subcommittees:

Subcommittee on Hygiene in Shops and Offices;
Subcommittee on Performers' Rights.

The Committee held eight plenary sittings, six of which were mainly devoted to a general discussion of the questions submitted to the Committee for its consideration.

At its seventh and eighth plenary sittings the Committee adopted the reports, resolutions and memorandum submitted by the subcommittees, together with the resolutions and memorandum submitted by the Steering Committee and the resolutions submitted by the Workers' group. A draft resolution concerning the rights of performers (the granting to the performers concerned of a share of the profits made by the manufacturer from the secondary use of their recordings), which had been submitted by the French Government delegate, was rejected by the Committee by 24 votes to 26, with 5 abstentions.

CONCLUSIONS AND REPORTS ADOPTED BY THE COMMITTEE

The Committee adopted twelve resolutions and two memoranda addressed to the Governing Body, the texts of which are reproduced below, together with the reports of the subcommittees.

Resolution (No. 12) concerning Hygiene in Shops and Offices

The Advisory Committee on Salaried Employees and Professional Workers of the International Labour Organisation,

Having been convened by the Governing Body of the International Labour Office, and

Having met at Geneva in its Second Session from 18 February to 1 March 1952,

Having considered the report of the International Labour Office concerning hygiene in shops and offices,

Considering it highly desirable that every effort should be made to promote the highest possible level of hygiene in shops and offices in all countries,

Considering that this goal can be attained through various measures, such as legislation or regulation by public authorities, collective bargaining, voluntary action by co-operation between employers and workers,

---

1 At its First Session the Committee had adopted 11 resolutions; the first resolution adopted at its Second Session is therefore numbered 12.
2 Adopted unanimously by 49 votes on 1 March 1952.
Considering that it may not be useful or feasible, because of climatic, economic and other relevant factors, to lay down rigid standards on an international level applicable to all countries, and

Considering that nevertheless some general principles would be useful and desirable as a guide for the efforts to be made in each country, including adoption by the authorities concerned of appropriate minimum standards;

Adopts this first day of March 1952 the following resolution:

1. The Governing Body of the International Labour Office is invited—

   (1) to draw the attention of Governments of States Members in which legislation or regulations concerning hygiene in shops and offices already exist, to the interest taken by the International Labour Organisation in the due observance—and where desirable the improvement—of these provisions both by public authorities and by private undertakings;

   (2) to suggest that Governments of States Members in which legislation or regulations in this matter do not exist encourage the provision in shops and offices of minimum conditions of hygiene through the adoption, after due enquiry and after providing an opportunity for employers' organisations, workers' organisations and others concerned to be consulted, of legislation or regulations on a national, regional or local level, or through such other measures as may be appropriate and effective under conditions and practices existing in the countries concerned.

2. Depending on whether the measures or provisions adopted concern buildings to be constructed, buildings to be converted or buildings already in existence, these measures or provisions should seek to establish, in accordance with any conditions laid down by the competent authority and taking into consideration local possibilities, the following hygienic conditions:

**Design and Structure**

3. (1) Plans for the new construction or conversion of premises intended to be used as shops or offices should first be examined and approved within a reasonable time by the competent authority to ensure that they fully comply with legal provisions concerning industrial hygiene, such provisions to be in accordance with the nature of the work, the social and economic conditions, and the climate.

   (2) The competent authority should be empowered to prescribe within a reasonable time modifications and changes in such plans in order that the premises concerned may comply with the said legal provisions.

4. The premises, whether new or converted, should be a really efficiently-planned workplace in which the staff can carry out its functions smoothly and without unnecessary inconvenience or fatigue.

**Space**

5. Any worker employed should have sufficient space to move about freely and to accomplish his work without hindrance and without injury to his health.

**Cleanliness**

6. (1) All shops and offices, including workrooms, passages, sanitary and other accommodation used by workers should be regularly cleaned.

   (2) The floors of workplaces should be cleaned in a manner calculated to avoid the raising of dust.

   (3) Cleaning should be carried out at times (preferably outside working hours) which do not interfere with requirements or conditions of work, and so as to cause no discomfort to the staff.

   (4) The window panes should be kept clean.
Ventilation

7. Adequate ventilation should be secured and maintained by the circulation of fresh air.

8. (1) Arrangements should be made so as to render harmless, so far as practicable, fumes, dust and any other impurities which may be generated during the course of work.

   (2) The competent authority should have power to require such measures to be taken as may be necessary to prevent or deal with any emanations from sanitary conveniences, drains, etc., which may be a nuisance or prejudicial to health.

Lighting

9. (1) Effective provisions should be made for securing and maintaining sufficient lighting in any part of a shop or office in which employees are working or through which they may have to pass; such lighting to be appropriate to the nature of the work performed.

   (2) So far as reasonably practicable, measures should be taken to prevent discomfort or injury from glare, shadows or the reflection of light.

   (3) In this respect the utilisation of modern systems of lighting should be considered.

Temperature

10. (1) In shops and offices a temperature should be maintained as comfortable as circumstances permit.

    (2) A minimum temperature suitable to the climate and conditions of the country and the type of business should be accepted for all shops and offices.

    (3) No employee should be required to work under such conditions of extreme cold and extreme heat as the competent authority deems injurious to the health of the employee.

11. No means of heating or cooling should be employed which is likely to give rise to injurious or offensive fumes.

Noise

12. Appropriate measures should be taken to reduce the noise in shops and offices from machines, apparatus and sound signals and other disturbing noises likely to interfere with work.

Drinking Water

13. A supply of drinking water, or in default of that, wholesome drinks should be available to employees and where necessary the containers should be legibly marked.

Seats

14. (1) Where workers have in the course of their employment reasonable opportunities of sitting without detriment to their work, sufficient facilities for seating should be provided and maintained for their use.

   (2) Where work can properly be done sitting there should be provided and maintained for any person doing that work a seat of a kind suitable both for the worker and for the nature of the work.

Accommodation for Clothing

15. Adequate and suitable accommodation should be provided and maintained for clothing not worn during work.
Washing Facilities

16. Adequate washing facilities, including soap and towels or other suitable means of cleaning and drying, should be available and should be kept in a clean state.

Facilities for Meals

17. Where persons employed in the premises take meals on the premises, suitable and sufficient facilities for taking such meals should be provided and maintained.

Sanitary Accommodation

18. (1) Sufficient and suitable sanitary conveniences should be available to employees and separate accommodation should be provided for each sex, except in small establishments or purely family concerns.

(2) Sanitary accommodation should be adequately lighted, ventilated, conveniently accessible and partitioned off so as to secure privacy.

Underground Rooms

19. Underground or semi-underground workrooms should not be used if unsuitable as regards construction, ventilation, or for any hygienic reason, or if adequate means of escape from fire are not provided.

First Aid

20. (1) A suitably equipped first-aid box or cupboard should be provided and kept readily accessible to employees.

(2) Wherever necessary and practicable the first-aid facilities should include facilities for reclining.

Escape in Case of Fire

21. Free and unobstructed passage-ways should be kept from workrooms to fire exits.

22. Every fire exit should be distinctively and conspicuously marked.

23. Workers should be kept familiar with the general routine to be followed in case of fire.

Other Safety Precautions

24. The competent authority should have power to prescribe safety precautions regarding any machine, plant, appliance, etc., used in shops or offices.

25. The competent authority should have power to require the notification of accidents occurring in shops or offices.

Resolution (No. 13) concerning Forms of Action for Improving Hygiene in Shops and Offices

The Advisory Committee on Salaried Employees and Professional Workers of the International Labour Organisation, having been convened by the Governing Body of the International Labour Office, and having met at Geneva in its Second Session from 18 February to 1 March 1952, having considered the report on hygiene in shops and offices prepared by the International Labour Office,

1 Adopted unanimously by 50 votes on 1 March 1952.
2 Report II, op. cit.
Having adopted a resolution concerning hygiene in shops and offices, and
Considering that positive action should be taken in each country, with a view
to improving hygiene in shops and offices;
Adopts this first day of March 1952 the following resolution:

The Governing Body of the International Labour Office is invited to draw the
attention of governments and, through governments, that of employers and workers,
to the great desirability of effective steps being taken in each country with a view
to promoting and maintaining high levels of hygiene in shops and offices. To this
end, careful consideration should be given by those concerned to the following
measures:

(1) legislation and regulation by the competent national and/or local authorities
in matters affecting hygiene in shops and offices;
(2) effective application of such laws and/or regulations by means of independent
inspection under the sole auspices of competent authorities;
(3) encouragement of continuing co-operation between employers and workers
with a view to promoting hygiene in shops and offices;
(4) voluntary action by employers' organisations and employers in providing
improved hygiene in shops and offices;
(5) research into technical and scientific factors affecting conditions of hygiene
in shops and offices;
(6) enquiries into the actual conditions of hygiene obtaining in shops and offices;
and
(7) dissemination of facts and guidance, and organisation of publicity campaigns
by all appropriate means, with a view to creating an informed opinion amongst
employers, workers and members of the general public.

Resolution (No. 14) concerning the Establishment of an International
Recommendation on Hygiene in Shops and Offices

The Advisory Committee on Salaried Employees and Professional Workers of
the International Labour Organisation,
Having been convened by the Governing Body of the International Labour Office, and
Having met at Geneva in its Second Session from 18 February to 1 March 1952,
Considering the desirability of providing practical guidance, based on scientific
and technical data, in the sphere of hygiene in shops and offices;
Adopts this first day of March 1952 the following resolution:

The Governing Body of the International Labour Office is invited to consider
the report and the resolutions on hygiene in shops and offices adopted at the Second
Session of the Advisory Committee on Salaried Employees and Professional Workers,
with a view to the establishment of an international labour Recommendation.

Resolution (No. 15) concerning Technical Information and Assistance relating to
Hygiene in Shops and Offices

The Advisory Committee on Salaried Employees and Professional Workers of
the International Labour Organisation,
Having been convened by the Governing Body of the International Labour Office, and

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1 Adopted on 1 March 1952 by 45 votes to 0, with 5 abstentions.
2 Adopted unanimously by 50 votes on 1 March 1952.
Having met at Geneva in its Second Session from 18 February to 1 March 1952;
Adopts this first day of March 1952 the following resolution:

The Governing Body of the International Labour Office is invited—

(1) to instruct the Office to collect information of a technical nature relating
to hygiene in shops and offices, by all appropriate methods—whether by the
circulation of questionnaires, the use of International Labour Office Correspondents, the calling of experts, or other means—and to make such information available to governments and through governments, to employers and workers;

(2) to make technical assistance available on request to governments, particularly to those in underdeveloped areas, relating to hygiene in shops and offices; and

(3) to draw the attention of governments to the desirability of utilising to the full the technical advice of experts in developing necessary standards of hygiene in each individual country appropriate to the climatic, economic and other conditions prevailing in that country.

Memorandum (No. 16) to the Governing Body of the International Labour Office concerning the Preliminary Draft International Convention regarding the Protection of Performers, Manufacturers of Phonographic Records and Broadcasting Organisations

The Subcommittee on Performers' Rights which was set up by the Advisory Committee on Salaried Employees and Professional Workers at its Second Session (18 February to 1 March 1952), after having considered the preliminary draft international convention regarding the protection of performers, manufacturers of phonographic records and broadcasting organisations, adopted on 17 November 1951 by the Mixed Committee of Experts convened by the Berne Union, has reached the following conclusions in regard to the said preliminary draft:

**Article 1, Paragraph 1.**
The Subcommittee accepted this paragraph without comment.

**Article 1, Paragraph 2.**
The Subcommittee recommended that this paragraph should be deleted.

**Article 2, Paragraph (a).**
The Subcommittee accepted this paragraph.

**Article 3, the First Two Sentences.**
These two sentences were accepted by the Subcommittee.

**Article 4, Paragraph 1.**
Regarding the right to authorise, mentioned in this paragraph, the Subcommittee stated that the right to authorise, in its opinion, implied *ipso facto* the right to forbid.

**Article 4, Paragraph 1 (a).**
The Subcommittee accepted this paragraph.

**Article 4, Paragraph 1 (a) : Reference to Cinematographic Films Intended to Be Exhibited in Public Halls.**
The Subcommittee, after discussion, decided that it was not competent to express an opinion on this question which might be considered on other occasions, for example by the proposed diplomatic conference.

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1 Adopted on 29 February 1952 by 53 votes to 0, with 2 abstentions.

2 For the text of this preliminary draft international convention, see pp. 137-142.
Article 4, Paragraph 1 (b).

The Subcommittee accepted this paragraph without comment.

Article 4, Paragraph 1 (c) and (d).

The Employers' members submitted the following declaration:

Broadcasting organisations declare that they do not intend to broadcast or record without the authorisation of performers as provided in Article 4, paragraph 1 (c) and (d), of the preliminary Rome draft, any recitation, presentation or public performance which had not been specially organised by them with a view to being broadcast.

On a question from the Workers' members as to whether there might be circumstances in which broadcasting organisations wished to broadcast or record a performance without the authorisation of the performers concerned, the Employers' members explained that the answer to this question was in the negative, with the sole exception of cases reserved to be regulated by national legislation in accordance with Article 4, paragraphs 3 and 4, of the preliminary Rome draft.

The Workers' members agreed that the declaration and answer made by the Employers' members in regard to Article 4, paragraphs 3 and 4, which are quoted above, alleviated their concern regarding paragraph 1 (c) and (d) of Article 4.

Article 4, Paragraph 2 (a) and (b).

The Workers' members requested that these two subparagraphs should be drafted in positive terms; the Employers' members explained that, in their opinion, it was impossible to limit performers' rights to authorise as provided in the preliminary Rome draft without applying a negative expression.

The Workers' members, while appreciating the need to indicate clearly the limit beyond which performers' rights did not extend, expressed the view that, in the final drafting of Article 4, every effort should be made to specify the rights accorded to performers but to avoid reference to the fact that certain rights are not granted.

Article 4, Paragraph 3.

The Employers' members, on behalf of themselves and of the Workers' members, submitted the following declaration:

The Subcommittee, while fully appreciating the reasons for reserving rights to national legislation as provided by Article 4, paragraph 3, of the Rome draft, strongly urges that such reserves shall be exercised sparingly and only where necessary in the public interest.

Article 4, Paragraph 4.

The Employers' members submitted the following declaration regarding the term "ephemeral recordings":

1. Ephemeral recordings must be made by a broadcasting organisation and they must be intended only for the emissions of that organisation. It is not permissible to circulate such recordings to other broadcasting organisations.

2. The utilisation of ephemeral recordings must be limited in time so that they remain ephemeral. The exact fixing of this time limit is left to the national legislative authorities to decide, but it is evident that they may not fix considerable periods incompatible with the epithet "ephemeral". Further, Article 13 of the preliminary draft dealing with the settlement of disputes guarantees performers against abuse.

3. Only such recordings may be preserved which have a value as documentation. The recordings shall be kept in archives declared official for the purpose, from which they may not be taken out without the agreement of the interested parties.

4. It is clear from Article 4, paragraph 2 (a), that ephemeral recordings made under the conditions set out in paragraph 1 (d), may only be broadcast with the agreement of the performers as provided in paragraph 1 (c).
In order to take account of the wishes expressed by the Workers' members with regard to ephemeral recordings and to the possible extension of the scope of the Employers' declaration to include other recordings than ephemeral recordings, the Employers' members made the following declaration:

Broadcasting organisations declare that they will accept, in the convention, a clause providing that the use of any recording made by them should be covered by contract with the performers concerned, subject to the provisions which might be made by national legislations in application of paragraph 3 and the first sentence of paragraph 4 of Article 4.

The Workers' members accepted this declaration which, in their opinion, also covered subparagraphs (c) and (d) of paragraph 1 of Article 4.

**Article 5, Paragraph 1.**

The Subcommittee decided not to make any comments on this paragraph.

**Article 5, Paragraph 2.**

This paragraph was adopted without comment.

**Article 5 bis.**

The Employers' members declared that they were firmly opposed to any inclusion in the proposed international convention of a reference to moral rights.

The Workers' members declared that they maintained their insistence that due account should be taken in the international convention of the principle expressed in Article 5 bis.

**Articles 9 and following.**

The Employers' members stated that they had no observations to make on these articles. The Workers' members adopted the same attitude as the Employers.

**Resolution (No. 17) concerning the Role of the International Labour Organisation in regard to Future Procedure in the Field of Rights of Performers**

The Advisory Committee on Salaried Employees and Professional Workers of the International Labour Organisation,

Having been convened by the Governing Body of the International Labour Office, and

Having met at Geneva in its Second Session from 18 February to 1 March 1952,

Having examined a preliminary draft international convention regarding the protection of performers, manufacturers of phonographic records and broadcasting organisations as adopted on 17 November 1951 by a Mixed Committee of Experts convened by the Berne Union,

Having noted with satisfaction that such protection is included for the first time in a proposed international instrument, and

Having considered certain provisions of the said preliminary draft convention and expressed views relating thereto;

Adopts this twenty-ninth day of February 1952 the following resolution:

1. The Governing Body of the International Labour Office is requested to examine ways and means of continuing the association of the International Labour Organisation in any procedure which may be proposed with a view to the preparation and convocation, at the earliest possible moment, of an international conference for the purpose of adopting an international instrument concerning the rights of performers, of manufacturers of phonographic records, and of broadcasting organisations.

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1 Adopted on 29 February 1952 by 30 votes to 11, with 13 abstentions.
2. The Governing Body is requested to transmit the conclusions adopted by the Advisory Committee on the preliminary draft convention to the Governments of all States Members of the International Labour Organisation and to the Berne Union.

3. The Governing Body is requested to instruct the Office to present to such international conference, or to any international meeting which may precede it, the conclusions adopted on this matter at the present session of the Advisory Committee.

4. The Governing Body is requested to examine the possibility, if it thinks fit, of making to the said international conference proposals with a view to ensuring control of the application of the provisions concerning the right of performers which might be embodied in the proposed international instrument in accordance with the constitutional obligations of the International Labour Organisation.

5. The Governing Body is requested to examine the possibility, if it thinks it appropriate, of drawing the attention of Governments of States Members of the International Labour Organisation to the desirability of ensuring that their representatives at the proposed international conference have the assistance of technical advisers directly representing the interests concerned.

Resolution (No. 18) concerning Problems of Employment and Unemployment of Performers 1

The Advisory Committee on Salaried Employees and Professional Workers of the International Labour Organisation,

Having been convened by the Governing Body of the International Labour Office, and

Having met at Geneva in its Second Session from 18 February to 1 March 1952,

Having decided to adopt as a basis for its discussions a preliminary draft international convention regarding the protection of performers, manufacturers of phonographic records and broadcasting organisations, as adopted on 17 November 1951 by a Mixed Committee of Experts convened by the Berne Union, and a report on the rights of performers in broadcasting, television and the mechanical reproduction of sound prepared by the International Labour Office for the present session of the Advisory Committee 2,

Having noted that the said preliminary draft international convention does not cover—and was not designed to cover—certain aspects of problems which are considered by performers to be of importance to them and to their professions, which aspects are referred to at length in the report prepared by the Office,

Having considered that the rapid development and generalised use of methods and techniques of recording and of sound and visual broadcasting has created certain problems, and

Being conscious of the importance of maintaining adequate employment opportunities in the professions of performers;

Adopts this twenty-ninth day of February 1952 the following resolution:

The Governing Body of the International Labour Office is requested to draw the attention of all States Members of the International Labour Organisation to the advisability of examining carefully, in consultation with all interests concerned, the problem of technological unemployment and of its effect upon the social and economic conditions of performers and of their professions.

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1 Adopted on 29 February 1952 by 47 votes to 0, with 5 abstentions.

Resolution (No. 19) concerning the Agenda of the Third Session of the Committee and Studies to be Undertaken by the International Labour Office

The Advisory Committee on Salaried Employees and Professional Workers of the International Labour Organisation,

Having been convened by the Governing Body of the International Labour Office, and

Having met at Geneva in its Second Session from 18 January to 1 March 1952;

Adopts this twenty-ninth day of February 1952 the following resolution:

1. The Governing Body of the International Labour Office is invited to place on the agenda of the Third Session of the Committee one item of interest to salaried employees and professional workers in general, and one item concerning a particular professional category of these workers, selected from the following list:

(1) Unemployment amongst salaried employees and salaried professional workers with special reference to—
(a) vocational guidance and training;
(b) unemployment amongst older workers; and
(c) measures to facilitate migration and the removal of obstacles to such movement.

(2) Problems concerning the employment of women as salaried employees or in the professions.
(3) Problems concerning teaching staff (public and private).
(4) Problems concerning journalists.

2. The Governing Body is invited to take note that the problems enumerated below are of great interest to the Committee and to arrange for them to be included in the programme of studies undertaken by the International Labour Office, either with a view to the publication of the results of the studies or with a view to the inclusion of the subjects in the agenda of future sessions of the Committee.

I. Problems concerning All Salaried Employees and Professional Workers, in Public or Private Employment.

(1) Collective agreements:
(a) discriminatory measures existing in certain countries in regard to certain categories of salaried employees and salaried professional workers, concerning—
   (i) the right of collective bargaining for conditions of work, inconsistent with Convention No. 98;
   (ii) the right to organise;
(b) methods of collective bargaining for the principal categories of salaried employees and salaried professional workers (including those in public services).

(2) Pension schemes:
(a) pension schemes supplementing general social security schemes;
(b) interchangeability of pension schemes;
(c) special provisions for pension schemes for women salaried employees.

(3) Methods and principles of wage determination.

1 The original text of this resolution was submitted by the Workers' group. The draft was amended by a Working Party of the Steering Committee, and the Steering Committee recommended its adoption. The resolution was adopted on 29 February 1952 by 51 votes to 0, with 3 abstentions.
2 In the study of these problems priority should, if possible, be given to the problem of collective agreements.
(4) Methods of individual promotion and provisions for professional and further training.

(5) Increases in salary for age and seniority.

(6) Payment of salary in case of sickness and periods during which this payment is assured, apart from social security benefits.

(7) Daily rest periods in commerce and offices.

(8) Holidays with pay:
   (a) general schemes for salaried employees and salaried professional workers;
   (b) special advantages for certain categories taking account of their particular physical or intellectual needs;
   (c) supplementary advantages, taking seniority into account.

(9) Right of the salaried inventor.

(10) Radius clause.

(11) An international definition of the salaried employee and salaried professional worker.

(12) Statistics of salaried employees and professional workers.

(13) Comparative studies of the principal clauses of existing collective agreements for salaried employees and professional workers, in particular concerning—
   (a) systems of job classification;
   (b) methods of grading.

(14) Representation of salaried employees and professional workers on works committees.

(15) General conditions of application of social legislation to non-manual workers, in particular systems of sickness insurance.

II. Problems concerning Certain Special Categories of Salaried Employees and Intellectual Workers.

(1) All categories of artists.

(2) Hospital and health service staff (public and private).

(3) Commercial travellers, representatives and agents.

(4) Supervisory personnel.

(5) Engineers and technicians.

Resolution (No. 20) concerning Representation on Industrial Committees

The Advisory Committee on Salaried Employees and Professional Workers of the International Labour Organisation,

Having been convened by the Governing Body of the International Labour Office, and

Having met at Geneva in its Second Session from 18 February to 1 March 1952, Having considered the question of representation on Industrial Committees;

Adopts this first day of March 1952 the following resolution:

The Governing Body of the International Labour Office is requested to draw the attention of governments, when convening sessions of the Industrial Committees, to the desirability of appointing technical advisers from organisations of salaried employees and salaried professional workers, whenever any special items on the agenda render their contribution to the work of the Committees especially valuable.

1 The original text of this resolution was submitted by the Workers’ group and the Steering Committee recommended its adoption. The resolution was adopted on 1 March 1952 by 30 votes to 0, with 20 abstentions.
Resolution (No. 21) concerning Productivity

The Advisory Committee on Salaried Employees and Professional Workers of the International Labour Organisation,

Having been convened by the Governing Body of the International Labour Office, and

Having met at Geneva in its Second Session from 18 February to 1 March 1952,

Considering the importance of the role and the responsibility of foremen, supervisory staff, engineers and technicians in the field of productivity, and

Having noted the information contained in the General Report prepared by the International Labour Office which indicates that the Office is carefully examining all the problems raised by the question of productivity;

Adopts this first day of March 1952 the following resolution:

The Governing Body of the International Labour Office is invited to authorise the Office to continue the study of this important question and to convene at the earliest possible moment the proposed meeting of experts, including in its agenda an examination of the question of productivity in the manufacturing industries and in particular the extremely important problems which confront foremen, supervisory personnel, engineers and technicians in this regard.

Resolution (No. 22) concerning the Effect to be Given to the Conclusions of the Committee

The Advisory Committee on Salaried Employees and Professional Workers of the International Labour Organisation,

Having been convened by the Governing Body of the International Labour Office, and

Having met at Geneva in its Second Session from 18 February to 1 March 1952,

Having noted the close resemblance between the work of the Advisory Committee and that of the Industrial Committees of the International Labour Organisation,

Having noted that the Governing Body at its 108th and 109th Sessions adopted proposals for securing more rapid and effective results from the conclusions of the Industrial Committees, and

Trusting that it will give the same attention to the resolutions of the Advisory Committee;

Adopts this first day of March 1952 the following resolution:

The Governing Body of the International Labour Office is invited to draw the attention of governments to the need for—

(a) informing the Office of the measures they have taken to implement the resolutions adopted at the Second Session of the Advisory Committee on Salaried Employees and Professional Workers in time to enable the Office to communicate this information to the Committee at its next session;

(b) replying as quickly as possible to requests for information and especially to questionnaires issued by the Office so that the Office may prepare and issue documents for the Advisory Committee on Salaried Employees and Professional Workers within the prescribed time limits;

1 The original text of this resolution was submitted by the Workers' group. The draft was amended by a Working Party of the Steering Committee. After discussion, the Steering Committee suggested that the draft resolution be submitted to the Committee directly by the Workers' group. The resolution, in the above form, was adopted on 1 March 1952 by 30 votes to 18, with 4 abstentions.

2 The original text of this resolution was submitted by the Workers' group. The draft was amended by a Working Party of the Steering Committee, and the Steering Committee recommended its adoption. The resolution was adopted unanimously by 50 votes on 1 March 1952.
Memorandum (No. 23) to the Governing Body of the International Labour Office on the Future Work and Composition of the Advisory Committee on Salaried Employees and Professional Workers

1. The Second Session of the Advisory Committee on Salaried Employees and Professional Workers has considered the steps which might be taken to ensure that the Committee is enabled to perform the maximum of effective work.

2. In view of the importance of the Advisory Committee on Salaried Employees and Professional Workers to the different categories of employees and workers for which it caters, the Committee urges upon the Governing Body of the International Labour Office the importance of making funds available to enable the Committee to function to the full and of providing the staff required by the Office to carry out adequately the work for the Committee.

3. It is suggested that the Governing Body should recommend that the Divisions in the International Labour Office, in addition to the Industrial Committees Division, should follow closely problems concerning salaried employees and professional workers which are within their competence.

4. The Governing Body is invited to authorise the Office to continue the regular distribution of White Collar Information and to ensure its despatch to the press and to all interested organisations.

5. The Advisory Committee on Salaried Employees and Professional Workers covers a very wide field and this may militate against the efficiency of the work of the Committee. It would be highly desirable therefore for the Governing Body to examine ways and means of overcoming the difficulties involved.

6. With regard to membership of the Committee, the present representation is inadequate because some countries with a substantial number of organised salaried employees and professional workers are not members of the Committee. The Committee therefore requests the Governing Body to examine the question of adequate representation of countries on the Committee.

Resolution (No. 24) concerning Weekly Rest Periods in Commerce and Offices

The Advisory Committee on Salaried Employees and Professional Workers of the International Labour Organisation,

Having been convened by the Governing Body of the International Labour Office, and

Having met at Geneva in its Second Session from 18 February to 1 March 1952,

Recalling the resolution concerning the weekly rest in commerce and offices, adopted by the Committee at its First Session in October 1949;

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1 The original text of this memorandum was submitted by the Workers' group. The draft was amended by a Working Party of the Steering Committee and subsequently by the Steering Committee itself, which then recommended its adoption in the above form. This memorandum was adopted unanimously by 47 votes on 1 March 1952.

2 The original text of this resolution was embodied in a draft resolution concerning the effect to be given to the conclusions of the First Session of the Committee, submitted by the Workers' group. An amended text was submitted by a Working Party of the Steering Committee. After discussion, the Steering Committee suggested that the draft resolution be submitted to the Committee directly by the Workers' group. The Committee adopted the resolution, in the above form, on 1 March 1952 by 27 votes to 18, with 5 abstentions.
Adopts this first day of March 1952 the following resolution:

The Governing Body of the International Labour Office is once again requested to consider placing the question of weekly rest periods in commerce and offices on the agenda of an early session of the International Labour Conference, with a view to the adoption of an international Convention or Recommendation.

Resolution (No. 25) concerning the Conventions on the Age of Admission to Non-Industrial Employment

The Advisory Committee on Salaried Employees and Professional Workers of the International Labour Organisation,

Having been convened by the Governing Body of the International Labour Office, and

Having met at Geneva in its Second Session from 18 February to 1 March 1952,

Considering the necessity of giving practical effect to the conclusions adopted by the Committee at its First Session in October 1949, and

Considering that resolution No. 9 adopted at the First Session of the Committee, on the subject of maternity protection, has been placed by the Governing Body on the agenda of the 35th Session of the International Labour Conference with a view to the revision of Convention No. 3, and expressing its satisfaction on this point;

Adopts this first day of March 1952 the following resolution:

The Governing Body of the International Labour Office is invited to ensure that an enquiry into the ratification and non-ratification by States Members of the 1932 and 1937 Conventions on the age of admission to non-industrial employment, as requested by the Advisory Committee at its First Session, is carried out at the earliest possible time, if necessary within the framework of a general study relating to all Conventions and Recommendations concerning non-industrial employment.

Report of the Subcommittee on Hygiene in Shops and Offices

1. The Subcommittee on Hygiene in Shops and Offices was set up by the Advisory Committee on Salaried Employees and Professional Workers at its third plenary sitting on 20 February 1952, and was composed of 24 members (eight from each group).

2. The Subcommittee appointed its Officers as follows:

Chairman and Reporter : Mr. B. P. ADARKAR (Government member, India).
Vice-Chairmen : Mr. G. BERGENSTRÖM (Employers' member, Sweden);
Mr. A. SIDRO (Workers' member, France).

3. The Subcommittee appointed a Working Party, composed of four Government members, three Employers' members and three Workers' members.

4. The Subcommittee also appointed a Drafting Committee, consisting of its Chairman and two representatives from each of the three groups.

5. The Subcommittee held 11 sittings.

6. The representative of the Secretary-General, in introducing the report on Hygiene in Shops and Offices which had been prepared by the Office stressed the

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1 The original text of this resolution was embodied in a draft resolution concerning the effect to be given to the conclusions of the First Session of the Committee, submitted by the Workers' group. After examination by a Working Party of the Steering Committee, the latter suggested that this part of the draft resolution be submitted as a separate resolution, and recommended the adoption of a draft resolution in the above form. This resolution was adopted on 1 March 1952 by 48 votes to 0, with 1 abstention.

2 Adopted unanimously by 46 votes on 1 March 1952.

3 Report II, op. cit.
importance of the subject. The Subcommittee might usefully formulate certain
general principles concerning various aspects of hygiene in shops and offices, taking
into account the economic, climatic and other factors which must necessarily vary
from country to country. The Subcommittee might also suggest different forms of
action, for the guidance of those concerned with the improvement of conditions
of hygiene in shops and offices in the various countries. These matters might be
discussed on the basis of the points suggested in the Office report. It should be
made clear that the quotation on page 2 of the Office report, referring to the report
of the Committee of Enquiry into Health, Welfare and Safety in Non-Industrial
Employment in the United Kingdom, referred solely to offices, as distinct from shops.
Some of the legislative provisions governing shops in the United Kingdom were
examined in Chapter III of the report.

7. The Subcommittee unanimously decided to begin its work with a general
discussion of the problem of hygiene in shops and offices before considering in detail
the points suggested in the Office report.

Problems of Desirability and Determination of International Standards

8. The Representative of the Secretary-General pointed out that difficulties might
be encountered in reaching agreement at the international level on precise technical
standards of hygiene in shops and offices, in view of the exceedingly wide variety
of economic, climatic, social and other factors met with in the different countries.
The Subcommittee might, however, draw up the guiding principles which should
underlie the provision of hygiene amenities in shops and offices. Such general
principles could then be implemented by each country in accordance with its
requirements.

9. The Chairman, speaking in his capacity as Indian Government member,
emphasised that any international standards which might be visualised should, if
they were to be realistic, be neither too high nor too low, in order that they might
be acceptable both to advanced and to underdeveloped countries. In any case, it
should be made clear that it would be some time before underdeveloped countries
would be in a position to implement any standards which might be adopted.

10. The Italian Government member agreed that it was desirable
to confine discussion in the Subcommittee to general principles which would serve as guidance
for the different countries.

11. The United States Government member was opposed to codes for entire
industries or occupations; treatment according to specific hazards was preferable.

12. The United Kingdom Workers' member, on behalf of the Workers' group,
stressed that there were specific minimum standards below which no human being
should be called upon to work, irrespective of economic, climatic or other local
conditions, and such minimum standards should be clearly determined by the
Subcommittee. The establishment of such minimum standards would be in the
interest not only of workers but also of employers, since unfair competition, based
on inferior working conditions, would be eliminated. A good employer furthermore
recognised that healthy working conditions led to better work and to greater
productivity on the part of the staffs employed.

13. The Chinese Government member felt that each profession had its own
problems, the existence of which would contribute further to the difficulty of any
attempt at framing detailed international standards covering hygiene in shops and
offices.

14. The French Workers' member considered it essential that such conclusions as
the Subcommittee might reach should be applicable to all States Members of the
International Labour Organisation: such standards—which should include provision
for medical and social services—would be particularly valuable in improving conditions
of work in the underdeveloped countries.

15. The Swedish Employers' member, on behalf of the Employers' group, pointed
out that international standards were often quite inapplicable in practice. Model
codes should not be adopted; the Governing Body had endorsed the recommendation of the Committee on the Programme of Work of the Office in the Field of Industrial Safety and Hygiene to the effect that the expression “model code” should no longer be used. Many of the matters which were dealt with in the section of the Office report dealing with special provisions for women salaried employees might equally well apply to male workers.

16. The United Kingdom Government member thought it would be helpful if the Subcommittee were to lay down, on the international level, general principles of hygiene in shops and offices. In this connection, the resolution concerning welfare in the construction industry, which had been adopted by the Building, Civil Engineering and Public Works Committee at its Third Session¹, might usefully be taken for guidance. A resolution on such lines might suggest that governments in the various countries undertake enquiries into the conditions of work of salaried employees and professional workers, with a view to converting the general principles of the resolution into more detailed standards, in accordance with the conditions and requirements of each country.

Importance of Voluntary Action

17. The Swedish Employers’ member, on behalf of the Employers’ group, stressed the importance of voluntary action and referred to the passages in the Office report in this connection. Voluntary action was often more effective than regulations in securing lasting results: it would be agreed that improvements in the general hygiene of workplaces had been only partly due to regulations, and that, to a great extent, real progress had been due to voluntary action, following recognition of the importance of congenial surroundings in shops and offices.

Design and Structure of Shop and Office Premises

18. The United Kingdom Workers’ member on behalf of the Workers’ group, emphasised that the most careful attention to details, as well as to the major architectural design of shop and office premises, was necessary in order that the completed premises might be a really efficiently planned workplace, in which the staff might carry out its functions smoothly and without unnecessary inconvenience or fatigue. Premises should be designed to suit the nature of the work to be performed, the number of staff and local social, economic and climatic conditions. It was also desirable that in the planning of new buildings sufficient consideration be given to the provision, where appropriate, of facilities for the welfare of children of women employees, in view of the increasing extent to which married women were being employed as salaried employees and professional workers.

19. The Swedish Employers’ member suggested that the question of welfare facilities for children of women employees was not within the competence of the Subcommittee.

Converted Premises

20. The United Kingdom Workers’ member and the United States Workers’ member thought that particular regard should be given to the detailed planning and execution of conversion and reconstruction works in shops and offices. It was highly desirable that architects and engineers, when preparing the original plans for shop and office premises, should make provision for the possibility of future extension or conversion of the premises.

21. The United Kingdom Employers’ member felt that the private employer was the victim of variations in the general economic situation which made it impossible for him to take such a long-term policy, however desirable it might be.

22. The Swedish Employers' member agreed that the greatest attention should be given to problems associated with the conversion of premises for use as shops or offices, but felt that the number of regulations governing converted premises should be restricted.

Windowless Buildings

23. The United Kingdom Workers' member on behalf of the Workers' group, considered it exceedingly unlikely that the majority of workers would give general acceptance to windowless buildings: an adequate quantity of daylight was indispensable, and, in cases where no daylight was available, special provision should be made for artificial sunlight. It should be emphasised that work in windowless buildings might have very unfavourable psychological effects on the workers concerned, and the dependence on mechanical and electrical systems for air-conditioning and lighting also constituted a definite risk in such premises. Workers had no objection in principle to the adoption of modern techniques, but windowless buildings could not generally be accepted at the present time.

24. The Swedish Employers' member, on behalf of the Employers' group, thought that a negative attitude should not be adopted towards windowless buildings. The matter was a highly technical one, on which the views of experts would be required before any decisions could be reached. Provided that air-conditioning and lighting were good there was no reason to believe that windowless buildings would be prejudicial to the health or efficiency of workers. In any case, there had hardly been sufficient experience in the matter to date to enable the Subcommittee to come to a definite conclusion on this question.

25. The United Kingdom Government member felt that a distinction should be made between buildings which were completely windowless, and individual windowless rooms in the interior of large shops and offices. In many large stores there were interior rooms which had only artificial lighting, but which gave rise to no objections in practice.

26. The Italian Government member said that expert opinion held that windowless buildings had both advantages and disadvantages, depending on the nature of the work and other circumstances. It was, however, necessary to emphasise that workers should not be deprived of the beneficial biological and psychological effects of natural light in view of the special importance of psychological and environmental factors for non-manual workers. The Subcommittee should therefore decide that windowless buildings should not be recommended except in cases where they were deemed indispensable because of particular needs of an industry or extreme conditions of climate.

Space Required per Employee

27. The United Kingdom Workers' member thought it was essential that, as was provided by the first paragraph of Article 3 of the Draft Code of Hygiene for Office Work, appended to the Office report, there should be at least 12 cubic metres space in shops and offices in respect of each employee. It was also desirable that in offices which were frequented by members of the public the space per worker should be appropriately increased.

28. The Swedish Employers' member agreed with the provision of the Draft Code to the effect that the height of rooms, in so far as it might exceed 3 metres, should not be taken into consideration in calculating the cubic space per employee. The Code was, however, out of date, since it was now agreed by experts that, with appropriate ventilation, cubic space was no longer a criterion. The criterion for comfort was now agreed by experts to be ventilation, which should by no means be confused with cubic space.

Resolution concerning Standards of Hygiene in Shops and Offices

29. The United Kingdom Government member introduced a draft resolution concerning standards of hygiene in shops and offices solely as a working text, in
order to expedite the work of the Subcommittee and not to be taken as in any way committing the Government of the United Kingdom with regard to any views or actions. The first paragraph of the operative part of the draft resolution should be altered so as to read:

The Governing Body of the International Labour Office is invited to draw the attention of governments to the need for introducing standards of hygiene in shops and offices, after due enquiry, and in consultation with the organisations of the employers and workers concerned. . . .

Further amendments to the draft resolution would doubtless be desirable, and he had, in fact, in collaboration with the French Government member, already submitted a formal amendment to this text.

30. After a discussion, during which the Chairman made it clear that the draft resolution had been prepared by the United Kingdom Government member at the suggestion of the chair, in order to expedite the work of the Subcommittee, the latter decided to adopt the draft resolution as the basis for further discussion.

31. The Subcommittee adopted the first four paragraphs of the preamble of the draft text, with one drafting alteration. After further discussion the Subcommittee, by 8 votes to 9, with 5 abstentions, rejected an amendment which had been submitted by the Employers' group to replace the fifth paragraph of the preamble to the draft resolution. The Subcommittee, by 13 votes to 8, with 1 abstention, then adopted the fifth paragraph of the preamble to the draft resolution.

32. The Subcommittee then decided to refer to its Working Party for re-examination the entire draft resolution, together with various amendments which had been submitted by the Workers' group, the French and United Kingdom Government members jointly, the Employers' group, the Indian Government member, the United States Government member, the Italian Government member and the United Kingdom Government member.

33. The Working Party, having examined the above documents, prepared a draft resolution on hygiene in shops and offices, which was referred by the Subcommittee to the Drafting Committee. The Drafting Committee submitted the draft resolution, with minor amendments, to the Subcommittee.

34. The Subcommittee, having made some minor drafting amendments, unanimously adopted the draft resolution concerning hygiene in shops and offices which had been submitted by the Drafting Committee. The text of the draft resolution was adopted by the Subcommittee.¹

Forms of Action for Improving Hygiene in Shops and Offices

35. The French Government member introduced a draft resolution concerning forms of action for improving hygiene in shops and offices. The Subcommittee decided to forward this draft resolution also to the Working Party. The Working Party, after examination, submitted the draft resolution, in an amended form, to the Subcommittee.

36. The draft resolution, with some minor alterations, was unanimously adopted by the Subcommittee.²

Draft Resolutions concerning the Establishment of an International Recommendation on Hygiene in Shops and Offices and concerning Technical Information and Assistance

37. The Workers' group submitted a draft resolution concerning a meeting of experts on hygiene in shops and offices. The Subcommittee forwarded this draft resolution to the Working Party for examination.

¹ See above, Resolution No. 12, p. 105.
² See above, Resolution No. 13, p. 108.
38. The Working Party, having examined the draft resolution, decided to submit to the Subcommittee two resolutions, one concerning the establishment of an international Recommendation on hygiene in shops and offices, and the other concerning technical information and assistance.

39. During the discussion by the Subcommittee of the draft resolution concerning the establishment of an international Recommendation on hygiene in shops and offices, the Chairman, in his capacity as Indian Government member, and the United Kingdom Government member announced their intention to abstain from supporting the draft resolution in order not to commit the representatives of their respective Governments on the Governing Body. The United States Government member indicated that the Governing Body was faced with considerations not before the Subcommittee; his support of the draft resolution would therefore not commit the representative of his Government on the Governing Body. The United Kingdom Employers' member announced that he would abstain from voting on the draft resolution.

40. The draft resolution concerning the establishment of an international Recommendation on hygiene in shops and offices, which had been submitted by the Working Party, was adopted by the Subcommittee without opposition, three members abstaining.

41. The Subcommittee unanimously adopted the draft resolution concerning technical information and assistance, which had been submitted by the Working Party.

42. The draft report as amended was adopted unanimously by the Subcommittee.

(Signed) B. P. ADARKAR,
Chairman and Reporter.

Report of the Subcommittee on Performers' Rights

1. The Subcommittee on Performers' Rights was set up by the Advisory Committee on Salaried Employees and Professional Workers at its third plenary sitting on 20 February 1952, and was composed of 24 members (eight from each group).

2. The Subcommittee appointed its Officers as follows:

Chairman and Reporter: Mr. A. M. MORGAN (Government member, United Kingdom).

Vice-Chairmen: Mr. A. BERNARD (Employers' member, France);
Mr. L. CLUESMANN (Workers' member, United States).

3. The proceedings of the Subcommittee were followed by observers from the United Nations Educational, Scientific and Cultural Organisation, the International Union for the Protection of Literary and Artistic Works, the European Broadcasting Union, the International Federation of the Phonographic Industry, the International Federation of Musicians, the Cartel of German-speaking Stage Performers, and the International Confederation of Professional and Intellectual Workers.

4. The Subcommittee held 11 sittings.

General Discussion

5. After having recalled the history of the study of the question of performers' rights in the international field, the Representative of the Secretary-General mentioned the essential event which had occurred since the First Session of the Advisory Committee, i.e., the initiative taken by the Berne Union in appointing a

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1 See above, Resolution No. 14, p. 109.
2 See above, Resolution No. 15, p. 109.
3 Adopted by the Committee on 29 February 1952 by 52 votes to 0, with 1 abstention.
committee of experts to study the rights of performers, manufacturers of phonographic records and broadcasting organisations with a view to finding a solution to their problems by means of a single convention. In fact, it had been observed that the finding of such a solution was highly desirable owing to the close interdependence of the rights concerned. The Mixed Committee of Experts convened by the Berne Union met in Rome in November 1951 and adopted, at the end of its discussions, a preliminary draft international convention regarding the protection of performers, manufacturers of phonographic records and broadcasting organisations.¹

6. The representatives of the International Labour Organisation, while fully participating in the deliberations of the Mixed Committee of Experts, had expressed reservations with regard to the substance of the problem and to the procedure to be followed, in view of the fact that the Office could not commit itself before the Advisory Committee had had an opportunity to study the question of performers' rights and the Governing Body to consider the conclusions which the Advisory Committee would reach at its present session. Consequently, the Subcommittee on Performers' Rights was invited to examine the report prepared by the Office, together with a supplementary document containing the text of the preliminary draft convention adopted by the Mixed Committee of Experts. In conclusion, the Representative of the Secretary-General mentioned the interest which the Subcommittee would have in not embarking on a discussion of the legal nature of the rights in question or their definition, but rather in studying the actual content of performers' rights.

7. The Chairman considered that, in view of the fact that the problem of performers' rights had been studied for more than 20 years, the Subcommittee should take account of these previous studies. It followed from this observation that the letter addressed to the Chairman of the session by the Chairman of the first European Actors' Congress did not appear to have taken sufficient account of the work already accomplished in this field. Instead of trying to establish a definition of performers' rights, the Subcommittee should rather attempt to establish the content of the different rights and to produce a document which could aid the interested parties in the various countries in their attempts to deal with performers' rights. The deliberations of the Subcommittee should prepare the way for international regulations, the practical value of which should be evident although they might not take the form of an international labour Convention. The Subcommittee could usefully study, article by article, the preliminary draft international convention adopted by the Mixed Committee of Experts of the Berne Union, in conjunction with Report III prepared by the Office, particularly the list of points on pages 80-85. This procedure would be preferable to a general discussion and to a study of the nature of the proposed regulations, or the measures envisaged with a view to their application, problems which should be reserved for the consideration of the Governing Body. Whenever divergencies occurred during the deliberations, reference could be made in a general fashion to the existing conditions in the various countries.

8. The Employers' members pointed out that the preliminary draft convention also dealt with rights other than those of performers, and that the discussion should be limited to a consideration of the articles dealing with performers' rights. They therefore considered that only the following articles should be discussed by the Subcommittee: Articles 1, 2, paragraph (a), 3 (first two sentences), 4, 5, 9 and following.

9. After the Workers' members had reserved the right to refer during the discussions to certain other articles to the extent which appeared necessary to them, and with a view to considering the provisions concerning performers' rights, it was decided to study the preliminary draft convention in conjunction with the list of points contained in the Office report.

¹The text of this preliminary draft international convention was not included in the report of the Subcommittee on Performers' Rights; it is now reproduced as an Appendix, for information. See below, pp. 137-142.
Discussion of the Preliminary Draft International Convention in Conjunction with the List of Points in the Report Prepared by the Office

Article 1, Paragraphs 1 and 2.
10. After discussion, the Subcommittee decided to accept paragraph 1 without comment and to recommend the deletion of paragraph 2.

Article 2, Paragraph (a).
11. The Subcommittee agreed to accept this paragraph without discussion.

Article 2, Paragraphs (b) and (c).
12. The Employers' members maintained that these provisions fell outside the competence of the Subcommittee, and the Workers' members reserved the right to refer to these paragraphs, if necessary, during the subsequent discussions.

Article 3, First Two Sentences.
13. The Employers' members observed that by virtue of this provision the proposed convention would be applied in all countries, including the country of origin. This constituted an extension of the application of the future instrument which was not in accordance with the usual practice regarding the application of Conventions, and was beneficial to the workers. The Employers' members would reserve their position on this point if the provisions concerning performers' rights, properly so-called, were extended during the subsequent discussions.

14. On their side, the Workers' members maintained that the three rights dealt with in the preliminary draft were closely connected; consequently, they desired to reserve the right to refer in the discussions, when necessary, to all the articles of the preliminary draft.

15. Subject to these two reservations, the first two sentences of Article 3 were accepted by the Subcommittee.

Article 4, Paragraph 1 (a).
Reference to Cinematographic Films Intended to be Exhibited in Public Halls.
16. The United Kingdom Employers' member stressed that the cinematographic industry had been excluded by the Governing Body from the study regarding performers' rights; a letter from the Director-General of the International Labour Office, addressed to him shortly after the First Session of the Advisory Committee, had confirmed this. Consequently, the Subcommittee was not, in his opinion, competent to deal with this question.

17. After the Representative of the Secretary-General had explained that the mandate of the Subcommittee did not, in fact, include a study of the problems relating to the cinematographic industry as such, the Subcommittee, after discussion, concluded that it was not able to give an opinion on this question; it could, however, be examined elsewhere, for example by the proposed diplomatic conference.

Interpretation of the Scope of the Term “Authorise”.
18. The French Workers' member proposed that the words “or forbid” should be added after the word “authorise” in the second line of Article 4. The Employers' members explained that this addition would weaken the scope of the provisions concerned; in fact, the term “authorise” implied the right “to forbid”. The suggested addition could be interpreted in the sense that a recording could be legal if the performer concerned, for example, had failed to exercise his right to forbid.

19. The Director of the Office of the Berne Union stressed the advantage of applying to the proposed instrument the terminology already used in the Berne Convention.

20. Finally, the Subcommittee declared that, in its opinion, the right to authorise implied ipso facto the right to forbid.
Article 4, Paragraph 1 (b).

21. The Subcommittee accepted this clause without comment.

Article 4, Paragraph 1 (c) and (d).

22. The Workers' members suggested that the words following the word "performance" in subparagraph (c) should be deleted. A similar suggestion was made with regard to the words following the word "performance" in subparagraph (d).

23. The Employers' members were opposed to these suggestions which would, in particular, extend the performer's right to authorise radio broadcasts made in a studio. Every performer was perfectly free to go or not to go to a studio for an emission of this nature so that the suggested deletion certainly did not seem to be necessary.

24. The Workers' members maintained that they were concerned with the practices of certain broadcasting organisations which (a) organised public performances which they broadcast or recorded with a view to using the recordings subsequently for broadcasting, and (b) organised performances for broadcasting which were also recorded for various purposes. The Workers' members considered that such operations should always be subject to separate contracts.

25. The United States Employers' member explained that in his personal opinion clauses (a), (b), (c) and (d) of paragraph 1 of Article 4 could be drafted in a simpler and clearer way.

26. The French Government member thought that the anxiety for a clearer expression was commendable but that the usual terms employed in regard to this matter—for instance, in the Berne Convention—were already very precise. Consequently, it was necessary to retain the texts as they appeared in the preliminary draft.

27. The Chairman pointed out that the Subcommittee had before it a suggestion made by the Workers' members to delete in clauses (c) and (d) of paragraph 1 of Article 4 the words following the word "performance" and suggested that the Subcommittee might make a comment on this article to the effect that a performance arranged by an organisation might have two purposes, and that the proposed international instrument should take such a case into account in a manner which could be determined later. The Workers' members declared that they desired that the performer should obtain the right to authorise every broadcast of a public performance; this implied that they should conclude separate contracts for each use to be made of a performance. The Chairman suggested a formula which, however, he withdrew on being informed by the Employers' members that they were ready to submit a declaration on this subject.

28. The Employers' members made the following statement: "Broadcasting organisations declare that they do not intend to broadcast or record without the authorisation of performers as provided in Article 4, paragraph 1 (c) and (d), of the preliminary Rome draft, any public recitation, presentation or performance which had not been specially organised by them with a view to being broadcast".

29. The Workers' members, while reserving their position, maintained that this declaration did not fully cover the point they had in mind. They had asked the Employers' members if there might be circumstances in which broadcasting organisations wished to broadcast or record a performance without the authorisation of the performers concerned.

30. The Employers' members said that the answer to this question was in the negative, with the sole exception of cases reserved to national legislation in accordance with Article 4, paragraphs 3 and 4.

31. The Chairman remarked that the conclusions of the Subcommittee might contain declarations from the Employers' and Workers' members with regard to subparagraphs (c) and (d) of paragraph 1 of Article 4.
32. The declaration made by the Employers' members with regard to paragraphs 3 and 4 of Article 4, and which had been noted by the Subcommittee, covered, in the opinion of the Workers, their concern about subparagraphs (c) and (d) of paragraph 1 of Article 4.

Article 4, Paragraph 2 (a) and (b).

33. The Workers' members suggested that this paragraph should be drafted in a positive manner. In their opinion, there was no need to specify in the proposed instrument which rights performers did not enjoy.

34. The Employers' members expressed their opposition to this suggestion, which would lead to a situation under which performers would enjoy the right not only to forbid the recording of their performance but also to forbid broadcasting and all other methods of communication to the public of their recorded performances.

35. The Workers' members explained that their main wish was that the negative drafting of this clause should be changed.

36. The French Workers' member, speaking on behalf of the organisations he represented, stated that since the meeting in Rome the preliminary draft convention had been considered by a number of international meetings, which had found that it did not give satisfaction to the demands of performers. He referred particularly to a resolution adopted in January 1952 by a conference organised by the International Confederation of Professional Workers. This resolution read as follows:

Having considered with satisfaction the fact that the consideration of these rights, the principles of which have already been recognised by a number of national legislations, is at present being pursued at the international level, but considering that the preliminary draft convention adopted by the meeting of the Mixed Committee of Experts in Rome on 17 November 1951, did not give performing artists but a partial satisfaction indeed illusive,

The Conference stated—

(1) that performers should enjoy a really efficacious protection against all possibility of recording without their knowledge, their performance and against all abusive utilisation of legal recordings;

(2) that performers should not be deprived of the right to intervene in case of utilisation of these recordings by all means of communication to the public, in view of the fact that this same right was accorded to manufacturers of phonographic records in the preliminary draft;

And consequently considered that the said preliminary draft cannot, in its present form, receive the support of creative artists and professional workers, and requested that the interested governments should suggest the necessary modifications to the preliminary draft in order to harmonise its text with the essential principles set up above.

37. After the Chairman had indicated that, in his opinion, subparagraphs (a) and (b) of paragraph 2 of Article 4 raised the fundamental principle of secondary uses which, since they had not been treated in the preliminary draft international convention of the Berne Union, could be considered separately by the Subcommittee, the Employers' members finally declared that they would agree to reserve the consideration of the basic principle of this question to a later stage.

38. The Chairman suggested the following text as a commentary of the Subcommittee on Article 4, paragraph 2, subparagraphs (a) and (b):

The Subcommittee, while fully appreciating the need to delimit the extent of the performers' rights of authorisation, expresses the view that in the final drafting of Article 4 every endeavour should be made to present the rights accorded to the performers in a positive fashion and to avoid specific reference to rights which are not granted.
39. The Employers' members stated that the purpose of Article 4, paragraph 2, subparagraphs (a) and (b), was to define the scope of the right to authorise and to indicate the limitations of this right. Any text which the Subcommittee might adopt would therefore have to specify these limits in order to satisfy the Employers' members.

40. The Employers' members explained that they had no intention of accepting any amendment of these paragraphs of the preliminary draft convention.

41. The Workers' members said that they were able to accept the suggestion made by the Chairman, subject to certain drafting modifications.

42. The Employers' members maintained their view that it was impossible to put an express limit on the performers' right to authorise without using a negative expression.

43. The Workers' members explained that they would be satisfied if the conclusions of the Subcommittee could include a declaration to the effect that the Subcommittee had encountered a number of difficulties in attempting to formulate in a positive manner the principles expressed in these clauses. The Workers' members undertook to prepare a declaration to this effect.

Article 4, Paragraph 3.

44. The Workers' members suggested the deletion of this paragraph.

45. The Employers' members explained that the paragraph reserved certain essential powers to national legislation. In fact, even authors' rights under the Berne Convention were subject to a reservation of this nature; furthermore, it would be difficult to obtain the ratification of the proposed convention if it did not contain provisions safeguarding national sovereignty on this point.

46. The Workers' members on their side maintained that in their opinion authors' rights differed fundamentally from performers' rights and that authors' rights were not superior to the rights of performers. There was in fact no relation between the two rights. The Workers' members feared that paragraph 3 of Article 4 might be used by certain governments to restrict even more the rights of performers defined in the other paragraphs of Article 4, which rights were already considerably limited. If the Subcommittee could make a declaration indicating the use which should be made of the provisions of this paragraph, the fears of the performers could be overcome.

47. The French Workers' member referred to the situation in his country and informed the Subcommittee that the French Government delegates to the Rome meeting had taken with them the following text adopted unanimously by the National Federation of Performing Artists:

Having adopted the resolution demanding a legal protection statute which would be fair to performing artists, the National Federation had approached the authors' societies with a view to studying this statute in this way.

To that effect a mixed committee, composed of representatives of the organisations of authors and of the National Federation of Performing Artists, had been created.

During its first deliberations this committee had reached the following conclusions:

(1) It was understood that performers' rights on no point should prejudice the rights of authors in regard to a work which was interpreted.

(2) Nevertheless, the rights of authors and of performing artists seemed to be of a similar nature just as their conditions in regard to common usages were parallel.

(3) Authors and artists therefore had a natural interest in coming to terms with each other in establishments where they both worked in order to limit their respective rights on the one hand, and to create mutual relations of good neighbourhood on the other hand.
(4) The limitation of the rights of authors and of performers should be established on the basis of the principle set forth in (1) above.

(5) Regarding the relations of good neighbourship, authors and performers should endeavour to establish between them agreements which would allow them to exercise their rights in mutual harmony in a spirit of common defence and in a way favourable to the general interest.

Being inspired by the principles set out above, the mixed committee first attempted to limit the rights of performing artists and defined in the way set out in the attached text the content of the rights which should be considered as belonging to performers both on the national and on the international level.

The mixed committee would subsequently examine in the same spirit the other elements of the legal protection of performers with a view to the establishment of a draft international convention.

48. The Employers' members felt that the governments ratifying the proposed instrument should be relied upon to apply paragraph 3 with moderation and in a reasonable manner.

49. The Chairman suggested the following declaration: "The Subcommittee, while fully appreciating the necessity of permitting national legislation to introduce reserves with regard to the rights mentioned in Article 4, paragraph 3, wishes to express the hope that governments would refrain from using this right to make reservations, except in special circumstances and for good reasons".

50. The Workers' members suggested that the declaration proposed by the Chairman should be further revised, and this was agreed.

51. Contrary to the opinion of the Workers' members that only the rights accorded to them were limited in the preliminary draft international convention, the Employers' members maintained that the rights given to the manufacturers of phonographic records and broadcasting organisations in the preliminary draft could also be limited by national legislation according to Articles 6 and 8. A further restriction appeared in Article 8, paragraph 1 (c). The manufacturers of phonographic records did in fact enjoy no right to authorise but only a right to obtain an equitable remuneration.

52. The Italian Government member informed the Committee that if paragraph 3 of Article 4 were deleted the Italian Government would not ratify the proposed instrument.

53. It was agreed that representatives of the Employers and Workers should make a joint effort to find a formula which could be accepted by the Subcommittee.

54. The Employers' members submitted the following declaration on behalf of themselves and the Workers' members: "The Subcommittee, while fully appreciating the reasons for reserving rights to national legislation as provided by Article 4, paragraph 3, of the Rome draft, strongly urges that such reserves shall be exercised sparingly and only where necessary in the public interest".

55. The Workers' members confirmed that they accepted this declaration.

Article 4, Paragraph 4.

56. The Workers' members asked that a definition of the term "ephemeral recordings" should be included in the document.

57. The Employers' members had no objection in principle but considered that it would be extremely difficult, if not impossible, to establish a definition.

58. The Director of the Office of the Berne Union explained that the term "ephemeral recordings" had been introduced into the Berne Convention in Brussels in 1948 in order to put a limit on authors' rights in relation to broadcasting organisations. It was very difficult to define but sufficient specifications were included in paragraph 4 of Article 4 itself, where the words "ephemeral recordings" was followed by the words: "fixing recitations, presentations or performances and
made by a broadcasting organisation by means of its own facilities and for its own emissions". They were simply preliminary recordings of a radio emission. The attempt at clarification thus contained in the paragraph appeared to be sufficient and there were strong reasons for mentioning these recordings in the text of the proposed instrument.

59. The Chairman felt that the Subcommittee, in the absence of a precise definition in the preliminary draft, might reach the conclusion that it had found it impossible to make any comment. On the other hand, they might also adopt a declaration regarding the use which should be made of ephemeral recordings.

60. The Employers' members proposed that representatives of broadcasting organisations should draft a declaration which would state precisely what they understood by the term.

61. The observer from the International Confederation of Professional Workers called the Subcommittee's attention to the different types of recording used in France and to the fact that the classification of these types was satisfactory.

62. Subsequently, the Employers' members submitted the following declaration concerning ephemeral recordings:

(1) Ephemeral recordings must be made by a broadcasting organisation and they must be intended only for the emissions of that organisation. It is not permissible to circulate such recordings to other broadcasting organisations.

(2) The utilisation of ephemeral recordings must be limited in time so that they remain ephemeral. The exact fixing of this time limit is left to the national legislative authorities to decide, but it is evident that they may not fix considerable periods incompatible with the epithet "ephemeral". Further, Article 13 of the preliminary draft dealing with the settlement of disputes guarantees performers against abuse.

(3) Only such recordings may be preserved which have a value as documentation. The recordings shall be kept in archives declared official for the purpose, from which they may not be taken out without the agreement of the interested parties.

(4) It is clear from Article 4, paragraph 2 (a), that ephemeral recordings made under the conditions set out in paragraph 1 (d) may only be broadcast with the agreement of the performers as provided in paragraph 1 (c).

63. The Workers' members, while appreciating the statement made by the Employers' members on the use of ephemeral recordings, wanted an affirmation of the principle that performers should be protected against all misuse of ephemeral recordings.

64. The Employers' members then made the following statement: "Broadcasting organisations declare that they will accept in the convention a clause providing that the use of any ephemeral recording should be covered by contracts with the performers concerned."

65. The Workers' members enquired whether the Employers' members would be prepared to extend their statement to cover recordings other than ephemeral recordings. Such an extension would enable the subparagraphs (c) and (d) of paragraph 1 of Article 4 also to be covered.

66. Finally, the Employers' members substituted the above-mentioned statement by the following, covering at the same time ephemeral recordings and other types of recording: "Broadcasting organisations declare that they will accept in the convention a clause providing that the use of any recording made by them should be covered by contracts with the performers concerned, subject to the provisions which might be made by national legislations, in application of paragraph 3 and the first clause of paragraph 4 of Article 4."

67. This statement made by the Employers' members in regard to the use of the recordings made by the broadcasting organisations was noted by the Subcommittee.
Article 5, Paragraphs 1 and 2.

68. The Employers' members thought that paragraph 1 was difficult to understand and seemed too vague to be useful.

69. The Workers' members suggested the following draft: "In cases where a number of performers participate in the same recitation, presentation or performance of a work, and in the absence of a single assignee duly appointed by the said performers, the rights given to these performers shall be exercised".

70. The Italian Government member wanted to retain the article provided that the reference in paragraph 1 to legal person or persons could be deleted. This would prevent performers from designating a union to exercise their rights.

71. The French Government member found that the suggestion made by the Workers' members was dangerous, particularly with regard to the rights of soloists.

72. After the Employers' members had declared that they did not insist that paragraph 1 should be deleted, it was finally decided that the Subcommittee should make no comments in its final text on paragraph 1.

73. Paragraph 2 was accepted without comment.

Article 5 bis.

74. The Workers' members suggested that the Subcommittee should recommend that this article should be inserted in the proposed international convention.

75. The Employers' members, while explaining that they sympathised with the idea expressed in this article, stated that it had not been accepted by the Mixed Committee of Experts at Rome, and not insisted upon by the performers represented at that meeting because the article might lead to abuse and also to embarrassing situations. Consequently, the Employers' members hoped that this provision would not be included. The Workers' members, while recognising the difficulties mentioned by the Employers' members, considered that the principle expressed in Article 5 bis would safeguard them against certain dangers, for example, against certain makers of phonographic records with obsolete equipment.

76. The Employers' members considered that Article 4 in its entirety gave performers a sufficiently clear right to authorise, which would protect them appropriately against such dangers. On the other hand, if this article were to be included in the final convention, there would be a risk of hindering the ratification by certain countries. The Employers' members were not opposed to the principle of moral rights, but the practical difficulties of introducing a provision concerning moral rights into the preliminary draft would be very considerable.

77. The Director of the Office of the Berne Union informed the Subcommittee that the Mixed Committee of Experts in Rome had in fact rejected Article 5 bis in order to obtain ratifications by a maximum number of countries. Any reference to moral rights would involve a risk of diminishing the chances for ratification. The principle expressed in this article could be defended by recourse to general legislation.

78. After the Chairman had explained that the Subcommittee might decide either not to make any comment on this article or to recommend that the international convention should not contain any provision concerning moral rights, the Employers' members recalled that this article was in fact not a part of the preliminary draft established at Rome. The Employers' members would accept the suggestion that the Subcommittee should make no comments on this article.

79. The French Government member considered that it might be desirable to clarify this problem. The French Government was in favour of recognising the moral rights of performers, but considered at the same time that in order to recognise this right it was necessary to study to whom it would in fact apply. It was therefore necessary to be prudent in dealing with this problem. He would suggest that the final document of the Subcommittee should contain the declarations made by each of the two groups on this matter.
80. The suggestion made by the French Government member was put to the vote, and was adopted by 11 votes to 9, with 2 abstentions.

81. The Employers' members then confirmed that they were firmly opposed to the inclusion of any reference to moral rights in the proposed international convention.

82. The Workers' members considered that due account should be taken in the proposed international convention of the principle expressed in Article 5bis.

**Articles 9 and following.**

83. The Employers' members stated that they had no observations to make on these articles.

84. The Workers' members adopted the same attitude as the Employers in regard to these articles, but wished to submit a draft resolution on Article 12 concerning the proposals to be made to the Governing Body in regard to future procedure. The Workers' members added that their concern was to bring about the adoption of an international convention and to ensure that the International Labour Organisation participated in drawing it up.

**Draft Resolution concerning the Role of the International Labour Organisation in regard to Future Procedure in the Field of Rights of Performers**

85. This document was in the following terms:

The Advisory Committee . . . ,

Having examined a preliminary draft international convention regarding the protection of performers, manufacturers of phonographic records and broadcasting organisations as adopted on 17 November 1951 by a Mixed Committee of Experts convened by the Berne Union,

Having noted with satisfaction the inclusion for the first time of rights of performers in a proposed international instrument,

Having, nevertheless, suggested modifications of certain provisions of the said preliminary draft convention and expressed views relating thereto;

Adopts this day of 1952 the following resolution:

1. The Governing Body of the International Labour Office is requested to associate the International Labour Organisation closely in any procedure which may be proposed with a view to the preparation and convocation of an international conference for the purpose of adopting an international instrument concerning the rights of performers and others.

2. The Governing Body is requested to transmit the conclusions adopted by the Advisory Committee on the preliminary draft convention to the Governments of all States Members of the International Labour Organisation and to the Berne Union.

3. The Governing Body is requested to instruct the Office to present to such international conference, or to any international meeting which may precede it, the conclusions adopted on this matter at the present session of the Advisory Committee.

4. The Governing Body is requested to present to the said international conference proposals with a view to ensuring control of the application of the provisions concerning the rights of performers which might be embodied in the proposed international instrument in accordance with the usual procedure of the International Labour Organisation and with its Constitution.

5. The Governing Body is requested to draw the attention of the Governments of States Members of the International Labour Organisation to the advisability of ensuring that their representatives at the proposed international conference have the assistance of technical advisers directly representing the interests concerned.
6. The Governing Body is requested to ensure that every effort be made to secure the convocation of such an international conference at the earliest possible moment, or at least not later than 1953.

86. An amendment was proposed by the Employers' members to the fifth paragraph of the preamble of the draft resolution.

87. The amendment was accepted by the Subcommittee and the paragraph as modified therefore reads as follows: “Having noted with satisfaction that such protection was for the first time the object of a draft international instrument”.

88. The Employers' representative of the Governing Body declared that paragraph 4 of the resolution implied an innovation, since it would give a diplomatic convention the character of a Convention adopted by the International Labour Conference. It was therefore an important principle from the legal and political points of view.

89. The Representative of the Secretary-General proposed that the paragraph in question be modified to begin as follows: “The Governing Body is invited to examine the possibility of making appropriate proposals to the said international conference...”.

90. The Chairman suggested that the end of the same paragraph be modified so as to leave complete liberty of action to the Governing Body. The paragraph would therefore read as follows: “...the international instrument in conformity with the constitutional obligations of the International Labour Organisation”.

91. The two amendments proposed to paragraph 4 were accepted by the Subcommittee.

92. The Employers' members proposed that the beginning of the sixth paragraph of the preamble be amended to read as follows: “Having considered certain provisions...”.

93. This amendment was accepted and the Subcommittee adopted the preamble, as amended above.

**Paragraph 1.**

94. The Chairman proposed that paragraph 1 of the body of the resolution be amended to read as follows: “The Governing Body of the International Labour Office is invited to examine the ways and means of continuing the association of the I.L.O. in all the procedure...”.

95. This amendment was accepted.

96. The Employers' members proposed that the following wording already used in the preamble be added at the end of the same paragraph: “...regarding the protection of performers, manufacturers of phonographic records and broadcasting organisations”.

97. The amendment was accepted by the Subcommittee.

**Paragraph 2.**

98. This paragraph was adopted.

**Paragraph 3.**

99. This paragraph was adopted.

**Paragraph 4.**

100. This paragraph, as amended, had already been adopted.

**Paragraph 5.**

101. Speaking on behalf of the Government of the United Kingdom, the Chairman proposed that the beginning of this paragraph should also be modified as
follows: “The Governing Body is invited to examine the possibility, if considered appropriate, of drawing the attention of...”.

102. This amendment was accepted by the Subcommittee.

Paragraph 6.

103. The Employers' members proposed the deletion of paragraph 6 of the resolution and the addition in paragraph 1 in line 4 after the word “convocation” of the following words: “as soon as possible”. The Subcommittee accepted this proposal.

104. Paragraph 1 as amended was adopted.

105. The draft resolution concerning the role of the I.L.O. in regard to future procedure in the field of rights of performers was adopted by 9 votes to 1, with 2 abstentions.¹

Draft Resolution concerning Problems of Employment and Unemployment of Performers

106. This document read as follows:

The Advisory Committee..., Having decided to adopt as a basis for its discussions a preliminary draft international convention regarding the protection of performers, manufacturers of phonographic records and broadcasting organisations, as adopted on 17 November 1951 by a Mixed Committee of Experts convened by the Berne Union, and a report on the rights of performers in broadcasting, television and the mechanical reproduction of sound prepared by the International Labour Office for the present session of the Advisory Committee,

Having noted that the said preliminary draft international convention does not cover certain problems which are of fundamental importance to performers of all kinds and to their professions,

Having considered that the report prepared by the Office describes clearly and comments fully upon these problems,

Having considered that the rapid development and generalised use of methods and techniques of recording and of sound and visual broadcasting has been the main cause leading to a progressive shrinkage of employment opportunities and to a form of technological unemployment,

Having considered that if the highest possible level of employment is not secured or maintained for performers there will be consequent disadvantage to cultural standards and the interest of the public;

Adopts this day of 1952 the following resolution:

1. Measures should be taken by national legislation or by other appropriate means, with a view to encouraging a high level of employment and thereby minimising the harmful effects set out in the preceding paragraphs.

2. The Governing Body of the International Labour Office is requested to draw the attention of all States Members of the International Labour Organisation to the advisability of examining carefully, in consultation with all interests concerned, the problem of unemployment and of the effect upon the social and economic conditions of performers and of their professions of the secondary uses made of recorded performances by broadcasting organisations and by those who otherwise communicate to the public such performances.

107. The Employers' members stated that they were opposed to this resolution, mainly because of its drafting and presentation. In its present form the resolution

¹ See above, Resolution No. 17, p. 112.
in effect expressed only the point of view of the Workers' members, whereas the Subcommittee was a tripartite body.

108. Moreover, the resolution relied on Report III prepared by the Office, which, although an excellent document, could not be accepted in its entirety. The report contained, for example, an inaccuracy on the situation in the United Kingdom, which was raised at the First Session of the Committee in 1949. On page 42 the following statement was made:

In the United Kingdom, the Musicians' Union has over a number of years concluded agreements with the phonographic industry, relating to commercial records and their use. These agreements are based on the principle of ceding to the manufacturer the right over the commercial recordings of his performances which is conferred on the artist by the Act of 1925.

This description of the agreements between the performers and the employers in the United Kingdom was wrong. The Act of 1925 did not, in fact, confer on the performers any right in relation to the commercial use of recordings; it was concerned only with protection against illegal recordings. The existing agreements were based on the recognised rights of manufacturers of records by virtue of the Act of 1911 concerning authors' rights. The Office was invited to prepare a corrigendum to Report III indicating that the concluding sentence of the passage quoted above should read as follows:

These agreements are based on the rights in records or similar contrivances which are vested in the manufacturer by the Copyright Act of 1911, section 19.

109. The Workers' members expressed regret at not having had the opportunity of thoroughly examining properly Report III, which appeared to be excellent in spite of minor errors and which brought out the unfavourable situation of the performers.

110. The Representative of the Secretary-General expressed his regret at the error indicated by the Employers' member from the United Kingdom and announced that a corrigendum would be prepared.

111. The sentence indicated by the Employers' member could begin in the following way: "It may be added that...".

112. The United Kingdom Employers' member accepted this proposal.

113. The Employers' representative of the Governing Body informed the Subcommittee that the Working Party of the Steering Committee had decided to submit a draft resolution requesting the Governing Body to place the question of unemployment on the agenda of the next session of the Committee. The substance of the draft resolution which was before the Subcommittee might perhaps be incorporated in the resolution prepared by the Steering Committee.

114. The Workers' members stated that the aim of their resolution was in respect of specific problems of employment and unemployment of performers and could not therefore be inserted in a general resolution on unemployment of non-manual workers.

115. The Employers' members proposed that the fifth and sixth paragraphs of the preamble be replaced by the following: "Having noted that the said preliminary draft international convention does not cover and was not meant to cover certain aspects of problems which are considered by performers to be of importance to them and to their professions, which aspects are referred to at length in the report prepared by the Office ."

116. The Workers' members suggested modifying this amendment as follows: "does not cover and is not designed to cover ."

117. These two proposals were accepted by the Subcommittee.

118. The Employers' members declared that they were unable to accept the idea expressed in the seventh paragraph of the preamble. This position was supported by the French Government member.
119. The Workers' members said that, while they regretted a tendency often shown by the Employers' members to treat this question in a legal manner, they fully appreciated the efforts made by the Employers to deal with the problem by other means and in a practical manner.

120. The Employers' members then proposed substituting for this paragraph the following text: "Having considered that the rapid development and generalised use of methods and techniques of recording and of sound and visual broadcasting had created certain problems".

121. The Subcommittee agreed to this amendment.

122. The Chairman then proposed that the eighth paragraph of the preamble be replaced by the following text: "Being convinced of the importance of maintaining adequate employment opportunities in the professions of performers".

123. The Subcommittee agreed to this amendment.

124. The Employers' members then suggested deleting paragraph 1 of the operative part of the resolution on the grounds that in their view it was superfluous.

125. This proposal was agreed to by the Subcommittee.

126. The French Government member stated with regard to paragraph 2 of the resolution that the French Government was prepared to consider favourably the recognition of the right of performers to benefit, under certain circumstances, from secondary uses. France was in favour of the principle that record manufacturers should grant to performers a share of the advantages obtained from secondary uses.

127. The Employers' members proposed the insertion of the word "technological" before the word "unemployment" and insertion of the words "its effect" for the words "the effect" in the same line. It was also proposed to delete the end of the paragraph, from the words "... of the secondary uses".

128. The Subcommittee agreed to these amendments.

129. The French Government member suggested the addition to the resolution of a paragraph in the following terms:

The Governing Body of the International Labour Office is requested to draw the attention of all States Members of the International Labour Organisation to the advisability of including in the convention a provision that the manufacturers of records should make it possible for performers to benefit by the profits resulting from the secondary uses of the production.

130. The Chairman ruled this amendment out of order as it referred to the discussion, which was closed, concerning the draft Rome convention. The French Government member was free, however, to present his proposal again in plenary sitting.

131. The draft resolution concerning problems of employment and unemployment of performers was adopted unanimously with the above modifications.¹

Draft Resolution concerning Collective Bargaining

132. This document read as follows:

The Committee...

Having adopted a resolution concerning a preliminary draft international convention regarding the protection of performers, manufacturers of phonographic records and broadcasting organisations as adopted on 17 November 1951 by a Mixed Committee of Experts convened by the Berne Union,

Having further adopted a resolution concerning the problem of employment and unemployment among performers of all kinds,

Adopts this day of 1952 the following resolution:

¹ See above, Resolution No. 18, p. 113.
The Governing Body of the International Labour Office is requested to draw the attention of all States Members of the International Labour Organisation to the advisability of encouraging where appropriate collective bargaining between broadcasting organisations, organisations of manufacturers of phonographic records and similar instruments, and organisations of performers of all kinds, with a view to suitable arrangements being made to compensate performers for the reduction of employment opportunities, for example by the setting up of special funds to be administered in the interests of performers.

133. The draft resolution was withdrawn by the Workers' members after the French Workers' member had proposed inserting in it the paragraph already proposed by the French Government member in regard to the draft resolution concerning problems of employment and unemployment of performers, and which the Chairman had ruled out of order.

134. The French Workers' member, on a point of order, proposed the discussion of a fourth resolution.

135. The Chairman stated that since a written text had not been submitted in time the discussion could not be undertaken.

136. The French Workers' member then asked for a reopening of the discussion on the first draft resolution concerning the role of the I.L.O. in regard to future procedure in the field of rights of performers.

137. This proposal was rejected by the Subcommittee by 5 votes to 6, with 1 abstention.

138. The Employers' and Workers' members thanked the Chairman and the members of the Secretariat.

139. The Director of the Office of the Berne Union, in the name of the Berne Office, joined in this expression of thanks.

140. The draft report as amended was adopted unanimously by the Subcommittee.

(Signed) A. M. MORGAN,
Chairman and Reporter.

APPENDIX

Preliminary Draft International Convention regarding the Protection of Performers, Manufacturers of Phonographic Records and Broadcasting Organisations

(As adopted on 17 November 1951 by the Mixed Committee of Experts of the Berne Union)

Article 1

1. Without prejudice to the rights belonging to the authors of literary and artistic works the contracting countries undertake to protect performing artists who recite, present or perform works, manufacturers of phonographic records and similar instruments, and broadcasting organisations when the country of origin as defined in Article 2 below is bound by the present convention.

[2. The obligation provided for in the previous paragraph shall exist only if the country of origin defined as above and the country wherein the protection is claimed are bound by a bilateral or multilateral agreement for the protection of authors of literary and artistic works.]  

1 This preliminary draft did not form part of the report of the Subcommittee on Performers' Rights. It is included here for information.

2 This paragraph did not receive the unanimous support of the Committee of Experts.
Article 2

The country of origin shall be considered to be—

(a) in the case of recitations, presentations and performances: the country in which the recitation, presentation or performance takes place;

(b) in the case of phonographic records and similar instruments: the country in which the first finished record was produced; if the first finished record was produced in a non-contracting country, the country of origin shall be considered to be the first of the contracting countries in which a finished record was produced;

(c) in the case of broadcasts: the country in which the head office of the broadcasting organisation is situated.

Article 3

In the contracting countries, the protection shall be regulated by the legislation of the country in which this protection is claimed, subject to the rights specially granted by this convention. It shall not be subject to any formality. Nevertheless, every manufacturer of phonographic records and similar instruments shall make known, in the manner determined by the legislation of the country where the protection may be claimed, the country and the year in which the phonographic record has first been produced by him, whenever this information is requested in writing.1

Article 4

1. Any performer who gives a recitation, presentation or performance of a work shall enjoy the right to authorize—

(a) the recording of his recitation, presentation or performance with a view to the manufacture of phonographic records or similar instruments, intended to be sold to the public, and of cinematographic films intended to be exhibited in public halls;

(b) the communication to the public of his recitation, presentation or performance by means of loudspeakers or any similar instruments transmitting signs, sounds or images;

(c) the broadcasting of his recitation, presentation or performance when it is given for the purposes of a person or undertaking other than the body which proposes broadcast;

(d) the recording, by any person whatsoever, for broadcasting of the performer’s recitation, presentation or performance when given under the conditions specified in subparagraph (c) above.

2. The right of authorization is not granted to the performer—

(a) as against those who transmit by radiodiffusion or communicate to the public his recitation, presentation or performance by the means referred to in paragraph 1 (a) and (d);

(b) as against those who communicate to the public, whether over wires or not, or by whatever means, the broadcast of his recitation, presentation or performance.

3. Reservations and conditions relating to the application of the rights mentioned in paragraph 1 (c) and (d) may be determined by legislation in each contracting country in so far as it may be concerned, but all such reservations and conditions shall apply exclusively in the country which prescribed them and shall in no case be prejudicial to the performer’s right to obtain equitable remuneration fixed, failing prior agreement, by the competent authority.

1 Variant proposed by certain experts: "Nevertheless, the country and year of production of the first finished record shall be indicated on the phonographic records and similar instruments unless the legislation of the country in which the said record was produced provides for other means of making it possible for the public to know the said year and country".
4. It shall be a matter for the legislation of the contracting countries to determine the conditions under which the broadcasting, recording and communication to the public of short extracts from recitations, presentations or performances may be made for the purpose of reporting current events. It shall also be a matter for the said legislation to determine the regulations for ephemeral recordings fixing recitations, presentations or performances and made by a broadcasting organisation by means of its own facilities and for its own emissions. The preservation of these recordings in official archives may, on the ground of their exceptional documentary character, be authorized by the said legislation.

**Article 5**

1. It shall be a matter for the legislation of the contracting countries to designate the physical or legal person or persons whom each performer may appoint to exercise on his behalf the rights mentioned in Article 4.

2. When several performers participate in the same recitation, presentation or performance, and in the absence of a single assignee duly appointed by the said performers, it shall be a matter for national legislation to determine in what manner the rights given to these performers shall be exercised on their behalf either by one of their number or by a physical or legal person designated by the majority.

[Article 5 bis. The performer may oppose the broadcasting, recording or reproducing of his recitation, presentation or performance in conditions likely to prejudice his honour or reputation.]

**Article 6**

1. The manufacturers of phonographic records and similar instruments shall enjoy—

   (a) the right to authorize the reproduction of their phonographic records and similar instruments by whatever means or process of recording;

   (b) the right to obtain an equitable remuneration from whomsoever uses their phonographic records or similar instruments for broadcasting or for any other method of communication to the public.

2. The right to an equitable remuneration is not granted to manufacturers as against those who communicate to the public, whether over wires or not, or by whatever means, radio-emissions effected by means of their phonographic records or similar instruments.

3. Phonographic records or similar instruments manufactured in a non-contracting country which, on the one hand, copy phonographic records or other instruments protected by this convention and, on the other hand, are imported into a contracting country without permission from the manufacturer of the phonographic records or other instruments so reproduced, shall be liable to seizure.

4. It shall be a matter for the legislation of the contracting countries to determine the conditions under which the broadcasting, the recording and the communication to the public of short extracts from recitations, presentations or performances may be made for the purpose of reporting current events. It shall also be a matter for the same legislation to determine the regulations for ephemeral recordings fixing phonographic records or similar instruments and made by a broadcasting organisation by means of its own facilities and for its own emissions. The preservation of these recordings in official archives may, on the ground of their exceptional documentary character, be authorized by the said legislation.

5. It shall be a matter for the legislation of the contracting countries to designate the competent authority for fixing, in default of an amicable agreement, the amount of the equitable remuneration.

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1 Some experts would wish this article to be inserted in the convention.
6. It shall be reserved for the legislation of contracting countries to waive the application of paragraph 1 (b) in the case of communication to the public without a view to profit.

**Article 7**

The term of protection granted by paragraph 1 of the preceding article shall be determined by the legislation of the country in which protection is claimed, but it shall not exceed the term fixed in the country of origin. Nevertheless, it shall never expire before the end of the tenth year following the year when the finished phonographic record or similar instrument was produced for the first time in a contracting country. This shall not affect protection for any longer term which may be afforded on any other ground in the contracting country.

**Article 8**

1. The broadcasting organisations shall enjoy the right to authorise—
   
   (a) the re-emission, whether over wires or not, of all or a part of their emission;
   
   (b) the recording or any other fixation of all or part of their emission or of the re-emission by whatever means;
   
   (c) the communication to the public of all or a part of their emission by means of any instrument transmitting images.

2. It is reserved to the legislation of the contracting countries to protect the broadcasting organisations as against third parties who may communicate to the public all or part of their emission by means of loudspeakers or any other instrument transmitting sounds.

3. Recordings of emissions or re-emissions protected by this convention, manufactured in a non-contracting country and imported into a contracting country without permission from the broadcasting organisation from which they originate, shall be liable to seizure.

4. It shall be a matter for the legislation of the contracting countries to determine under which conditions the re-emission, the recording and the communication to the public of short extracts from emissions may be made for the purpose of reporting current events. It shall also be a matter for the same legislation to determine the regulations for ephemeral recordings fixing emissions or re-emissions and made by a broadcasting organisation by means of its own facilities and for its own emissions. The preservation of these recordings in official archives may, on the ground of their exceptional documentary character, be authorized by the said legislation.

5. It shall be reserved for the legislation of contracting countries to waive the application of paragraph 1 (b) in the case of recordings and other fixations made for private use or without a view to profit.

**Article 9**

Subject to the provisions of this convention, the contracting countries may determine the procedure for the protection and, in particular, the means of redress for safeguarding the rights granted by this convention. They may prescribe transitory provisions for the application of this convention.

**Article 10**

The provisions of this convention shall not preclude the making of a claim to the benefit of any wider protection which may be afforded by legislation in countries in which this protection is claimed.
**Article 11**

The provisions of this convention cannot in any way affect the right of the government of each of the contracting countries to control or to prohibit, by legislation or regulations made in the public interest, any recitation, presentation or performance, the use of any phonographic records and any radio-emission. They do not prevent the said countries from repressing any abuse resulting from the exercise of the rights granted by this convention.

**Article 12**

1. This convention may be submitted to periodic revision. For this purpose, conferences may be held successively in the contracting countries by delegates of the said countries. The government of the country in which a conference is to meet shall undertake the preparatory work for the conference.

2. No alteration in this convention shall be binding except by the unanimous consent of the contracting countries.

**Article 13**

Any dispute between two or more of the contracting countries concerning the interpretation or application of this convention, not settled by negotiation, shall be brought before the International Court of Justice for decision, unless the countries concerned agree on some other method of settlement.

**Article 14**

1. This convention shall be ratified by the signatory countries. The ratifications shall be deposited with the Government of...

2. Non-signatory countries may adhere to this convention. Their notification of adherence shall be addressed to the Government of...

3. The deposit of the instruments of ratification and of the adherences shall be notified in writing by the Government of... to the governments of the signatory countries, and to the governments of the countries which have adhered to this convention in conformity with the provisions of paragraph 2.

4. This convention shall enter into force between any two signatory countries one month after the deposit of the second ratification and between them and any non-signatory countries which may have adhered to it before the deposit of the second ratification. Any subsequent ratifications shall enter into force one month after having been deposited with the Government of... and any subsequent adherences one month after having been notified to the same government.

**Article 15**

1. Any contracting country may at any time notify, in writing, the Government of... that this convention shall apply to its overseas territories, colonies, protectorates, territories under trusteeship, or any other territory for the international relations of which it is responsible, and the convention shall thereupon apply to all the territories named in the notification one month after the receipt of this notification.

2. Any contracting country may at any time notify, in writing, the Government of... that this convention shall cease to apply to all or any of the territories which have been made the subject of a notification under the preceding paragraph, and the convention shall cease to apply to the territories named in this notification twelve months after the receipt of this notification by the Government of...
3. The Government of... shall communicate the notifications given in confor-
mity with the provisions of paragraphs 1 and 2 of this article to the governments
of the signatory countries and to the governments which have adhered to this
convention in conformity with the provisions of paragraph 2 of Article 14.

Article 16

1. This convention shall remain in force for an indefinite period. Nevertheless,
each contracting country shall be entitled to denounce it at any time by means of
a notification in writing addressed to the Government of....

2. This denunciation, which shall be communicated by the latter to the govern-
ments of the signatory countries as well as to the governments of the countries
which have adhered to this convention in conformity with the provisions of para-
graph 2 of Article 14, shall take effect only in respect of the country making it and
twelve months after the receipt of the notification of denunciation by the Govern-
ment of..., the convention remaining in full force and effect for the other
contracting countries.

3. The right of the denunciation provided by this article shall not be exercised
by any country before the expiry of five years from the day of ratification or
adherence by such country.

In faith whereof the undersigned Plenipotentiaries have signed this convention,
drawn up in French, in English, etc....

COMMUNICATION TO GOVERNMENTS OF THE CONCLUSIONS AND REPORTS
ADOPTED BY THE COMMITTEE

On 7 August 1952 the following communication was sent to the
Governments of States Members of the Organisation:


Sir,

By letter I.C.12-2-200 of 16 May 1952¹, I communicated to you a note on the
proceedings of the Second Session of the Advisory Committee on Salaried Employees
and Professional Workers (Geneva, 18 February-1 March 1952). This note contained
the reports of the Subcommittees which were set up by the Advisory Committee at
its Second Session, together with the texts of the resolutions and memoranda
adopted by the Committee.

In the same letter your attention was drawn to the fact that the document in
question was sent to you for your information only, pending consideration by the
Governing Body of the International Labour Office of the reports and conclusions
contained therein.

In continuation of my previous communication, I have the honour to inform you
that the Governing Body, at its 119th Session (Geneva, May-June 1952), examined
the documents in question and took the following decisions concerning some of the
conclusions adopted by the Advisory Committee:

1. In connection with the resolution (No. 15) concerning technical information
and assistance relating to hygiene in shops and offices ², the Governing Body decided
(a) to authorise me to collect information of a technical nature relating to hygiene in
shops and offices and to make such information available to governments and, through
governments, to employers and workers; (b) to instruct me to make available to
governments in underdeveloped areas, on request, technical assistance relating to
hygiene in shops and offices; (c) to instruct me to draw the attention of governments
to the desirability of utilising to the full the technical advice of experts in developing
necessary standards of hygiene in each individual country appropriate to the climatic,
economic and other conditions prevailing in that country.

¹ The text of this communication is not reproduced here, as it is summarised in the first
two paragraphs of the above communication.
² See above, p. 109.
2. The Governing Body noted the memorandum (No. 16) concerning the preliminary draft international convention regarding the protection of performers, manufacturers of phonographic records and broadcasting organisations, adopted in Rome on 17 November 1951 by the Mixed Committee of Experts convened by the International Union for the Protection of Literary and Artistic Works (the Berne Union).

3. In connection with the resolution (No. 17) concerning the role of the International Labour Organisation in regard to future procedure concerning performers' rights, the Governing Body authorised me (a) to transmit to the Berne Union the observations of the Advisory Committee on the preliminary draft international convention adopted by the Mixed Committee of Experts convened by the Berne Union; (b) to continue consultations with the Berne Union and to express the hope that the Berne Union may postpone any final decisions until the Governing Body has had an opportunity of considering the matter further. The Governing Body took this decision because it felt that governments should be allowed sufficient time to examine the conclusions of the Advisory Committee and to carry out any necessary consultations.

4. In connection with the resolution (No. 20) concerning representation on Industrial Committees, the Governing Body authorised me to draw the attention of governments to the desirability of appointing technical advisers from organisations of salaried employees and salaried professional workers, whenever special items on the agenda render their contribution to the work of the Industrial Committees especially valuable.

5. In connection with the resolution (No. 21) concerning productivity, the Governing Body requested me to place this resolution before the Meeting of Experts on Productivity, to be held from 1 to 11 December 1952, for its information, and to draw its attention to the importance of the role of foremen, technicians, engineers and supervisory staff in the field of increased productivity.

6. In connection with the resolution (No. 22) concerning the effect to be given to the conclusions of the Committee, the Governing Body authorised me to draw the attention of governments to the need for—

(a) informing me of the measures they have taken to implement the resolutions adopted at the Second Session of the Advisory Committee in time to enable me to communicate this information to the Committee at its next session;

(b) replying as quickly as possible to requests for information and especially to questionnaires issued by the Office so that the Office may prepare and issue documents for the Advisory Committee within the prescribed time limits;

(c) arranging for the information referred to in paragraphs (a) and (b) above to be prepared in consultation with the employers' and workers' organisations concerned; and

(d) transmitting copies of this information to the employers' and workers' organisations concerned when it is forwarded to me.

7. In connection with the memorandum (No. 23) concerning the future work and composition of the Advisory Committee, the Governing Body decided that the suggestions contained in this memorandum should be referred for consideration to a subcommittee of the Committee on Industrial Committees which is to undertake a general review of the problems arising out of the Industrial Committees.

8. In connection with the resolution (No. 24) concerning weekly rest periods in commerce and offices, the Governing Body decided to place the question of weekly rest periods in commerce and offices on the list of items to be considered by the Governing Body when it discusses the agenda for the session of the International Labour Conference to be held in 1954.

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1 See above, p. 110.
2 See above, p. 112.
3 See above, p. 115.
4 See above, p. 116.
5 See above, p. 117.
9. In connection with the resolution (No. 25) concerning the Conventions on the age of admission to non-industrial employment,\(^1\), the Governing Body decided to refer the question of an enquiry into the ratification and non-ratification by States Members of Conventions Nos. 33 and 60 to the Committee on Standing Orders and the Application of Conventions and Recommendations.

The other matters raised in the reports, resolutions and memoranda adopted by the Advisory Committee on Salaried Employees and Professional Workers at its Second Session will be considered by the Governing Body at later sessions. In due course I shall communicate again with governments with a view to requesting them to furnish information on the action taken, or proposed to be taken, on the conclusions of the Committee. In the meantime, I should be grateful if you would be good enough to transmit these conclusions to the employers’ and workers’ organisations concerned.

I have the honour to be, etc.,

For the Director-General:

(Signed) Luis ALVARADO,
Assistant Director-General.

On 22 April 1953 a further communication was sent to the Governments of States Members of the Organisation, as follows:

Geneva, 22 April 1953.

Sir,

Further to my previous communications, I now have the honour to inform you that the Governing Body, at its 121st Session (Geneva, March 1953), resumed its examination of certain problems raised in regard to the question of the rights of performers and especially by the resolution (No. 17) mentioned above.

In this connection, the Governing Body decided to approve—

(a) the principle of a single instrument relating to the protection of performers, manufacturers of phonographic records and broadcasting organisations; and
(b) the principle of an independent international conference which would be convened for the purpose of drawing up the proposed international regulations.

In addition, the Governing Body authorised me—

(a) to present to the proposed international conference the conclusions adopted by the Advisory Committee in regard to the protection of performers;
(b) to raise, in my consultations with the Berne Union, the question of drawing the attention of governments to the desirability of their representatives at the proposed international conference having the assistance of technical advisers directly representing the interests concerned; and
(c) to arrange for the International Labour Organisation to be represented at the next session of the Mixed Committee of Experts to be convened by the Berne Union (previous to the proposed international conference).

In connection with the question of the International Labour Organisation ensuring the observance of those provisions of the proposed instrument relating to the protection of performers (resolution No. 17, paragraph 4) the Governing Body had before it concrete suggestions drawn up by the Office and based on the experience gained by the International Labour Organisation in the field of the rights of performers in the course of many years.

However, the Governing Body considered that, before undertaking the examination of these suggestions, the most immediate practical question was whether the

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\(^1\) See above, p. 118.

\(^2\) The first part of this letter is not reproduced here as it merely gives a summary of the communication dated 7 August 1952 printed above, and of a letter dated 16 May 1952 and itself summarised in that communication.
parties to the instrument (whether States Members of the I.L.O. or not) would agree that the International Labour Organisation should perform a function in connection with the implementation of the proposed instrument.

Accordingly, the Governing Body has instructed me to communicate with the Governments of the States Members of the International Labour Organisation, inviting them to consider, when examining the communication already sent to them by the Berne Union¹, whether it would be desirable for the International Labour Organisation to be associated with the arrangements for securing the observance of that part of the proposed instrument which would be concerned with the protection of performers.

In accordance with this decision of the Governing Body, I have the honour to request you to inform me of the opinion of your Government on this particular question before 31 August 1953, that is, within the time suggested by the Berne Union to governments for submission of their counter-proposals, suggestions and other comments relating to the preliminary draft international convention. In this connection, you may perhaps consider it advisable to carry out any preliminary consultations which you may deem appropriate (performers, manufacturers of phonographic records, broadcasting organisations).

The replies from your Government and the Governments of the other States Members of the Organisation will provide the Governing Body of the International Labour Office with valuable elements of appreciation when, at a future session, it is called upon to take decisions on the actual procedure to be followed, and especially on the provisions which might permit the association of the International Labour Organisation in the implementation of the provisions concerning the protection of performers which may be included in the future international instrument.

The Governing Body has also instructed me to continue my discussions with the Berne Union on this subject and in particular to invite the Berne Union to consult likewise the Governments of States not Members of the International Labour Organisation.

I have the honour to be, etc.,

For the Director-General:

(Signed) Luis ALVARADO,
Assistant Director-General.

¹ On 4 February 1953 the Berne Union communicated to governments the text of the preliminary draft international convention, a report by Professor Bodenhausen on this preliminary draft, the observations of the Advisory Committee of the I.L.O. in regard to the preliminary draft, and explanatory remarks concerning the preliminary draft which were drawn up by the Office of the Berne Union.
Metal Trades Committee

(Fourth Session, Geneva, 21 April–2 May 1952) ¹

Convocation of the Committee

The Governments of States Members of the International Labour Organisation represented on the Metal Trades Committee ² were informed by letter of 4 February 1952 of the date and place of the Fourth Session of the Committee. ³

In accordance with a decision taken by the Governing Body at its 113th Session (Brussels, November 1950) the agenda of the session was as follows:

I. General Report, dealing particularly with—
   (a) action taken in the various countries in the light of the conclusions of the previous sessions of the Committee;
   (b) steps taken by the Office to follow up the studies and enquiries proposed by the Committee;
   (c) recent events and developments in the metal trades.

II. Human relations in metal-working plants.

III. Factors affecting productivity in the metal trades.

Proceedings of the Committee

The Fourth Session of the Metal Trades Committee was held in Geneva from 21 April to 2 May 1952. In accordance with a decision taken by the Governing Body at its 117th Session (Geneva, November 1951) Mr. P. DE ALBA (Mexico), Government member of the Governing Body, presided at the session.

The Committee elected two Vice-Chairmen: Mr. H. STEINER, President of the Swiss Metal Trades Employers’ Association (Employers’ delegate), and Mr. R. OPENSHAW, member of the British Trades Union Congress, General Council and of the Executive Council of the Amalgamated Engineering Union (Workers’ delegate).


² For the list of these governments, see below the chart showing the composition of Industrial Committees, etc., p. 237.

³ The United Nations, the United Nations Educational, Scientific and Cultural Organisation and the World Health Organisation were invited by letter dated 14 March 1952 to send representatives to the meeting; a similar invitation was sent on 20 March 1952 to the International Materials Conference. Invitations were also sent to the non-governmental organisations with which the International Labour Organisation has established consultative relationships, as well as to a number of international organisations especially interested in the meeting.

³ The text of this communication is not reproduced here. See footnote 3, p. 103.
The following nineteen countries were represented:

Australia  
Belgium  
Canada  
Denmark  
Finland  
France  
Federal Republic of Germany  
India  
Italy  
Japan  
Mexico  
Netherlands  
Norway  
Poland  
Sweden  
Switzerland  
Union of South Africa  
United Kingdom  
United States

All these countries sent a tripartite delegation.

The Governing Body of the International Labour Office was represented as follows:

Government group: Mr. P. DE ALBA (Mexico).
Employers' group: Mr. P. CAMPANELLA (Italian).
Workers' group: Mr. A. VERMEULEN (Netherlands).

The United Nations was represented by Mr. P. MANHEIMER, Economic Commission for Europe; and the World Health Organisation by Dr. M. I. ROEMER, Chief of the Social and Occupational Health Section.

The following non-governmental organisations were represented by observers: the International Confederation of Christian Trade Unions, the International Confederation of Free Trade Unions, the International Federation of Christian Metal Workers, the International Federation of Christian Trade Unions of Employees, Professional Workers and Supervisors, the International Federation of Commercial, Clerical and Technical Employees, the International Metal Workers' Federation, the International Organisation of Employers, and the World Federation of Trade Unions.

The Committee appointed a Steering Committee, which also acted as a Resolutions Committee, and three subcommittees as follows:

Subcommittee on Human Relations;
Subcommittee on Productivity in the Metal Trades;
Subcommittee on the Effect Given to the Conclusions Adopted by the Metal Trades Committee at its Previous Sessions.

Eight plenary sittings were held during the session, five of which were mainly devoted to a general discussion of the questions submitted to the Committee.

At its seventh and eighth plenary sittings, on 2 May 1952, the Committee adopted the reports and resolutions submitted by its subcommittees and various resolutions submitted by the Steering Committee and by the Workers' group. In addition, at its seventh plenary sitting, the Committee took decisions with regard to the draft resolutions mentioned below:

(1) Draft resolution concerning the development of international trade exchange, submitted by Mr. J. L. Jakubowski, Polish Employers' delegate: on a record vote, by 95 votes to 7, with no abstentions, the Committee accepted the recommendation of its Steering Committee that this resolution be not discussed as its adoption would go beyond the competence of the Committee.
(2) Draft resolution concerning international trade, submitted by Mr. Schanen, French Workers’ delegate: by 94 votes to 7, with no abstentions, the Committee decided not to discuss this resolution, on the same grounds as the previous one.

(3) Draft resolution concerning conditions of work of the metal trades workers, submitted by the Polish Workers’ delegates: by 93 votes to 6, with 1 abstention, the Committee decided not to discuss this resolution, on the same grounds as the two previous resolutions.

(4) Draft resolution concerning the agenda of the next session of the Committee and concerning studies to be undertaken by the International Labour Office, submitted by Mr. Schanen, French Workers’ delegate: the Committee rejected the resolution by 93 votes to 6, with 1 abstention.

CONCLUSIONS AND REPORTS ADOPTED BY THE COMMITTEE

The Committee adopted ten resolutions, the texts of which are reproduced below, together with the reports of the three subcommittees.

Resolution (No. 34) concerning Human Relations in Metal-Working Plants

The Metal Trades Committee of the International Labour Organisation, Having been convened by the Governing Body of the International Labour Office, and Having met at Geneva in its Fourth Session from 21 April to 2 May 1952, Considering that all workers should be treated not simply as factors in production, but as human beings whose dignity and freedom, within the framework of their rights and duties, should be respected under all circumstances, Considering that a reciprocal spirit of cordial co-operation between top management, the supervisors and the workers of an undertaking is an essential factor in creating a better human atmosphere, improving conditions of work and the well-being of all those employed in it, ensuring its good running, and increasing its production and prosperity in the general interest, and Considering that a high standard of human relations between all levels in an undertaking effectively promotes the creation of this spirit of co-operation; Adopts this second day of May 1952 the following resolution:

1. The attention of the Governing Body of the I.L.O. is drawn to the desirability of seeking all methods of bringing about a high standard of human relations within undertakings in the metal trades.

2. The employers’ and workers’ organisations should be invited to take into account the following recommendations and suggestions. In particular these organisations should—

(a) study, define and promote human relations in metal-working plants;

(b) endeavour to imbue their members, by every means which they may consider appropriate, with a broad spirit of co-operation based on a sound mutual understanding;

1 At its three previous sessions the Committee had adopted 32 resolutions and one memorandum; the first resolution adopted at its Fourth Session is therefore numbered 34.

2 Adopted on 2 May 1952 by 89 votes to 6, with 5 abstentions. See also the report of the Subcommittee on Human Relations, p. 157, paragraphs 11-14.
consider in particular, with a view to achieving the desired aim, provisions which may be contemplated in connection with physical conditions of work, safety and hygiene programmes, and the training of personnel.

3. The employers' and workers' organisations should recognise the relationship existing between the well-being of the workers, the interest of the consumers, and the prosperity of the undertakings derived from an improvement in human relations.

4. The employers in particular should accord their due importance to provisions concerning the role of the personnel service, the responsibility of the supervisory personnel, opportunities of promotion for the workers, and the exchange of information and the welfare of the personnel.

5. The provisions in paragraph (c) above could be carried out either by means of direct consultation between the management and the personnel of an undertaking, or by means of collective agreements on general lines concluded between organisations representing employers and workers, or by other appropriate means.

6. The same recommendations should be made to top management, representatives of the workers, and all persons directly or indirectly concerned with the problem of human relations in the undertakings.

**Points for the Guidance of Employers and Workers**

Human relations, i.e., the day-to-day relationship between all the people (workers, supervisors, members of top management) working together in a particular undertaking, require for their effective development and maintenance that, in studying, defining and promoting human relations in metal-working plants, the following points should be borne in mind, *inter alia*:

**A. By employers and their organisations:**

1. Recognition of the valuable part which the trade unions can play in improving human relations.

2. The practical expression by top management of the conception of the workers as human beings taking part in a common enterprise.

3. Recognition of the continuing responsibility of top management for ensuring the promotion of the programme and its integration with the basic policies of the undertaking.

4. A statement of objectives for each undertaking which can be wholeheartedly accepted both by management and by the workers.

5. The development of suitable policies, through which this conception and the objectives of the undertaking may be implemented, covering, *inter alia*—

   *(a)* a sound organisational structure of the firm with clear specifications of functions, duties and responsibilities for everyone engaged in the undertaking;

   *(b)* adequate conditions of employment: fair wages, good working conditions and the like;

   *(c)* suitable policies for the methodical selection, placement and orientation of the workers in the undertaking;

   *(d)* training and education for all;

   *(e)* real and equal opportunity for advancement for all employees, with promotion from within, whenever possible, and suitable policies regarding job termination;

   *(f)* attention to the role of supervisory personnel, to their function as representatives of top management, who are expected to explain the purposes of management to the workers and to interpret the questions and needs of workers to management;

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1 See report of the Subcommittee on Human Relations, p. 158, paragraphs 19-23.
(g) genuine two-way communication between management and workers, between individual employees, and between groups of employees at all levels of the undertaking;

(h) generally to seek every means of promoting positive co-operation in the undertaking and to seek concrete and lasting achievements of equal value for the workers and management.

6. Development of procedures and devices as part of a balanced programme to give practical effect to these policies. These include—

(a) selection procedures, and arrangements to give the new employee a friendly welcome;

(b) arrangements through meetings, talks by top management speakers, information handbooks, etc., to acquaint the new employee with his place in the undertaking, the relation of his job to the products of the undertaking, his opportunities for advancement, etc.;

(c) implementation of the policy of opportunity;

(d) development of the supervisory personnel, with particular attention to the foremen, and to their part in making human relations in the plant effective; a number of supervisory training programmes making use of discussion groups, practice sessions and other devices have been developed for this purpose;

(e) two-way communication, in particular through the use of the suggestion system and through the use of suitably selected devices, a large number of which have been given effective trial in various firms which have a sound reputation as "good places to work in";

(f) advance information to the workers concerning all changes affecting them in any manner, thus giving them the opportunity to participate in the life of the undertaking.

B. Recognition by the employers and their organisations and by the workers and their organisations of the following principles:

1. Human relations arise from a conception of workers as people and are designed to create a sense of mutual goodwill and sincere co-operation among everyone in the undertaking.

2. Human relations are also a technique or an art requiring a combination of common sense and training in specialised skills on the part of those who are to put it into effect.

3. The creation of a human atmosphere in an undertaking is a process of education; it involves the development of appropriate understandings by everyone in the plant; and this takes patience and persistence as well as skill and understanding in dealing with human beings if the final objective is to be attained.

Resolution (No. 35) concerning Human Relations

The Metal Trades Committee of the International Labour Organisation, Having been convened by the Governing Body of the International Labour Office, and

Having met at Geneva in its Fourth Session from 21 April to 2 May 1952,

Having had a full exchange of views on the various aspects of human relations in metal-working plants, and

Having reached agreement on certain recommendations intended to ensure the early application of the principles of human relations in metal-working plants,

Having recognised, however, the larger implications of improved relations between all those engaged in working together in an undertaking not only in the

1 Adopted on 2 May 1952 by 91 votes to 6, with 5 abstentions. See also the report of the Subcommittee on Human Relations, pp. 157-158, paragraphs 15-17.
Adopts this second day of May 1952 the following resolution:

The Governing Body of the International Labour Office is invited to consider proposing the subject of human relations in industry generally for discussion at an early session of the International Labour Conference.

Resolution (No. 36) concerning Productivity in the Metal Trades

The Metal Trades Committee of the International Labour Organisation,
Having been convened by the Governing Body of the International Labour Office, and
Having met at Geneva in its Fourth Session from 21 April to 2 May 1952,
Considering that productivity in the metal trades should be increased in order to raise the standard of living of the community and to develop the economic prosperity of all countries,
Considering that any benefits resulting from increased productivity should contribute to the general welfare of the community through a reduction in the prices of consumer goods, and bring to the workers a higher standard of living and better working conditions,
Considering that increased productivity can be achieved only if all employers and workers are convinced of its necessity, and are prepared to take their part, in a spirit of mutual understanding, in the accomplishment of this task, which is in the general interest, and
Considering that the increasing of productivity calls for effective measures in human and industrial relations and in the technical sphere;
Adopts this second day of May 1952 the following resolution:

1. The Governing Body of the International Labour Office is invited to draw the attention of governments and of employers and workers and/or their organisations to the desirability of increasing productivity in the metal trades. Particular attention should be given to the measures set forth in the following paragraphs.

I. Co-operation between Employers and Workers

2. In view of the advantages which may follow from increased productivity in the metal trades, including—

(1) larger supplies both of consumer goods and of capital goods at lower prices,
(2) opportunities for higher earnings,
(3) opportunities for improvements in working conditions, including the lightening of heavy labour, and
(4) a strengthening of the economic structure,

employers and all categories of workers should co-operate to bring about higher levels of productivity.

3. In view of the desirability of ensuring that changes adopted with a view to promoting an increase in productivity shall meet with the co-operation and understanding of workers or their representatives—

(1) employers should explain to the workers concerned the purposes, nature and probable effects of changes designed to increase productivity, and
(2) workers should be free to express their views on changes which concern them and to make suggestions.

Adopted on 2 May 1952 by 100 votes to 6, with 2 abstentions. See also the report of the Subcommittee on Productivity in the Metal Trades, p. 159.
II. Protection of the Interests of Displaced Workers

4. (1) The Committee reaffirms the following paragraphs of the resolution concerning production and employment, adopted at its First Session (Toledo, 1946):

The Metal Trades Committee...emphasises the worldwide necessity of achieving maximum production and employment in the metal trades. The Committee considers that in order to achieve this it is necessary greatly to increase production, so as to permit of a high level of consumption, the payment of high wages and the stabilisation of employment at a high level.

The Committee further declares that continuity of demand and national and international co-operation in assuring a continuous flow of raw materials, supplies, equipment and services are among the essential requirements of maximum production and employment. In view of these facts the Committee suggests that the governments concerned should study their existing policies relating particularly to taxation, industrial relations, government expenditure and foreign trade with the object of encouraging efficient production and expanding employment.¹

(2) Improvements should be made, where necessary, in employment service organisation designed to ensure that information regarding suitable vacancies is promptly made available to displaced workers, to workers threatened with displacement and, where customary, to their organisations.

5. Employers should give consideration to the reabsorption into productive employment of workers who may be displaced. Special attention should be devoted to—

(1) advance planning by employers of changes in industrial processes or equipment;
(2) the transfer of displaced workers to other work with the same employer; and
(3) notification, wherever possible, of displacements expected to result from changes in processes or equipment mentioned in (1) above.

III. Measures to Promote the Most Productive Utilisation of Labour

6. In connection with measures taken to promote productivity, full consideration should be given to—

(1) all measures necessary for the safety, health and welfare of workers;
(2) the adoption of the best methods for the selection and placement of workers;
(3) the simplification and standardisation of work methods with a view to bringing into employment all possible operative labour;
(4) the desirability of servicing skilled workers to the maximum extent possible;
(5) the provision of adequate training facilities, to match the requirements of the various kinds of jobs and the various categories of workers, in which connection serious consideration should be given to the recommendations contained in the resolution concerning vocational training and promotion in the metal trades, adopted by the Committee at its Third Session (Geneva, 1949)²;
(6) the adoption of methods of calculation of wages such that, whatever the system of payment may be, the worker may easily understand what sum is due to him; and
(7) full co-operation between all departments in each plant.

Resolution (No. 37) concerning the Effect Given to the Conclusions Adopted by Previous Sessions of the Metal Trades Committee

The Metal Trades Committee of the International Labour Organisation,
Having been convened by the Governing Body of the International Labour Office, and
Having met at Geneva in its Fourth Session from 21 April to 2 May 1952,
Having noted with satisfaction that a number of governments have provided in good time the information requested by the International Labour Office for the use of the Committee,
Being convinced, however, of the need for the fullest possible information to be provided by the governments in regard to the effect given to the conclusions adopted by the Committee and in accordance with the procedure suggested to governments by the Governing Body at its 109th Session (Geneva, June 1949);
Adopts this second day of May 1952 the following resolution:

1. The Governing Body of the International Labour Office is invited to draw the attention of governments to the need for—
   (a) informing the Office of the measures they have taken to implement the resolutions adopted at previous sessions of the Committee in time to enable the Office to communicate this information to the Committee at its next session;
   (b) replying as quickly as possible to requests for information and especially to questionnaires issued by the Office, so that the Office may prepare and issue documents for the Committee within the prescribed time limits;
   (c) arranging for the information referred to in paragraphs (a) and (b) above to be prepared in consultation and, if possible, in agreement with the employers' and workers' organisations concerned, such consultation to be carried out by methods acceptable to those organisations;
   (d) transmitting copies of this information to the employers' and workers' organisations concerned when it is forwarded to the International Labour Office.

2. The Governing Body is further invited to decide that a subcommittee to examine the action taken in the light of the conclusions adopted at previous sessions of the Metal Trades Committee should be set up at the beginning of each session of the Committee.

Resolution (No. 38) concerning the Date and Place of the Fifth Session of the Metal Trades Committee

The Metal Trades Committee of the International Labour Organisation,
Having been convened by the Governing Body of the International Labour Office, and
Having met at Geneva in its Fourth Session from 21 April to 2 May 1952,
Having taken note of the decisions of the Governing Body contained in the Document for the Guidance of Industrial Committees which provide that "sessions of Industrial Committees should be held as a rule at intervals of two years"; and
Having further noted the provision in the same document that "the length of sessions should be sufficient to allow time . . . for the members of the Committee to visit industrial undertakings in the country in which the session is held" and that the Governing Body has arranged for a number of meetings to be held outside Geneva;

1 Adopted on 2 May 1952 by 91 votes to 0, with 6 abstentions.
2 The original text of this resolution was submitted by the Belgian Workers' delegate, seconded by the French Workers' delegate, and was subsequently supported by the entire Workers' group. The Steering Committee recommended the resolution for adoption. It was adopted unanimously by the Committee on 2 May 1952.
Adopts this second day of May 1952 the following resolution:

The Governing Body of the International Labour Office is invited, in the light of its previous decisions, to give favourable consideration to the possibility of—

(a) convening the Fifth Session of the Metal Trades Committee not more than 24 months after the close of the present session; and

(b) making the necessary provision for the Committee to meet away from Geneva in a metal-working centre in one of the countries represented on the Metal Trades Committee.

Resolution (No. 39) concerning the Agenda of the Fifth Session of the Committee

The Metal Trades Committee of the International Labour Organisation,
Having been convened by the Governing Body of the International Labour Office, and
Having met at Geneva in its Fourth Session from 21 April to 2 May 1952,
Having noted the progress report on the study of the regularisation of production and employment in the metal trades submitted by the International Labour Office, and
Being convinced of the need for taking effective measures to reduce the fluctuations which occur in production and employment in the metal trades;
Adopts this second day of May 1952 the following resolution:
The Governing Body of the International Labour Office is invited—

(a) to instruct the Office to continue its study of the regularisation of production and employment in the metal trades along the lines suggested in the progress report and to communicate the results of this study to the Metal Trades Committee at its next session;

(b) to place the question of regularisation of production and employment at a high level in the metal trades on the agenda of the next session of the Metal Trades Committee.

Resolution (No. 40) concerning Consultation of Employers and Workers by Governments on Matters Affecting Productivity in the Metal Trades

The Metal Trades Committee of the International Labour Organisation,
Having been convened by the Governing Body of the International Labour Office, and
Having met at Geneva in its Fourth Session from 21 April to 2 May 1952,
Having examined the problem of productivity in the metal trades, and
Having adopted a resolution on the subject dealing with co-operation between employers and workers, protection of the interests of displaced workers, and measures to promote the most productive utilisation of labour;
Adopts this second day of May 1952 the following resolution:
The Governing Body of the International Labour Office is invited to draw the attention of governments to the desirability of ensuring that representatives of employers and workers and/or their organisations are invited to participate in the work of governmental bodies which may be set up to promote higher productivity.

1 The original text of this resolution was submitted by the United States Government delegate. The draft was amended by the Steering Committee, which recommended its adoption. The resolution was adopted by the Committee on 2 May 1952 by 85 votes to 6, with 2 abstentions.

2 The original text of this resolution was submitted by the Workers' group. It was referred to the Committee, without recommendation, by the Steering Committee and was adopted on 2 May 1952 by 59 votes to 31, with 9 abstentions.
Resolution (No 41) concerning the Agenda of the Fifth Session of the Committee

The Metal Trades Committee of the International Labour Organisation,
Having been convened by the Governing Body of the International Labour Office, and
Having met at Geneva in its Fourth Session from 21 April to 2 May 1952,
Reaffirming at Geneva in its Fourth Session from 21 April to 2 May 1952,
Having discussed the question of human relations in metal-working plants and recognised its close connection with the wider problem of industrial relations, and
Considering that an examination of the problem of labour-management cooperation in metal-working plants is a logical next step;
Adopts this second day of May 1952 the following resolution:
The Governing Body of the International Labour Office is invited to give favourable consideration to the placing of the question of practical methods of labour-management co-operation in metal-working plants on the agenda of the next session of the Metal Trades Committee.

Resolution (No. 42) concerning a Study to be Undertaken by the International Labour Office for the Fifth Session of the Committee

The Metal Trades Committee of the International Labour Organisation,
Having been convened by the Governing Body of the International Labour Office, and
Having met at Geneva in its Fourth Session from 21 April to 2 May 1952,
Considering the importance of the shipbuilding and ship-repairing industry in the economy of many of the countries represented on the Metal Trades Committee, and
Recognising that this industry is particularly sensitive to economic fluctuations;
Adopts this second day of May 1952 the following resolution:
The Governing Body of the International Labour Office is invited to instruct the Office to devote a special chapter of the General Report for the Fifth Session of the Metal Trades Committee to a preliminary study of the shipbuilding and ship-repairing industry with special reference to—
(a) demand and supply, raw materials problems, competition at the international level and future markets, and
(b) wages and social conditions of shipbuilding workers in the different countries.

Resolution (No. 43) concerning Studies to be Undertaken by the International Labour Office for the Fifth Session of the Committee

The Metal Trades Committee of the International Labour Organisation,
Having been convened by the Governing Body of the International Labour Office, and

1 The original text of this resolution was submitted by the Workers’ group. The Steering Committee was unable to come to an agreement on a drafting change in the final paragraph, which would have made the resolution acceptable to the Employers’ group. This draft was amended by the Committee and the resolution, as amended, was adopted on 2 May 1952 by 33 votes to 0, with 14 abstentions.

2 The original text of this resolution was submitted by the Workers’ group. It was referred to the Committee, without recommendation, by the Steering Committee, and was adopted on 2 May 1952 by 49 votes to 40, with 7 abstentions.

3 The original text of this resolution was submitted by the Workers’ group. It was referred to the Committee, without recommendation, by the Steering Committee, which adopted it on 2 May 1952 by 53 votes to 33, with 11 abstentions.
Having met at Geneva in its Fourth Session from 21 April to 2 May 1952,
Reaffirming its interest in the problem of a guaranteed minimum income for
metal trades workers, which was the subject of a resolution (No. 26) adopted by the
Committee at its Second Session, and
Considering that fluctuations in production and employment in the metal trades,
caused by economic fluctuations which are strongly influenced by the world situation,
have repercussions on the living standards of workers in this industry;
Adopts this second day of May 1952 the following resolution:
The Governing Body of the International Labour Office is invited to instruct the
Office to devote a part of the General Report for the next session of the Metal
Trades Committee to a study of the following questions:
(a) application of a guaranteed minimum income for metal trades workers; and
(b) practical means of ensuring higher and more stable earnings for metal trades
workers.

Report of the Subcommittee on Human Relations

1. The Subcommittee on Human Relations was set up by the Metal Trades
Committee at its third plenary sitting on 23 April 1952, and was composed of
45 members (15 from each group).
2. The Subcommittee appointed its Officers as follows:
   Chairmen: Mr. O. J. Vallila (Government member, Finland).
   Vice-Chairmen: Mr. G. Bergenström (Employers' member, Sweden);
                  Mr. E. J. Hill (Workers' member, United Kingdom).
   Reporter: Mr. H. G. Gee (Government member, United Kingdom).
3. The Subcommittee set up a Working Party consisting of the Officers of the
   Subcommittee, the Reporter, and two members each from the Employers' and
   Workers' groups.
4. The Subcommittee held nine sittings.

Terms of Reference

5. The Subcommittee was called upon to consider the second item on the agenda
   of the Committee: Human relations in metal-working plants. It had as a basis
   for its discussion a report prepared by the Office on this subject.2

General Discussion

6. The Subcommittee first held a general discussion covering the broad aspects
   of human relations.
7. The Representative of the Secretary-General introduced the report, indicating
   briefly the background of the study prepared by the Office, the fundamental simplicity
   of the subject and the complexity of its practical application. He pointed out that
   the Office had endeavoured in the report to collect examples of experience and studies
   in this field in order to identify those elements which were common to the various
   successful experiences which had been analysed. The report made it clear that the
   creation of sound human relations depended on the adoption of a conception by
   management—and one which could be fully approved by the workers—recognising
   all those employed in an undertaking as human beings and as partners in carrying

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1 Adopted by the Committee on 2 May 1952 by 94 votes to 6, with 1 abstention.
2 International Labour Organisation, Metal Trades Committee, Fourth Session, Geneva, 1952,
out the objectives of the undertaking. For that very reason experience had confirmed the value to top management of clearly stating these objectives in such a way as to ensure their willing acceptance by all those employed in the undertaking. In the conclusions set out in the report, the Office had tried to bring together the various principles and methods of practical application described in the report, to which it was suggested the Subcommittee might devote particular attention.

8. While affirming their belief in the value of creating sound human relations in metal-working undertakings, some Employers’ members directed attention to the complexity of the issues involved. On the Workers’ side the view was generally held that, fundamentally human relations were a simple matter, based as they are upon the sincere acceptance of the principle that all workers are human beings and should therefore be treated as such.

9. A word of caution was introduced on the Workers’ side in regard to the dangers of a misuse of human relations techniques, which might tend to serve to keep the workers happy and to weaken their spirit of common interest and the trade union organisations through which they had been able to gain their present standards of well-being. In the ensuing discussion, various speakers both on the Employers’ and on the Workers’ side sought to define more clearly the special field of human relations as distinct from industrial relations, while recognising the close connection which existed between them. On the Workers’ side, particularly, stress was laid on the fundamental principle that the creation of a favourable atmosphere for the development of sound human relations required the active support of the trade unions and that the basic principles governing the development of human relations should be established by agreement between the employers’ and workers’ organisations.

10. Various speakers pointed out, however, that conditions varied widely in the different countries represented on the Committee, and that, while in some of these countries all the workers in an undertaking could effectively be represented by their trade union delegates, in other countries there were many undertakings where this might not be possible. They pointed out the importance of not laying down rules for the development of human relations which might, in view of the position in some countries, have a restrictive effect.

Specific Proposals

11. Following this general exchange of views, the Subcommittee decided to undertake the consideration of the proposed points for discussion contained in Chapter V of the Office report. As a basis for discussion the Employers’ members had submitted a text which set forth certain general principles defining human relations and their practical application in metal-working undertakings.

12. To expedite the discussion the Subcommittee agreed that this document be remitted to a bipartite working party, of which the Officers of the Subcommittee and the Reporter would be members ex officio, to examine this text and the amendments which the Workers’ members desired to offer. These were submitted in the form of an amended text based on the Employers’ original proposals but containing a number of minor modifications and certain new ideas.

13. After examining these two texts the Working Party submitted a revised version to the Subcommittee, setting out the general principles upon which human relations in the metal-working trades should be based.

14. The proposed resolution, with minor modifications, was adopted by the Subcommittee, with one member voting against it.1

15. The Workers’ members introduced another draft resolution concerning human relations, which was considered by the Subcommittee at its sixth sitting. The text emphasised the importance of human relations in all branches of industry and invited the Governing Body to consider (a) placing this question on the agenda of other

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1 See above, Resolution No. 34, p. 148.
Industrial Committees or, where appropriate, other bodies of the International Labour Organisation, and (b) proposing the subject of human relations in industry generally for discussion at an early session of the International Labour Conference.

16. With regard to the last paragraph of the resolution, the Employers' members suggested that it was not the policy of the Governing Body to place an item on the agenda of a Committee which had not given prior indication of its interest in the question. Various amendments to the text were proposed to meet the point, the Subcommittee finally deciding to remit the draft resolution to its Working Party to find a suitable form of words.

17. The Working Party suggested a slight modification in the sixth clause of the preamble recognising the implication of improved relations in undertakings in the wide range of industries which are closely linked to the metal-working industries, and suggested deleting paragraph 1 of the operative part of the resolution, on the grounds that the Governing Body would take into consideration any appropriate request made by another body of the International Labour Organisation to have the question of human relations placed on its agenda.

18. The Subcommittee unanimously adopted this revised text.¹

19. The Workers' members had also submitted directly to the Working Party, for preliminary consideration, a set of additional points based on those proposed for discussion in Chapter V of the report. In the view of the Workers' members of the Working Party, these could either be appended to the draft resolution mentioned in paragraph 13 as specific points to be taken into consideration by all concerned in the practical application in individual undertakings of the principles set forth in the resolution, or they could be included in a separate text. The Employers' members of the Working Party agreed to discuss this text, on the understanding that they would have an opportunity to consult with their group.

20. The Working Party reviewed the text carefully, making some substantial alterations to the original proposals. It then submitted a new text to the Subcommittee.

21. The Employers' members suggested a change in the form of presentation of the recommendations, the first part of which they felt clearly applied to employers and their organisations and should be so addressed, the second part applying more generally to employers' and workers' organisations; they had also a number of modifications of detail to suggest before the text could be considered acceptable to them. After an exchange of views the Subcommittee decided to remit the draft recommendations to its Working Party.

22. The Working Party re-examined the text in the light of this discussion and with the Employers' members' detailed amendments before it. It agreed unanimously on a revised text, which was submitted to the Subcommittee.

23. The Subcommittee unanimously adopted this text, with certain slight alterations in presentation and with one amendment to paragraph 6 (e) of part A.²

24. In adopting this text, the Employers' members expressed their appreciation of the valuable paper on human relations in metal-working plants which had been prepared by the Office, and which had proved to be of great assistance to the Subcommittee in providing a solid basis for its work. These views were shared by the Subcommittee as a whole.

25. The report of the Subcommittee was adopted unanimously.

(Signed) O. J. Vallila,
   Chairman.

(Signed) H. G. Gee,
   Reporter.

¹ See above, Resolution No. 35, p. 150.
² See above, Points for the Guidance of Employers and Workers, p. 149.
Report of the Subcommittee on Productivity in the Metal Trades

1. The Subcommittee on Productivity was set up by the Metal Trades Committee at its third plenary sitting on 23 April 1952, and was composed of 45 members (15 from each group).

2. The Subcommittee appointed its Officers as follows:

   Chairman: Mr. R. M. Barnett (Government member, United States).
   Vice-Chairmen: Mr. P. L. Daeschner ( Employers' member, France); Mr. A. Geijer (Workers' member, Sweden).
   Reporter: Mr. D. W. Mitchell (Government member, United Kingdom).

3. The Subcommittee also appointed a Drafting Committee, consisting of its Officers and two members each from the Employers' and Workers' groups.

4. The Subcommittee held six sittings.

5. The Subcommittee, while recognising the often predominant influence on productivity of such factors as raw materials supplies, research, design, simplification, standardisation and specialisation, production planning, improved equipment, lay-out and other factors of a like kind mentioned in Chapter II of Report III, restricted its discussion, for practical reasons, to points concerning labour and its utilisation, and to factors affecting the attitudes of employers and workers towards higher productivity. The other factors affecting productivity are certainly of great significance and the interchange of information on practices and experience in the different countries should be encouraged in every way. Action in these fields must, however, be governed by the circumstances peculiar to the metal trades in each country and indeed by the nature of the great variety of goods which the metal trades produce.

General Discussion

6. In the course of a preliminary exchange of views it was stated on behalf of the Employers' group that the points for discussion suggested in Chapter IV of Report III (concerning labour and its utilisation and concerning the attitudes of employers and workers towards higher productivity) appeared to constitute a suitable basis for discussion by the Subcommittee. Before discussing positive steps which could be taken to increase productivity, it was suggested that the Subcommittee might begin by examining certain negative factors which at present impeded the growth of productivity. Before discussing how the fruits of higher productivity should be distributed it would appear logical to discuss what could be done to ensure that the tree was not prevented from bearing fruit. The best starting point for discussion would therefore appear to be the question of the attitudes of employers and workers towards higher productivity.

7. On behalf of the Workers' group it was stated that the group accepted the view that an increase in productivity was a necessary means of achieving a higher standard of living for all sections of the community, and particularly for the workers whose efforts contributed to the growth of productivity. The Workers' group considered that it was chiefly through technical measures and not by speeding up work or making heavier demands upon workers that productivity could be increased. In order to achieve the highest level of productivity the fullest co-operation of the workers would be required. Workers were probably more willing today than they had been at any time in the past to support efforts to raise productivity, provided they were satisfied, first, that workers and consumers would receive a fair share of the gains of higher productivity, and, second, that an increase in productivity would not lead to unemployment. Workers' support for measures to raise productivity could not, however, be unconditional. It was not reasonable to expect

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1 Adopted by the Committee on 2 May 1952 by 91 votes to 6, with 2 abstentions.
a man to undertake the labour of tending a tree with no assurance that he would receive any of the fruit. The Workers' group agreed that the first point for discussion should be the question of attitudes of employers and workers towards productivity.

Attitudes of Employers and Workers towards Productivity

8. Agreement was quickly reached that an increase in productivity in the metal trades is desirable as a means of achieving higher standards of living for all sections of the community and improving the conditions of workers.

9. The Subcommittee decided to devote special attention to the following three questions:

(1) What principles should govern the distribution of the gains from higher productivity?

(2) Is it desirable that managements should take workers freely into their confidence regarding the purposes, nature and probable effects of changes proposed with a view to increasing productivity, and that they should provide for the participation of workers' representatives in the introduction of such changes?

(3) What safeguards are needed in the interests of displaced workers or workers who are threatened with displacement as a result of measures taken to increase productivity?

Distribution of the Gains from Higher Productivity.

10. On behalf of the Workers' group the point of view was put forward that increases in productivity should be reflected in an improvement in workers' conditions, that this should take the form not only of an increase in wages but also of a reduction in prices, and that the possibilities of improving social benefits, reducing hours of work and increasing holidays should also receive attention.

11. On behalf of the Employers' group it was recognised that workers should be compensated for any increased efforts which they made in order to achieve higher levels of productivity. The Employers' group considered that a large part of the gains from higher productivity should be passed on, in the form of lower prices, to the community as a whole, of which workers form a large part. Lower prices, besides improving standards of living in general, would stimulate an increase in demand and enlarge the opportunities for employment. Finally, the Employers' group emphasised the importance, especially in certain countries, of reinvesting a part of the gains from higher productivity in capital equipment so as to provide the means for further increases in productivity.

12. It was felt after some discussion that there was sufficient agreement in principle between the two points of view to warrant referring the matter to the Drafting Committee, which agreed upon the text contained in the preamble of the resolution concerning productivity in the metal trades. ¹

Co-operation between Employers and Workers.

13. It was stated on behalf of the Employers' group that employers in many countries were convinced of the value of exchanges of information and views between employers and workers, and that it was the practice of many employers to take workers freely into their confidence regarding the policy, economic situation and future plans of the company. This, they believed, generally had the effect of improving industrial relations, but whether it led to increased productivity depended upon the atmosphere in the plant and the willingness to co-operate shown by the workers and their representatives. Employers must retain the freedom to take decisions on matters which were recognised as falling within the responsibility of management.

¹ See above, Resolution No. 36, p. 151.
14. On behalf of the Workers' group the importance of co-operation and consultation was stressed. In several countries the existing practice in this respect appeared to be relatively satisfactory and examples were given of machinery for joint consultation which appeared to work to the satisfaction of both sides. In other countries, however, there was little joint consultation or co-operation. Experience had shown that workers were willing to make sacrifices for the sake of higher productivity if they were consulted in advance and if the reasons for proposed changes were explained to them. When this was not done, however, conflicts which might have been avoided frequently arose.

15. On this question, too, it was felt, after further discussion, that the points of view expressed on behalf of the Employers' and Workers' group were sufficiently close together to warrant referring the matter to the Drafting Committee, which agreed upon the text contained in paragraphs 2 and 3 of the resolution mentioned above.

Protection of the Interests of Displaced Workers.

16. The view was expressed on behalf of the Workers' group that both governments and employers had responsibilities in regard to workers displaced from their jobs, or threatened with displacement, as a result of measures taken in order to raise productivity. Such measures should be accompanied by measures to ensure that demand would be sufficient to absorb the increased output. Both price reductions and wage increases would contribute to an increase in demand and therefore to the maintenance of employment. The most effective protection of the interests of workers threatened with redundancy lay in measures to ensure the maintenance of a high level of employment. There was, however, also a need for measures to facilitate the re-employment of workers temporarily displaced and to maintain at an adequate level the incomes of workers temporarily unemployed. Workers' representatives should be notified in advance of expected lay-offs, and consultation with workers' representatives was essential in order to ensure that when lay-offs were unavoidable they should take place in accordance with agreed procedures.

17. On behalf of the Employers' group it was recognised that employers should give special consideration to the problem of reabsorbing into productive employment workers who might be displaced by measures designed to raise productivity. Though in certain cases such displacements might be inevitable, it was felt by the Employers' group that any considerable increase in unemployment, if it were to occur, would not be a result of measures taken to raise productivity but of a deterioration in general economic conditions. To discuss in detail remedies for economic crises and for the unemployment resulting therefrom would go beyond the terms of reference of the Subcommittee.

18. After further discussion this point, too, was referred to the Drafting Committee, which agreed upon the text contained in paragraphs 4 and 5 of the above-mentioned resolution.

Measures to Promote the Most Productive Utilisation of Labour

19. The Subcommittee discussed briefly certain measures which might be taken to promote the most productive utilisation of labour.

20. The Employers' group felt that attention should be given to the adoption of more scientific methods for the selection and placement of workers, in order to ensure that workers were employed on the kind of work for which they were best fitted and that workers' talents did not remain unrecognised. Members of the Workers' group drew attention to the danger that where such techniques were adopted workers might tend to be regarded as machines rather than as human beings.

21. Members of the Employers' group felt that a simplification of work methods was essential in an expanding economy and would not lead to a reduction in the demand for skilled craftsmen, but rather the reverse. Members of the Workers' group insisted that simplification of work methods should not be regarded as a means
of diluting the labour force and that higher productivity should be sought rather through the training of workers for more highly-skilled work. Monotonous semi-skilled work performed at high speed involved serious dangers for the health of workers.

22. In connection with systems of wage payment, the attention of the Subcommittee was drawn by a member of the Workers' group to certain recent collective agreements in the automobile industry and in certain other industries in the United States, under which wages were linked to the cost of living and, in addition, workers received each year for the duration of the agreement a "productivity supplement", at present amounting to 4 cents per hour, or an average annual increase of 2 ½ per cent. In this way workers in these industries were assured of a share in the benefits of higher productivity.

23. The points regarding labour and its utilisation suggested for discussion in Report III (points 1-10, pp. 115-116) were then referred to the Drafting Committee, which agreed on the text contained in paragraph 6 of the resolution.

Report of the Drafting Committee

24. The Drafting Committee submitted a report stating that it had reached agreement on the text of a draft resolution but that it had failed to reach agreement on the inclusion in this draft of the following paragraph:

Representatives of employers and workers and/or their organisations should be invited to participate in the work of governmental bodies which may be set up to promote higher productivity.

25. During the discussion of paragraph 1 of the draft resolution it was agreed that the Subcommittee should recognise in its report the fact that vigorous efforts are already being made in many countries to promote high productivity in the metal trades.

26. The Subcommittee unanimously adopted the draft resolution proposed by the Drafting Committee.

27. The paragraph on which the Drafting Committee had not been able to reach agreement was briefly discussed in the Subcommittee. The Employers' group proposed the following alternative text:

Representatives of employers and workers and/or their organisations should be in a position to satisfy themselves that the interests they represent are safeguarded whenever any governmental discussions are taking place at the national level with a view to promoting higher productivity.

This proposal was, however, not acceptable to the Workers' group, who stated that they would propose a separate resolution covering this point, for discussion by the Committee in plenary sitting.

28. The report of the Subcommittee was adopted unanimously.

(Signed) R. M. BARNETT,  
Chairman.
(Signed) D. W. MITCHELL,  
Reporter.

Report of the Subcommittee on the Effect Given to the Conclusions Adopted by the Metal Trades Committee at its Previous Sessions

1. The Subcommittee on the Effect Given to the Conclusions Adopted by the Metal Trades Committee at its Previous Sessions was set up by the Metal Trades Committee at its third plenary sitting on 23 April 1952, and was composed of nine members (three from each group).

1 Adopted on 2 May 1952 by 83 votes to 0, with 8 abstentions.
2. The Subcommittee appointed its Officers as follows:

Chairman and Reporter: Mr. J. A. Chalvet (Government member, France).
Vice-Chairmen: Mr. H. P. de Kantere (Employers' member, Netherlands); Mr. A. Bertinchamps (Workers' member, Belgium).

3. The Subcommittee held four sittings.

4. Under its terms of reference the Subcommittee was called upon to consider Item I (a) of the agenda, i.e., the action taken in the various countries in the light of the conclusions of the previous sessions of the Committee. It had before it the relevant parts of the General Report prepared by the International Labour Office, which contained information provided by 21 governments relating to nine of the 33 resolutions and memoranda adopted by the Metal Trades Committee at previous sessions.

Discussion

5. The Subcommittee noted that a number of the conclusions had suggested action in the different countries by the governments or by the employers' and workers' organisations, while the remaining conclusions required action within the International Labour Organisation. It decided to consider, on the basis of the reports prepared by the International Labour Office, what information was available regarding the action taken in the different countries and whether this information had been presented in a satisfactory manner. It also agreed to examine the conclusions adopted at previous sessions of the Committee, with the object of selecting those which were of most importance to the Metal Trades Committee at the present time and eliminating those which were of no further interest.

6. The Subcommittee concentrated its attention upon the conclusions which called for action in the various countries. It took note of the fact that many of the governments had supplied information in accordance with the procedure suggested by the Governing Body at its 109th Session (Geneva, June 1949). The Subcommittee agreed that it would be desirable for more governments to supply such information, and that it would be helpful if some of the replies could be set out more fully.

7. Regarding the action to be taken to give effect to the resolutions in the various countries, the Subcommittee felt that governments should be asked to act upon the Governing Body's suggestions referred to above with regard to consultation with the employers' and workers' organisations. The Subcommittee agreed that consultation by correspondence was not always adequate. Some members suggested that tripartite meetings should be held to study the conclusions adopted by the Metal Trades Committee, with a view to deciding which of them were of particular interest to the country in question and what steps should be taken to give effect to them. Tripartite meetings should also be called to discuss the information supplied to the International Labour Office by the governments concerning the action taken in the light of the resolutions adopted by the Metal Trades Committee. Other members of the Subcommittee made reservations on these suggestions and proposed that consultations in the different countries might be carried out on the lines suggested in paragraphs 8 and 10 of the report of the Subcommittee set up by the Inland Transport Committee of the International Labour Organisation at its Fourth Session to study the effect given to the conclusions adopted by its previous sessions. It was decided to take account of these suggestions when drawing up the draft resolution.

8. During the discussion a suggestion was made that an international meeting of experts in the field of safety and health in the metal trades might be convened for an exchange of views on the subject matters dealt with in resolution No. 4. The Subcommittee felt, however, that it was not competent to make suggestions for any action other than that called for in the conclusions as already adopted.

9. The Employers' members of the Subcommittee drew attention to the resolution adopted by the Inland Transport Committee of the International Labour Organisation

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concerning the effect to be given to the conclusions adopted by that Committee. They suggested that the Subcommittee might adopt a similar resolution emphasising, in particular, the need for governments to supply adequate information in good time and the importance of preparing the information in consultation with the employers' and workers' organisations. The Workers' members stated that they, too, had intended to make a proposal along these lines. After discussion the Employers' and Workers' members of the Subcommittee proposed that a resolution should be drafted on the basis of those adopted by the Inland Transport Committee and the Advisory Committee on Salaried Employees and Professional Workers at their last sessions, but with an amendment to paragraph (c) of these resolutions.

Conclusions

10. The Subcommittee examined the conclusions adopted by previous sessions, and decided that in regard to certain of the resolutions there was no need for the governments to supply further information. These resolutions are as follows:

No. 1. Resolution concerning international standardisation of statistics of accidents and occupational diseases.
No. 2. Resolution concerning international standardisation of warning signs.
No. 5. Resolution concerning International Labour Office factual survey [of the various measures taken in the different countries for the prevention of accidents and the protection of health in the metal trades].
No. 8. Resolution concerning studies to be undertaken by the International Labour Office [on the problem of industrial relations].
No. 9. Resolution concerning wages and freedom of association in underdeveloped regions.
No. 10. Resolution concerning production and employment.
No. 11. Resolution concerning shortages of steel, new equipment and coal in European countries.
No. 15. Resolution concerning industrially underdeveloped regions.
No. 16. Resolution concerning the definition of "metal trades".
No. 17. Resolution concerning the implementation of proposals and resolutions adopted by the Metal Trades Committee.
No. 18. Resolution concerning the definition of "metal trades".
No. 20. Resolution concerning long-term estimates of raw materials requirements by the metal trades.
No. 21. Resolution concerning international consultation in the metal trades.
No. 22. Resolution concerning training and promotion in the metal trades.
No. 23. Resolution concerning technological improvements and their effect on employment.
No. 24. Resolution concerning assistance to economically underdeveloped countries.
No. 25. Resolution concerning assistance to countries devastated by the war.
No. 27. Memorandum to the Governing Body on questions concerning labour-management co-operation in the metal trades.
No. 28. Resolution concerning studies to be undertaken by the Office [regarding labour-management co-operation].
No. 31. Resolution concerning technical assistance in relation to the metal trades.

11. The Subcommittee then agreed upon a list of the resolutions in regard to which it would be particularly useful for the governments to provide further information for consideration at the Fifth Session of the Committee. The resolutions in question are as follows:
No. 3. Resolution concerning special safety services and safety committees.
No. 4. Resolution concerning education in matters of industrial safety and health.
No. 12. Resolution concerning government expenditure on capital goods, consumers' goods and services.
No. 19. Resolution concerning regularisation of production and employment at a high level in the metal trades.
No. 26. Resolution concerning minimum income security.
No. 29. Resolution concerning vocational training and promotion in the metal trades.
No. 30. Resolution concerning systems of wage calculation in the metal trades.

12. It was agreed that the remaining resolutions might be reserved for consideration at the next session and that governments need not be asked to provide information in regard to them for the time being. It was understood, however, that if any information on these resolutions was received by the Office it would, of course, be mentioned in the reports to be submitted to the Metal Trades Committee at its next session. These resolutions are as follows:

No. 6. Resolution concerning industrial relations in the metal trades.
No. 7. Resolution concerning the observance of collective agreements.
No. 13. Resolution concerning unemployment insurance and social security.
No. 14. Resolution concerning technological improvements and hours of work.
No. 32. Resolution concerning maintenance and repair of mechanical equipment in underdeveloped countries.
No. 33. Resolution concerning the use of sand-blasting.

13. With a view to assisting governments in preparing their replies in an appropriate manner, various members of the Subcommittee made specific suggestions as to the kind of information the Office might seek from governments and regarding the form in which the letters requesting information should be drafted. These suggestions are set out in the following paragraphs.

14. It was agreed that for certain resolutions it would be useful to request information in the form of a questionnaire.

15. In connection with resolution No. 4 concerning education in matters of industrial safety and health, it was suggested that the Office might specifically ask for information, on the one hand, concerning the role played in this field by the central government department dealing with the promotion of industrial safety and health and, on the other hand, concerning the work carried out by special institutions such as insurance companies, with a view to promoting safety and health in industry. Information might also be sought on the activities of other agencies as, for example, private independent associations for the protection of workers' health and safety or for the inspection of industrial plants.

16. In connection with resolutions Nos. 12 and 19, a suggestion was made that the Office might ask for specific information regarding any plans involving the purchase of equipment of interest to the metal trades which the public authorities had prepared to be put into effect during periods of decreasing production and employment.

17. While it was felt that it should be left entirely to the Office to decide the form of the letters to governments, there was general agreement that it would be helpful if the letter requesting information from governments for the Fifth Session of the Committee could take account, wherever possible, of the views expressed in this discussion.

18. The Subcommittee agreed that the proposed resolution should include a reference to the need for the governments to arrange for due consultation with the employers' and workers' organisations by methods acceptable to the organisations in question, as suggested in paragraph 10 of the report of the Subcommittee on the
Effect Given to the Conclusions Adopted by Previous Sessions of the Inland Transport Committee. It was also agreed that it would be desirable for governments to prepare the desired information not only in consultation with the organisations but if possible in agreement with them.

19. The text of the resolution was adopted unanimously by the Subcommittee.1

20. The report of the Subcommittee was adopted unanimously.

(Signed) J. A. Chalvet,
Chairman and Reporter.

COMMUNICATION TO GOVERNMENTS OF THE CONCLUSIONS AND REPORTS ADOPTED BY THE COMMITTEE

On 21 July 1952 the following communication was sent to the Governments of States Members of the Organisation:

Sir,

I have the honour to inform you that the Governing Body of the International Labour Office, at its 119th Session (Geneva, May 1952), considered the reports and resolutions adopted by the Metal Trades Committee at its Fourth Session (Geneva, 21 April-2 May 1952), and authorised the Director-General to transmit these documents to governments and to invite them to communicate them to the employers' and workers' organisations concerned.

A note on the proceedings of the Fourth Session of the Metal Trades Committee, which contains the reports of the Subcommittees, together with the resolutions adopted by the Committee, is being sent under separate cover to enable you to arrange for the conclusions adopted by the Committee to be examined.2

In regard to certain of the Committee's resolutions, the Governing Body took the decisions indicated below:

1. It requested me to place before the Meeting of Experts on Productivity in Manufacturing Industries, which is to be held at Geneva in December 1952, the report of the Subcommittee on Productivity in the Metal Trades, together with the resolution (No. 36) concerning productivity in the metal trades.3

2. In connection with the resolution (No. 40) concerning consultation of employers and workers by governments on matters affecting productivity in the metal trades, it decided that governments should be informed that this resolution does not constitute an invitation to governments to set up bodies to deal with productivity, its purpose being to suggest that if a government decides to set up such a body, the representatives of employers' and workers' organisations should be invited to participate in the work of that body.

3. In connection with the report of the Subcommittee on the effect given to the conclusions adopted by previous sessions of the Metal Trades Committee, the Governing Body recommended that when I communicate with governments in accordance with the procedure suggested by the Governing Body at its 109th Session (Geneva, June 1949), I should invite them to supply information on action taken in regard to resolutions Nos. 3, 4, 12, 19, 26, 29 and 30, mentioned in paragraph 11 of the Subcommittee's report as well as in regard to the conclusions adopted by the Metal Trades Committee at its Fourth Session. In communicating with governments I was authorised to call their attention to the suggestions made by the Committee (paragraphs 15 and 16 of the report of the Subcommittee) as to the kind of information which would be most useful.

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1 See above, Resolution No. 37, p. 153.
2 This note is not reproduced here. For the reports of the Subcommittees, see above, pp. 156-166; for the text of the resolutions, see pp. 148-156.
3 See above, pp. 159 and 151.
4 See above, p. 154.
5 See above, p. 162.
4. In connection with the resolution (No. 37) on the same subject, the Governing Body also decided to draw the attention of governments to the need for—

(a) informing me of the measures they have taken to implement the resolutions adopted at previous sessions of the Committee in time to enable me to communicate this information to the Committee at its next session;

(b) replying as quickly as possible to requests for information addressed to them by me;

(c) arranging that such information be prepared in consultation and, if possible, in agreement with the employers' and workers' organisations concerned, such consultation to be carried out by methods acceptable to those organisations;

(d) transmitting copies of the information to these organisations when it is forwarded to me.

The other matters raised in the reports and resolutions of the Fourth Session of the Metal Trades Committee will be considered by the Governing Body at later sessions. I shall communicate with the governments in due course with a view to requesting them to furnish information on the action taken, or proposed to be taken, on the conclusions of the Committee.

I have the honour to be, etc.,

For the Director-General:

(Signed) Luis Alvarado,
Assistant Director-General.
Iron and Steel Committee

(Fourth Session, Geneva, 5-16 May 1952)

Convocation of the Committee

The Governments of States Members of the International Labour Organisation represented on the Iron and Steel Committee were informed by letter dated 30 January 1952 of the date and place of the Fourth Session of the Committee. To this letter was appended the agenda of the session, as follows:

I. General Report, dealing particularly with—
   (a) action taken in the various countries in the light of the conclusions of the previous sessions;
   (b) steps taken by the Office to follow up the studies and enquiries proposed by the Committee;
   (c) recent events and developments in the iron and steel industry.

II. Vocational training and promotion in the iron and steel industry.

III. Welfare services in the iron and steel industry.

Proceedings of the Committee

The Fourth Session of the Iron and Steel Committee was held in Geneva from 5 to 16 May 1952. In accordance with a decision taken by the Governing Body at its 117th Session (Geneva, November 1951), Mr. V. K. R. Menon (India), Government member of the Governing Body, presided at the session.

The Committee elected two Vice-Chairmen: Mr. J. de Nervo, Chairman of the French Société des Hauts Fourneaux, Forges et Aciers de...
The following fifteen countries were represented:

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With the exception of Brazil, which was represented by a Government delegate only, each of the above countries sent a tripartite delegation.

The Governing Body of the International Labour Office was represented as follows:

Government group: Mr. V. K. R. Menon (India).
Employers' group: Mr. A. G. Fennema (Netherlands).
Workers' group: Mr. L. Jouhaux (French);
Substitute: Mr. J. Mörri (Swiss).

The United Nations was represented by Mr. H. W. A. Waring and Mr. A. F. Ewing, of the Economic Commission for Europe, and the World Health Organisation by Dr. M. I. Roemer, of the Social and Occupational Health Section.

The following non-governmental international organisations were represented by observers: International Confederation of Christian Trade Unions; International Confederation of Free Trade Unions; International Federation of Christian Metalworkers’ Trade Unions; International Federation of Commercial, Clerical and Technical Employees; International Metalworkers’ Federation; International Organisation of Employers; World Federation of Trade Unions.

The Committee appointed a Steering Committee which also acted as a Resolutions Committee, three subcommittees and a working party, as follows:

Subcommittee on Vocational Training and Promotion in the Iron and Steel Industry;
Subcommittee on Welfare Services in the Iron and Steel Industry;
Subcommittee on the Effect Given to the Conclusions Adopted by the Iron and Steel Committee at its Previous Sessions;

The Committee held eight plenary sittings, five of which were mainly devoted to a general discussion of the problems before the Committee.

At its sixth, seventh and eighth sittings the Committee examined and
adopted the resolutions and reports submitted by the Steering Committee, the subcommittees and the working party.

CONCLUSIONS AND REPORTS ADOPTED BY THE COMMITTEE

The Committee adopted ten resolutions, a text of recommendations concerning information on the conclusions adopted by the Committee, and a model statistical table. These texts are reproduced below, together with the reports of the subcommittees and of the working party set up by the Committee.

Resolution (No. 30) concerning Vocational Training and Upgrading in the Iron and Steel Industry

The Iron and Steel Committee of the International Labour Organisation, Having been convened by the Governing Body of the International Labour Office, and Having met at Geneva in its Fourth Session from 5 to 16 May 1952, Bearing in mind the resolution adopted by the Committee at its Second Session in which the Office was requested to carry out an enquiry regarding—

(a) the methods of vocational training in force in the different countries as regards workers engaged in processing operations;
(b) the methods of vocational training intended to make adult workers rapidly able to fill skilled or semi-skilled jobs in such processing operations;
(c) the rules governing the promotion of workers;
(d) the methods employed to recruit foremen and similar grades from among the workers and to give these persons the knowledge required for the performance of their duties; and

Having examined the problems of vocational training which concern the categories of workers mentioned above;

Adopts this sixteenth day of May 1952 the following resolution:

General Principles

1. Vocational training should be considered as applying—

(a) to young persons who, without previous training, enter the iron and steel industry to make a career; and
(b) to workers who are already employed or who make a late entry into the industry and who desire to acquire qualifications or to improve those they already possess.

2. Vocational training should be carried out by methods consistent with the principles laid down in the recommendations of the International Labour Organisation, in particular Recommendation No. 57 concerning vocational training, 1939, and Recommendation No. 88 concerning vocational training (adults), 1950.

1 At its previous sessions the Committee had adopted 29 texts (resolutions and memorandum); the first resolution adopted at its Fourth Session is therefore numbered 30.
2 Adopted unanimously by 67 votes on 16 May 1952.
3. The principles which should serve as a basis for vocational training should be agreed by employers and workers, and wherever appropriate, by public authorities. The training should be systematic and complete to give the worker theoretical knowledge and practical experience of his trade. The period of training should be determined in each case according to the category of worker to which it applies.

4. Vocational training should be carried out by competent personnel with thorough experience of the trade, and under the supervision of a representative of the management specially appointed to organise and carry out the programme in each undertaking.

5. Wage conditions of young persons or adults undergoing training should be determined by agreement between employers' and workers' organisations. These conditions should take due account of the gradual acquisition of specialised knowledge by the workers concerned and of their contribution to production.

6. Workers undergoing training should remain entitled to the full benefit of social legislation, with respect in particular to holidays with pay, as enjoyed by other workers of the same age.

**Training of Young Persons**

7. The training of young persons should have as its objects the development of—

(a) their sense of individual responsibility;  
(b) their intellectual ability;  
(c) their manual dexterity; and  
(d) their physique.

8. These objects should be achieved by—

(a) systematic and thorough practical training spread over a period deemed sufficient and giving as wide a variety of experience as possible in the trade; this training should be undertaken by specially trained instructors, selected as far as practicable from within the trade, and chosen for their moral qualities;  
(b) theoretical instruction in the technical knowledge necessary for understanding and carrying out the job and given as far as practicable by qualified persons from among the staff of the undertakings;  
(c) instruction in such health and safety measures as are necessary; and  
(d) regular physical training.

It would be desirable for theoretical training to be supplemented by courses of general education with a view to consolidating the education received at school. These provisions could be put into effect both within the undertaking and outside it.

9. The results of this training could be assessed either by a system of examinations or by a system of individual reports.

**Adult Training**

10. The object of adult training should be to enable those workers already employed in the iron and steel industry to have the opportunity of obtaining jobs requiring a more thorough knowledge of the trade, and to give workers who make a late entry into the industry the knowledge required in their jobs.

11. The training should be essentially practical and generally be given in the undertaking itself by competent instructors. It would be desirable to provide optional technical courses for those adults who wish to supplement their practical training.

12. It would also be desirable that training should be given to potential and existing supervisors and instructors. This should include, in particular, training in human relations and the technique of instruction.
International Co-operation in regard to Vocational Training and Upgrading

13. The International Labour Office should continue to collect and publish information concerning the organisation of vocational training in the iron and steel industry, and should also collect further information about the methods of upgrading practised in the different countries, including the precise means of determining, in the countries where upgrading by seniority prevails, whether the next senior worker is qualified to fill the post.

Resolution (No. 31) concerning Welfare Services in the Iron and Steel Industry

The Iron and Steel Committee of the International Labour Organisation,

Having been convened by the Governing Body of the International Labour Office, and

Having met at Geneva in its Fourth Session from 5 to 16 May 1952,

Having noted from the information made available to it by the Office that welfare services for iron and steel workers have reached an advanced standard in most iron and steel undertakings in the majority of countries, and

Considering that the provision of such services plays an important part in improving human and industrial relations and may also have a favourable effect on productivity and thereby benefit employers, workers and consumers;

Adopts this fifteenth day of May 1952 the following resolution:

The Governing Body of the International Labour Office is invited to draw the attention of Governments of States Members of the International Labour Organisation to the following points:

1. In most countries the competent public authorities have, by means of factory legislation, laid down minimum standards for welfare amenities and services within the works. In iron and steel undertakings in many countries, however, additional provision of such amenities and services has been made voluntarily by the industry. Any improvement on the minimum legislative standards, particularly in regard to washing facilities, cloak-room accommodation, canteens and works medical services, is a matter for initiative by the individual undertakings and should be made in consultation with the workers concerned.

2. Improvements to the working environment, over and above the minimum legislative requirements to ensure safety and protect health, are the responsibility of management and should be effected in consultation with the workers concerned.

3. The provision of adequate general educational facilities is a matter for legislation by the competent national or local authorities, but in countries where such facilities have not been highly developed the iron and steel industry can make a useful contribution to the welfare of its workers by helping to provide and maintain such facilities for its workers and their families.

4. Housing policy for iron and steel workers—as for the community in general—is ordinarily a matter for the competent national or local authorities, but when an iron and steel undertaking is established in a country or in a particular locality where there are insufficient houses to meet the needs of the community each undertaking, by consultation between employers and workers, should endeavour to improve the housing conditions of its workers. In countries where national housing legislation is not yet adequate employers should, in consultation with workers, seek the means to provide sufficient housing for the workers in each undertaking, and should ensure that such houses are made available to the workers at the lowest possible costs.

1 Adopted unanimously by 66 votes on 15 May 1952.
5. The provision of facilities for workers' recreation and the institution of supply schemes to enable workers to buy necessities at reasonable prices are matters which are mainly the responsibility of employers who have the duty of deciding, in consultation with the workers, the necessity for such facilities and services and the form they should take.

6. Where no adequate provision for consultation and co-operation between employers and workers on welfare matters exists, either through legislation or through collective agreements, measures should be taken to provide for such consultation and co-operation.

7. It is realised that conditions vary considerably in different countries according to the state of development, and an effort should be made to adapt the foregoing to the needs and conditions of the various countries, due consideration being given to existing arrangements covered by legislation and consultation between employers and workers.

Resolution (No. 32) concerning the Agenda of the Fifth Session of the Iron and Steel Committee

The Iron and Steel Committee of the International Labour Organisation,
Having been convened by the Governing Body of the International Labour Office, and
Having met at Geneva in its Fourth Session from 5 to 16 May 1952,
Adopts this fifteenth day of May 1952 the following resolution:

The Governing Body of the International Labour Office is invited to consider including in the agenda of the Fifth Session of the Iron and Steel Committee the question of pensions, for discussion in the light of the decisions taken on the subject of social security by the International Labour Conference at its 35th Session.

Recommendations (Text No. 33) concerning Information on the Conclusions Adopted by the Iron and Steel Committee

The Iron and Steel Committee of the International Labour Organisation,
Having been convened by the Governing Body of the International Labour Office, and
Having met at Geneva in its Fourth Session from 5 to 16 May 1952,
Adopts this fifteenth day of May 1952 the following recommendations:

Documents for the next session of the Iron and Steel Committee should contain (a) information from governments in regard to the resolutions in group II of the classification of the conclusions adopted at previous sessions of the Committee, as well as the resolutions adopted by the Iron and Steel Committee at its Fourth Session; and (b) a concise report giving an account of the exact status of each of the resolutions with the exception of those which are considered as obsolete given in group I of the classification.

In respect of the resolutions listed in group II of the classification, governments should be requested to supply information on action taken in accordance with the accepted procedure and taking into account the suggestions in this matter contained in the resolution concerning the effect given to the conclusions adopted at previous sessions of the Iron and Steel Committee.

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1 Adopted on 15 May 1952 by 56 votes to 0, with 7 abstentions.
2 Adopted unanimously by 54 votes on 15 May 1952.
3 Resolutions Nos. 2, 21, 22, 24 and 25. See below, pp. 190-191.
4 See below, p. 190.
5 See below, Resolution No. 34, p. 174.
Resolution (No. 34) concerning the Effect Given to the Conclusions Adopted by the Iron and Steel Committee at its Previous Sessions

The Iron and Steel Committee of the International Labour Organisation, having been convened by the Governing Body of the International Labour Office, and having met at Geneva in its Fourth Session from 5 to 16 May 1952, having noted with satisfaction that a number of governments have provided in good time the information requested by the International Labour Office for the use of the Committee, being convinced, however, of the need for the fullest possible information to be provided by the governments in regard to the effect given to the conclusions adopted by the Committee and in accordance with the procedure suggested to governments by the Governing Body at its 109th Session (Geneva, June 1949), adoptions this fifteenth day of May 1952 the following resolution:

1. The Governing Body of the International Labour Office is invited to draw the attention of governments to the need for—

(a) informing the Office of the measures they have taken to implement the resolutions adopted at previous sessions of the Committee in time to enable the Office to communicate this information to the Committee at its next session;

(b) replying as quickly as possible to requests for information and especially to questionnaires issued by the Office, so that the Office may prepare and issue documents for the Committee within the prescribed time limits;

(c) arranging for the information referred to in paragraphs (a) and (b) above to be prepared in consultation and, if possible, in agreement, with the employers' and workers' organisations concerned, such consultation to be carried out by methods acceptable to those organisations;

(d) transmitting copies of this information to the employers' and workers' organisations concerned when it is forwarded to the International Labour Office.

2. The Governing Body is further invited to note that the Committee is of the opinion that it would be desirable for a subcommittee to be set up at each session of the Iron and Steel Committee to examine the action taken in the light of the conclusions adopted at previous sessions of the Committee.

The Employers' group submitted an amendment to this resolution, which proposed that the term "subcommittee" in paragraph 2 be replaced by the term "working party". The Employers' group considered that account should be taken of the difficulties which the groups might encounter in having to set up such a subcommittee after having set up the customary technical subcommittees, and that consequently a working party, which was usually composed of fewer members than a subcommittee, would be more practicable in the circumstances. After an exchange of views, the Employers' group withdrew their amendment, on the understanding that the views expressed on the subject would be brought to the attention of the Iron and Steel Committee at its next session when the question of setting up such a subcommittee was considered. The resolution as submitted was adopted on 15 May 1952 by 58 votes to 0, with 2 abstentions.
<table>
<thead>
<tr>
<th>Reporting Period</th>
<th>Wage earners</th>
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<tbody>
<tr>
<td></td>
<td>Process workers&lt;sup&gt;b&lt;/sup&gt;</td>
</tr>
<tr>
<td></td>
<td>In blast furnaces</td>
</tr>
<tr>
<td>Administrative, technical and clerical personnel, including foremen</td>
<td>Male</td>
</tr>
<tr>
<td>Apprentices&lt;sup&gt;a&lt;/sup&gt;</td>
<td></td>
</tr>
<tr>
<td>Male</td>
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<tr>
<td>Female</td>
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<td>Total</td>
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</table>

1. Number of persons in employment:
   - (Numbers on payrolls on a given day or average numbers on payrolls on a number of days; persons employed part-time or on sick leave, vacation or strike, or otherwise temporarily absent should be included)

2. Number of engagements during the reporting period (month, quarter or year):

3. Number of separations during the reporting period (month, quarter or year):
   - (Discharges, "quits", retirements, etc., are to be included)

4. Number of lives lost in industrial accidents during the reporting period:

5. Number of persons injured non-fatally in industrial accidents during the reporting period:
   - See note<sup>c</sup>

6. Number of vacancies returned by employers or notified to employment offices during the reporting period:

7. (a) Number of persons wholly unemployed at end of reporting period:
   - (b) Number of persons temporarily stopped at end of reporting period:

8. Number of persons involved in stoppages due to industrial disputes during the reporting period:

9. Number of days lost through industrial disputes during the reporting period:

10. Total wages paid by employers:

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<sup>a</sup> "Apprentice" includes (i) persons in a contractual relationship to an employer, under which the employer is obliged to teach and the worker to learn an occupation; and (ii) less formal relationships in which the worker, while performing duties on the job, is considered to be in a specific learning status.

<sup>b</sup> Specify on the reverse side of the sheet the occupations included in "process workers" and the occupations included in "all others".

<sup>c</sup> Include apprentices with workers in the appropriate rubrics.

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A proposed amendment to insert item 10 in the table was submitted by the Workers' group. A record vote was taken, and the amendment was adopted by 40 votes to 32, with 3 abstentions. The table, as thus amended, was adopted on 16 May 1952 by 39 votes to 29, with 6 abstentions.
Resolution (No. 36) concerning Human Relations in the Iron and Steel Industry

The Iron and Steel Committee of the International Labour Organisation,
Having been convened by the Governing Body of the International Labour Office, and
Having met at Geneva in its Fourth Session from 5 to 16 May 1952,
Recognising that the maintenance of good human relations is essential to the success of any industry and is a matter of vital concern to both labour and management in the iron and steel industry;
Adopts this sixteenth day of May 1952 the following resolution:

The Governing Body of the International Labour Office is invited to place on the agenda for the Fifth Session of the Iron and Steel Committee the subject of human relations in the iron and steel industry.

Resolution (No. 37) concerning the European Coal and Steel Community

The Iron and Steel Committee of the International Labour Organisation,
Having been convened by the Governing Body of the International Labour Office, and
Having met at Geneva in its Fourth Session from 5 to 16 May 1952,
Considering the Treaty constituting the European Coal and Steel Community, signed at Paris on 18 April 1951 by Belgium, France, the Federal Republic of Germany, Italy, Luxembourg and the Netherlands,
Considering that the Treaty constituting the European Coal and Steel Community sets forth as the aim of the European Coal and Steel Community to contribute to economic expansion, the development of employment and the improvement of the standard of living in the participating countries,
Considering that the Treaty contains a number of provisions relating to such questions as wages, migration of workers, technological unemployment and industrial safety,
Considering that the establishment and operation of the European Coal and Steel Community will undoubtedly have repercussions on the conditions of work and living standards of workers in the iron and steel industry of the countries concerned,
Considering that the experience of the International Labour Organisation and its accepted standards of policy might be utilised for dealing with social and labour problems which may arise in connection with the work of the Coal and Steel Community, and
Considering that the countries signatory to the Treaty constituting the European Coal and Steel Community are all members of the Iron and Steel Committee of the International Labour Organisation;
Adopts this sixteenth day of May 1952 the following resolution:

The Governing Body of the International Labour Office is invited to instruct the International Labour Office to follow closely the work of the European Coal and Steel Community in agreement with that body, and to provide the appropriate organs of the International Labour Organisation with information as to its repercussions on the employment and living standards of the workers of the industries concerned.

1 This resolution was originally submitted by the Employers' group. It was then examined by the Steering Committee, which recommended its adoption. The resolution was adopted on 16 May 1952 by 61 votes to 1, with 1 abstention.

2 The original text of this resolution was submitted by the French Government delegate. The Steering Committee amended the text and recommended its adoption in the above form. The resolution was adopted on 16 May 1952 by 59 votes to 1, with 3 abstentions.
Resolution (No. 38) concerning the Conditions of Employment of Workers in the Iron and Steel Industry in the Countries of Asia and the Far East 1

The Iron and Steel Committee of the International Labour Organisation,
Having been convened by the Governing Body of the International Labour Office, and
Having met at Geneva in its Fourth Session from 5 to 16 May 1952,
Considering the development programmes of the iron and steel industry in the countries of Asia and the Far East,
Considering the work of the Iron and Steel Subcommittee of the Economic Commission for Asia and the Far East, as well as the economic and technical studies carried out by the secretariat of that Commission, and
Considering the interest already shown by the Iron and Steel Committee of the International Labour Organisation, particularly at its Third Session, in regard to technical assistance for the iron and steel industry in underdeveloped countries;
Adopts this fifteenth day of May 1952 the following resolution:

The Governing Body of the International Labour Office is invited—
(a) to authorise the Director-General to communicate to the Secretary-General of the United Nations, for transmission to, and for the information of, the Economic Commission for Asia and the Far East, the resolutions adopted at the Fourth Session of the Iron and Steel Committee of the International Labour Organisation, together with such resolutions of previous sessions as may be considered useful;
(b) to instruct the Office to devote part of the General Report for the Fifth Session of the Committee to a preliminary study of the conditions of employment of workers in the iron and steel industry in the countries of these regions, with a view to placing on the agenda of a future session of the Committee the question of conditions of employment in the iron and steel industry in economically underdeveloped countries.

Resolution (No. 39) concerning the Conditions of Employment of Workers in the Iron and Steel Industry in Latin American Countries 2

The Iron and Steel Committee of the International Labour Organisation,
Having been convened by the Governing Body of the International Labour Office, and
Having met at Geneva in its Fourth Session from 5 to 16 May 1952,
Considering the programme of development of the iron and steel industry in the Latin American countries,
Considering that a seminar will be held in the course of the next few months in Latin America under the auspices of the Economic Commission for Latin America, in co-operation with the Technical Assistance Administration, for the purpose of discussing the technical and economic problems arising out of the expansion of the iron and steel industry in these regions, and
Considering the interest which the Iron and Steel Committee of the International Labour Organisation has already shown in regard to technical assistance for the iron and steel industry in the underdeveloped countries, particularly at its Third Session;

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1 This resolution was originally submitted by the Indian Government delegate. It was then examined by the Steering Committee, which recommended its adoption. The resolution was adopted unanimously by 62 votes on 15 May 1952.

2 This resolution was originally submitted by the Mexican Employers' delegate. It was then examined by the Steering Committee, which recommended its adoption. The resolution was adopted unanimously by 61 votes on 15 May 1952.
Adopts this fifteenth day of May 1952 the following resolution:

The Governing Body of the International Labour Office is invited—

(a) to authorise the Director-General to communicate to the Secretary-General of the United Nations, in order that they may be transmitted for information to the Economic Commission for Latin America, the resolutions adopted at the Fourth Session of the Iron and Steel Committee of the International Labour Organisation and such resolutions of the previous sessions as it considers necessary;

(b) to instruct the Office to devote one part of the General Report for the Fifth Session of the Committee to a preliminary study of the conditions of employment of workers in the iron and steel industry in the countries of these regions, with a view to placing on the agenda of a future session of the Committee the question of conditions of employment in the iron and steel industry in the economically underdeveloped countries.

Resolution (No. 40) concerning the Appointment of Delegates to the Sessions of the Iron and Steel Committee

The Iron and Steel Committee of the International Labour Organisation, Having been convened by the Governing Body of the International Labour Office, and

Having met at Geneva in its Fourth Session from 5 to 16 May 1952,

Being convinced that it is essential that the reports prepared for sessions of the Iron and Steel Committee should be in the hands of the delegates in sufficient time for them to give full consideration to the items on the agenda of the session before leaving their respective countries,

Considering that delegates cannot adequately take part in the work of the Committee, especially in the initial stages of the discussions, unless they have received the documentation in good time, and

Having noted that delegates are often only informed that they have been appointed to attend the Committee a short time before the opening of the session;

Adopts this fifteenth day of May 1952 the following resolution:

The Governing Body of the International Labour Office is invited to take suitable steps to ensure that delegates to sessions of the Iron and Steel Committee have an opportunity to perform their work effectively, by urging the governments concerned to appoint the delegates in sufficient time and to provide them as early as possible with copies of the documentation prepared for the session.

Resolution (No. 41) concerning the Study of Measures for Maintaining a High Level of Employment in the Iron and Steel Industry

The Iron and Steel Committee of the International Labour Organisation, Having been convened by the Governing Body of the International Labour Office, and

Having met at Geneva in its Fourth Session from 5 to 16 May 1952,

Considering that iron and steel producing capacity is at present being rapidly expanded in a number of countries;

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1 This resolution was originally submitted by the United States Workers' delegate. It was then examined by the Steering Committee, which recommended its adoption. The resolution was adopted unanimously by 62 votes on 15 May 1952.

2 The original text of this resolution was submitted by the Workers' group. After an exchange of views between the three groups the Committee agreed to an amended text proposed by the United Kingdom Government delegate and adopted the resolution in the above form on 16 May 1952 by 63 votes to 1, with no abstentions.
Adopts this sixteenth day of May 1952 the following resolution:

The Governing Body of the International Labour Office is invited—

(a) to request the Office to prepare a study on the problem of maintaining a high and stable level of employment in the iron and steel industry in the event of any recession in the present high level of demand for iron and steel;

(b) to make the results of this study available to the Fifth Session of the Committee;

(c) to draw the attention of the Secretary-General of the United Nations to the importance of this problem, with a view to securing its consideration by the various international organisations to which it may be appropriate, and to make the results of the study referred to above available to these organisations.

Report of the Subcommittee on Vocational Training and Promotion in the Iron and Steel Industry

1. The Subcommittee on Vocational Training and Promotion was set up by the Iron and Steel Committee at its third plenary sitting on 7 May 1952, and was composed of 33 members (11 from each group).

2. The Subcommittee appointed its Officers as follows:

   Chairman: Mr. J. G. STEWART (Government member, United Kingdom).
   Vice-Chairmen: Mr. H. P. DE KANTER (Employers' member, Netherlands); Mr. A. WILLAME (Workers' member, France).
   Reporter: Mr. E. G. CHAILLÉ (Government member, France).

3. The Subcommittee appointed a Working Party consisting of the Officers of the Subcommittee, two Government members, and three members and one substitute member each from the Employers' and Workers' groups.

4. The Subcommittee held nine sittings.

Terms of Reference

5. The Subcommittee was asked to consider the second item on the agenda of the Committee: “Vocational training and promotion in the iron and steel industry”. It had as a basis for its discussion a report prepared by the Office on this subject.2

General Discussion

6. At its early sittings the Subcommittee considered successively two working documents as a basis for discussion, one submitted by the Employers' members and the other by the Workers' members.

7. In addition, a draft resolution was submitted by the Italian Government member, inviting the Governing Body to request the Office to carry out an enquiry on the organisation of vocational training in the iron and steel industry, in particular as regards the following points: (a) character and content of the regulations; (b) the authority competent to supervise vocational training; and (c) participation of the employers' and workers' organisations in working out and applying these regulations.

8. There was an exchange of views on the documents submitted by the Employers' members and by the Workers' members. The Workers' members stated that they had no fundamental objection to the document submitted by the Employers in

1 Adopted unanimously by 65 votes on 16 May 1952.
so far as vocational training was concerned. They considered, however, that
certain points should be dealt with more fully and that additional points should
be introduced. In particular, it was desired to widen the scope of the voca­tional training of adults by including unemployed workers; to define the general
principles more clearly by referring more specifically to the recommendations of the
International Labour Organisation concerning vocational training, apprenticeship
and the training of adults, by recalling the fundamental rights of workers, and by
providing for the inclusion of measures concerning vocational training in collective
agreements or in special agreements between employers and workers. They also
considered it necessary to provide that wage conditions of young persons or adults
undergoing training should have due regard to their vital needs, to their contribu­
tion to production and to the gradual acquisition of a specialised knowledge on
their part. The Workers’ members emphasised the importance of the problem of
promotion, particularly in regard to the principle of seniority, and asked that the
last two paragraphs of the document submitted by the Employers’ members, which
dealt with this problem, should be examined at a later stage.

9. The Employers’ members replied that it did not seem necessary to retain
some of the additional points contained in the document submitted by the Workers’
members. The fundamental rights of workers were already laid down in the general
principles of the International Labour Organisation. The training of unemployed
workers could be considered as being covered in the Employers’ document. It was
self-evident that vocational training instructors must be acceptable to the workers,
and it was unnecessary, in view of the variety of conditions existing in the different
countries, to lay down that there should be collective agreements or special agree­
ments concerning vocational training, since the principle of co-operation between
employers and workers had been clearly stated in the document. It did not seem
desirable to deal in detail with the question of wages, which was outside the field
of vocational training. In regard to promotion, the Employers’ members stated that
the question of seniority was only one element of the problem and that the Sub­
committee was dealing with it only in relation to upgrading and promotion and not,
as the Workers seemed to consider, in its widest sense.

10. After this exchange of views it was decided unanimously to refer the two
documents to the Working Party set up by the Subcommittee, with the exception
of the last two paragraphs of the document submitted by the Employers’ members.

11. The draft resolution submitted by the Italian Government member was
seconded by the French Government member. The Italian Government member
pointed out that the Office report contained useful and important information, but
it would be desirable to obtain new information on specific points for all countries
which had an iron and steel industry. This was the object of the draft resolution,
which might perhaps be inserted in a more general resolution.

12. The Subcommittee decided, on the proposal of the Chairman, to submit this
draft resolution to the Working Party.

Vocational Training

13. The Working Party examined the various documents submitted to it and
presented the following report to the Subcommittee:


(1) The Working Party set up by the Subcommittee on Vocational Training and Promotion
at its fifth sitting met on 12 May 1952. Its function was to establish a working paper on the
basis of the two documents submitted by the Employers’ and Workers’ groups; it paid special
attention to the points on which the two texts differed.

(2) In regard to the scope of vocational training it was decided that the text submitted by
the Employers’ members should be retained. It was considered that the paragraph concerning
adult workers who made a late entry into the industry covered the training of unemployed
workers.
Agreement was reached in regard to the general principles, as follows:

(a) that a reference should be made to the principles laid down in the Recommendations of the International Labour Organisation, and in particular those contained in Recommendations Nos. 57 and 88. It was not considered desirable to refer to Recommendation No. 60 concerning apprenticeship, since apprenticeship applied principally to maintenance workers while the question before the Subcommittee mainly concerned production workers;

(b) that the principle of co-operation between employers and workers in regard to vocational training in the iron and steel industry should be emphasised;

(c) that the other additional provisions in the document submitted by the Workers' members should be deleted, since some related to principles which were too general in character, and others were already covered by the principle of close co-operation between employers and workers stated in point (b) above.

In regard to the organisation of vocational training, it was decided to delete the phrase stating that instructors should be chosen with the agreement of the workers. It was recognised that an instructor could not carry out his functions competently if he was not acceptable to the workers.

(5) It was decided that a provision should be included in the text to the effect that the period of vocational training should be determined in each case according to the category of worker to which it applied. The Workers' members pointed out that such a provision was necessary to prevent the abuses which might arise in certain countries from an undue prolongation of the period of training at a lower rate of wages.

(6) The provisions concerning the wage conditions of young persons or adults undergoing training were maintained. The points to be taken into consideration were, in particular, the acquisition of specialised knowledge by the workers concerned and their contribution to production.

(7) The Working Party examined the draft resolution submitted by the Italian Government member. It recognised the value of the collection and publication by the Office of information concerning vocational training in the iron and steel industry, but considered that, in order not to restrict the activity of the Office in this field, it would be preferable not to mention the specific points set out in the draft resolution.

(8) The Working Party decided unanimously to submit the working paper to the Subcommittee as a basis for a draft resolution.

14. At its eighth sitting the Subcommittee accepted the document submitted by the Working Party as the basis for a draft resolution on vocational training.

15. At its ninth sitting the Subcommittee adopted unanimously the draft resolution concerning vocational training.¹

Promotion

16. At the seventh sitting of the Subcommittee the Workers' members stated that they had prepared a working document concerning promotion, and proposed that this document should immediately be referred to the Working Party for discussion. The Employers' members pointed out that they needed time to examine the document before it could be considered by the Working Party. After an exchange of views, however, it was agreed that there should be a preliminary discussion of the question in the Working Party, on the understanding that the Employers would state their final position at a later stage.

17. The respective positions of the Employers and Workers were made clear in the Working Party, but no agreement was reached and the question was referred to the Subcommittee at its eighth sitting.

18. At this sitting the Employers' members submitted, as an amendment, a new text to replace that submitted by the Workers' members.

19. The discussion of these two texts showed that the views of Employers and Workers were opposed, and it was impossible to reach agreement on a joint text. In these circumstances, the Subcommittee decided unanimously that it would be preferable not to attempt to adopt a resolution laying down the principles which

¹ See above, Resolution No. 30, p. 170.
should govern promotion and that the respective positions of the Employers and the Workers should be set out clearly in the report, together with a statement of their reasons.

20. The texts submitted to the Subcommittee were as follows:

UPGRADING AND PROMOTION

Text Submitted by the Workers' Members

Any upgrading arrangements which form part of vocational training schemes should conform with the well-recognised principle of upgrading by seniority, subject to ability to do the job, and should not be departed from except by agreement between the workers' and employers' organisations.

Promotion to supervisory positions should be open to all workers possessing the necessary qualifications. While the final responsibility for selection rests with management in the appointment of the supervisory grades, in the selection of those grades which are regarded as part of the production process and do not come within any accepted promotion scheme, account should be taken of the views of the workers, having regard to the close relationship that exists between them and those occupying these positions.

Amended Text Submitted by the Employers' Members

In so far as vocational training is concerned, upgrading may be based either on seniority or on ability or on both these criteria. The system to be applied should be determined according to the custom of each particular country.

Promotion to supervisory positions should be open to all workers possessing the necessary qualifications. The responsibility for selection rests with management in the appointment of the supervisory grades. In the selection of those grades which are regarded as part of the production process and do not come within any accepted promotion scheme, the method of selection should be understood by the workers.

21. The Workers' members insisted in particular on two principles: first, they desired that the principle of seniority should be recognised as the essential basis of any system of upgrading, subject to ability to do the job; and second, they considered that the workers should be consulted concerning promotion to grades which were part of the production process. The Workers' members considered that upgrading should be on the basis of seniority subject to ability to do the job. The workers who entered the industry should be able to make a career in it and should not have to depend for their upgrading on the personal opinion of the employer or his view of their merits. No form of examination and no examiner could guarantee that an arbitrary choice would not be made. The element of arbitrary choice disappeared when the principle of upgrading by seniority was applied. Any worker who possessed the required qualifications must be able to advance, and if he did not possess these qualifications he would not be accepted by his colleagues themselves, since he would decrease the earnings of each member of his team. The principle of upgrading by seniority had a further advantage: it reduced to a minimum the areas of friction between the management and the workers, and ensured harmony in industrial relations. When, on the other hand, upgrading was based on other principles, the points of conflict increased. The workers considered that the principle of upgrading by seniority was not only a social guarantee but was the best possible industrial practice. This principle had, moreover, been applied successfully over a long period in many countries. In regard to promotion to supervisory grades which were part of the production process, the persons promoted remained in direct contact with the workers and must on this account enjoy their confidence. In addition, the production of the team depended on its good relations. It seemed desirable, therefore, that the views of the workers should be taken into account concerning such promotions.
22. The Employers' members explained their position as follows: (a) while seniority was an important element in the problem or upgrading, it was not predominant; (b) the responsibility of management could not be divided without weakening the efficiency of production; (c) the varying conditions in the different countries made it undesirable to lay down rigid international standards in such a delicate matter. While seniority should, of course, be taken into account, it would be regrettable for the workers themselves if seniority had priority over the technical skill and the worth of the individual. This principle of upgrading by seniority had been developed at a period when industrial relations were less complex than they were at the present time. It would not eliminate every difficulty to base upgrading solely on the principle of seniority. Developments in the field of human and industrial relations had evolved and were evolving alternative methods to minimise the possible effect of personal caprice in selection. The principle of seniority was not the only one possible and wherever there were men in positions of responsibility it was possible that there would be personal opinions. As regards promotion, the function of management was one of fundamental responsibility, and it would be unwise and harmful, not only for the undertakings but also for the workers and for the community as a whole, to remove or diminish this responsibility. It must be clearly understood that any system of promotion which provided for prior agreement by the workers to promotions to be made by responsible management would be unacceptable to the latter. Finally, in certain countries promotion could not be based solely on seniority for the very reason that special vocational training schemes existed to give young people a thorough knowledge of their trade.

23. The report was adopted by the Subcommittee at its ninth sitting.

(Signed) J. G. STEWART,
Chairman.

(Signed) E. G. CHAILLÉ,
Reporter.

Report of the Subcommittee on Welfare Services in the Iron and Steel Industry

1. The Subcommittee on Welfare Services was set up by the Iron and Steel Committee at its fourth plenary sitting on 7 May 1952 and was composed of 33 members (11 from each group).

2. The Subcommittee appointed its Officers as follows:
Chairman and Reporter: Mr. R. M. WEIDENHAMMER (Government member, United States).
Vice-Chairmen: Mr. G. T. FONDA (Employers' member, United States); Mr. J. OWEN (Workers' member, United Kingdom).

3. A Working Party, which also acted as a Drafting Committee, was set up under the chairmanship of Mr. WEIDENHAMMER.

4. The Subcommittee held seven sittings.

French Version of the Item on the Agenda

5. After a brief introductory statement by the Representative of the Secretary-General on Report III concerning welfare services in the iron and steel industry, the French Employers' member expressed the opinion that the French version of the item on the agenda did not correspond exactly to the English version. In his opinion, the French version should have read: "Les services de bien-être dans l'industrie du fer et de l'acier", instead of "Les services sociaux...". It was important...
that the Subcommittee should know whether social services or welfare services were to be examined. The Workers' group stressed that, in any event, the English version of the title corresponded to the problems with which the Subcommittee was faced. After the Employers' representative of the Governing Body had pointed out that it was not for the Subcommittee to change the French version, which, even if it appeared to be incorrect, had been fixed by the Governing Body, the Chairman emphasised that the English version effectively covered the contents of Report III, and he therefore proposed that the points suggested in Chapter IV of the report be examined, with a view to establishing whether they fell within the concept of the English term "welfare". If difficulties should arise in connection with any points which might appear to lie outside this concept, the Subcommittee might draw the matter to the attention of the Steering Committee or of the Committee in plenary sitting. The Subcommittee accepted the Chairman's proposal.

Classification of Points for Discussion

6. Following a proposal by the United Kingdom Employers' member, the Subcommittee decided to establish three categories in which the points for discussion suggested at the end of Chapter IV of Report III might be classified.

7. The Subcommittee accepted the definition of the categories as established by the Working Party, as well as the following distribution of the various points amongst the categories:

Category A. Matters which in many countries are dealt with exclusively by legislation.

Category B. Matters dealt with by legislation and by supplementary action of employers in consultation with workers:
1. Washing facilities and cloakrooms.
2. Special amenities for women workers.
4. Refreshment facilities.
5. Medical services at the workplace.
6. Educational activities.
8. Housing.
11. Supervision and administration of welfare services.

Category C. Matters which are mainly the responsibility of employers, in consultation with workers:
1. Washing facilities and cloakrooms.
2. Special amenities for women workers.
3. Working environment.
4. Refreshment facilities.
5. Medical services at the workplace.
7. Recreation facilities.
8. Housing.
11. Supervision and administration of welfare services.

8. The Subcommittee, for the reasons set out below, was unable to reach agreement on point 10 (pension schemes and other benefits).

Pension Schemes

9. The Employers' group felt that point 10 (pension schemes and other benefits) should not be placed in any category since the matter should not be examined by the Subcommittee. This view was based on the fact that other Industrial Committees
which had considered the subject of welfare in their respective industries as an item on their agenda had not discussed pensions, and that, furthermore, the question would be examined by the 35th Session of the International Labour Conference, which would be called upon to adopt a Convention concerning minimum standards of social security.

10. The Workers’ group did not agree with this attitude since the Industrial Committees were in a position to deal with particular problems of their respective industries, and the question of supplementary pensions in the iron and steel industry was, therefore, within the competence of the Iron and Steel Committee, even if the International Labour Conference should adopt minimum standards of social security.

11. The Employers’ group asked the Office why the subject of pensions had been included in Report III on welfare services, prepared for the Committee. The Representative of the Secretary-General, in reply, agreed that other Industrial Committees had discussed the question of welfare without particular reference to pension schemes. The Governing Body, in fixing the agenda of the Petroleum Committee and the Building, Civil Engineering and Public Works Committee had, however, indicated the kinds of welfare services which should be examined, and this had not been done in the case of the Iron and Steel Committee. The Office, in preparing Report III, had noted that supplementary pension schemes for workers in the iron and steel industry existed in many countries, and had therefore considered it appropriate that these schemes be brought to the attention of the Committee.

12. The Workers’ group recalled that clause (2) of paragraph 4 of the resolution adopted by the Iron and Steel Committee at its Third Session in 1949, concerning technological improvements in the iron and steel industry and their effects on employment, stipulated: “Arrangements should be considered in the light of agreements existing between employers and workers in the various countries to deal with other accrued benefits, for example holiday credits and pension rights”. The Workers’ group could not accept the point of view that pensions could not be discussed because of the resultant financial obligations for undertakings.

13. The Employers’ group pointed out that financial considerations had not determined its attitude in the matter. This attitude was based on the fact that the question of minimum standards of social security was on the agenda of the 35th Session of the International Labour Conference. The question of pensions was not confined to the iron and steel industry, and since, furthermore, the International Labour Conference had this matter before it, it appeared from paragraph 8 of the Document for the Guidance of Industrial Committees that the Subcommittee was not competent to examine the matter. The United Kingdom Workers’ member felt, on the other hand, that the aspect of pensions before the Iron and Steel Committee differed from the question which would come before the 35th Session of the International Labour Conference, and that the Iron and Steel Committee was therefore competent to examine supplementary pension schemes established within the industry. In the opinion of the United States Employers’ member the question of pensions was a technical one which could be examined by the Iron and Steel Committee only if it had been specifically included in the agenda of the Committee by the Governing Body.

14. The Secretary-General of the Committee, at the request of the Chairman, set forth the conditions under which the Office had come to deal with pensions in Report III on welfare services. In the case of the Petroleum Committee the Governing Body had indicated aspects of social services such as housing, educational facilities, medical services, etc., which should be specially studied because of their particular importance for workers employed in oilfields and refineries in remote localities. With regard to the Building, Civil Engineering and Public Works Committee the Governing Body had indicated that the Office report should be confined to the consideration of welfare services on construction sites. The Office,

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in the reports which had been prepared for each of those Committees, had accord­
ingly examined those aspects of welfare services in particular. In the case of the
Iron and Steel Committee the Governing Body had mentioned no particular aspect
of welfare services, and the Office felt that it should examine all aspects of the
question. It had therefore presented in the report information concerning the
pension schemes which already existed in the iron and steel industry of several
countries. The fact that the report contained information on pension schemes did
not, however, imply that the Subcommittee was obliged to discuss this question.
It was not, in fact, unusual that a Subcommittee could not examine all aspects of the
problem before it. The fact that supplementary pensions existed in the iron and
steel industry was acknowledged, and, prima facie, it appeared normal that the
Iron and Steel Committee should examine the matter. In any case, discussion of
the problem of pensions would depend on the aim of the Subcommittee, e.g., an
exchange of views, a request for a study, or the adoption of a resolution. Consultations
on the matter might take place between the groups, with a view to establishing the
purpose of any discussion, and in the meantime the Subcommittee might proceed to
consider the other points for discussion, on the classification of which agreement had
already been reached.

15. The Subcommittee therefore decided that the question of pensions should be
referred to the three groups with a view to reaching common agreement, and the
Working Party should then consider the conclusions of the groups on this subject.
After an exchange of views, both within the Working Party and in the Subcommittee,
the latter decided not to pursue the discussion of pensions. On the other hand, it was
agreed to adopt a resolution inviting the Governing Body of the International Labour
Office to consider including in the agenda of the Fifth Session of the Iron and Steel
Committee the question of pensions, for discussion in the light of the decisions taken
on the subject of social security at the 35th Session of the International Labour
Conference. The text of this resolution was adopted unanimously.1

16. The French Workers' member, while voting in favour of the draft resolution,
expressed regret that the text made no mention of the various schemes which already
existed in certain countries, and which might usefully indicate the way to be
followed in this field.

Welfare Services

17. The Subcommittee had before it a draft text submitted by the Workers'
group concerning welfare services in the iron and steel industry, which was based
on the categories and classification which had previously been adopted by the Sub­
committee. Amendments to this text were submitted by the Employers' group.
These two documents were referred to the Working Party, which was to consider
to what extent the Workers might accept the amendments proposed by the Employers.

18. The French Workers' member also submitted a draft resolution concerning
the housing of workers in the iron and steel industry. He felt that the text submitted
by the Workers' group as a whole did not sufficiently cover all aspects of housing
policy as regards workers in the iron and steel industry. Although in some countries
housing was entirely the responsibility of public authorities, there were other countries
in which the construction of dwellings depended to a large extent on the initiative
of individual undertakings. Thus, in France there was a levy on the sale price
of iron and steel products to promote, inter alia, the erection of dwellings by
undertakings. After a short exchange of views the French Workers' member
withdrew his draft resolution on the understanding that the Working Party would
endeavour to take account of his views when considering the draft texts mentioned
in paragraph 17.

19. The Working Party examined these draft texts and then submitted a draft
resolution concerning welfare services in the iron and steel industry.

1 See above, Resolution No. 32, p. 173.
20. The Subcommittee adopted an amendment submitted by the Employers' group concerning the drafting of paragraph 4 of the draft resolution, and then adopted the draft resolution, thus amended, unanimously by 29 votes.¹

21. The Workers' group, while voting in favour of the draft resolution, expressed regret that the Employers' group could not agree to explicit mention in the draft resolution of the principle of assistance—whether financial or in the form of labour or materials—to workers who desired to build their own dwellings. The Workers' group had voted in favour of the draft resolution since it felt that it was desirable that the Subcommittee should reach a unanimous conclusion on welfare services, but in doing so the group had not altered its attitude on the desirability of assistance as mentioned above.

22. The Subcommittee unanimously adopted the present report at its seventh sitting on 15 May 1952.

(Signed) R. M. WEIDENHAMMER,
Chairman and Reporter.

Report of the Subcommittee on the Effect Given to the Conclusions Adopted by the Iron and Steel Committee at its Previous Sessions ²

1. The Subcommittee on the Effect Given to the Conclusions Adopted by the Iron and Steel Committee at its Previous Sessions was set up by the Iron and Steel Committee at its third plenary sitting on 7 May 1952, and was composed of nine members (three from each group).

2. The Subcommittee appointed its Officers as follows:
Chairman and Reporter: Mr. J. B. LANE (Government member, Canada).
Vice-Chairmen: Mr. J. SEILLIÈRE (Employers' member, France);
Mr. R. SCHWOB (Workers' member, France).

3. The Subcommittee held five sittings.

4. The Subcommittee was asked by its terms of reference to examine Item I (a) of the agenda, i.e., the action taken in the various countries in the light of the conclusions of the previous sessions of the Committee. It had before it the relevant parts of the General Report ³ prepared by the International Labour Office, which contained a survey of the conclusions adopted by the Iron and Steel Committee since its First Session and an analysis of the information sent by 11 governments, grouped according to the various subjects covered by the conclusions.

5. The Subcommittee had a preliminary discussion on its scope and functions. The Secretary-General said that, in accordance with its terms of reference, the Subcommittee might examine the section of the General Report which dealt with Item I (a) and (b), which was presented in a roneoed document, and decide whether the information was adequate and submitted in a suitable form. The Subcommittee might also take note of the progress achieved in regard to the various resolutions, consider whether the progress had been satisfactory, and examine how it could be improved. For this purpose it would be desirable to review the list of conclusions which had been adopted so far, and to eliminate (a) those which did not call for action in the various countries, (b) those which were no longer applicable, and (c) those which could be reserved for consideration at the next session. The Subcommittee could then concentrate its attention on those resolutions which it considered to be most important at the present time and in regard to which it would be useful to obtain further information.

¹ See above, Resolution No. 31, p. 172.
² Adopted unanimously by 57 votes on 15 May 1952.
6. The Subcommittee examined a proposed grouping of conclusions prepared by the Office. The United States Workers' member expressed the view that the work of the Subcommittee should be not only to classify the various resolutions into the groups suggested above but also to evaluate the action taken at the national or international level in respect of each individual resolution, so that it would be possible to review the whole progress achieved. The Netherlands Employers' member suggested that, in addition to the work of classification, the Subcommittee should make concrete suggestions to the Governing Body in regard to the manner in which governments should prepare the required information. The Chairman indicated that these suggestions could be discussed after the resolutions had been classified. The Swedish Employers' member felt that, in attempting to classify the resolutions, the factors mentioned by the United States Workers' member could be taken into account and indicated that a consideration of the resolutions by grouping them into different categories seemed the most satisfactory way of examining them. The French Workers' member stressed the need for the information supplied by governments to reflect not only their views but also those of the other two groups.

7. The Subcommittee proceeded to examine the resolution listed in group I in respect of which there appeared to be no need for governments to supply information. While it was felt that a detailed examination of the relative position of each of the resolutions was not possible at present, a consideration of the reasons for classifying the different resolutions in this group showed that some of the resolutions did not call for action in the various countries because they were requests for studies and enquiries to be undertaken by the Office, or involved administrative action by the Office, or related to subjects in respect of which action had subsequently been taken by the International Labour Conference, and that the other resolutions in this group were obsolete. The Subcommittee accordingly decided to subdivide the group into the various categories indicated above. The list as finally adopted by the Subcommittee is given in the appendix to this report.¹

8. The United States Workers' member drew the attention of the Subcommittee to the fact that a concise report giving an account of the exact status of each of the resolutions indicated above, with the exception of those which were considered as obsolete, would be helpful for a review of the position during the next session. It might be possible to consolidate some of these resolutions with a view to bringing them up to date and/or placing them on the agenda of a future session. The Subcommittee agreed that the documents for the next session should include the above information, as well as the information on the resolutions with which the governments would be requested to deal, and thought that these documents should be made available as early as possible.²

9. The Subcommittee noted that all the resolutions listed in group II of the classification were of continuing importance and called for attention in the respective countries either from governments or from the organisations. It also noted that the Governing Body had suggested a procedure according to which, among other things, governments were requested to forward to the International Labour Office statements setting out the positions in their respective countries on the matters dealt with in the resolutions communicated to them, including details of any action taken or which it was proposed to take. The Subcommittee agreed that the governments should be requested to deal with the resolutions which are listed in group II in accordance with the procedure indicated above.²

10. The Subcommittee also agreed that the resolutions contained in group III of the classification might be reserved for consideration at the next session, and that in respect of these the governments need not be asked to provide information for the time being.

¹ See below, p. 190.
² See above, Recommendations (Text No. 33), p. 173.
11. The Subcommittee discussed the form in which requests for information should be made by the Office and the method of consultation which governments should undertake with organisations before sending in information to the Office on the action taken on the various conclusions. It was felt that the information sent in was not always adequate and that in some countries the consultations were not taking place on a satisfactory basis. It was also felt that it would be desirable for more governments to send in the information and that in cases where the resolutions did not call for action in a particular country the government concerned might inform the International Labour Office accordingly. The Subcommittee discussed a proposal that a resolution on the lines of the resolution adopted by the Metal Trades Committee should be adopted by the Iron and Steel Committee as well, and agreed that the provisions contained in paragraph 1 of that resolution were acceptable.

12. The United States Workers' member thought that a continuing tripartite subcommittee to function between the sessions of the Iron and Steel Committee would be preferable to a subcommittee appointed at each session of the Committee as provided in paragraph 2 of the resolution adopted by the Metal Trades Committee. This permanent subcommittee would serve to co-ordinate the work of the Iron and Steel Committee between its sessions, and would stimulate action to be taken in the different countries.

13. The Secretary-General indicated the constitutional, organisational and financial implications of such a proposal. He explained the present machinery under which the Governing Body's Committee on Industrial Committees was entrusted with the examination of the conclusions adopted by each session and with co-ordinating and following up their work between their sessions. Continual improvements were being made in the methods adopted in the various countries and in the procedure by which the Industrial Committees examined the results achieved, and the whole position would be reviewed by the Committee on Industrial Committees in the near future. In view of the fact that the conclusions of the Industrial Committees were for the most part recommendations for the attention of the various countries it would seem that the need at this stage was to concentrate on securing more effective action in the different countries.

14. The Netherlands Employers' member, while reserving his view on the competence of the Subcommittee to discuss the proposal for the appointment of a continuing subcommittee, stated that the governments and the organisations in the countries should be free to develop their own machinery for examining the conclusions and the other relevant information and that it was this development rather than a new development in the machinery of the Organisation that was necessary. The Swedish Employers' member also made a reservation with regard to the competence of the Subcommittee to discuss this proposal, but agreed that an account of it should be given in the report of the Subcommittee.

15. The Subcommittee examined the provisions of paragraph 2 of the resolution adopted by the Metal Trades Committee concerning the effect given to the conclusions adopted at its previous sessions and decided to adopt these provisions subject to some drafting changes.¹

16. The United States Workers' member drew the attention of the Subcommittee to the fact that there was often considerable delay in the appointment of the delegates to attend the sessions of the Committee. There was also delay on the part of governments in making available the documents issued by the Office. The efficiency of the work of the Committee was affected by these delays.

17. The report of the Subcommittee, together with the classification of conclusions, the recommendations and resolution were adopted unanimously.

(Signed) J. B. LANE,
Chairman and Reporter.

¹ See above, Resolution No. 34, p. 174.
Classification of the Conclusions Adopted by the Committee at its Previous Sessions

GROUP I. Conclusions in regard to which there is no need for governments to supply information either because they did not call for action in the various countries or because they are no longer applicable.

A. Requests for studies and enquiries to be undertaken by the Office:

No. 1. Resolution concerning an International Labour Office factual survey of safety measures (First Session).
No. 6. Resolution concerning studies by the International Labour Office (First Session).
No. 9. Resolution concerning wage schemes (First Session).
No. 10. Resolution concerning purchasing policies (First Session).
No. 11. Resolution concerning technological changes (First Session).
No. 19. Resolution concerning dismissal wage and payment for public holidays in the iron and steel industry (Second Session).
No. 23. Resolution concerning industrial safety and health conditions in the iron and steel industry (Second Session).
No. 29. Resolution concerning studies on vocational training and promotion in the iron and steel industry (Third Session).

B. Conclusions relating to subjects which have since been dealt with by the International Labour Conference:

No. 3. Resolution concerning freedom of association (First Session).
No. 4. Resolution concerning collective bargaining (First Session).
No. 5. Resolution concerning the observance of collective agreements (First Session).
No. 20. Resolution concerning freedom of association (Second Session).

C. Proposals involving administrative action by the Office:

No. 14. Resolution concerning meetings at regular annual intervals (First Session).
No. 16. Resolution concerning a definition of the iron and steel industry (Second Session).
No. 27. Resolution concerning technical assistance for the iron and steel industry in underdeveloped countries (Third Session).
No. 28. Resolution concerning implementation of the conclusions of the Iron and Steel Committee (Third Session).

D. Conclusions which are obsolete, either because they have been superseded by more recent resolutions or because the original conditions have changed:

No. 7. Resolution concerning the shortage of fuel (First Session).
No. 12. Resolution concerning industrially underdeveloped countries (First Session).
Nos. 13, 15, 26. Resolutions concerning iron and steel statistics (First, Second and Third Sessions).
No. 18. Memorandum to the Governing Body on the question of minimum income security in the iron and steel industry (Second Session).

GROUP II. Conclusions in regard to which it would be useful for governments to provide further information concerning action taken in their respective countries for the Fifth Session of the Committee.
No. 2. Resolution concerning special safety services and joint committees (First Session).

No. 21. Resolution concerning co-operation at the industry level in the iron and steel industry (Second Session).

No. 22. Resolution concerning works committees in the iron and steel industry (Second Session).

No. 24. Resolution concerning guaranteed wages in the iron and steel industry (Third Session).

No. 25. Resolution concerning technological improvements in the iron and steel industry and their effects on employment (Third Session).

GROUP III. Conclusions which might be reserved for consideration at the next session and in respect of which governments need not be asked to provide information for the time being.

No. 8. Resolution concerning full employment (First Session).

No. 17. Resolution concerning regularisation of production and employment at a high level (Second Session).


1. The Working Party on Statistics was set up by the Iron and Steel Committee at its third plenary sitting on 7 May 1952, and was composed of two members from each of the three groups.

2. The Working Party elected as its Chairman and Reporter Mr. T. STANES (United Kingdom Government member).

3. The Working Party held four sittings.

4. The Working Party took as a basis for its discussion the roneoed document Report I, Item 1 (b), Supplement, presented by the Office.

5. The Working Party decided to adopt the suggestion contained in paragraph 3 on page 3 of the above-mentioned report, indicating that no recommendations should at present be made requesting changes in the form of statistical series already regularly published relating to labour in the iron and steel industry as such, subject to suggestions formulated in paragraph 4 of the same report.

6. A short discussion was devoted to the difficulties that some countries would encounter in furnishing statistics as requested in paragraph 4 of the report. The Working Party decided to adopt the suggestions formulated in this paragraph under points (a), (b), (c) and (d), it being understood that countries which did not have the statistics indicated should develop them in conformity with the best methods existing in advanced countries.

7. The Working Party then considered the definition of the iron and steel industry to be used for statistical purposes. It was suggested that statistics for branches which were not considered as part of the industry in some countries should be furnished separately by all other countries. It was felt, however, that it would be as much of a strain on the Members as a whole to ask some countries to present their statistics separately for many branches as it would be to ask the countries with a more restricted definition to try to secure the additional information requested. The Working Party therefore agreed that a common definition of the industry was indispensable. After considering the advantages of various possible definitions the Working Party decided to adopt the standard definition of the iron and steel industry as given in the United Nations International Standard Industrial Classification of All Economic Activities. As regards the processes covered by the

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¹ Adopted unanimously by 67 votes on 16 May 1952.
definition but excluded from iron and steel statistics in certain countries, it is understood that the Office will collect the supplementary information from the responsible organisations.

8. The Working Party examined in detail tables II and IV proposed by the Office. After a thorough discussion the Working Party adopted a model statistical table as the basis on which statistics for the iron and steel industry should be collected in the future.

9. The modifications made to the Office project were the following:

(1) The term “salaried employees” was replaced by “administrative, technical and clerical personnel, including foremen” in order to clarify the composition of this group.

(2) A footnote to the table indicates that the countries should include statements as to the occupations covered by the data on process workers, on the one hand, and by the data on other workers, on the other hand.

(3) The number of apprentices should be given as the first division of the wage earners’ group without any breakdown between process workers and others. A footnote to the table indicates the definition of the term “apprentice” for the purposes of the statistics.

(4) The Working Party considered that it was sufficient to request the countries to furnish only the number of engagements per month and the number of separations per month instead of the ratio of these numbers to 100 persons employed at the beginning of the month.

(5) The breakdown of the wage earners into “rolling mills” and “sheet, plate and tinplate manufacturing” is replaced by a column headed “rolling mills” and subdivided into (a) sheet, plate and tinplate manufacturing, and (b) other.

(6) The Working Party felt that it would be too heavy a burden for the countries to ask them to report each month the distribution of the number of persons employed, etc., for blast furnaces, steel furnaces, rolling mills, etc. It was therefore decided that the returns would be submitted annually, giving monthly, quarterly, semi-annual or annual figures as may be available in the countries concerned, provided that monthly figures be made available for the total number of persons employed by the industry and for the unemployed. As a consequence, tables II and IV as presented in Report I, Item 1 (b), Supplement, were combined into a single table.

(7) The Working Party did not feel that it would serve any useful purpose to collect data of accidents for administrative, technical and clerical personnel.

10. Considerable discussion was devoted by the Working Party to table III of the report referring to statistics of wages. The general opinion was that the industry was not yet in a position to furnish data which would be of sufficient comparability to serve any useful purpose. The Working Party came to the conclusion that the Office should investigate further the procedures followed in the various countries in the collection of wage data in the industry, together with the lines of action which might be followed in order to secure more comparable data than was at present available in the various countries, and prepare a report on this subject for the Fifth Session of the Iron and Steel Committee.

11. It was suggested by some members of the Working Party that an additional line should be introduced in the statistical table, requesting information on wages. The Working Party was not able to come to an agreement on this point.


(Signed) T. Stanes,
Chairman and Reporter.
COMMUNICATION TO GOVERNMENTS OF THE CONCLUSIONS AND REPORTS ADOPTED BY THE COMMITTEE

On 2 February 1953 the following communication was sent to the Governments of States Members of the Organisation:

Geneva, 2 February 1953.

Sir,

I have the honour to inform you that the Governing Body of the International Labour Office, at its 120th Session (Geneva, November 1952), considered the reports and resolutions adopted by the Iron and Steel Committee at its Fourth Session (Geneva, 5-16 May 1952), and authorised me to transmit these documents to governments and to invite them to communicate them to the employers' and workers' organisations concerned.

A note on the proceedings of the Fourth Session of the Iron and Steel Committee, which contains the reports of the Subcommittees, together with the resolutions adopted by the Committee, is forwarded herewith to enable you to arrange for the conclusions adopted by the Committee to be examined. In this connection I have the honour to call to your attention the suggestions made by the Governing Body at its 109th Session (Geneva, June-July 1949) regarding the procedure which might be followed with a view to securing effective consideration for the conclusions of the Industrial Committees.

In regard to certain of the Committee's resolutions, the Governing Body took the decisions indicated below:

1. In connection with the report of the Subcommittee on the Effect Given to the Conclusions Adopted at Previous Sessions of the Iron and Steel Committee the Governing Body recommended that, when I communicate with governments in accordance with the procedure suggested by the Governing Body at its 109th Session, I should invite them to supply information on action taken in regard to Resolutions Nos. 2, 21, 22, 24 and 25 mentioned in paragraph 9 of the Subcommittee's report, as well as in regard to the conclusions adopted by the Iron and Steel Committee at its Fourth Session.

2. In connection with Resolution No. 34 on the same subject the Governing Body also decided to draw the attention of governments to the need for—

(a) informing me of the measures they have taken to implement the resolutions adopted at previous sessions of the Committee in time to enable me to communicate this information to the Committee at its next session;
(b) replying as quickly as possible to requests for information addressed to them by me;
(c) arranging for such information to be prepared in consultation and, if possible, in agreement with the employers' and workers' organisations concerned, such consultation to be carried out by methods acceptable to those organisations;
(d) transmitting copies of the information to these organisations when it is forwarded to me.

3. In Resolutions Nos. 32 and 36 the Iron and Steel Committee suggested subjects for inclusion in the agenda of its Fifth Session. The Governing Body decided to consider these suggestions at a later session. In the meantime, the Office will continue its study of the subjects in question.

4. In Resolutions Nos. 38, 39 and 41 the Iron and Steel Committee put forward suggestions concerning studies which might be undertaken by the Office. These studies relate to the conditions of employment of workers in the iron and steel industry in the countries of Asia and the Far East and in the Latin American

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1 This note is not reproduced here. For the reports of the Subcommittees and the Working Party, see above pp. 179-192; for the text of the resolutions, see pp. 170-179.
2 See above, p. 187.
3 See above, p. 174.
4 See above, pp. 173 and 176.
5 See above, pp. 177 and 178.
countries, and the problem of maintaining a high and stable level of employment in the iron and steel industry in the event of any recession in the present high level of demand for iron and steel. The Office will begin its examination of the subjects in question and the Committee on Industrial Committees will consider them at a later session, when it will have before it my proposals regarding them.

5. Furthermore, the Governing Body authorised me to communicate Resolutions Nos. 38, 39 and 41 to the Secretary-General of the United Nations, requesting him to circulate them to the appropriate organs of the United Nations.

6. Concerning Resolution No. 37 dealing with the European Coal and Steel Community, the Governing Body noted this resolution and instructed me to report to it in due course on the steps which might be taken to give effect to this resolution.

7. In accordance with suggestions made in Resolution No. 40, the Governing Body instructed me to draw the attention of the governments concerned to the desirability of appointing delegates to sessions of the Iron and Steel Committee in sufficient time, and to provide them as early as possible with copies of the documentation prepared for the Committee.

I shall communicate with the governments in due course with a view to requesting them to furnish information on the action taken, or proposed to be taken, on the conclusions of the Committee.

I have the honour to be, etc.,

For the Director-General:

(Signed) Luis Alvarado,
Assistant Director-General.

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1 See above, p. 176.
2 See above, p. 178.
Chemical Industries Committee

(Third Session, Geneva, 9-19 September 1952)\(^1\)

**CONVOCATION OF THE COMMITTEE**

The Governments of States Members of the International Labour Organisation represented on the Chemical Industries Committee\(^2\) were informed by a letter of 5 June 1952 of the date and place of the Third Session of the Committee.\(^3\)

In accordance with a decision taken by the Governing Body at its 114th session (Geneva, March 1951), the agenda of the session was as follows:

I. General Report, dealing particularly with—
   (a) action taken in the various countries in the light of the conclusions of the previous sessions;
   (b) steps taken by the Office to follow up the studies and enquiries proposed by the Committee;
   (c) recent events and developments in the chemical industries.

II. Vocational training in the chemical industries.

III. General problems of hours of work in the chemical industries with particular reference to a comparison of day work and shift work.

**PROCEEDINGS OF THE COMMITTEE**

The Third Session of the Chemical Industries Committee was held in Geneva from 9 to 19 September 1952. In accordance with a decision taken by the Governing Body at its 118th Session (Geneva, March 1952), Mr. J. FAFCHAMPS (Belgium), Government Member of the Governing Body, presided at the session.

The Committee elected two Vice-Chairmen: Mr. M. BOURDON, French Federation of Chemical Industries (Employers' delegate), and Mr. N. LEISTEDT, Secretary of the Swedish Factory Workers' Union (Workers' delegate).

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\(^2\) For the list of these governments, see below the chart showing the composition of Industrial Committees, etc., p. 237.

The United Nations was invited by letter of 9 July 1952 to send a representative to the meeting. Invitations were also sent to the non-governmental international organisations with which the International Labour Organisation has established consultative relationships and to a number of other international organisations especially interested in the meeting.

In addition, the Governments of Chile, Finland and Japan were invited by letter of 11 July 1952 to send delegations of observers to the session.

\(^3\) The text of this communication is not reproduced here. See footnote 3, p. 103.
The following sixteen countries were represented:

Belgium  Italy
Canada  Mexico
China  Netherlands
Denmark  Norway
France  Sweden
Federal Republic of Germany  Switzerland
Greece  United Kingdom
India  United States

Each of these countries, except China and Greece, sent a tripartite delegation. China sent a Government delegation, and Greece a Government and Workers' delegation.

The Governing Body of the International Labour Office was represented as follows:

Government group: Mr. J. Fafchamps (Belgium).
Employers' group: Mr. G. Bergenström (Swedish).
Workers' group: Mr. G. Pastore (Italian).

The United Nations was represented by Mr. J. Winter, Economic Commission for Europe.

A tripartite delegation of observers from Japan attended the session.

The following non-governmental international organisations were represented by observers: International Confederation of Christian Trade Unions; International Confederation of Free Trade Unions; International Federation of Christian Factory and Transport Workers; International Federation of Industrial Organisations and General Workers' Unions; International Organisation of Employers; World Federation of Trade Unions.

The Committee appointed a Steering Committee, which also acted as a Resolutions Committee, and two subcommittees and a working party, as follows:

Subcommittee on Vocational Training in the Chemical Industries;
Subcommittee on Hours of Work in the Chemical Industries;
Working Party on Classification and Labelling of Dangerous Substances.

The Committee held eight plenary sittings, five of which were mainly devoted to a general discussion of the questions before the Committee.

At its seventh and eighth plenary sittings, on 19 September 1952, the Committee adopted the reports and resolutions submitted by the subcommittees and the working party, together with the resolutions submitted by the Steering Committee. In addition, at its eighth plenary sitting the Committee took decisions concerning the following draft resolutions:

(1) Draft resolution concerning rates for shift work and overtime, submitted by the Workers' group. The Committee rejected this draft resolution.

(2) Draft resolutions submitted by Mr. U. Stocchero, Italian Workers' delegate, one concerning the suppression of production prohibited by the Geneva Convention, and the other concerning the trend of the chemical
Chemical Industries

industries and international trade. The Committee approved by 67 votes to 2, with no abstentions, the recommendation of the Steering Committee that these draft resolutions should not be discussed because the Committee was not competent to adopt them.

CONCLUSIONS AND REPORTS ADOPTED BY THE COMMITTEE

The Committee adopted eight resolutions, the texts of which are reproduced below, together with the reports of the subcommittees and of the working party.

Resolution (No. 13) concerning Vocational Training in the Chemical Industries

The Chemical Industries Committee of the International Labour Organisation, Having been convened by the Governing Body of the International Labour Office, and
Having met at Geneva in its Third Session from 9 to 19 September 1952,
Having continued the exchange of views on the subject of vocational training in the chemical industries, which was started at its Second Session (Geneva, April 1950), and
Having noted the Recommendations adopted by the International Labour Conference, in particular the Recommendation (No. 57) concerning vocational training, 1939, and the Recommendation (No. 88) concerning the vocational training of adults including disabled persons, 1950;
Adopts this nineteenth day of September 1952 the following resolution:

The Governing Body of the International Labour Office is invited to request governments and employers' and workers' organisations to facilitate the application of the principles set out in the following paragraphs:

General Principles

1. Facilities for vocational training should be available so as to develop to the fullest extent the latent abilities of all employees and prospective employees in the chemical industries.

2. All vocational training programmes should include instruction in safety and health.

Aims and Means

3. One of the purposes of vocational training should be to permit employees to take advantage of opportunities of promotion and to receive recognition according to their skill and capacities.

4. Vocational training should be systematic and complete to give the employee theoretical knowledge and practical experience of his occupation. The period of training should be determined in each case according to the type of work to which it applies.

5. Vocational training should be carried out by competent personnel. The most efficient methods of vocational training should be used and those methods should be flexible and kept up to date, so as to be adaptable to the requirements of the rapidly advancing and complex chemical industries.

1 At its previous sessions the Committee had adopted 12 resolutions; the first resolution adopted at its Third Session is therefore numbered 13.
2 Adopted unanimously by 75 votes on 19 September 1952.
6. Any disagreement arising in regard to rates of wages of persons undergoing training should be dealt with by agreement between the employers' and workers' organisations.

7. Employees undergoing training should remain entitled to the full benefits of social legislation and industrial agreements which they would have enjoyed had the training not been undertaken.

**Introductory Training**

8. Every person entering the chemical industries for the first time, or transferred to a different job within the industries, should receive appropriate initial instruction, with special reference to the character of his particular job and to the reasons underlying safety and health measures.

**Training of Young Persons**

9. The training of young persons should be of a systematic nature, theoretical as well as practical, and should have as its objects the development of—

(a) understanding of, and pride in, their work;
(b) their sense of individual responsibility;
(c) their intellectual ability;
(d) their theoretical knowledge;
(e) their manual dexterity; and
(f) their physical condition.

**Training of Adults**

10. Vocational training should be essentially practical and given by competent instructors; it should be the responsibility of individual undertakings to arrange.

**Training of Supervisors**

11. It would be desirable that training should be given to potential and existing supervisors and instructors. This should include, in particular, training in human relations, the technique of instruction and safety measures.

**Resolution (No. 14) concerning Further Study of Vocational Training in the Chemical Industries**

The Chemical Industries Committee of the International Labour Organisation, having been convened by the Governing Body of the International Labour Office, and having met at Geneva in its Third Session from 9 to 19 September 1952, having studied the question of vocational training in the chemical industries in detail, having adopted a resolution concerning vocational training in the chemical industries, and considering that several countries have already begun vocational training in the chemical industries, that other countries desire to do so, and that it is essential to communicate to them all documentation useful for this purpose;

Adopts this nineteenth day of September 1952 the following resolution:

1 Adopted unanimously by 75 votes on 19 September 1952.
The Governing Body of the International Labour Office is invited to request the Office—

(a) to communicate as soon as possible to governments and employers' and workers' organisations all information on the results already achieved in different countries in regard to vocational training in the chemical industries; in particular, this information should be communicated to the countries which contemplate introducing vocational training in the chemical industries; and

(b) to continue its study of vocational training in the chemical industries and to inform governments and employers' and workers' organisations of the results.

Resolution (No. 15) concerning the General Problems of Hours of Work in the Chemical Industries

The Chemical Industries Committee of the International Labour Organisation, Having been convened by the Governing Body of the International Labour Office, and

Having met at Geneva in its Third Session from 9 to 19 September 1952,

Having continued the exchange of views on the general problems of hours of work in the chemical industries started during the First and Second Sessions of the Committee,

Considering that it is the solemn obligation of the International Labour Organisation to further among the nations of the world programmes which will achieve the raising of the standards of living,

Considering that to this end it is essential that there be a continuous increase in productivity and in production,

Considering that shift work often causes inconvenience and expense to the worker and often disturbs the normal conditions of his physical and social life;

Adopts this nineteenth day of September 1952 the following resolution:

1. The limits of normal hours of work, the overtime rates and the rates for shift work should normally be determined, in accordance with the practice customary in each country—

   (a) by collective agreement;

   (b) by arbitration award; or

   (c) by laws or regulations.

2. The practices set out below are put forward for the guidance of those concerned with the preparation of laws and regulations or with the rendering of an arbitration award, or the negotiation of a collective agreement, as the case may be.

   Hours of Work and the Arrangement of Shifts

3. The weekly hours of shift workers, calculated as an average over the shift cycle, should approximate to the established weekly hours of day workers.

4. Time required to put on and take off protective equipment should be included in the hours of work.

5. Workers on continuous shift work should be given a short break, without loss of paid time, to enable each worker to take a meal.

6. Shift work during the weekend should in general be restricted to those processes which are required by reason of the nature of the process to be carried on by a succession of shifts without a break at any time of the day, night or week.

7. Where shift work is stopped during the weekend the worker should have a rest period of at least 24 consecutive hours, which is automatically extended if it coincides with the changeover of shifts.

1 Adopted unanimously by 76 votes on 19 September 1952.
8. Continuous shift work should be so organised that each worker is periodically allowed, in so far as practicable—

(a) to take his rest period at night; and

(b) to have one weekly period of rest of at least 24 consecutive hours; or correspondingly longer periods of rest at less frequent intervals as may be decided by local agreement.

9. As a general principle, the interval between two consecutive shifts should not be less than 16 hours.

10. Shifts should be periodically rotated.

11. The length of the shift cycle should be determined in consultation with the workers and may be either every three or four weeks, or such other period as may facilitate adaptation to changes in the times of starting and finishing work.

12. Employers should consult workers' organisations on the most suitable systems of shift rotation both from the employers' and workers' point of view.

13. Examples of good shift practice are given in the appendix to this resolution.\(^1\)

14. The organisation of working hours in those occupations where the work is dangerous or unhealthy should be directly related to the risk or hazard.

15. The workers concerned or their freely elected representatives in the undertaking should be consulted regarding the preparation, alteration and posting of shift schedules.

Rates for Shift Work

16. Action should be taken to minimise any inconveniences which may arise from shift work; where such inconveniences affect the life of the worker and involve him in additional expenditure, he is entitled to compensation for them.

Overtime

17. Any hours worked in excess of the hours of work fixed by collective agreement, arbitration award or laws or regulations should be considered as overtime.

18. Overtime should be restricted to a minimum.

19. When overtime immediately following the normal spell of work, together with that spell, exceeds a certain number of hours to be determined by the normal collective bargaining procedure, a short break should be allowed, without loss of pay, for a meal.

20. When a worker has completed his normal hours of work in the work day and is again called out to work during his rest period, he should be guaranteed a certain minimum number of hours of work or pay in lieu thereof, as may be determined through the normal negotiating procedure.

21. The workers concerned should be consulted on the working of overtime.

22. Statistical data with respect to overtime in the chemical industries should be collected.

Facilities for the Welfare of Shift Workers

23. Where the number of workers in the plant permits, facilities should be provided at hours convenient to shift workers, particularly to those on the night shift, to enable them to partake of hot meals. Workers on the night shift should be encouraged, on grounds of health, to make use of these facilities.

24. Wherever necessary, employers should assist in arranging for suitable transport facilities to be available, either through public transport or by other

\(^1\) See below, p. 201.
means, for meeting the needs of the shift worker in travelling at times when normal transport facilities are lacking.

25. Facilities for alleviating the difficulties experienced by shift workers in connection with recreation and other social activities should be made available, where practicable, by action of the employers, the workers or by the co-operative efforts of all concerned.

26. The workers concerned or their freely elected representatives should be consulted in regard to the facilities to be made available to them.

APPENDIX

1. Examples of various shift schedules in relatively common use which meet the requirements of paragraphs 8, 9 and 10 of the resolution are given below.

2. Schedules for an average 48-hour week generally involve three shifts, with recourse to an auxiliary shift during the weekly changeover. For example, three regular shifts work 18 spells of eight hours each during a period of three weeks, averaging 48 hours per week per shift. Each shift has a rest of 16 hours between two consecutive spells and, in the course of three weeks, three rests of 24 hours and two of 40 hours, one of the latter including Sunday. The auxiliary shift works three eight-hour spells a week or 24 hours in all.

3. An average weekly schedule of 45 1/3 hours can be worked on the same basis as the preceding system, with an extra relief shift every three weeks.

4. A 44-hour week can be worked on the basis of each worker carrying out six eight-hour spells one week and five the next, other shifts being filled in by relief shifts. A rota system can be established to ensure a fair distribution of long rest periods.

5. Shift schedules for a 42-hour average work week are normally worked with four shifts, with different systems of rotation in use. A common schedule provides for rotation of shifts every four weeks, with each shift working 21 spells of eight hours' work in four weeks. This system has the merit of including Saturday and Sunday among at least one of the three rest periods of 72 hours during the four-week period.

6. Shift schedules based on a 40-hour week may be organised in various ways, usually with recourse to one auxiliary shift or to relief men, excepting, of course, semi-continuous processes working a five-day week. For example, one common type of schedule employs four shifts, with an auxiliary shift used once each week. The regular shifts have tours of duty varying from five days on and three days off to three days on and one day off. Minor variations of this schedule may be worked out to meet individual needs.

7. The foregoing examples will suffice to indicate the almost infinite variety of ways in which shifts may be organised to meet the needs of a particular work week as well as the technical requirements of the manufacturing process concerned.

Resolution (No. 16) concerning Classification and Labelling of Dangerous Substances

The Chemical Industries Committee of the International Labour Organisation, Having been convened by the Governing Body of the International Labour Office, and

Having met at Geneva in its Third Session from 9 to 19 September 1952,

1 Adopted unanimously by 78 votes on 19 September 1952.
Considering that it is necessary to draw the attention of workers to the nature of the chief hazards that may be involved in the handling of dangerous substances,

Considering that it would be useful to have a limited number of internationally recognised symbols representative of the serious dangers involved, and

Taking into consideration the very important work of the International Labour Office in this field;

Adopts this nineteenth day of September 1952 the following resolution:

The Governing Body of the International Labour Office is invited to request the Office—

(a) to continue its efforts with a view to arriving at the adoption, for use in international trade, of five symbols characteristic of the chief types of danger associated with the handling of dangerous substances, taking as a starting point the symbols suggested by the Office, each country being free to determine in its own way whether or not to use and how to use such symbols in the labelling system adopted for internal trade;

(b) to undertake the preparation of a list of dangerous substances for which the above-mentioned symbols should be employed, taking first into consideration the substances which are the most dangerous and which are the most commonly in use; and

(c) to continue to take part in the discussion of these questions with other international organisations concerned.

Resolution (No. 17) concerning the Effect Given to the Conclusions Adopted by Previous Sessions of the Chemical Industries Committee

The Chemical Industries Committee of the International Labour Organisation, Having been convened by the Governing Body of the International Labour Office, and

Having met at Geneva in its Third Session from 9 to 19 September 1952,

Being convinced of the need for the fullest possible information to be provided by governments in regard to the effect given to the conclusions adopted by the Committee and in accordance with the procedure suggested to governments by the Governing Body at its 109th Session (Geneva, June 1949);

Adopts this nineteenth day of September 1952 the following resolution:

The Governing Body of the International Labour Office is invited to draw the attention of governments to the need for—

(a) informing the Office of the measures they have taken to implement the resolutions adopted at previous sessions of the Committee in time to enable the Office to communicate this information to the Committee at its next session;

(b) by replying as quickly as possible to requests for information and especially to questionnaires issued by the Office, so that the Office may prepare and issue documents for the Committee within the prescribed time limit;

(c) arranging for the information referred to in paragraphs (a) and (b) above to be prepared in consultation and, if possible, in agreement with the employers' and workers' organisations concerned, such consultation to be carried out by methods acceptable to those organisations;

(d) transmitting copies of this information to the employers' and workers' organisations concerned when it is forwarded to the International Labour Office.

1 This resolution was submitted first by the Employers' group. It was subsequently examined by the Steering Committee which recommended its adoption. The resolution was adopted unanimously by 69 votes on 19 September 1952.
Resolution (No. 18) concerning the Agenda of the Fourth Session of the Chemical Industries Committee

The Chemical Industries Committee of the International Labour Organisation, Having been convened by the Governing Body of the International Labour Office, and Having met at Geneva in its Third Session from 9 to 19 September 1952, Recognising the relationship between living standards and the level of productivity and the undisputed need for obtaining the most efficient utilisation of manpower, Recognising the special problems involved in applying payment by results to a wide range of work in the chemical industries; and Considering that it would be helpful in this connection to be provided with up-to-date information concerning the extent to which it has been found practicable to improve the level of productivity in the chemical industry by the introduction of systems of payment by results, and especially those based on work study, including work measurement;
Adopts this nineteenth day of September 1952 the following resolution:
The Governing Body of the International Labour Office is invited to place the following subject on the agenda of the Fourth Session of the Committee:
Improvements in productivity obtained in the chemical industry from systems of payment by results and from the techniques concerned with their application.

Resolution (No. 19) concerning the Agenda of the Fourth Session of the Chemical Industries Committee

The Chemical Industries Committee of the International Labour Organisation, Having been convened by the Governing Body of the International Labour Office, and Having met at Geneva in its Third Session from 9 to 19 September 1952, Considering the continuous development of the chemical industries and in particular the problems of safety and hygiene which arise, and Considering the rapid development in the co-operation of workers, their representatives and their organisations in the solution of the economic and social problems which arise in the chemical industries;
Adopts this nineteenth day of September 1952 the following resolution:
The Governing Body of the International Labour Office is invited to place on the agenda of the Fourth Session of the Chemical Industries Committee questions selected from the following, on the assumption that the Office will in any case be requested to carry out studies concerning these subjects:
1. On the basis of the study requested by the Chemical Industries Committee at its Second Session, problems arising and measures to be taken in regard to safety and hygiene in the chemical industries.  
2. Industrial relations in the chemical industries, with special reference to the underdeveloped countries.

1 This resolution was submitted by the Employers' group. The Steering Committee, after inserting a new paragraph (the fifth), recommended its adoption. The resolution was adopted unanimously by 71 votes on 19 September 1952.
2 The original text of this resolution was submitted by the Workers' group. Various amendments were made by the Steering Committee, which then recommended its adoption. The resolution as amended was adopted unanimously by 74 votes on 19 September 1952.
Resolution (No. 20) concerning the Agenda of the Fourth Session of the Chemical Industries Committee

The Chemical Industries Committee of the International Labour Organisation, Having been convened by the Governing Body of the International Labour Office, and Having met at Geneva in its Third Session from 9 to 19 September 1952, Considering that one of the most important aims of all countries must be the raising of the standards of living of the people, Considering that to this end it is essential that there be a continuous increase in productivity and in production, and Considering that in the chemical industries of all countries productivity has been considerably increased and is constantly increasing; Adopts this nineteenth day of September 1952 the following resolution:

The Governing Body of the International Labour Office is invited to place on the agenda of the Fourth Session of the Chemical Industries Committee the question of the reduction of hours of work in the chemical industries, taking into account prevailing conditions at that time.

Report of the Subcommittee on Vocational Training in the Chemical Industries

1. The Subcommittee on Vocational Training was set up by the Chemical Industries Committee at its third plenary sitting on 11 September 1952, and was composed of 30 members (10 from each group).

2. The Subcommittee appointed its Officers as follows:
   Chairman: Mr. E. DREYER (Government member, Denmark).
   Vice-Chairmen: Mr. H. R. HUSTON (Employers' member, United States); Mr. H. O'CONNELL (Workers' member, United States).
   Reporter: Mr. S. PICARD (Government member, Canada).

3. The Subcommittee set up a Working Party composed of the Officers of the Subcommittee, the Reporter, two Government members, three Employers' members and three Workers' members.

4. The Subcommittee held seven sittings.

Terms of Reference

5. The Subcommittee was called upon to examine the second item on the agenda of the Committee: Vocational training in the chemical industries. A report prepared by the Office on this subject was before the Subcommittee as a basis for discussion.

General Discussion

6. During its early sittings the Subcommittee held a general discussion on the desirability of extending vocational training in the chemical industries. The points of view expressed by the different members of the Subcommittee brought out the following main aspects of this question:

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1 The original text of this resolution was submitted by the Workers' group. It was then examined by the Steering Committee, which amended it, and recommended its adoption. The resolution was adopted on 19 September 1952 by 56 votes to 4 with 13 abstentions.

2 Adopted unanimously by 76 votes on 19 September 1952.

the human aspects of vocational training and, in particular, its role in giving the workers the ambition to achieve something better and for intelligent work as well as possibilities of promotion;

(2) the importance of ensuring that vocational training is well organised in order to attract young workers to the chemical industries more than in the past and to assure the industry of qualified manpower; means to satisfy these requirements, taking account of regulations relating to the minimum age for admission to employment in the industry; desirability of an examination after vocational training;

(3) the necessity to put into operation the appropriate types and methods of systematic vocational training for the training of skilled workers and production workers, at least in the large undertakings in the chemical industries, having regard notably to the high cost of material and equipment used in production; technical conditions which such training schemes should fulfil; interest in the scheme and in the programme at present applied in the apprenticeship centres of the French chemicals industry;

(4) the essential importance, for the underdeveloped countries, of studies and work on vocational training carried out in the Chemical Industries Committee; attention to be given to the needs of these countries while this work is in progress.

7. In addition to the speeches on the above-mentioned points the Subcommittee had before it, for its information, a document (Scheme of Training for Skilled Status) which was submitted to it jointly by the United Kingdom Employers' and Workers' members.

Organisation of Vocational Training

8. The Subcommittee devoted the latter part of its third sitting and also its fourth sitting to a discussion of the problems of organisation of vocational training in the chemical industries. Two draft resolutions were submitted to the Subcommittee, one by the Employers' members and the other by the Workers' members. The Subcommittee decided to examine the points contained in the report prepared by the Office in conjunction with the examination of these draft resolutions.

9. When the above-mentioned draft resolutions were discussed the Employers' members stated that, because of existing differences in vocational training between the various countries and also between the various kinds of undertakings in the chemical industries, it was in their view indispensable that the text which would be adopted remained broad and general enough in scope to cover each particular situation. They also said that though their draft resolution contained a point inviting the Office to communicate information on the development of vocational training to governments and employers' and workers' organisations, this did not imply that they were in favour of standardisation of types and methods of vocational training.

10. The Workers' members pointed out that everyone seemed to agree to recognise that vocational training was necessary in the chemical industries, not only for young persons entering these industries but also for adults whether they had been newly engaged or whether they already occupied a post in these industries. Furthermore, they directed attention to the special conditions of the chemical industries and indicated that these had necessitated the introduction in a number of countries of special schemes for the training of workers in the chemical industries.

11. It was pointed out that the two texts contained a great number of points in common. Consequently, the Subcommittee decided to refer the two texts to its Working Party in order that it might draw up a joint draft which would be acceptable both to the Employers' members and to the Workers' members.

Discussion in the Working Party

12. In the course of its proceedings the Working Party, while meeting the Employers' wish that the text should be kept as far as possible in general terms, endeavoured to include a certain number of points contained in the text submitted
by the Workers' members in such a way that the resolution which would be adopted might serve as a guide to countries where vocational training institutions had not yet reached a very high degree of development.

13. In particular it was considered fitting to introduce into the preamble of the draft resolution a reference to the Recommendation (No. 57) concerning vocational training, 1939, and the Recommendation (No. 88) concerning the vocational training of adults including disabled persons, 1950. In this connection certain members drew the attention of the Working Party to the Recommendation (No. 87) concerning vocational guidance, 1949.

14. With regard to the vocational training of chemical process operators, it appeared to the Working Party after discussion that it would be premature to include in a text with international effect a provision relating specifically to the training of this category of personnel, as very considerable divergencies were to be noted at the present time from one country to another, and from one type of undertaking to another in connection with the qualifications required for the occupation concerned.

15. The question as to what kind of recognition there should be of the occupational knowledge and capacities of trained workers gave rise to some discussion in relation to the examination of the point in the draft resolution submitted by the Employers' members concerning promotion of workers in the industry.

16. The Working Party unanimously decided to include in the text of the draft resolution some points showing that the vocational training should be systematic and complete in order to give to the worker the theoretical knowledge and practical experience of his occupation, that the period of training should be determined according to the nature of the occupation, that it should be carried out by competent personnel, and that the methods employed should be flexible and kept up to date so as to be adaptable to the complexity and rapid evolution of the chemical industries.

17. The discussion on the points relating to the remuneration of persons undergoing training and to the application to these persons of the provisions of social legislation, which were contained in the draft resolution submitted by the Workers' members, allowed a text to be drawn up which had the agreement of all the members of the Working Party.

18. Finally, it seemed fitting to the Working Party, without entering into all the details contained in the draft resolution submitted by the Workers' members, to retain certain statements of principle applying to the training of four different categories of persons, as follows: newly engaged persons, young persons, adults and supervisors. During the discussion on these subjects there was an exchange of views on the type of instruction which should be provided in each case and on the composition of the groups of persons affected by the different types of training mentioned. At this juncture the Working Party took note of a definition of the term "supervisors" laid down during a meeting of experts on the training of supervisors organised by the International Labour Office in 1949.

Adoption of the Draft Resolution concerning Vocational Training in the Chemical Industries

19. At its fifth sitting the Subcommittee examined, point by point, the draft resolution drawn up by its Working Party, and it adopted those points with a few changes of form.

20. The Subcommittee was informed of a proposal by the Workers' members to introduce, following the points of the draft resolution, an appendix drawing the attention of governments and employers' and workers' organisations to vocational training plans already prepared and put, or about to be put, into operation in certain countries.

21. The Employers' members opposed the proposal made by the Workers' members, but submitted another which in their view could replace the former one
and give satisfaction to the Workers' members. This proposal consisted in submitting
to the Subcommittee a second draft resolution concerning further study of vocational
training in the chemical industries.

22. At the Subcommittee's sixth sitting the Workers' members agreed to
withdraw their proposal to introduce an appendix to the draft resolution concerning
vocational training.

23. The draft resolution concerning vocational training in the chemical industries
was adopted unanimously by the Subcommittee.¹

Adoption of the Draft Resolution concerning Further Study of Vocational Training
in the Chemical Industries

24. The main point of the draft of the second resolution submitted by the
Employers' members was as follows:

The Governing Body of the International Labour Office is invited to instruct
the Office to continue its study of vocational training in the chemical industries
and to inform governments and employers' and workers' organisations of the
results.

25. The Workers' members agreed to the adoption of this draft resolution
provided that it was completed by the addition of a paragraph in the preamble
and by the introduction in the text of a paragraph relating to the communication
by the Office, to the countries concerned, of all useful information for the develop­
ment of vocational training in the chemical industries.

26. The text of the draft resolution as amended was adopted unanimously
by the Subcommittee.²

27. The present report was adopted unanimously by the Subcommittee at its
seventh sitting.

(Signed) E. DREYER,
Chairman.

(Signed) S. PICARD,
Reporter.

Report of the Subcommittee on Hours of Work in the Chemical Industries ³

1. The Subcommittee on Hours of Work in the Chemical Industries was set up
by the Chemical Industries Committee at its third plenary sitting on 11 September
1952, and was composed of 30 members (ten from each group).

2. The Subcommittee appointed its Officers as follows:

Chairman and Reporter : Mr. A. M. MORGAN (Government member, United
Kingdom).

Vice-Chairmen : Mr. E. T. GRINT (Employers' member, United Kingdom);
Mr. F. VAN TILBURG (Workers' member, Netherlands).

3. The Subcommittee held eight sittings.

Terms of Reference

4. The Subcommittee was called upon to consider the third item on the agenda
of the Committee : General problems of hours of work in the chemical industries
with particular reference to a comparison of day work and shift work. This question

¹ See above, Resolution No. 13, p. 197.
² See above, Resolution No. 14, p. 198.
³ Adopted by 71 votes to 0, with 2 abstentions, on 19 September 1952.
had been placed on the agenda by the Governing Body following a request contained in a resolution (No. 11) concerning a comparative study of day work and continuous shift work in the chemical industries, adopted by the Committee at its Second Session (Geneva, April 1950) and various proposals contained in the Memorandum to the Governing Body of the International Labour Office on questions concerning the organisation of working hours in the chemical industries.

5. The Subcommittee had before it a report prepared by the International Labour Office on the subject containing information obtained from governments and from other sources on the methods of regulating hours of work, normal working hours, overtime, actual hours of work and the effects of shift work. It also put forward certain suggestions submitted for the consideration of the Committee. A supplementary note gave further information sent in by governments. The attention of the Subcommittee was also drawn to the report submitted on the subject to the previous session and to the above-mentioned Memorandum.

6. At its sixth sitting the Subcommittee set up a Working Party consisting of the Chairman and of two members from each group to prepare, in the light of the various draft resolutions submitted to the Subcommittee, one or more texts on which there could be the largest possible measure of agreement.

General Discussion

7. The Subcommittee held a general discussion of the points proposed for consideration by the Office in its report. These related, inter alia, to the effect of shift work on the health of the workers concerned, the frequency of accidents, the productive efficiency of workers on shift work, the effects on the family budget of workers on shift work, systems of shift rotation, normal daily or weekly hours of work, changeover of shifts, overtime, premium rates for shift work and welfare services.

8. It was left to the Working Party to embody such conclusions as emerged from this discussion in the draft resolution it was instructed to prepare.

General Reduction of Hours of Work

9. The Workers' members submitted a draft resolution to the effect that the extension of the 40-hour week, without loss of pay, to the chemical industries in all countries was a desirable goal, that those concerned should collaborate in reducing the hours of work of shift workers, and that the Governing Body of the International Labour Office be invited to submit to the Fourth Session of the Committee proposals for the reduction of hours of work taking into account prevailing conditions at that time.

10. The Employers' members contended that the question of the general reduction of hours of work was not included in the agenda of the Committee and could therefore only be discussed by agreement of a majority of each of the three groups. The Subcommittee asked the Steering Committee for a ruling on this point. In reply, the Chairman of the Steering Committee forwarded the following text, which represented the opinion of the three representatives of the Governing Body on the interpretation of item III on the agenda of the Committee:

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2 Ibid., pp. 133-136.
5 *General Problems of Hours of Work in the Chemical Industries*, op. cit., p. 86.
The phrase "General problems of hours of work in the chemical industries with particular reference to a comparison of day work and shift work" may have given rise to the impression that the problem of a general reduction in hours of work for the chemical industry as a whole was formally placed on the agenda.

In the light of the discussions in the Governing Body, it would seem that the problem of the general reduction of hours of work in the chemical industries is not included in this technical question. The problem to which the attention of the Committee is drawn is, inter alia, that of the daily or weekly limitation of hours of work in day work and shift work.

The question of the general reduction of hours of work in the chemical industry as a whole is one which might be discussed in the plenary sittings of the Committee if so desired.

11. In the light of this interpretation the Subcommittee decided not to refer to the Working Party the draft resolution submitted by the Workers' group concerning weekly hours of work. This decision was taken by 17 votes (those of the Employers' members and of the Government members of Canada, Denmark, the Federal Republic of Germany, Italy, the Netherlands, Switzerland and the United States) to 13 (those of the Workers' members and the Government members of Belgium, France and Norway).

12. The Chairman pointed out that it was open to the Workers' members to raise the matter in plenary sitting.

Other Draft Resolutions

13. The Subcommittee also considered two other draft resolutions submitted by the Workers' members concerning respectively the restriction of, and extra rates for, overtime, and the organisation of shift work and extra rates for such work, as well as a draft resolution by the Employers' members concerning work in the chemical industries. The latter expressed the view that proposals for the reduction of hours of work should be decided by the established negotiating machinery in each country, and recommended voluntary action to minimise any inconveniences which might result from shift work and the provision, where appropriate, of compensation therefor. It also advocated the provision of welfare facilities, in particular for shift workers. In addition, it suggested the collection of further information on health and accidents.

14. After an exchange of views on these draft resolutions, they were referred to the Working Party.

Discussion of the Draft Resolution Submitted by the Working Party

15. After two sittings the Working Party submitted to the Subcommittee a draft resolution containing provisions concerning hours of work and the arrangement of shifts, rates for shift work, overtime and welfare facilities for shift workers. In connection with overtime and premium rates for shift work the draft resolution contained paragraphs which were supported by the Workers' members but not by the other members of the Working Party.

16. The Subcommittee considered the draft resolution paragraph by paragraph and introduced a number of amendments.

Procedure for the Adoption of Shift Systems.

17. Two paragraphs of the draft resolution stated that there should be agreement on the length of the shift cycle and on systems of shift rotation. It was pointed out that agreement might not always be possible and a revised version was accepted on the basis of consultation (paragraphs 11 and 12 of the draft resolution as adopted by the Subcommittee).
18. The United States Workers' member wished it to be recorded that he was opposed to any text which enabled the system of shift rotation to be determined without the agreement of the workers. The United States Employers' member, on the other hand, considered that the text as adopted did not require such agreement.

Rates for Shift Work.

19. The following proposals were included in the text submitted by the Working Party, with the indication that they were supported by the Workers' members but not by the other members of the Working Party:

For shift work, the following additional percentages should be paid:

- 10 per cent. on an average for the morning and afternoon shifts on weekdays;
- 25 per cent. for the night shift on weekdays;
- 100 per cent. for shift work on Sundays;
- 100 per cent. for shift work on statutory and other public holidays, plus a day off in lieu thereof.

The above percentages are without prejudice to existing more favourable arrangements.

Where the customary day of rest falls on a day other than Sunday the rates for shift work should be paid on the corresponding days established by the traditions or customs of the country or district.

20. It was stated on behalf of the Employers' members that it was their firm view that the matters covered by these paragraphs could not be determined by resolutions adopted by this Committee and should be left to the normal negotiating procedure of the country concerned. The Workers' members pointed out that the question of rates for shift work was included among the points proposed by the Office in Report III for discussion by the Committee, and that it was therefore appropriate for the Subcommittee to adopt conclusions thereon.

21. By 18 votes (those of the Employers' members and of the Government members of Canada, Denmark, France, the Federal Republic of Germany, Italy, the Netherlands, Norway and Switzerland) to 10 (those of the Workers' members) the Subcommittee decided not to include these paragraphs in the draft resolution, but without prejudice to the possibility of their being submitted in a separate resolution.

Overtime Rates.

22. The following proposals on overtime rates were before the Subcommittee, on the same basis as those relating to shift work:

Unavoidable overtime should as far as possible and where desired be compensated by a corresponding amount of time off within a specified period.

Overtime should be remunerated at the following rates:

(a) at time and a half for overtime on weekdays (on Saturdays until 2 p.m.);
(b) double time for overtime from Saturday, 2 p.m., to Monday, 6 a.m.;
(c) triple time for overtime on statutory and other public holidays.

The above rates are without prejudice to existing more favourable arrangements in certain countries.

Where the customary day of rest falls on a day other than Sunday, the overtime rates specified above should be paid on the corresponding days established by the traditions or customs of the country or district.

23. The Subcommittee decided by 16 votes to 12 not to include the first of the above paragraphs in the draft resolution, and by 18 votes to 10 not to include the other paragraphs, again without prejudice to the possibility of these texts being in a separate resolution.
Break for Meals when Overtime is Worked.

24. In connection with the paragraph providing for a short break, without loss of pay, for a meal when overtime immediately following the normal spell of work together with that spell exceeded a certain number of hours determined by normal collective bargaining, the Swedish Employers' member wished to draw the attention of the Committee to the clarification of this point given by the United Kingdom Government member at a plenary sitting of the Second Session of the Committee.

25. The Workers' members, after full consideration, announced that they were prepared to support the draft resolution as amended. They reserved their right, however, to raise in plenary sitting the points which the Subcommittee had decided not to include in the draft resolution.

26. The draft resolution, as amended, was adopted unanimously.1

27. The report as a whole was adopted unanimously.

(Signed) A. M. MORGAN,
Chairman and Reporter.

Report of the Working Party on Classification and Labelling of Dangerous Substances 2

1. The Working Party on Classification and Labelling of Dangerous Substances was set up by the Chemical Industries Committee at its third plenary sitting on 11 September 1952, and was composed of 12 members (four from each group), with three substitute members from the Government group and three from the Employers' group.

2. The Working Party appointed its Officers as follows:
   Chairman : Mr. C. C. CONCANNON (Government member, United States).
   Vice-Chairmen : Mr. I. E. BAGGS (Employers' member, United Kingdom);
                   Mr. L. PLUMIER (Workers' member, Belgium).
   Reporter : Mr. I. E. BAGGS.


Terms of Reference

4. At the request of the Committee which, at its Second Session, had adopted a resolution concerning classification and labelling and the establishment of an international mark of protection in the case of dangerous, obnoxious and toxic chemicals, the Office had undertaken a study on the classification and labelling of dangerous substances. The Working Party was asked to examine this study and to express its views on the conclusions reached by the Office.

General Discussion

5. At the first meeting of the Working Party the Belgian Government member gave an historical account of the work of the Brussels Treaty Organisation on the classification and marking of dangerous goods. He presented, for the consideration of the Working Party, a marking scheme classifying chemicals into two broad classes, toxic and dangerous, the hazards in each class being subdivided into five categories, using symbols to indicate the particular hazard.

6. The Representative of the Secretary-General gave a brief outline of the work of the Office in this field. He stated that the Office now needed some precise

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1 See above, Resolution No. 15, p. 199.
2 Adopted unanimously by 77 votes on 19 September 1952.
indication as to the position the International Labour Organisation should adopt on this matter at meetings of other international organisations, and guidance on the future work of the Office in this field.

7. The Belgian Workers' member stated that, from the workers' point of view, the classification and labelling of dangerous substances should be considered as one important measure to ensure the protection of workers in the chemical industry and in other industries such as transport. The workers had no intention of using the labelling of dangerous substances as a means of obtaining additional remuneration; it was solely a matter of providing protection to the workers. He also expressed the view that what was needed was a system of easily recognised symbols representative of the hazards involved.

8. The French Employers' member gave an account of the difficulties encountered even at the national level in trying to achieve uniformity in this matter of classification and labelling of dangerous substances. He was also concerned as to whether any system agreed by the International Labour Organisation would be in addition to, or would replace, labels now in use in the different countries.

9. The Indian Employers' member said that, because of the widespread illiteracy among the workers of some countries, any system of marking should be simple and as explicit as possible, for example, by the use of symbols which should be few in number.

10. The United Kingdom Employers' member outlined the principles on which the study of the labelling of dangerous substances was based in the United Kingdom, emphasising that the United Kingdom employers did not approve the use of symbols, which could not indicate the precautions to be taken in transport and handling.

11. The representative of the Inland Transport Committee of the Economic Commission for Europe outlined the efforts of his organisation to reach uniformity on the classification and labelling of dangerous substances for the different modes of transport. With regard to classification, the Economic Commission for Europe had arrived at a solution of a provisional and regional character and it was expected that a compromise solution would eventually be reached at the international level. He wondered whether it was wise for the International Labour Organisation to adopt another system which might add to the existing difficulties in this field. In addition to symbols, it was generally recognised that printed instructions were necessary to ensure the protection of the public and the workers.

12. The United States Employers' member suggested that there were dangers in over-simplification. He outlined the work of the Manufacturing Chemists' Association on the labelling of dangerous substances. Symbols, either coloured or pictorial, were not considered sufficient indication of the various methods of securing protection against the possible effects of these substances. It was felt that the hazards involved, the methods of protection and accident action were items on which labels should particularise.

13. The Canadian Workers' member drew the attention of the Working Party to the fact that written instructions could be obliterated in transit. Furthermore, in the case of labels with detailed wording, the workers would not read the small print. Some symbols of a reasonable size would not be obliterated and would serve to act as a warning.

14. The Chairman pointed out that it was the duty of the Working Party to suggest the best means of ensuring the protection of all concerned, and symbols could be most effective provided they could be interpreted accurately. The Working Party should suggest the best means by which adequate symbols could be arrived at.

15. The Employers' member of the Federal Republic of Germany stressed the need for greater education among the workers engaged in handling dangerous substances. He felt that efforts should be directed towards improving the labels suggested by the transport authorities.
16. The Netherlands Government member stated that in the Netherlands there were three different sets of regulations dealing with dangerous substances. He said that some regulations concerning this specific question of labelling would probably be shortly introduced and he hoped the Working Party would reach an agreement on this question.

17. The French Government member stated that there should be some simple representative symbols for use in international trade for the marking of dangerous substances. Each country should then be free to use its own labelling system for trade within that country and such labels should include details of precautionary measures, etc. The Office should study the possibility of establishing one or two such marks for international trade.

18. The Belgian Government member expressed the view that, although the safety of transport workers was also to be taken into account, the main purpose of the Working Party was the protection of the workers in industry. He acknowledged the necessity for printed labels with appropriate precautions, etc., but it was equally necessary to have a danger sign on containers of dangerous substances entering a country, in order that the national authorities would be able to take the necessary steps to ensure the provision of such other additional labels as it considered necessary.

19. The United Kingdom Employers' member referred to the fact that there existed in the United Kingdom separate marking regulations according to the mode of transport. In no case did the required labels include a pictorial representation or symbol of hazard. Even for deadly poisons the necessary labels used only colour and wording. It was considered in the United Kingdom that pictorial labels would tend to over- or under-emphasise the hazard represented. Furthermore, such pictorial labels did not indicate the precautions, etc., to be followed. To his knowledge, the United Kingdom had reserved its position with regard to the use of symbols in those international bodies which had discussed the classification and labelling of dangerous substances.

20. The Government member of the Federal Republic of Germany felt that it was necessary to have simple pictorial symbols of hazard, but these were not enough. It would be necessary to add a reference to the action to be taken in the case of accident. He did not think that the suggestion of two symbols would adequately indicate the hazards. However, he felt that it should be possible to work out one system which would be acceptable to all.

21. The Representative of the Secretary-General summarised the discussion and stressed the fact that the Office wished to receive some positive guidance from the Committee.

22. The Indian Workers' member stated that the Working Party had all the necessary information it required to arrive at a solution and urged the Working Party to accept the Office proposal as it appeared in its new form.

Discussion of Draft Resolution

23. The French Government member, in introducing the draft resolution, stated that any agreed markings would be for international trade and would not affect in any way existing or future national regulations on the labelling of dangerous substances. One mark was not enough; the marks should be used only for dangerous substances but should indicate the nature of the hazards.

24. A draft resolution prepared by the Government members of Belgium, Italy and the Netherlands, suggesting two broad classifications of dangerous substances for the purpose of labelling, was withdrawn in favour of the draft resolution put forward by the French Government member.

25. The United Kingdom Employers' member wished to include in the draft resolution a reference to (1) the fact that the proposed system of marking was to be
used for international trade only, (2) each country remaining free to determine in its own way the labelling system to be used within the country, and (3) the number of symbols proposed. He emphasised that United Kingdom employers could not support the draft resolution if it referred to the symbols proposed by the Office. He felt that the possibilities of finding other danger symbols which could be used, for instance, to replace the skull and crossbones and the hand, had not been fully explored. He wished the Office to continue its search for a more adequate solution of this labelling problem, and thought the resolution should be specific on this point.

26. The French Employers' member stated that he did not particularly like the skull, but it was already used in France. If the United Kingdom Employers' member failed to support the resolution, it would be difficult for he himself to support it, because if the French manufacturers used these symbols and the United Kingdom and other manufacturers did not, the employers of his country would suffer some disadvantage in competitive international trade.

27. In order to reach agreement on the draft resolution paragraph (a) was reworded after consultation with the French Government member, the United Kingdom Employers' member and the Representative of the Secretary-General.

28. The revised text was adopted unanimously.¹

29. The report of the Working Party and revised text were adopted unanimously at the sixth sitting.

(Signed) C. C. Concannon,
Chairman.

(Signed) I. E. Baggs,
Reporter.

COMMUNICATION TO GOVERNMENTS OF THE CONCLUSIONS AND REPORTS ADOPTED BY THE COMMITTEE

On 22 January 1953 the following communication was sent to the Governments of States Members of the Organisation.


Sir,

I have the honour to inform you that the Governing Body of the International Labour Office, at its 120th Session (Geneva, November 1952), considered the reports and resolutions adopted by the Chemical Industries Committee at its Third Session (Geneva, 9-19 September 1952), and authorised the Director-General to transmit these conclusions to governments, inviting them to communicate these documents to the employers' and workers' organisations concerned.

A note on the proceedings of the Third Session of the Chemical Industries Committee, which contains the reports of the Subcommittees and the Working Party, together with the resolutions adopted by the Committee, is forwarded herewith to enable you to arrange for the conclusions adopted by the Committee to be examined.²

In this connection, I have the honour to call to your attention the suggestions made by the Governing Body at its 109th Session (Geneva, June-July 1949) regarding the procedure which might be followed with a view to securing effective consideration for the conclusions of the Industrial Committees.

In regard to the Committee's conclusions, the Governing Body took the following decisions:

1. In accordance with the suggestions made in resolution No. 14 concerning further study of vocational training in the chemical industries ³, the Governing Body

¹ See above, Resolution No. 16, p. 201.
² This note is not reproduced here. For the reports of the Subcommittees and the Working Party, see above, pp. 204-214; for the text of the resolutions, see pp. 197-204.
³ See above, p. 198.
instructed me (a) to inform governments and employers’ and workers’ organisations, particularly in countries which contemplate introducing vocational training, of the results achieved in different countries in the field of vocational training in the chemical industries; and (b) to continue the study of vocational training in the chemical industries and to inform governments and employers’ and workers’ organisations of the results.

2. With respect to resolution No. 16 concerning classification and labelling of dangerous substances 1 the Governing Body authorised the Office (a) to continue its efforts with a view to arriving at the adoption, for use in international trade, of symbols for dangerous substances, taking as a starting point the symbols already considered by the Committee; (b) to prepare a list of these substances; and (c) to take part in the discussion of these questions with other international organisations concerned.

3. In accordance with the suggestions made in resolution No. 17 concerning the effect given to the conclusions adopted by previous sessions of the Chemical Industries Committee 2, the Governing Body drew the attention of governments to the need (a) for informing me of the measures they have taken to implement the resolutions adopted at previous sessions of the Chemical Industries Committee in time to enable me to communicate this information to the Committee at its next session; (b) for replying as quickly as possible to requests for information issued by me; (c) for arranging that such information is prepared in consultation and, if possible, where factual information is concerned, in agreement with the employers’ and workers’ organisations concerned, such consultation to be carried out by methods acceptable to these organisations; and (d) for transmitting copies of the information to these organisations when it is forwarded to me.

4. With respect to resolutions Nos. 18, 19 and 20, suggesting subjects for inclusion in the agenda of the Fourth Session of the Chemical Industries Committee 3, the Governing Body decided to consider these suggestions at a later session, when it would have before it my proposals concerning the studies that would be needed.

I shall communicate with the governments in due course with a view to requesting them to furnish information on the action taken, or proposed to be taken, on the conclusions of the Committee.

I have the honour to be, etc.,

For the Director-General:
(Signed) Luis ALVARADO,
Assistant Director-General.

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1 See above, p. 201.
3 See above, pp. 203-204.
Petroleum Committee

(Fourth Session, The Hague, 14-25 October 1952) ¹

CONVOCATION OF THE COMMITTEE

The Governments of States Members of the International Labour Organisation represented on the Petroleum Committee ² were informed by a letter of 23 June 1952 of the date and place of the Fourth Session of the Committee.³

In accordance with a decision taken by the Governing Body at its 115th Session (Geneva, June 1951) the agenda of the session was as follows:

I. General Report, dealing particularly with—
   (a) action taken in the various countries in the light of the conclusions of the previous sessions;
   (b) steps taken by the Office to follow up the studies and enquiries proposed by the Committee; and
   (c) recent events and developments in the petroleum industry.

II. Principles and methods used in determining wages in the petroleum industry.

III. Social services in the petroleum industry (with special reference to supply schemes, transport of workers, recreation facilities and co-operative societies).

PROCEEDINGS OF THE COMMITTEE

The Fourth Session of the Petroleum Committee was held at The Hague (Scheveningen) from 14 to 25 October 1952. In accordance with a decision taken by the Governing Body at its 118th Session (Geneva, March 1952), Mr. V. MONTOYA (Venezuela), Government member of the Governing Body, presided at the session.

The Committee elected two Vice-Chairmen: Mr. J. F. DE MONTRICHER, Vice-President of the French Petroleum Employers’ Association (Chambre

² For the list of these governments, see below the chart showing the composition of Industrial Committees, etc., p. 237.
³ The United Nations and the World Health Organisation were invited by letter dated 15 July 1952, and the Organization of American States by letter dated 30 July 1952, to send representatives to the meeting. Invitations were also sent to the non-governmental international organisations with which the International Labour Organisation has established consultative relationships.
⁴ The text of this communication is not reproduced here. See footnote 3, p. 103.
The following fourteen countries were represented:

Argentina
Burma
Canada
Colombia
Egypt
France
Iran
Iraq
Mexico
Netherlands
Peru
United Kingdom
United States
Venezuela

All these countries sent a tripartite delegation. The Governments of Indonesia and Japan sent observers.

The Governing Body of the International Labour Office was represented as follows:

Government group: Mr. V. MONTOYA (Venezuela).
Employers' group: Mr. C. E. SHAW (United States).
Workers' group: Mr. A. VERMEULEN (Netherlands).

The following non-governmental international organisations were represented by observers: International Confederation of Free Trade Unions; International Co-operative Alliance; International Federation of Christian Factory and Transport Workers; International Organisation of Employers.

The Committee appointed a Steering Committee, which also acted as a Resolutions Committee, and two subcommittees and a working party as follows:

Subcommittee on Social Services in the Petroleum Industry;
Subcommittee on Wage Determination in the Petroleum Industry;
Working Party on the Effect Given to the Conclusions Adopted by the Petroleum Committee at its Previous Sessions.

The Committee held eleven plenary sittings, seven of which were mainly devoted to a general discussion of the problems before the Committee.

In the course of the session the Government delegate of Venezuela, speaking on behalf of his Government, extended an invitation to the Petroleum Committee to hold its Fifth Session in Venezuela.

CONCLUSIONS AND REPORTS ADOPTED BY THE COMMITTEE

The Committee adopted five resolutions, one memorandum and a recommendation, the texts of which are reproduced below together with the reports of the subcommittees and the working party.

1 At its previous sessions the Committee had adopted 36 texts (resolutions and memoranda); the first text adopted at its Fourth Session is therefore numbered 37.
Memorandum (No. 37) concerning Social Services in the Petroleum Industry

1. The Petroleum Committee of the International Labour Organisation, having met in its Fourth Session at The Hague from 14 to 25 October 1952, considered the problem of social services in the petroleum industry, certain aspects of which it had dealt with at its Third Session. At its previous sessions it considered the problem with reference to housing, health and medical services, and education. At its Fourth Session it discussed social services in respect of canteens and meals; supply schemes for workers and their families; transport facilities; hygienic amenities; cultural and recreational facilities; and co-operative societies.

2. The importance of social services for the workers in the petroleum industry has been generally recognised. It is clear that these services have a direct bearing on the well-being of the workers and as a result on the improvement of human relations and thereby industrial relations in the undertaking.

3. A growing responsibility for the social well-being of the workers it employs has already been accepted by the petroleum industry in most countries, notwithstanding the responsibilities discharged in this field through the agency of the State, local authorities and other bodies organised for such purposes. The social services which have in many cases already been instituted by the petroleum industry can provide valuable guidance to those undertakings which have not yet adopted similar practices.

4. The Committee recognised that the problem of providing these social services in the petroleum industry presents itself very differently according as producing and refining operations in a country are carried on in developed areas or underdeveloped areas respectively.

5. In developed areas many of these services are generally provided by the public authorities and private enterprise for the community as a whole, including the petroleum workers and their families, and the petroleum companies are in such cases not necessarily called upon to provide for their employees and their families any special services of this kind or to supplement existing services.

6. In underdeveloped areas the problem is very different. It is characteristic of these areas that the petroleum industry is often the only industry, or the only industry of importance, in the area and that services of the kind here in question either do not exist or are inadequate for the needs of the petroleum workers and their families. The companies, therefore, taking account of the specific deficiencies in these matters in particular areas, have assumed responsibility for providing the necessary services so that the petroleum workers and their families may enjoy, as far as local circumstances will permit, the usual amenities and comforts of a community life.

7. The Committee kept in mind this wide difference in the nature and scope of the problem as between the two types of areas in putting forward the following recommendations for application in oilfields and refineries.

8. The Committee also recognised that certain subjects referred to in this memorandum have been covered in the Model Code of Safety Regulations for Industrial Establishments for the Guidance of Governments and Industry.

Canteens and Meals

9. In each oilfield or refinery there should be suitable premises in which workers may take their meals.

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1 Adopted unanimously by 69 votes on 24 October 1952. The Memorandum originally included a clause concerning the association of representatives of the workers in the administration of social services. As no agreement was reached on the inclusion of this clause either in its original text or in an amended form, the Workers' group proposed the deletion of the entire clause. This proposal was adopted by 56 votes to 0, with 16 abstentions.

2 Resolutions No. 10 concerning general basic education, No. 25 concerning permanent housing for petroleum workers, No. 27 concerning preventive medicine, and No. 28 concerning health services, and Memorandum on education (No. 29).
10. In areas where adequate facilities do not exist whereby the petroleum workers can procure meals the companies should provide arrangements for meeting their needs in this respect. These arrangements should include canteens, individual cooking facilities, lunchrooms or similar facilities, depending on the local circumstances and the habits and customs of the workers. In those cases where such facilities involve the actual supply of meals the charges for the meals should be such as the workers in the particular area can reasonably be expected to pay.

11. Where canteens are provided, snacks and beverages, such as coffee, tea and soft drinks, as well as drinking water, should be made available.

12. Canteens or other eating places should have adequate heating, lighting and ventilation, and should be provided with suitable seating and table accommodation for the workers.

13. Where permanent canteens are impracticable it is advisable to make provision for mobile canteens, or other temporary facilities of an adequate kind.

14. Where shift work is practised it is important that facilities be provided for eating meals, including a hot meal wherever desirable, for workers on all shifts, and particularly for those on the night shift.

15. Suitable arrangements should be made to assist workers in obtaining food and accommodation when they are temporarily transferred from their usual place of work.

Supply Schemes for Workers and Their Families

16. In areas where adequate retail trade does not exist to cater for the needs of the petroleum workers and their families in regard to supplies of food, clothing, household articles and other necessities, the petroleum companies should make arrangements designed to ensure that adequate supplies of these goods are available to the workers and their families at reasonable prices. Such stores or services so established should be operated not for the purpose of securing a profit but for the benefit of the workers concerned.

17. The choice of commodities to be made available should (a) be such as to enable the workers to maintain an adequate standard of living; (b) be sufficiently varied; and (c) take into account the habits, customs and incomes of the purchasers.

18. In exceptional circumstances, such as a shortage of some particular item in relation to the demand for it, a rationing system may be introduced in order to ensure fair distribution. As a general rule, any such system should take into account the number of dependent members of the worker's family.

Hygienic Amenities

19. Wholesome drinking water should be available at all times.

20. Whenever the nature of the work renders this desirable, and it is practicable, adequate facilities for washing should be provided.

21. Appropriate provision should be made, whenever the nature of the work renders this desirable, to enable the workers to change their clothing and to deposit it. There should also be arrangements, in so far as may be reasonably practicable, for drying clothing where necessary.

Transport Facilities

22. In areas where public or private transport services do not exist or are inadequate for the requirements of the petroleum workers and their families, the petroleum companies should provide transport—(a) for workers living beyond reasonable walking distance from their workplace, such distance to be determined in the light of local conditions, so as to enable them to proceed to and from their work;
for workers called upon to travel between one workplace and another beyond a reasonable walking distance;

(c) for workers and their families in cases of sickness requiring removal to hospital or other medical centre;

(d) in the case of workers and their families proceeding on vacation or leaving the area at the termination of service; the transport provided should take them to the nearest point of access to a public or private transport service.

23. In addition to the foregoing, the companies may consider providing transport in such other cases as may arise in the local circumstances, for example to enable workers and members of their families to have access to marketing centres, for recreational purposes, on compassionate grounds, for religious functions, subject always to the companies' having available in the area in question sufficient means of transport at their disposal.

24. The transport provided should be of an adequate standard, equipped with seating accommodation and affording protection against the elements.

25. All travelling expenses incurred by a worker when engaged on company business and on the instructions of the company should be paid by the latter.

26. In areas where transport services are well developed the companies should assist in arranging for suitable transport facilities to be made available for meeting the needs of the workers. Special attention should be given to meeting the needs of the shift workers travelling at times when normal transport facilities may be lacking.

Cultural and Recreational Amenities

27. In order to promote the general well-being, morale and efficiency of the petroleum workers and their individual and communal way of life, they and their families should have access to facilities for enabling them to participate in satisfying spare-time pursuits, according to their needs, aptitudes and tastes, and they should not be prejudiced in this regard by the underdeveloped character of localities in which they are stationed.

28. In areas, therefore, where adequate cultural and recreational opportunities of which the petroleum workers and their families could avail themselves do not otherwise exist, the companies should provide suitable amenities to cater for spare-time activities, having regard to the local circumstances, including the number of workers and their families and their habits and customs.

29. These amenities should be determined by consultation between the employers and the workers, by whatever medium of consultation is appropriate in the particular area, so as to ensure that they meet the workers' needs and aspirations.

30. These amenities may include premises for the organisation of community centres, social centres or clubs, suitably equipped for the purposes for which they are intended, e.g., with refreshment services, reading rooms, indoor games facilities, means for collective entertainment (e.g., concerts, dances), etc. Membership fees, if any, payable by the workers, and the contributions, if any, to be made by the companies towards operating expenses should be determined in the light of local circumstances.

31. The administration by the workers themselves of the centres referred to in the preceding paragraph should be encouraged to the fullest possible extent.

32. Other amenities may include—

(a) cinemas, libraries, lectures, etc.;

(b) facilities for outdoor sports, e.g., playing grounds, installation and equipment; and

(c) facilities for the pursuit of hobby occupations, e.g., allotments for gardening, instruction in handicrafts, equipment for musical and dramatic societies, etc.
Local circumstances should determine what charges, if any, should be made for the services and facilities provided and what fees, if any, should be paid for the membership of sports clubs.

**Administration of Social Services**

33. Every effort should be made to encourage initiative on the part of the workers concerned in the establishment of welfare, recreational and cultural activities, in order that an interest, essential to the maintenance of these activities, may be developed.

34. Welfare officers employed by undertakings to administer welfare facilities should be suitably qualified and appointed on the basis of their personal competence. It is desirable that the welfare officer should enjoy the confidence of the workers and be competent to deal with their personal problems.

35. It is desirable that where the management of certain social facilities is in the hands of an independent agency, provision should be made, wherever necessary and practicable, for full consultation between the said agency, the company and the workers.

36. It is desirable that, where a company enters into arrangements with a contractor for carrying out certain operations on an extensive or long-term basis, such arrangements should give regard to the provision of satisfactory social services and amenities for the persons employed by the contractor. In such cases, this memorandum should be taken as a basis.

**Co-operative Societies**

37. In view of the part which consumers' co-operative societies can play in helping to reduce and stabilise the cost of living, in areas where no such activities are carried on in which the petroleum workers and their families could participate with other groups of the population, the petroleum companies should, if the workers desire to organise a co-operative store, assist them by making available facilities which they could not reasonably be expected to provide themselves and for which they ask.

38. Such stores should be administered to the greatest possible extent by the workers themselves.

**Development of Social Services**

39. In making the foregoing recommendations whereby in the circumstances described above the responsibility for the provision of certain social services is made incumbent upon the petroleum companies, it is nevertheless emphasised that such an arrangement stems from the isolated or underdeveloped nature of the areas involved.

40. Evidence, however, is not lacking to show that areas initially isolated or underdeveloped tend in the course of time to grow into developed areas, circumstances such as the incursion of other industries and the growth of neighbouring populations altering completely their original character. Having this in mind, the Petroleum Committee recognises that it will be in the best interests of the developing community that the petroleum workers should play an equal part with other members of that community in the exercise of their full rights and responsibilities as citizens of their country.

41. Accordingly, the Petroleum Committee believes that services provided in the initial stages by the petroleum companies should be so designed and operated as to permit of their ready absorption into the normal life of the community at the earliest opportunity appropriate for this to be done. Co-operation between the public authorities and the companies should be encouraged with this end in view.
Resolution (No. 38) concerning Principles and Methods Used in Determining Wages in the Petroleum Industry

The Petroleum Committee of the International Labour Organisation,
Having been convened by the Governing Body of the International Labour Office,
Having met in its Fourth Session at The Hague from 14 to 25 October 1952, and
Having examined the report on the principles and methods used in determining wages in the petroleum industry, prepared for this session of the Committee,
Considering that in general methods and principles of wage determination in the petroleum industry in each country form part of the pattern of methods and principles followed in industry as a whole,
Having noted that there are considerable differences between countries in regard both to the machinery used for the determination of wages in industry, including the petroleum industry, and to the principles on which the wage structure is based,
Recognising that these differences very largely arise out of the economic, social and industrial development of each country and also the circumstances in which the petroleum industry is carried on in different areas, and
Realising that wages, in addition to their economic function of remunerating human labour, must also fulfil their social function of protection and promoting as far as possible the workers' standard of living;
Adopts this twenty-fourth day of October 1952 the following resolution:

1. The Governing Body of the International Labour Office is invited to request the Governments of States Members of the International Labour Organisation to make arrangements, where responsible and effective collective bargaining machinery does not exist, for the establishing of minimum wages either on the basis recommended in Convention No. 26 concerning the creation of wage fixing machinery or by such other method as may be appropriate to the circumstances of the country.

2. The Governing Body is invited to draw the attention of States Members to the following principles:

(a) No obstacles should be placed in the way of the development of free trade unions which would enable wages to be determined by voluntary and responsible collective bargaining, a method which has already been recognised by the Petroleum Committee, in its Second Session, to be the most satisfactory method of wage determination in such circumstances.

(b) The minimum wage rates which are established should provide for a decent and dignified standard of living for the workers.

(c) The skill and responsibility required by each job are the main factors to be taken into consideration for determining differentials in rates of pay for different jobs, and these differentials should be such as will serve as incentives to workers to acquire these requisite skills and assume the assigned responsibilities.

(d) The wage structure should be based on a schedule of rates of pay corresponding to the various job assignments included in the operations of the undertaking, and each worker should be assigned his job designation and the rate of pay appertaining thereto, and should be informed of such job designation and rate of pay.

(e) It is recognised that the general level of a wage structure, although appropriate at the time established, may not remain appropriate in the event of changing conditions, including changes in the cost of living. Should material changes of this nature appear likely to occur, it would be appropriate to make provision for the revision of the general level of wages at agreed intervals, and in accordance with an agreed procedure.

1 Adopted unanimously by 71 votes on 24 October 1952.
Recommendations (Text No. 39) concerning Information in regard to Conclusions Adopted by the Petroleum Committee

The Petroleum Committee of the International Labour Organisation,
Having been convened by the Governing Body of the International Labour Office, and
Having met in its Fourth Session at The Hague from 14 to 25 October 1952;
Adopts this twenty-fourth day of October 1952 the following suggestions:
Documents for the next session of the Petroleum Committee should contain information in regard to the conclusions listed in group II of the classification of the conclusions adopted at previous sessions of the Committee, as well as the conclusions adopted by the Committee at its Fourth Session.
In respect of the conclusions listed in group II, governments should be requested to supply information concerning any developments in the position in their respective countries on the matters covered.

Resolution (No. 40) concerning Contract Labour in the Petroleum Industry

The Petroleum Committee of the International Labour Organisation,
Having been convened by the Governing Body of the International Labour Office, and
Having met in its Fourth Session at The Hague from 14 to 25 October 1952,
Considering the need for precise information concerning the conditions of employment of contract labour, i.e., workers employed by persons such as contractors and subcontractors who perform work under contract for oil companies on an extensive or long-term basis;
Adopts this twenty-fifth day of October 1952 the following resolution:
The Governing Body of the International Labour Office is requested to instruct the Office to make a study of the conditions of employment of such contract labour in the petroleum industry with a view to placing this question on the agenda of a future session of the Committee.

Resolution (No. 41) concerning the Agenda for Future Sessions of the Petroleum Committee

The Petroleum Committee of the International Labour Organisation,
Having been convened by the Governing Body of the International Labour Office, and
Having met in its Fourth Session at The Hague from 14 to 25 October 1952,
Having passed in review subjects which might profitably be considered by the Committee at its future sessions;
Adopts this twenty-fifth day of October 1952 the following resolution:
1. The Governing Body of the International Labour Office is invited to arrange for the inclusion of the following matters in the agenda for a future session, namely:

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1 Adopted on 24 October 1952 by 68 votes to 0, with 2 abstentions.
2 Resolutions Nos. 9, 11, 12, 14, 17, 23, 24 and 26. See below, pp. 234-235.
3 This resolution was originally submitted by the Workers' group. It was then examined by the Steering Committee, which amended the text and recommended its adoption in the above form. The resolution was adopted unanimously by 50 votes on 25 October 1952.
4 The original text of this resolution was submitted by the Employers' group. The Steering Committee amended the text and recommended its adoption in the above form. The resolution was adopted unanimously by 57 votes on 25 October 1952.
(1) Human relations in the petroleum industry;
(2) The use of visual aids for training and instructional purposes.

2. The Governing Body is further invited to agree that, if item (2) proposed above is accepted for inclusion in the agenda for a future session, discussion of this item at that session should be introduced by an expert in that subject.

**Resolution (No. 42) concerning Industrial Relations in the Petroleum Industry**

The Petroleum Committee of the International Labour Organisation, having been convened by the Governing Body of the International Labour Office, and having met in its Fourth Session at The Hague from 14 to 25 October 1952, having recalled the statement concerning industrial relations in the petroleum industry which was adopted by the Committee at its Second Session, and being desirous of obtaining further information as to industrial relations in the petroleum industry especially in economically underdeveloped areas; adopts this twenty-fifth day of October 1952 the following resolution:

The Governing Body of the International Labour Office is invited to instruct the Office to make a further study of the subject of industrial relations in the petroleum industry, having regard to the views expressed by the Petroleum Committee at its second session.

**Resolution (No. 43) concerning Hours of Work in the Petroleum Industry**

The Petroleum Committee of the International Labour Organisation, having been convened by the Governing Body of the International Labour Office, and having met in its Fourth Session at The Hague from 14 to 25 October 1952, considering that, notwithstanding resolution No. 35 adopted by the Committee [at its Third Session] on 3 November 1950, the Governing Body did not see fit to place the subject of hours of work on the agenda of the Fourth Session of the Petroleum Committee; adopts this twenty-fifth day of October 1952 the following resolution:

The Governing Body of the International Labour Office is requested to instruct the Office to make a study of the extent of hours of work in the Petroleum Industry, with a view to placing this question on the agenda of a future session of the Committee.

**Report of the Subcommitee on Social Services in the Petroleum Industry**

1. The Subcommittee on Social Services was set up by the Petroleum Committee at its third plenary sitting on 16 October 1952, and was composed of 30 members (ten from each group).

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1 The original text of this resolution was submitted by the Workers' group. Some amendments were proposed by the Employers' group and accepted by the Workers' group, after which the resolution in the above form was adopted unanimously by 67 votes on 25 October 1952.

2 The original text of this resolution was submitted by the Workers' group. As there was no agreement on the text, various amendments were proposed. An amendment by the Employers' group was rejected by 27 votes to 31, with 6 abstentions. The resolution, as amended on the proposal of the Workers' group, was finally adopted in the above form on 25 October 1952 by 36 votes to 25, with 3 abstentions.

3 Adopted unanimously by 71 votes on 24 October 1952.
2. The Subcommittee appointed its Officers as follows:

Chairman: Mr. S. Alva Cejudo (Government member, Mexico).
Vice-Chairmen: Mr. E. Montero (Employers' member, Peru);
Mr. F. Brusvel (Workers' member, Netherlands).
Reporter: Mr. R. H. Hooper (Government member, Canada).

3. The Subcommittee set up a Working Party composed of the Chairman of the Committee and three representatives from each of the three groups.

4. The Subcommittee held six sittings.

Terms of Reference

5. The Subcommittee was called upon to consider the third item on the agenda of the Committee: Social services in the petroleum industry. After a preliminary discussion, during which some of the points referred to in the report submitted by the Office were considered, the Subcommittee requested the Working Party to co-ordinate all the proposals into a single text. The remaining points were discussed on the basis of the text drawn up by the Working Party.

6. Agreement was reached on most points and the conclusions of the Working Party, as amended by the Subcommittee, are embodied in a Memorandum concerning Social Services in the Petroleum Industry.

General Aspects of Social Services

7. The Subcommittee devoted part of its proceedings to discussing the general aspects of social services in the petroleum industry. It was pointed out by some government members that the provision of social services was of special importance in the underdeveloped regions, where the responsibility for the establishment and maintenance of such services often rested largely with the petroleum companies. It was important for the conclusions of the Committee to have practical effect in all oil-producing countries.

8. Similarly, the Employers' members stressed that particular attention should be given to problems arising in underdeveloped, isolated or remote regions, and that a distinction should be made between solutions proposed in regard to the underdeveloped and fully developed areas. A large measure of responsibility for the establishment and maintenance of social services in the regions falling into the first category had been accepted and carried out by the petroleum industry. Such responsibility assumed, however, different aspects and proportions in regions where social services for the welfare of the whole community were mainly provided through the agency of the State or other bodies organised for this purpose. The necessity for close co-operation between management and labour was also stressed. Moreover, it was observed that an excessive paternalism practised by a petroleum company might lead to a complete dependence of the workers on the company and thus prevent the workers from showing sufficient initiative and responsibility in managing their affairs. It would be desirable to encourage the development of additional industries in or near the oil settlement so as to allow for a fuller expansion of community life and to mitigate the isolation of petroleum workers and their dependence on the companies.

9. It was emphasised by the Workers' members that the chief objective of their proposal was to lay stress on the establishment and maintenance of social services in regions in which such services were either non-existent or inadequate. This did not, however, preclude efforts to improve or even to establish, wherever necessary, social services in developed areas. It was only reasonable to expect the employers to provide welfare amenities for their workers. Such amenities would be beneficial.

2 See above, p. 218.
not only to the workers but also to the industry, as they would play an important role in increasing productivity, as well as to the community as a whole.

Discussion of Individual Points

10. The Subcommittee decided to take the list of points in Report III \(^1\) as a basis for its discussion.

11. The Subcommittee had before it two draft memoranda concerning social services in the petroleum industry, submitted by the Workers' members and the Employers' members respectively. In view of a wide measure of agreement between these two proposals the Subcommittee attempted to combine them.

Canteens and Meals.

12. The Workers' members emphasised that the provision of canteens and meal facilities was important for the welfare and health of the workers. It was suggested that steps should be taken to establish suitably equipped canteens or other eating places wherever they were warranted by the number of workers employed—about 100 or more, while in isolated areas the number of 50 workers should be considered as justifying the provision of such facilities. Provision should be made in regard to meals, including hot meals, drinking water and soft beverages. Attention should also be paid to the needs of shift workers and to the question of subsistence allowances for workers travelling on duty or temporarily transferred.

13. Some Employers' members suggested that the clause referring to the provision of canteens and similar arrangements should be so worded as to allow for individual cooking facilities. In some countries, for racial or religious reasons, the establishment of canteens was unsuitable. Some workers also preferred to bring their own food.

14. For the same reason the Employers' members felt that the clause providing for snacks and beverages to be available should apply only to canteens. The clause was amended accordingly.

15. The Employers' members also made reservations with regard to the Workers' proposal to the effect that canteens and similar facilities should be provided in all plants or oilfields employing 100 workers, and they proposed either to increase the minimum figure to 200 or not to refer to any figure at all. They were nevertheless prepared to accept the proposal that in remote or isolated areas such facilities would be justified if only about 50 workers were employed at the work site. The Workers' members felt, however, that the proposed figure of 200 was far too large because these facilities were in fact provided and were also needed when the number of workers involved was less than 100. In the absence of agreement on this matter the Subcommittee decided not to mention any figure.

16. The suggestion made by the Workers' members that, where permanent canteens were impracticable, mobile canteens should be provided, was accepted, subject to an amendment proposed by the Employers' members mentioning other temporary facilities of an adequate kind.

17. It was also agreed that a clause relating to shift workers should indicate that facilities should be provided for eating meals, including a hot meal wherever desirable, without specifying that the meals themselves should be provided.

18. The Workers' members made the following proposal: "Workers travelling on duty or temporarily transferred to a locality other than their place of work should either be paid a subsistence allowance or be provided free of charge with suitable board and lodging". The Employers' members considered that the question of subsistence allowances should not be brought up in connection with social services but might be more suitably examined by the Subcommittee on Wage Determination. A compromise text was, however, arrived at.

Transport Facilities.

19. As regards transport facilities, broad agreement was reached, except on the question of transport allowances and payment for travelling time. The Employers' members stressed that such questions were outside the scope of the Subcommittee because they could not be considered as part of social services but related to wages. The Workers' members felt that transport allowances were in lieu of transport services which ought to be provided. A compromise formula was, however, finally adopted regarding travelling expenses, but it was decided not to include any reference to payment for travelling time.

20. The Government member for the United States submitted an amendment to the effect that companies should not provide transport where workers customarily provide their own.

21. It was, however, pointed out by the Workers' members that this amendment would be to the disadvantage of the workers, particularly in the isolated or underdeveloped regions, where most of the workers had no transport facilities of their own. A minor amendment was made to meet this point.

Hygienic Amenities.

22. The Workers' members submitted an addition to their draft memorandum asking for the inclusion of clauses relating to the provision of drinking water, washing facilities and facilities for changing and drying clothing. These proposals were accepted with minor drafting changes.

23. At the suggestion of the Netherlands Government member and in view of the fact that the above amenities were related both to social services and to industrial hygiene, the Subcommittee decided to include the following clause in the text of the memorandum: "The Committee also recognised that certain subjects referred to in this memorandum are covered by the provisions of the Model Code of Safety Regulations for Industrial Establishments for the Guidance of Governments and Industry, published by the International Labour Office".

Administration of Social Services.

24. In regard to these matters the discussion mainly centred on the following proposal submitted by the Workers' members: "Arrangements should be made for co-operation between management and labour and for the association of freely elected representatives of the workers concerned through joint machinery, welfare committees or similar bodies, in the administration of the social services, such as canteens, works stores, recreational centres or clubs".

25. The Employers' members objected to this proposal and submitted the following text: "It is desirable that arrangements should be made whereby the freely elected representatives of the workers may voice their views and suggestions regarding welfare schemes and social services for consideration by the company, and thereby the company may keep such representatives informed in advance of contemplated developments in this field".

26. The Employers' members emphasised that a distinction should be made in regard to the administration of recreational and cultural amenities and of other welfare services which derived from either legal or contractual obligations. The workers should be encouraged to take part in the administration of amenities falling into the first category, whereas the administration of welfare services belonging to the second category rested and ought to rest exclusively with the employers because they were legally responsible for their establishment and maintenance.

27. The Workers' members felt, however, that the basic principle of co-operation and consultation between employers and workers on social services should be stated in the memorandum. They also stressed that in many instances the Workers'
representatives took part in the administration of various social services the establish­ment of which was required either by law or by collective agreement.

28. With the object of reaching a compromise the Workers' members submitted the following proposal: "Arrangements should be made for co-operation and consulta­tion between the company and the freely elected workers' representatives with a view to the satisfactory maintenance of these activities". This proposal was, however, withdrawn in view of the opposition of the Employers' members.

29. At the request of the Workers' members a record vote was taken on the original proposal submitted by them (see paragraph 24 above). By 15 votes (the Government members for Burma, Egypt, France, Iraq and the Netherlands, and the Workers' members) to 11 (the Government member for the United Kingdom and the Employers' members), with 2 abstentions (the Government members for Peru and the United States), the Subcommittee adopted this proposal.

Labour Employed by Contractors.

30. The Iraqi Government member submitted a proposal concerning labour employed by contractors. This proposal suggested that agreements made between a petroleum company and a contractor for the carrying out of certain operations should contain a clause requiring the contractor to establish and maintain certain social services for the workers in his employ, the extent of such services depending on the number of workers employed and the time required for such work.

31. This proposal was, however, amended by the Working Party to the effect that arrangements entered into between a petroleum company and a contractor for the carrying out of certain operations should have regard to the provision of satisfactory social services and facilities for the contractor's employees. In such cases, this memorandum should be taken as a basis.

32. Some of the Employers' members were still dissatisfied with the clause and requested that, as a draft resolution had been presented calling for a report by the International Labour Office on the whole question of contract labour in the petroleum industry, it would be inappropriate for the Subcommittee to cover any particular aspect of the problem until it had been fully studied, particularly in view of the difficulty of defining what was meant by "contractor". The Workers' members pressed for the inclusion of this proposal. Eventually, the Employers' members agreed that their objection would be partially met if the clause were amended by inserting after "certain operations" the words "on an extensive or long-term basis"; the clause was approved with this amendment. Some Employers' members, however, wished their disagreement with this clause to be recorded.

Co-operative Societies.

33. The French Government member suggested that the following text be included in the section on co-operative societies: "The establishment of workers' housing co-operative societies should also be encouraged". The Subcommittee felt, however, that housing had been dealt with at the Third Session of the Petroleum Committee in 1950, and that it would be inappropriate to make any reference to this question at the present stage. The proposal was withdrawn.

34. The draft memorandum was unanimously approved, with the exception of paragraph 34 thereof, the vote on which is recorded in paragraph 29 above.¹

35. The report of the Subcommittee as a whole was adopted unanimously.

(Signed) S. ALVA CEJUDO,
Chairman.

(Signed) R. H. HOOPER,
Reporter.

¹ Paragraph 34 was subsequently deleted by the Committee in plenary sitting. See footnote 1, p. 218.
Report of the Subcommittee on Wage Determination in the Petroleum Industry

1. The Subcommittee on Wage Determination was set up by the Petroleum Committee at its third plenary sitting on 16 October 1952 and was composed of 30 members (ten from each group).

2. The Subcommittee appointed its Officers as follows:

   Chairman and Reporter: Mr. J. G. STEWART (Government member, United Kingdom).

   Vice-Chairmen: Mr. R. B. SOUTHALL (Employers' member, United Kingdom); Mr. L. A. HASKINS (Workers' member, United States).

3. At the conclusion of the general discussion the Subcommittee appointed a Drafting Committee composed of the Officers of the Subcommittee and two members each from the Employers' and Workers' groups.

4. The Subcommittee held eight sittings.

5. After a general discussion as to the best method of conducting its work, the Subcommittee decided to examine points 1, 2 and 3 of the list of suggested points for discussion which the Office had included in the report prepared for the Committee.

   Extension of Collective Bargaining

6. Divergent views were expressed concerning point 1: "The extension of collective bargaining in countries where it already exists in some occupations to cover all workers in the industry". Several members pointed out that there were many different conditions prevailing in the various countries concerning such extension. In some, legislation required the extension of agreements to cover all workers in the industry. In others, there was no such compulsion.

7. The French Government member pointed out that it should be possible to suggest that it was generally desirable to extend collective bargaining to all workers who were not covered by collective agreements provided that there was no compulsion in the matter. This view was supported by various members of the Subcommittee.

8. The Burmese Employers' member considered that as the question of extending collective bargaining concerned only a very few countries, point 1 should be suppressed. This view was not supported by the Canadian Workers' member, who pointed out that there were several countries where collective bargaining was unknown.

   Principles of Wage Determination

9. The United States Employers' member considered that general agreement might be reached on the proposal that the same principles should underlie wage determination in all countries, irrespective of whether any given country was industrially advanced or underdeveloped. In this connection, the Employers felt that three principles should underlie wage determination: (a) wages should be such as to provide a decent standard of living for workers, due regard being given to local social and economic conditions; (b) wages should be comparable with other wages for similar work in the locality, due regard being given to benefits or services given in kind; and (c) the main criteria for the payment of wages at rates greater than the minimum rates should be the skill and responsibility required for the job in question. In this connection, the differential between the rates paid and the minimum rates should be sufficient to encourage workers to acquire the necessary skills. In regard to principles (a) and (b), the Canadian Workers' delegate wished to have the views of the Employers' group regarding which of these two principles

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1 Adopted unanimously on 24 October 1952 by 70 votes.
should take precedence where no work similar to that being carried on in the petroleum industry was being carried out in an area. The United States Employers' member indicated that employers would agree that the provision of decent standards of living should be the main criterion.

10. The Mexican Workers' member felt that all groups should agree on the fact that the same principle should underlie the determination of wages in all countries. The criteria which should be taken into consideration in this connection should be the activity of the worker, and the responsibility, quantity, quality, intensity and frequency of his work. The Canadian Workers' member considered that these criteria should not be regarded as being exclusive. There would be general agreement that the provision of a decent standard of living should be the main criterion in wage determination provided that this standard included some of the amenities of life, since the oil companies were in a position to pay adequate wages. The French Workers' member supported these views and suggested that the standard of living at present in some particular country might be adopted as a goal.

11. The United States Employers' member, speaking on behalf of the Employers' group, felt that since conditions varied greatly, even within the same country, it would not be advisable to attempt to list the various amenities which should be provided when endeavouring to secure a "decent standard of living". It might, therefore, be preferable to confine any recommendation to a statement that wages should be sufficient to ensure a "decent and dignified standard of living, in accordance with the customs and traditions of each area".

12. In regard to the six criteria for the determination of wages mentioned by the Mexican Workers' member, the United States Employers' member said that it appeared that these criteria were intended to refer to the work of individual workers, but in practice any attempt to determine wages on the basis of the merit of individual workers might lead to considerable difficulties. It would therefore be preferable in most cases to determine wages in relation to the job to be done rather than on the basis of the individual merits of the worker performing each job.

13. The members of the Subcommittee were in general agreement that it was not appropriate to attempt to apply job classification systems in the industry in all countries.

14. Following a brief discussion on a draft general statement and a draft resolution concerning principles and methods used in determining wages in the petroleum industry, submitted by the Employers' and Workers' groups respectively, and an amended text of the resolution submitted by the Workers' group, a Drafting Committee was set up, which submitted an agreed draft resolution to the Subcommittee.  

15. It was decided to consider the operative clauses of the draft resolution before its preamble. The Workers' members stated that, although the draft resolution was far from meeting their full wishes, the Workers' group would nevertheless be prepared to support the draft resolution under discussion in the hope that something concrete might result from the work of the Subcommittee.

16. Paragraph 1 was adopted unanimously without discussion.

17. In regard to paragraph 2 of the draft resolution, the Netherlands Workers' substitute member stated that there appeared to be little point in merely drawing the attention of States Members to a number of principles. Some concrete recommendations should be made. The meaning of the words "in such circumstances" at the end of clause (a) of paragraph 2 was not clear. He also wished to know what the "circumstances" would be if there was inadequate trade union organisation. The French Workers' member considered that the last part of paragraph 2 (a) should be changed to read "to be the most satisfactory method particularly for wage determination".

1 See above, Resolution No. 38, p. 222.
18. The Chairman pointed out that the words "in such circumstances" were intended to cover circumstances in which trade union organisation had been developed to an adequate extent to permit of effective collective bargaining. In regard to the suggested inadequacy of merely drawing the attention of States Members to a series of principles, it should be noted that many governments strongly felt that government intervention in collective bargaining should be reduced to a strict minimum. There would be serious objections from several quarters to any suggestion that governments should interfere in the determination of wages, which was properly a subject for negotiation between employers and workers. Much might be said in favour of the deletion of the words "in such circumstances" at the end of paragraph 2 (a). The Employers' group had, however, agreed that where free and responsible trade unions existed collective bargaining was the most satisfactory means of wage determination, but the Employers did not appear to be prepared to agree that collective bargaining could be recommended in cases where trade union organisation was not sufficiently developed, and the words "in such circumstances" had been expressly included in the text in order to meet the Employers' views on this point.

19. The United States Employers' member indicated that the Chairman had accurately expressed the views of the Employers' group in connection with the words "in such circumstances" at the end of paragraph 2 (a). Regarding the point which had been raised as to the circumstances which would obtain in the event of trade union organisations not being adequately organised, members should note the terms of paragraph 1 of the draft resolution. This represented a considerable concession by the Employers' group, since employers in several countries were opposed to any suggestion that governments should interfere in the fixing of wages.

20. The Canadian Government member considered it was hardly correct to suggest, as had been done, that this draft resolution should be accepted as it stood or else no agreement would be reached by the Subcommittee. The words "in such circumstances" at the end of paragraph 2 (a) should be modified in order to make it clear that reference was intended solely to circumstances in which a free trade union organisation enabled responsible collective bargaining to take place. It might therefore be desirable to clarify the meaning by replacing the words "in such circumstances" by the words "in circumstances where voluntary and responsible collective bargaining exists".

21. Some Government and Workers' members thought the words "in relation to the social customs and practices in the area" at the end of paragraph 2 (b) should be deleted. The Employers' members felt, however, that what constituted a decent and dignified standard of living could be determined only in relation to the social customs and practices in each area. If the deletion of these words would in no way affect the meaning of the resolution there would be no objection to such deletion, but if, on the other hand, this would be the case the Employers' members from several countries would undoubtedly raise objections. In the absence of consultation with the full Employers' group, the Employers present could not therefore accept the responsibility of agreeing to the deletion. After further discussion the Subcommittee decided by 18 votes to 9, with 3 abstentions, to delete the words "in relation to the social customs and practices in the area" from paragraph 2 (b) of the draft resolution.

22. The draft resolution was adopted unanimously by the Subcommittee. The Employers' group wished it to be recorded that they were prepared to accept the draft resolution in the light of the comments which had been made and particularly in view of the fact that paragraph 2 (b) had much the same meaning whether the words in relation to the "social customs and practices in the area" were included or not.

23. A draft memorandum concerning charges to workers for social services provided by employers in the petroleum industry was submitted by the Employers' members. It was decided that there was insufficient time to consider it at this
2.32 Petroleum

session. Some of the Workers' members stated that they were, however, in general agreement with the principles expressed in the memorandum.

24. The report of the Subcommittee as a whole was adopted unanimously.

(Signed) J. G. STEWART,
Chairman and Reporter.

Report of the Working Party on the Effect Given to the Conclusions Adopted by the Petroleum Committee at its Previous Sessions

1. A Working Party to examine the action taken in the light of the conclusions adopted by the Petroleum Committee at its previous sessions was set up by the Petroleum Committee at its fifth plenary sitting on 20 October 1952, and was composed of 12 members (four from each group). It was understood that the Working Party would confine its work to establishing facts and classifying the conclusions previously reached according to their degree of current interest.

2. The Working Party appointed its Officers as follows:

   Chairman and Reporter: Mr. J. E. BRANTLY (Government member, United States).
   Vice-Chairmen: Mr. J. F. DE MONTRICHER (Employers' member, France);
                 Mr. H. R. NICHOLAS (Workers' member, United Kingdom).

3. The Working Party held four sittings.

4. The Working Party had before it Report I, Item 1 (a) and (b), prepared by the International Labour Office, which contained a survey of the conclusions adopted by the Committee since its First Session, and an analysis of the information sent by governments grouped according to the various subjects covered by the conclusions.

5. The Assistant Secretary-General explained that to simplify the task of the Working Party the Office had prepared a tentative classification into three groups of the conclusions adopted by the Committee at previous sessions. He suggested that the Working Party might study these conclusions and indicate (1) those in regard to which there is no need for governments to supply information—these would include the requests for studies as well as for administrative action to be undertaken by the Office; (2) those in regard to which it would be useful for governments to provide further information concerning action taken in their respective countries; and (3) conclusions which might be reserved for consideration at the next session and in respect of which governments need not be asked to provide information for the time being.

6. The Working Party examined the proposed grouping of conclusions beginning with the resolutions listed in group I, in regard to which it was considered that there is no need for governments to supply information. While the Working Party agreed that several of these conclusions were correctly classified in group I, the Workers' members considered that a number of them should for various reasons be included instead in group II or group III. The Workers' members maintained that a number of the subjects on which conclusions had been reached were of lasting interest to the industry; some of them were still under consideration at the present session of the Committee, while others called for some kind of action by the Office. It was therefore necessary for consideration of these conclusions to be continued and for governments to provide further information concerning action taken in their respective countries. The Employers' members felt that the proposal of the Workers'  

1 This report, including a classification of the conclusions adopted at previous sessions of the Committee, and Recommendations (Text No. 39), was adopted as a whole on 24 October 1952 by 68 votes to 0, with 2 abstentions.

members went beyond the terms of reference of the Working Party and indicated that they could not concur in any suggestions which called for further action by the governments and the industry. They had no objection, however, to requests which involved the supply of information only on the existing conditions in the various countries and not to action taken in the light of the Committee's conclusions.

7. The Assistant Secretary-General explained that a number of the conclusions requested studies and enquiries or some form of administrative action to be undertaken by the Office. These conclusions did not call for the supply of information by governments. A number of conclusions in regard to which it might be considered necessary for information to be supplied for the Fifth Session of the Committee had been listed in group II, while those of a continuing interest, but in respect to which information might not be needed for the time being, had been placed in group III.

8. After discussion it was decided to transfer conclusions Nos. 11, 17, 23 and 24 from group I to group II and conclusion No. 16 to group III.

9. The Working Party next discussed the conclusions contained in group II. It was decided, on the proposal of the Chairman, to alter the wording of the title of this group so that the request for information would relate not to the action taken in the light of the conclusions of the Committee but to the present position or developments in the various countries. Subject to this alteration the classification of the conclusions in group II was adopted.

10. The conclusions contained in group III were then discussed by the Working Party. The Assistant Secretary-General pointed out that the main intention of this classification was to limit the number of subjects on which governments would be asked to supply information. Important developments in regard to the subjects covered by group III might, of course, be referred to in the General Report for the next session of the Committee and the Committee might then decide to re-examine the present classification.

11. The classification of the conclusions under group III was adopted.

12. The classified list of the conclusions, as finally adopted by the Working Party, is given below.¹

13. The United States Employers' member stated that, while joining in the adoption of this report, he wished to record his opposition in principle to the formation of a Working Party of this character, for the reasons previously stated in plenary sitting.

14. The report of the Working Party and the texts appended thereto were adopted unanimously.

(Signed) J. Edward Brantly, Chairman and Reporter.

APPENDIX

Classification of the Conclusions Adopted by the Petroleum Committee at its Previous Sessions

GROUP I: Conclusions in regard to which there is no need for governments to supply information either because they did not call for action in the various countries or because they are no longer applicable.

A. Requests for studies and enquiries to be undertaken by the Office:

No. 6. Resolution concerning facilities for general and technical education in the various countries (First Session).

No. 7. Resolution concerning apprentice training (First Session).

¹ See also Recommendations (Text No. 39), p. 223.
No. 8. Resolution concerning recruitment (First Session).

No. 1. Resolution concerning safety measures in the petroleum industry (First Session).

No. 15. Resolution concerning safety in the petroleum industry (Second Session).

No. 3. Resolution concerning machinery for management-labour relations (First Session).

No. 13. Resolution concerning training in human relations for management and workers (Second Session).

No. 21. Resolution concerning social problems in the petroleum industry (Second Session).

No. 32. Resolution concerning social problems in the petroleum industry (Third Session).

No. 22. Resolution concerning terminology used in the petroleum industry (Second Session).

No. 36. Report of the Steering Committee regarding the draft vocabulary of terms used in the petroleum industry (Third Session).

No. 31. Resolution concerning wages in the petroleum industry (Third Session).

No. 35. Resolution concerning hours of work in the petroleum industry (Third Session).

B. Proposals involving administrative action by the Office:

No. 18. Resolution concerning the supply of information regarding the petroleum industry to the International Labour Office (Second Session).

No. 20. Resolution concerning the appointment of complete delegations (Second Session).

No. 34. Resolution concerning the supply of information regarding the petroleum industry to the International Labour Office (Third Session).

No. 33. Resolution concerning relations between the Chemical Industries Committee and the Petroleum Committee (Third Session).

C. Conclusions which are obsolete, either because they have been superseded by more recent resolutions or because the original conditions have changed:

No. 2. Resolution concerning a minimum wage rate (First Session).

No. 19. Resolution concerning minimum wage rates in the petroleum industry (Second Session).

No. 4. Resolution concerning general basic education (First Session).

No. 5. Resolution concerning vocational training and technical education (First Session).

No. 10. Resolution concerning general basic education (Second Session).

GROUP II: Conclusions in regard to which it would be useful for governments to provide information concerning any developments in the position in their respective countries on the matters covered.

No. 9. Resolution concerning promotion (First Session).

No. 11. Resolution concerning professional qualifications, vocational training and apprenticeship (Second Session).

No. 12. Resolution concerning recruitment (Second Session).

No. 14. Resolution concerning safety measures to be taken by the petroleum industry (Second Session).

No. 17. Resolution concerning rest periods in the petroleum industry (Second Session).

No. 23. Statement concerning industrial relations in the petroleum industry (Second Session).
No. 24. Memorandum to the Governing Body on consultation and co-operation within the undertaking (Second Session).

GROUP III: Conclusions in regard to which the question whether governments should be asked for further information might be considered at the next session.

No. 16. Resolution concerning hours of work in the petroleum industry (Second Session).
No. 25. Resolution concerning permanent housing for petroleum workers (Third Session).
No. 27. Resolution concerning preventive medicine (Third Session).
No. 28. Resolution concerning health services (Third Session).
No. 29. Memorandum on education (Third Session).
No. 30. Resolution concerning general basic education (Third Session).

COMMUNICATION TO GOVERNMENTS OF THE CONCLUSIONS AND REPORTS ADOPTED BY THE COMMITTEE

On 7 January 1953 the following communication was sent to the Governments of States Members of the Organisation:

Geneva, 7 January 1953.

Sir,

I have the honour to inform you that the Governing Body of the International Labour Office, at its 120th Session (Geneva, November 1952), considered the reports, resolutions and memorandum adopted by the Petroleum Committee at its Fourth Session (The Hague, 14-25 October 1952), and authorised the Director-General to transmit these conclusions to governments, inviting them to communicate these documents to the employers' and workers' organisations concerned.

A note on the proceedings of the Fourth Session of the Petroleum Committee, which contains the reports of the Subcommittees and the Working Party, together with the resolutions and memorandum adopted by the Committee, is forwarded herewith to enable you to arrange for the conclusions adopted by the Committee to be examined.¹ In this connection I have the honour to call to your attention the suggestions made by the Governing Body at its 109th Session (Geneva, June-July 1949) regarding the procedure which might be followed with a view to securing effective consideration for the conclusions of the Industrial Committees.

In regard to the Committee's conclusions, the Governing Body took the following decisions:

1. With respect to Resolution No. 38 concerning principles and methods used in determining wages in the petroleum industry, the Governing Body authorised the Director-General to draw the attention of governments to the suggestions contained in this resolution.

2. With respect to the Recommendations (Text No. 39) of the report of the Working Party on the effect given to the conclusions adopted at previous sessions of the Petroleum Committee, the Governing Body authorised the Director-General to invite governments to provide information concerning any developments in the position in their respective countries on the matters referred to in Resolutions Nos. 9, 11, 12, 14, 17 and 26, Statement No. 23 and Memorandum No. 24 of the Petroleum Committee when they forward information to him in connection with the Fifth Session of the Committee.

¹ This note is not reproduced here. For the reports of the Subcommittees and the Working Party, see above, pp. 224-235; for the text of the resolutions, see pp. 218-224.
3. With respect to the resolutions suggesting subjects for inclusion in the agenda of future sessions of the Petroleum Committee, namely, Resolution No. 40 concerning contract labour in the petroleum industry, Resolution No. 41 concerning the agenda for future sessions of the Petroleum Committee, Resolution No. 42 concerning industrial relations in the petroleum industry, and Resolution No. 43 concerning hours of work in the petroleum industry, the Governing Body decided to consider these suggestions at a later session when it would have before it the proposals of the Director-General in regard to the studies that would be required.¹

4. The Governing Body also took note of the invitation of the Government of Venezuela to hold the Fifth Session of the Petroleum Committee in Venezuela.

The Director-General will communicate with the governments in due course with a view to requesting them to furnish information on the action taken, or proposed to be taken, on the conclusions of the Committee.

I have the honour to be, etc.,

For the Director-General:

(Signed) J. Morellet,
Assistant Director-General.

¹ At its 122nd Session (Geneva, May-June 1953) the Governing Body instructed the Office to undertake the study of industrial relations in the petroleum industry requested by the Committee. Governments were notified of this decision by a letter dated 17 August 1953.
Composition of the Industrial Committees, the Advisory Committee on Salaried Employees and Professional Workers and the Committee on Work on Plantations

COUNTRIES REPRESENTED IN 1952

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<tr>
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The sign □ denotes membership of the committee in question.

1 Japan became a member of the Iron and Steel Committee and the Metal Trades Committee in accordance with a decision taken by the Governing Body at its 118th Session (Geneva, March 1952).

2 Viet-Nam became a member of the Committee on Work on Plantations in accordance with a decision taken by the Governing Body at its 118th Session (Geneva, November 1952).
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Brazil: Ratification of Right to Organise and Collective Bargaining Convention, 1949 (No. 98).

Ceylon: Ratification of the following Conventions: Right of Association (Agriculture) Convention, 1921 (No. 11); Workmen's Compensation (Occupational Diseases) Convention, 1925 (No. 18); Convention concerning Statistics of Wages and Hours of Work, 1938 (No. 63).

Cuba: Ratification of the following Conventions: Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87); Employment Service Convention, 1948 (No. 88); Night Work (Women) Convention (Revised), 1948 (No. 89); Night Work of Young Persons (Industry) Convention (Revised), 1948 (No. 90); Paid Vacations (Seafarers) Convention (Revised), 1949 (No. 91); Accommodation of Crews Convention (Revised), 1949 (No. 92); Wages, Hours of Work and Manning (Sea) Convention (Revised), 1949 (No. 93); Labour Clauses (Public Contracts) Convention, 1949 (No. 94); Protection of Wages Convention, 1949 (No. 95); Migration for Employment Convention (Revised), 1949 (No. 97); Right to Organise and Collective Bargaining Convention, 1949 (No. 98).

France: Ratification of the Employment Service Convention, 1948 (No. 88) and the Protection of Wages Convention 1949 (No. 95).

Greece: Ratification of the following Conventions: Right of Association (Agriculture) Convention, 1921 (No. 11); Workmen's Compensation (Accidents) Convention, 1925 (No. 17); Forced Labour Convention, 1930 (No. 29); Workmen's Compensation (Occupational Diseases) Convention (Revised), 1934 (No. 42); Holidays with Pay Convention, 1936 (No. 52).

Guatemala: Ratification of the following Conventions: Medical Examination of Young Persons (Industry) Convention, 1946 (No. 77); Medical Examination of Young Persons (Non-Industrial Occupations) Convention, 1946 (No. 78); Night Work of Young Persons (Non-Industrial Occupations) Convention, 1946 (No. 79); Labour Inspection Convention, 1947 (No. 81); Contracts of Employment (Indigenous Workers) Convention, 1947 (No. 86); Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87); Employment Service Convention, 1948 (No. 88); Night Work (Women) Convention (Revised), 1948 (No. 89); Night Work of Young Persons (Industry) Convention (Revised), 1948 (No. 90); Labour Clauses (Public Contracts) Convention, 1949 (No. 94); Protection of Wages Convention, 1949 (No. 95); Migration for Employment Convention (Revised), 1949 (No. 97); Right to Organise and Collective Bargaining Convention, 1949 (No. 98).

Haiti: Ratification of the following Conventions: Hours of Work (Industry) Convention, 1919 (No. 1); Weekly Rest (Industry) Convention, 1921 (No. 14); Hours of Work (Commerce and Offices) Convention, 1930 (No. 30); Labour Inspection Convention 1947 (No. 81).

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Ireland: Ratification of the Night Work (Women) Convention (Revised), 1948 (No. 89) and the Accommodation of Crews Convention (Revised), 1949 (No. 92).

Italy: Ratification of the following Conventions: Nos. 3, 13, 39, 40, 42, 44, 45, 48, 52, 53, 55, 58, 59, 60, 68, 69, 73, 77, 78, 79, 81, 83, 88, 89, 90, 94, 95, 97 and declarations concerning the application to non-metropolitan territories of the following Conventions: Nos. 17, 19, 65, 84 and 85.
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Death of His Majesty King George VI

On 7 February 1952, the Director-General addressed the following telegram to the British Government representative on the Governing Body and to the Ministers of Labour of Australia, Canada, Ceylon, New Zealand, Pakistan and the Union of South Africa:

I should be grateful if you would convey to the... Government and people the heartfelt sympathy of the International Labour Organisation and my personal condolences in their cruel bereavement. The inspired leadership given to his people by His Majesty King George and his lifelong interest in industrial peace and welfare remain fresh in the memory of the International Labour Organisation. The mourning of the British Commonwealth will be shared by their fellow Members of the Organisation.

David A. Morse,
Director-General.

The Director-General received the following replies to this telegram:

Letter from the British Government Representative on the Governing Body

London, 7 February 1952.

Thank you very much for your telegram of sympathy on the death of our King. Although we knew his illness had been serious, we hoped and thought that he was over the worst and well on the way to recovery. His actual death was both sudden and unexpected, and has struck us all a great blow. It is some comfort to us that other people in other countries recognised his great qualities and share our sense of loss.

His Majesty took a great interest in the I.L.O. He once said to me "I think a lot of the I.L.O." and he discussed the Organisation with me at great length. The I.L.O. has lost yet another very staunch friend.

Please accept yourself and convey to the Organisation the deep appreciation of the British Government and people for your expressions of sympathy.

Yours sincerely,

(Signed) Guildhaume Myrddin-Evans.

Telegram of 11 February 1952 from the Minister of Labour and National Service, Australia

I have conveyed your message to the Prime Minister and on behalf of the Australian Government and people I thank you for your message of sympathy at this time of national mourning. I have also conveyed your message to those employers' and
workers' organisations in Australia which participate in the activities of the I.L.O. and am sure they will be deeply appreciative.

Harold HOLT,
Minister of Labour and National Service.

Letter from the Minister of Labour, Canada

Ottawa, 7 February 1952.

Dear Mr. Morse,

Your kind message expressing the sympathy of your good self and the International Labour Organisation in our sorrow over the death of our Sovereign is most sincerely appreciated, and will be conveyed to the Government and the people of Canada. Your solicitude in sharing our bereavement will be long remembered gratefully.

Sincerely yours,

(Signed) Milton F. Gregg.

Telegram of 9 February 1952 from the Minister of Labour and Social Services, Ceylon

Following from Minister of Labour and Social Services. The Prime Minister and I offer you our most sincere thanks for the message of condolence sent by you on behalf of yourself and of the International Labour Organisation on the occasion of the passing away of His Majesty King George the Sixth.

Externsec.

Telegram of 14 February 1952 from the Minister of Labour, New Zealand

On behalf of the Government and people of New Zealand I wish to thank you most sincerely for your expression of sympathy on the occasion of the death of our beloved King. The inspiration of his unstinting service and devotion to the welfare of his peoples will long remain.

W. Sullivan,
Minister of Labour.

Letter from the Minister of Labour, Pakistan

Karachi, 12 February 1952.

My dear Mr. Morse,

I am deeply touched by your telegram dated 6th February 1952, sending condolence message on the occasion of the sad and untimely death of His Majesty King George VI. I am sure the whole world has lost a king whose lifelong interest in the industrial peace and welfare will inspire the future generations throughout the world. I thank you again for your message.

Yours sincerely,

(Signed) A. M. Malik,
Minister of Labour.

Letter from the Private Secretary to the Minister of Labour, Union of South Africa

Cape Town, 12 February 1952.

Dear Sir,

I am directed by the Honourable B. J. Schoeman, Minister of Labour, to acknowledge receipt of your message of condolence on the occasion of the demise of His Majesty King George VI, which my Minister has conveyed to the Union Government, and to convey to yourself and the International Labour Organisation the sincere appreciation of the Government and the people of the Union of South Africa.

(Signed) [Illegible],
Private Secretary.
The 118th Session of the Governing Body of the International Labour Office was held in Geneva from 11 to 14 March 1952, under the chairmanship of Mr. P. Ramadier.

The agenda of the session was as follows:
1. Approval of the minutes of the 117th Session.
2. Proposals for the convocation of a European Regional Conference.
5. Proposals for the reconstitution of the Permanent Agricultural Committee.
10. Reports of the Financial and Administrative Committee.
11. Reports of the Committee on Industrial Committees.
15. Composition of committees.
17. Programme of meetings.
18. Appointment of Governing Body representatives on various bodies.
19. Date and place of the 119th Session of the Governing Body.

The Governing Body was composed as follows:

Chairman: Mr. P. Ramadier.

Regular Members:

Government group:

Belgium: Mr. A. J. J. Fafchamps.
Brazil: Mr. B. Rocque da Motta.
Canada: Mr. P. E. Côté.
Chile: Mr. F. Cisternas.
China: Mr. Tuan Mao-lan.
Finland: Mr. E. A. Wuori.
France: Mr. H. Hauck.
India: Mr. K. N. Subramanian.
Iran: Mr. M. Khadjé-Nouri.
Italy: Mr. R. Ago.
Mexico: Mr. P. de Alba.
Pakistan: Mr. A. H. Quraishi.
Portugal: Mr. J. Pereira Jardim.
United Kingdom: Sir Guildhaume Myrddin-Evans.
United States: Mr. A. L. Zemplé.
Venezuela: Mr. V. Montoya.

Employers’ group:

Mr. C. Bellingham-Smith, substitute for Sir John Forbes Watson (United Kingdom).
Mr. G. Bergenström (Swedish).
Mr. W. Gemmill (South African).
Mr. J. B. Pons (Uruguayan).
Mr. C. E. Shaw, substitute for Mr. C. P. McCormick (United States).
Mr. N. H. Tata (Indian).
Mr. P. Waline (French).
Mr. F. Yllanes Ramos (Mexican).

Workers’ group:

Mr. Aftab Ali (Pakistani).
Mr. G. P. Delaney (United States).
Mr. B. Ibáñez Águila (Chilean).
Mr. L. Jouhaux (French).
Mr. J. Möri (Swiss).
Mr. A. Roberts (United Kingdom).
Mr. H. Shastri (Indian).
Mr. A. Sölvén (Swedish).

The following regular members were absent:

Government group:

Canada: Mr. A. MacNamara.
Italy: Mr. M. Cingolani.

Employers’ group:

Sir John Forbes Watson (United Kingdom).
Mr. C. P. McCormick (United States).

Workers’ group:

Mr. A. E. Monk (Australian).

Deputy Members or Substitutes:

Government group:

Australia: Mr. P. Shaw.
Burma: Mr. Boon Waat.
Colombia: Mr. S. Martínez Emiliani.
Norway: Mr. K. J. Øksnes.
Switzerland: Mr. M. Kaufmann.

Employers' group:
Mr. M. Alam (Turkish).
Mr. M. Bulić (Yugoslav).
Mr. A. Calheiros Lopes (Portuguese).
Mr. A. G. Fennema (Netherlands).
Mr. M. Ghayour (Iranian).
Mr. C. Kuntschen (Swiss).
Mr. Mochi-Onori, substitute for Mr. P. Campanella (Italian).
Mr. M. Rosen (Israeli).

Workers' group:
Mr. E. Bührig (German).
Mr. A. Cofiño García (Cuban).
Mr. N. De Bock (Belgian).
Mr. C. Jodoin (Canadian).
Mr. E. Nielsen (Danish).
Mr. G. Pastore (Italian).
Mr. S. de A. Pequeno (Brazilian).
Mr. A. Vermeulen (Netherlands).

The following representatives of States Members were present as observers:
Costa Rica: Mr. A. Donnadieu.
Egypt: A. M. Mostafa Bey.

The following representatives of other international organisations were present:

Governmental Organisations.
United Nations: Mr. L. Gros, Mr. A. Lethbridge, Mr. P. Manheimer.
World Health Organisation: Mrs. T. C. Jarvis, Dr. Hafezi.
International Civil Aviation Organisation: Mr. E. Warner.
Interim Commission for the International Trade Organisation: Mr. J. Royer.
International Monetary Fund: Mr. A. Pfeifer, Mr. F. Boyer.
Council for Europe: Mr. H. Pfeffermann.
Provisional Intergovernmental Committee for the Movement of Migrants from Europe: Mr. A. Neiva, Mr. E. K. Rahardt.
Office of the High Commissioner for Refugees: Mr. J. Alexander, Mr. G. Falchi.

Non-governmental Organisations.
International Federation of Christian Trade Unions: Mr. G. Eggermann.
International Confederation of Free Trade Unions: Mr. H. Patteet.
International Co-operative Alliance: Mr. M. Boson.
International Federation of Agricultural Producers: Mr. R. Savary.
International Organisation of Employers: Mr. G. Emery.
World Federation of Trade Unions: Mr. G. Fischer.
In opening the session the Chairman greeted new members of the Governing Body. He then paid tribute to the memory of Lord Perth, Sir James Lithgow, Mr. José María Ruiz Manent and Mr. Louis E. Cornil. The latter had, until recently, taken part in the work of the Governing Body as an Employers' deputy member. The Chairman recalled his qualities of character and intellect and that "acute sense of all suffering and misery as well as a sense of justice" that had made him so valuable an element in the International Labour Organisation. Members of the three groups joined in this tribute. The Governing Body requested the Director-General to convey its deepest sympathy to the families of the deceased.

At a later sitting the Governing Body noted with regret the death of Mr. H. S. Dennison, who had been an Employers' deputy member from 1935 to 1937.

Proposals for the Convocation of a European Regional Conference

As he had been requested, the Director-General had submitted to the Governing Body proposals for the convocation of a European Regional Conference of the International Labour Organisation. These proposals gave rise to a thorough discussion, as a result of which the Governing Body, while recognising in principle the value of convening a European Regional Conference, requested the Director-General to re-examine what questions might be dealt with at such a conference and under what conditions it would be desirable to hold it, and to make proposals on the subject in due course.

Report of the Committee of Experts on Social Policy in Non-Metropolitan Territories on Its Second Session

After a general discussion on the subject of a social policy in non-metropolitan territories, the Governing Body examined the various conclusions of the Committee and arrived at a number of decisions which are summarised below:

**Penal Sanctions for Breaches of Contracts of Employment by Indigenous Workers**

The Committee, with the exception of one member, had condemned penal sanctions and considered that they could and should be abolished forthwith. It had recommended the Governing Body—

(1) to address to the States Members concerned a communication calling attention to the terms of the 1939 Convention and inviting countries which had not ratified it to give reconsideration to the possibility of doing so at an early date, directing attention to the advances that had been made in many territories since the 1939 Convention was adopted and to the evidence which they provided that the abolition of penal sanctions was now practicable;

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(2) to consider whether the 1939 Convention might be supplemented by a Recommendation providing for—

(a) the immediate abolition of sanctions of a penal nature in connection with women workers and certain other categories and in respect of certain types of breaches of contract;

(b) the abolition of all penal sanctions not later than 31 December 1955;

(c) the sending of periodic reports and statistics to the I.L.O. on the progress being made towards abolition of all penal sanctions.

The Director-General would communicate to the governments of the States Members concerned and to the Trusteeship Council the views of the Committee of Experts and its recommendations for further action. The Governing Body agreed that the question of penal sanctions for breaches of contracts of employment by indigenous workers should be brought again to its attention when it proceeded to consider the agenda for the 37th (1954) Session of the Conference.

Migrant Workers

The Committee had called on the governments to intensify the efforts they were making to improve social and economic conditions in rural areas and, where necessary, to invite regional or international organisations, including the I.L.O., to co-operate in the study of the problems, in working out solutions and in their implementation by providing technical and financial assistance. It suggested, as a general aim of policy, that workers should wherever practicable be established permanently in residence with their families at or near their places of employment, except where permanent employment was clearly against the interest of the worker and of his family, or of the economies of the territories concerned. The Director-General would communicate these conclusions to the governments of the States Members concerned and to the appropriate international organisations.

A further series of conclusions dealt with further steps for the protection of migrant workers on their journeys and during their periods of employment. The Committee suggested that the Governing Body should examine the possibility of submitting these conclusions to a future session of the International Labour Conference with a view to the adoption of a Recommendation on the subject. The Governing Body asked that this question should again be brought to its attention when it considered the agenda for the 37th (1954) Session of the Conference; in the meantime, the Committee's conclusions would be communicated to the governments of the States Members concerned, and to the Trusteeship Council.

Technical and Vocational Training

The Committee adopted two resolutions on this subject. The first called for attention to certain considerations of policy relating to technical and vocational training of particular importance to non-metropolitan territories. The Director-General would communicate this recommendation to the governments of the States Members and to the international organisations concerned.
The second resolution recommended—

(1) the preparation by the Office of a study on the subject, for the use of the Committee of Experts—the Office was to prepare this study;

(2) the fullest possible co-operation of the I.L.O. in regard to questions of assistance on behalf of non-metropolitan territories—the Governing Body took note of this recommendation;

(3) consultation of the governments concerned on the possibility of the I.L.O. convening regional study conferences (seminars) on vocational training for or including non-metropolitan territories—the Director-General would bring this suggestion to the attention of the governments of the States Members concerned, and would take it into account in submitting proposals for future seminars to be organised by the I.L.O.

Programme of Action of the Office

The Committee had recommended that the Governing Body should suggest to all governments that they should review the subjects covered by I.L.O. Conventions as regards the territories within their respective jurisdictions, with a view to seeing whether further advances in the position in law and practice could be made, whether further ratifications could be effected, and whether any existing modifications could be withdrawn. The Director-General would address to the governments of the States Members concerned a communication in the terms suggested by the Committee.

The experts had recommended the Governing Body to consider the advisability of inviting the Committee to meet at intervals of not more than 18 months, in order to enable a more continuous review of problems to be made, and to avoid overloading the agenda. The necessary credit for such a meeting was included in the budget estimates for 1953, which the Governing Body would recommend the International Labour Conference to adopt.

The Committee had considered that its membership should be enlarged so as to include a greater number of experts from the non-metropolitan territories themselves. It was decided that the Director-General should undertake the necessary consultations with a view to proposing the addition to the Committee, before its next meeting, of further members, including members from non-metropolitan territories.

The Committee had recommended the Governing Body to consider the advisability of setting up in Africa a field office on the lines of the existing field offices of the I.L.O. The Governing Body postponed closer consideration of the question until the Director-General, after consultation with the governments principally concerned, could submit a full report to it.

The Committee had emphasised the importance which technical assistance might have in solving problems common to large areas in which there were non-metropolitan territories administered by more than one State Member. It also considered that a survey, on a regional basis, of the possibilities of developing African handicrafts and home industries might have special value. It was agreed that these views of the Committee should be communicated to the governments of the States Members concerned.

The Committee had also recommended a whole series of questions as subjects for study or other action as part of a long-term programme of work of the Non-Metropolitan Territories Division of the Office. It was decided that the Director-General should take the fullest action practicable
in regard to these recommendations, giving priority to those subjects which were likely to produce the earliest practicable results. On the proposal of the Workers' group it was further agreed that the Director-General should consider the recommendations of the Committee on this subject, and should submit to the Governing Body at a later session suggestions on the order of priority in which the studies proposed should be undertaken.

The Committee had invited the Director-General to consider ways and means of organising seminars on labour and social problems in various regions where non-metropolitan territories predominate. It was agreed that the Director-General should take account of this recommendation and bring it to the notice of the States Members concerned.

Moreover, it was agreed that the recommendations of the Committee should be brought to the attention of the Committee of Experts on Indigenous Labour, in so far as they concerned the indigenous populations of metropolitan countries. Finally, the Director-General would consider a proposal made during the debate to the effect that the Office might prepare a memorandum defining the relations in law and in fact between the International Labour Organisation and the non-metropolitan territories.

**Report of the Meeting of Experts on Women's Work**

The Governing Body authorised the Director-General to communicate the report of the Meeting of Experts on Women's Work to the governments of States Members and requested him, in preparing future programmes, to give consideration, as might be appropriate, to the experts' proposals for further study and action.

**Proposals for the Reconstitution of the Permanent Agricultural Committee**

The Governing Body had before it the revised proposals for the reconstitution of the Permanent Agricultural Committee which it had asked for at its 117th Session. It took the following decisions.

The Permanent Agricultural Committee would be composed as follows: three Governing Body representatives, one from each group; ten experts nominated after consultation with the governments concerned; five experts nominated after consultation with the Employers' group of the Governing Body; five experts nominated after consultation with the Workers' group of the Governing Body; and observers from international non-governmental organisations invited in equal numbers after consultation with the Employers' group and the Workers' group of the Governing Body. The Governing Body took note that provision for the representation of other intergovernmental organisations on I.L.O. committees existed under the agreements of these organisations with the I.L.O., but considered, nevertheless, that in accordance with the previous practice formal membership of the Permanent Agricultural Committee should be granted to the Food and Agriculture Organisation. It further took note of the fact that the International Co-operative Alliance, as one of the non-governmental organisations having consultative status with the I.L.O., would be entitled to send an observer to meetings of the Permanent Agricultural Committee.

The paper submitted to the Governing Body suggested the following among the questions to be referred to the Committee: vocational training in agriculture; child labour in agriculture; the effects of technological
improvements and mechanisation on employment in agriculture; conditions of work of a category of workers of the Asian region who have no resources other than the product of their own labour, are bound to the landowner by a relationship essentially based on custom and are not covered by any regulation, and therefore have no protection; also the problem of unemployment and underemployment in agriculture. Before making definite proposals for the inclusion of these items in the agenda of the Permanent Agricultural Committee, the Director-General would consult the Food and Agriculture Organisation with a view to ensuring proper co-ordination in the treatment of these problems.

**Proposed Meeting of Experts on the Prevention and Suppression of Dust in Mining, Tunnelling and Quarrying**

The Governing Body unanimously approved the proposals made by the Director-General for the convocation of a meeting of experts on the prevention and suppression of dust in mining, tunnelling and quarrying. The agenda of this meeting would include the following questions: prevention of dust formation; suppression of dust at source of formation; prevention of deposited dust from becoming airborne, removal of airborne dust; airborne-dust sampling and measurement; personal protective equipment; supervision and maintenance of dust prevention and suppression devices; education and training of workmen; special problems; and international collaboration.

A preliminary list of persons to take part in the meeting was approved. They were mainly experts from countries that have made an important contribution to the investigation of the problems in question, and also some medical experts. Several members of the Governing Body asked that experts should be invited from their countries, and it was agreed that before the next session the Director-General would examine the possibility of supplementing the first list adopted. The meeting of experts would take place in Geneva from 1 to 17 December 1952.

**Proposed Meeting of Experts on Productivity**

In accordance with a previous decision the Governing Body had before it suggestions with regard to a Meeting of Experts on Productivity. By 23 votes to 2, with 6 abstentions, the Governing Body decided in favour of the convocation of a Meeting of Experts on Productivity; by 21 votes to 2, with 6 abstentions, it adopted the following agenda:

I. Practical methods of increasing productivity in the manufacturing industries, with special reference to—
   (a) human factors affecting productivity;  
   (b) organisational and technical factors affecting productivity.

II. Advice to the International Labour Organisation on future studies and activities relating to productivity in the manufacturing industries.

The meeting was to be composed of experts from countries in different parts of the world in which manufacturing industries are highly developed or are in process of rapid development. It would be convened by the I.L.O. alone, but a certain number of experts invited to participate would be persons who had participated in and were familiar with work in the field.

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of productivity undertaken by other intergovernmental organisations; these organisations might be invited to be represented by observers. A tripartite delegation of the Governing Body would attend the meeting, which would be held in Geneva from 1 to 11 December 1952.

REPORTS OF THE COMMITTEE ON FREEDOM OF ASSOCIATION

The Governing Body, in private session, adopted three reports submitted by its special Committee on Freedom of Association.¹ In doing so the Governing Body decided inter alia that 19 complaints submitted to the I.L.O. and alleging the infringement of trade union rights did not call for further examination and would not be referred to the Fact-Finding and Conciliation Commission on Freedom of Association. It further noted that in 21 cases consultations were still proceeding with the governments concerned. It decided that a complaint lodged by the Inter-American Confederation of Workers against the Dominican Republic called for further investigation, and it authorised the special Committee to consult further with the Government of the Dominican Republic before reaching a conclusion in regard to the complaint.

The three reports adopted by the Governing Body gave detailed reasons for the conclusion that 19 of the complaints did not call for further examination. The reports summarised and analysed each complaint as well as the comments of the governments concerned and set forth the special Committee's conclusions, based on the evidence available to it.

REPORT OF THE COMMITTEE ON STANDING ORDERS AND THE APPLICATION OF CONVENTIONS AND RECOMMENDATIONS

Ten-yearly Reports on the Application of Conventions in Force.

The Governing Body, under article 11 of its Standing Orders, took the view that it was not desirable to place the revision in whole or in part of the following Conventions on the agenda of the Conference: the Unemployment Convention, 1919 (No. 2); the Placing of Seamen Convention, 1920 (No. 9); the Convention concerning Statistics of Wages and Hours of Work, 1938 (No. 63). With regard to the latter Convention, the Government of Belgium had communicated suggestions put forward by two trade union organisations of that country. It was decided that the Director-General should report at a later date on certain of these proposals.

Forms of Report on Ratified Conventions.

The Governing Body approved the draft forms for annual reports on the following Conventions: the Certification of Able Seamen Convention, 1946 (No. 74); the Fee-Charging Employment Agencies Convention (Revised), 1949 (No. 96); and the Right to Organise and Collective Bargaining Convention, 1949 (No. 98).

Desirability of Revising the Wages, Hours of Work and Manning (Sea) Convention (Revised), 1949 (No. 93).²

The Governing Body had referred to its Committee on Standing Orders and the Application of Conventions and Recommendations consideration

of the question of the desirability of revising the Wages, Hours of Work and Manning (Sea) Convention (Revised), 1949; the Committee felt that it would be premature to embark at present on the procedure for the revision of this Convention, which was adopted in 1946 and revised in 1949. It recommended the Governing Body to ask the Director-General to submit a report on this subject to a later session of the Governing Body within a year or at the most 18 months. At the urgent request of the Workers' group it was, however, decided that the Office should submit a report on this subject to the Governing Body at its 120th Session (1952). It was agreed that the matter should first be referred to the Joint Maritime Commission, which was to meet in May.

Amendments to the Standing Orders as a Result of the Decision to Associate All Members of the Organisation More Closely with the Work of the Governing Body.

The Governing Body redrafted the provisions of article 3 of its Standing Orders to give the article a logical form and to bring it into line with the new provisions of the Standing Orders adopted concerning the election of Government deputy members by the electoral college. The new article 3 is as follows:

**ARTICLE 3**

**Deputy Members**

1. Deputy members appointed in accordance with paragraph 4 of article 49 and paragraph 2 of article 50 of the Standing Orders of the Conference shall take part in the work of the Governing Body in the conditions laid down in this article.

2. Deputy members have the right to be present at the sittings of the Governing Body and to speak with the permission of the Chairman.

3. Deputy members may vote only on the following conditions:

   (a) Government deputy members may vote when they are so authorised by a written notification to the Chairman from a Government regular member who is not voting and has not been replaced by a substitute;

   (b) Employers' and Workers' deputy members may vote in place of a regular Employers' or Workers' member on the conditions defined by their respective groups; the groups shall inform the Chairman of all decisions taken in this connection.

4. Deputy members may be appointed by the Governing Body as titular members of committees of the Governing Body.

5. The travelling and subsistence expenses of the Employers' and Workers' deputy members shall be paid out of the funds of the International Labour Organisation.

Consideration of an amendment to paragraph 1 of article 4 of the Standing Orders, which relates to substitutes, was adjourned to the 119th Session.

Possibility of Simplifying the Procedure of the Conference.

Recommendations submitted by the Committee with regard to the possibility of simplifying the procedure of the Conference dealt with a number of definite questions such as punctuality in beginning meetings, arrangements for setting up committees at the beginning of the Conference, telephonic interpretation, arrangements for the discussion of the Director-General's Report, time limit within which delegates must put down their names on the list of speakers on this Report, and time limit
for speeches. The Governing Body requested the Director-General to transmit these suggestions to the President of the Conference and to its Selection Committee for such action as they might consider appropriate and practicable.

**Possibility of Accelerating the Procedure for the Examination of the Credentials of Delegates and Advisers.**

The Committee gave the closest consideration to the question of a possible acceleration of the procedure for examining the credentials of delegates and advisers to the Conference, both in the light of the existing procedure laid down by the Standing Orders of the Conference and also on the basis of practical factors. The Committee came to the conclusion that the procedure could be accelerated only to a quite relative extent. It had, however, recommended that the Director-General should be instructed to draw the attention of the Credentials Committee to the value of its ending its work as early as possible, and that he should also be instructed to point out to the Selection Committee the importance of placing reports on credentials on the agenda of plenary sittings of the the Conference as soon as the general programme of work allowed it. The Governing Body endorsed these recommendations. Moreover, it was agreed that in future a list of the objections raised to credentials of delegates to the Conference should be published as soon as possible in the Provisional Record of the Conference.

**Reports of the Financial and Administrative Committee**

The Financial and Administrative Committee had recommended the adoption for the financial year 1953 of a budget of $6,223,368, which was about $1,500 less than the budget for 1952. The Governing Body unanimously accepted this recommendation. In fact, none of the activities for which provision had previously been made in the budget of the Organisation were cut down, but the Governing Body retained only those proposals for new activities which it did not think could be postponed. Decisions were taken on various other points, which included the amalgamation of the Working Capital Fund and the Reserve Fund, the Staff Regulations, and the grant of cost-of-living allowances to certain categories of staff.

**Reports of the Committee on Industrial Committees**

The Governing Body adopted without discussion the conclusions of its Committee on Industrial Committees; it thereby took a number of decisions, which included the following:

*Criteria for Membership of Industrial Committees and Requests for the Establishment of New Industrial Committees.*

The Governing Body considered that a general review of the activities of Industrial Committees was called for and should be carried out by a subcommittee of the Committee on Industrial Committees; the subcommittee would also undertake the study of criteria for membership of Industrial Committees and requests for the establishment of new Industrial Committees.
Committees; the Governing Body authorised the financial expenditure involved.

Possibility of Setting Up Bipartite Subcommittees of Industrial Committees.

The Standing Orders for Industrial Committees provide for the possibility of setting up bipartite subcommittees of Industrial Committees, but the provision has never been put into practice. As the setting up of such subcommittees might be useful in certain cases, the Governing Body would draw the attention of the Metal Trades Committee and of the Iron and Steel Committee, which were to meet in the near future, to the possibility of their setting up bipartite subcommittees for the consideration of certain problems.

Inland Transport Committee.

The Director-General would communicate the reports, memorandum and resolutions adopted by the Inland Transport Committee at its Fourth Session to governments, inviting them to communicate these texts to the employers' and workers' organisations concerned. He would communicate to the United Nations certain reports and resolutions which were of special interest to it. The Governing Body, moreover, took the necessary decisions to give effect to the various conclusions adopted by the Committee.

Building, Civil Engineering and Public Works Committee.

The agenda of the Fourth Session of the Building, Civil Engineering and Public Works Committee was fixed as follows:

I. General report, dealing particularly with the following matters:
   (a) action taken in the various countries in the light of the conclusions of previous sessions of the Committee;
   (b) steps taken by the Office to follow up the studies and inquiries proposed by the Committee;
   (c) recent events and developments in the construction industry.

II. Methods of facilitating the progressive application in the construction industry of the principle of a guaranteed wage, including methods of eliminating temporary stoppages or fluctuations in plant operations and in employment.

III. Factors affecting productivity in the construction industry.

Representation on Various Industrial Committees.

Japan had asked to be given representation on eight Industrial Committees. As the problem of criteria for membership of Industrial Committees was still under consideration it was agreed that Japan should be invited to be represented on the Metal Trades Committee and the Iron and Steel Committee; representation on the other Industrial Committees would be considered at a later session.

The International Materials Conference was authorised to send an observer to the Fourth Session of the Metal Trades Committee.

REPORT OF THE MANPOWER AND EMPLOYMENT COMMITTEE

Asian Manpower Technical Conference.

The Governing Body considered the conclusions of the Asian Manpower Technical Conference, which had met in Bangkok in December 1951. Some of these conclusions bear on general activities concerning employment service organisation, vocational training and migration. On the recommendation of its Manpower and Employment Committee, the Governing Body invited the Director-General to give effect to all these conclusions. The conclusions reached by the Asian Manpower Technical Conference in respect of certain points required specific and immediate action. The Governing Body endorsed these recommendations. The Director-General would therefore take the following steps:

Technical documentation. He would explore further the needs of the Asian countries for technical documentation on training, in national languages, and subsequently report to the Governing Body on the financial implications of supplying such technical documentation to Asian countries and on the financing of the project.

Organisation of regional training centres for instructors. He would, as a matter of urgency, make appropriate inquiries of Asian countries and arrange for the training of instructors of skilled workers in industry and of workers in handicrafts, in accordance with the wishes expressed by the various governments; these facilities would be provided under the Expanded Programme of Technical Assistance.

Manpower field offices in Asia. He would continue to take all possible steps to increase the effectiveness of the present field office on behalf of all the Asian countries. Action on the establishment of additional field offices would be deferred until the need for such offices was more firmly established.

Manpower bulletin. In the light of the views expressed at the Asian Manpower Technical Conference, the Director-General would prepare detailed proposals for the regular publication of a bulletin and of technical memoranda on specific topics of general interest concerning manpower problems in Asia. The project would be financed, if possible, under the Expanded Programme of Technical Assistance.

REPORT OF THE TECHNICAL ASSISTANCE COMMITTEE

No decisions were called for by the documents submitted to the Governing Body by the Technical Assistance Committee.

REPORT OF THE INTERNATIONAL ORGANISATIONS COMMITTEE

The Governing Body approved without discussion the conclusions of its International Organisations Committee:

Regional Activities of the International Labour Organisation in Relation to the Activities of Regional Organisations and the Regional Activities of International Organisations.

The Committee had a useful discussion on the question of the desirability of a procedure to govern the conclusion of regional agreements under the
auspices of the I.L.O. It was of the opinion that this was an extremely important and difficult problem which affected the whole work of the I.L.O., and that it was therefore necessary to proceed with a certain amount of caution. At the same time it felt that it was essential for the I.L.O. to face these difficulties and take resolute action towards meeting the problem. Moreover, the Committee recognised that, while the universality of the I.L.O. and of its international standards must be maintained, there was a need to allow for flexibility in the application of these standards so as to meet the special problems and circumstances of different States. It noted, in this respect, the provisions of article 19 (3) of the Constitution of the I.L.O.

Like the Committee, the Governing Body considered in this connection that a regional conference might in certain cases suggest, for adoption by the General Conference, modifications that might be embodied in existing or proposed Conventions in accordance with the provisions of article 19 (3) of the Constitution. Another method would be the adoption of Conventions with alternative provisions or of Conventions providing for progressive application.

It was decided that the Office should prepare a study of I.L.O. regional activities within the framework of its general international programme. The Committee noted proposals for increasing social and economic cooperation between members of the North Atlantic Treaty Organisation. The principles on which I.L.O. relations with political organisations set up by groups of States should be based are set forth in the Preamble to the Agreement between the I.L.O. and the Council of Europe. The Governing Body considered that the same principles would be applicable to any social and economic work within the field of the I.L.O. undertaken by the North Atlantic Treaty Organisation. The above-mentioned Agreement between the I.L.O. and the Council of Europe came into force on 23 November 1951; the Governing Body decided that the Committee of Ministers of the Council of Europe should be regularly invited to make arrangements for the Council of Europe to be represented at future sessions of the Governing Body and of the International Labour Conference.

Full Employment.

The Governing Body approved the basis of a statement of the views of the I.L.O. on the aspects of full employment policy which are of special interest at present. This statement would serve as a brief for the I.L.O. representative to the Economic and Social Council and could also be used as a basis for stating the views of the I.L.O. during discussions of other international bodies, including other specialised agencies, the Organisation of American States and the Council of Europe.

Recommendations on Labour Questions Made by Missions of the International Bank for Reconstruction and Development.

The Committee had had before it a document containing extracts bearing on social problems from four reports on missions of the International Bank for Reconstruction and Development. The Committee noted that everywhere manpower problems loomed large; it was also clear from the reports that implementation of development programmes would involve serious problems of labour-management relations. The need to ensure that all parties to economic development—including workers and employers—participated equitably in its benefits and that all were aware of the
importance, under such conditions, of avoiding the adoption of policies restrictive of economic expansion, was manifest.

The report submitted by the Committee to the Governing Body also noted that the aim of the Bank's missions, namely, to present integrated proposals and fully balanced programmes, had led them to raise questions concerning the appropriateness or priority of certain measures of social policy within the context of an economic development programme and of the effects of existing social legislation on the central problem of increasing labour productivity, and hence income per head. While not in any way formally endorsing the recommendations contained in the reports of the Bank's missions, the Governing Body noted that the Director-General would take the necessary steps to bring them to the attention of any I.L.O. technical assistance missions which might visit the countries concerned, and would take them into account in the framing of those reports and recommendations on subjects covered in these mission reports which were submitted to I.L.O. bodies. In so doing, the Director-General would naturally take any steps that might be required in order to ensure that the recommendations contained in the mission reports were examined in the light of the objectives of the I.L.O. and its approved standards and policies. Moreover, the Governing Body placed on record the willingness of the I.L.O. to give such technical assistance as appropriate to the governments of countries approaching the problems of development as a whole, and requested the Director-General, as might be required, so to inform the President of the International Bank. The Governing Body also placed on record its view that the I.L.O. would welcome the opportunity of being associated in appropriate cases with comprehensive missions undertaken under the auspices of the International Bank.


With regard to the possibility of indicating relative priorities of I.L.O. activities, it was decided that the Director-General should inform the United Nations of the action being taken in this respect by the I.L.O.

Draft International Covenant on Human Rights, and Measures of Implementation.

The Governing Body noted the decision of the General Assembly to draft two special Covenants on human rights, one covering civil and political rights and the other economic and social rights; it considered that for the present it had nothing to add to what had been conveyed to the Economic and Social Council and the General Assembly concerning the substance of the rights in question, but it reaffirmed its view that it should be left to the I.L.O. or to the other specialised agencies concerned to work out in detail and apply, by means of the precise and detailed provisions necessary for effective implementation, those economic and social rights which fell within their competence.

It was pointed out that the Governing Body attached particular importance to article 69 of the draft Covenant, which read as follows:

Nothing in this Covenant shall be interpreted as impairing the provisions of the Charter of the United Nations and of the Constitutions of the specialised agencies, which define the respective responsibilities of the various organs of the United Nations and of the specialised agencies in regard to the matters dealt with in this Covenant.
Now that it was intended that there should be two Covenants, the Governing Body recommended the inclusion of such an article in both Covenants. The same considerations applied in regard to article 18 (2) of the existing draft, which read—

Nothing in this Covenant may be interpreted as limiting or derogating from any of the rights and freedoms which may be guaranteed under the laws of any contracting State or any Conventions to which it is a party.

Consultation between the Administrative Committee on Co-ordination and the United Nations Advisory Committee on Administrative and Budgetary Questions.

The Governing Body noted the progress of measures taken to develop closer and more continuous working relationships between the executive heads of specialised agencies and the United Nations Advisory Committee on Administrative and Budgetary Questions. It expressed the hope that fruitful working relationships would continue to develop between the Administrative Committee on Co-ordination and the Advisory Committee as a means of associating the specialised agencies more closely with the Advisory Committee in its task of examining, on behalf of the General Assembly, the administrative budgets of specialised agencies and proposals for financial arrangements with such agencies.

Relations between the Specialised Agencies and the United Nations Relief and Works Agency.

The Governing Body emphasised the importance of effective co-ordination of activities in the Middle East between the I.L.O. and the United Nations Relief and Works Agency for Palestine Refugees in the Middle East; it requested the Director-General to take all necessary steps to this effect.

Long-Range Activities for Children.

A report of the Administrative Committee on Co-ordination, which the International Organisations Committee had had before it indicated that the United Nations, including the United Nations International Children's Emergency Fund and the specialised agencies, were ready to assist a limited number of governments requesting such help in 1952 to assess existing services for children and to develop broad and well-balanced national programmes for children's services. The Governing Body approved the measures being taken by the Administrative Committee on Co-ordination to prepare a co-ordinated programme designed to meet the continuing needs of children.

Composition of Committees

The Governing Body approved the proposals submitted by the Office as set forth below:

Committee of Experts on Social Policy in Non-Metropolitan Territories.

Reappointment.¹

Mr. W. Van Remoortel (Belgian)

¹ All appointments and reappointments are for a period of three years.
Committee of Experts on the Application of Conventions and Recommendations.

Reappointments.

Mr. G. Adams (Barbados).
Mr. P. Berg (Norwegian).
Mr. H. S. Kirkaldy (United Kingdom).

Committee of Experts on Indigenous Labour.

The Governing Body took note of the death of the following member:
Mr. A. Goubaud-Carrera (Guatemalan).

New Appointment.
Mr. J. Noval (Guatemalan).

Correspondence Committee of Statistical Experts.

The Governing Body took note of the death of the following member:
Mr. H. Gordon (Swiss).

New Appointments.
Mr. F. Ackerman (Swiss).
Mr. R. Luyken (German).
Mr. B. Ramamurti (Indian).

Reappointments.
Mr. R. Wilson (Australian).
Mr. G. E. Wood (New Zealand).

Correspondence Committee on Co-operation.

Reappointments.

Mr. M. Bonow (Swedish).
Mr. A. Borel (Swiss).
Mr. A. Cramois (French).
Miss M. Digby (United Kingdom).
Mr. A. A. Drejer (Danish).
Mr. E. Durtschi (Swiss).
Mr. H. L. Kaji (Indian).

Correspondence Committee on Recreation.

The Governing Body took note of the death of the following member:
Mr. L. Pierard (Belgian).

The Governing Body took note of the resignation of the following members:
Mr. G. Helen (Swedish).
Mr. J. B. Henderson (United Kingdom).
Mr. B. Roca Muelle (Peruvian).

New Appointments.
Mr. J. F. Botha (South African).
Mr. P. Eckerberg (Swedish).

1 All appointments and reappointments are for a period of three years.
Mr. J. S. Edbrooke (United Kingdom).
Mr. W. H. Edmund (United States).
Mr. J. Honorato Maquieira (Chilean).
Mr. S. Hyder (Pakistani).
Mr. J. B. Kirkpatrick (Canadian).
Mrs. L. Krier-Becker (Luxembourgeois).
Mr. J. R. Macri (Argentine).
Mr. K. S. Mahmud (Pakistani).
Mr. H. Paoletti (French).
Mr. A. Plá Rodríguez (Uruguayan).
Mr. C. G. Sauers (United States).
Mr. C. Segovia Caballero (Peruvian).
Mr. W. Van Halm (Netherlands).
Mr. C. L. Wirth (United States).

Reappointments.

Mr. L. Aarvig (Norwegian).
Mr. A. Andersen (Norwegian).
Mr. D. Andreev (Bulgarian).
Mr. O. de Araujo Goes (Brazilian).
Mr. C. R. Badger (Australian).
Mr. E. Becart (French).
Mr. H. Belliot (French).
Mr. C. K. Brightbill (United States).
Mr. A. C. de Bruyn (Netherlands).
Miss P. C. Colson (United Kingdom).
Mr. D. E. Cooke (United Kingdom).
Mr. B. Corish (Irish).
Mr. P. Csaplar (Hungarian).
Mr. M. Dasso (Peruvian).
Mr. C. Depasse (Belgian).
Mr. F. Duras (Australian).
Mr. K. Eby (United States).
Mr. H. Elldin (Swedish).
Mr. G. Eriksson (Swedish).
Mr. G. E. Evelein (Netherlands).
Mr. W. Ferris (United Kingdom).
Mrs. J. Y. Fournout (French).
Mr. H. Friis (Danish).
Mr. H. Giese (Australian).
Miss K. M. Gordon (Australian).
Mr. A. Haulot (Belgian).
Mr. J. S. Hawnt (United Kingdom).
Mr. C. Herrera (Peruvian).
Mr. R. Hofmo (Norwegian).
Mr. B. Husek (Czechoslovak).
Mr. S. Karaczony (Hungarian).
Mr. S. Kladas (Greek).
Mr. S. Knob (Hungarian).
Mrs. H. Kruszewska (Polish).
Mr. C. Kuntschen (Swiss).
Mr. M. Labarre (French).
Miss de Lalieu (Belgian).
Mr. A. Lopes Sussekind (Brazilian).
Mr. E. K. Louhikko (Finnish).
Mr. M. McCloskey (United States).
Mr. V. Meissner (Czecholovak).
Mr. J. W. Metcalfe (Australian).
Mr. H. D. Meyer (United States).
Mr. P. G. Naik (Indian).
Mr. W. A. Nicholson (United Kingdom).
Mr. A. Nieto Caballero (Colombian).
Mr. J. Nihon (Belgian).
Mr. E. S. Mohamed Nosseir (Egyptian).
Mr. M. Orlowicz (Polish).
Mr. H. W. Pegler (United Kingdom).
Mr. J. Petrill (United Kingdom).
Mrs. D. W. Plewes (Canadian).
Mrs. A. Ramsay (United Kingdom).
Miss H. Rowe (United States).
Mr. S. Salinas (Peruvian).
Mr. Z. Serkowski (Polish).
Mr. J. Sperling (Danish).
Mr. F. Storey (United Kingdom).
Mr. J. Swift (Irish).
Mr. J. J. Taylor (United Kingdom).
Miss T. Tcholtcheva (Bulgarian).
Mrs. M. Templier (French).
Mr. G. Vidalenc (French).
Mr. J. Walgraffe (Belgian).
Mr. F. Wartenweiler (Swiss).

Correspondence Committee on Juvenile Employment.

New Appointment.
Mr. A. Lawrence (French).

Reappointments.
Mr. L. Pereira da Cunha (Brazilian).
Mr. J. Quercy (French).
Mrs. E. Rutkowska (Polish).

Correspondence Committee on Occupational Safety and Health.

Reappointments.
Mr. C. Ainsworth (United States).
Dr. A. J. Amor (United Kingdom).
Dr. E. Arreguin (Mexican).
Mr. A. Baggerud (Norwegian).
Mr. C. Berry (United States).
Mr. R. P. Blake (United States).
Mr. J. J. Bloomfield (United States).
Prof. P. Bonnevie (Danish).
Mr. H. de Brito Firmeza (Brazilian).
Dr. T. Bruce (Swedish).
Dr. A. Bruusgaard (Norwegian).
Mr. J. T. Burdekin (United Kingdom).
Prof. S. Caccuri (Italian).
Dr. J. G. Cunningham (Canadian).
Dr. C. N. Davies (United Kingdom).
Prof. P. Dervillée (French).
Prof. P. Didonna (Italian).
Dr. H. E. Downes (Australian).
Dr. W. C. Dreesen (United States).
Prof. P. Drinker (United States).
Mr. L. N. Duguid (United Kingdom).
Dr. A. M. Ezzat (Egyptian).
Prof. R. Fabre (French).
Dr. C. M. Fletcher (United Kingdom).
Prof. S. Forssman (Swedish).
Dr. M. W. Goldblatt (United Kingdom).
Dr. J. Gough (United Kingdom).
Prof. I. Graham (New Zealand).
Dr. L. Greenburg (United States).
Prof. S. V. Gudjonsson (Danish).
Mr. R. Harvey (Australian).
Dr. Sybil Horner (United Kingdom).
Dr. H. Hummel (Polish).
Mr. A. E. Järvenpää (Finnish).
Dr. R. A. Kehoe (United States).
Prof. E. J. King (United Kingdom).
Dr. V. Kruta (Czechoslovak).
Mr. P. Lafarge (French).
Prof. P. Lambin (Belgian).
Prof. R. E. Lane (United Kingdom).
Prof. F. R. Lang (Swiss).
Dr. A. J. Lanza (United States).
Mr. N. S. Mankiker (Indian).
Dr. E. R. A. Merewether (United Kingdom).
Dr. E. L. Middleton (United Kingdom).
Prof. F. Molfino (Italian).
Mr. R. B. Morley (Canadian).
Dr. P. A. Neal (United States).
Mr. O. Nelson (United States).
Prof. J. L. Nicod (Swiss).
Dr. A. J. Orenstein (South African).
Prof. P. Otasek (Czechoslovak).
Mr. J. Pluyette (French).
Prof. A. Policard (French).
Mr. H. Poulsen (Danish).
Dr. A. R. Riddell (Canadian).
Dr. R. B. Robson (Canadian).
Dr. J. Roubal (Czechoslovak).
Dr. R. R. Sayers (United States).
Mr. H. de Sousa Reis (Portuguese).
Mr. H. Starland (Swedish).
Mr. E. Steinberg (South African).
Prof. M. J. Stewart (United Kingdom).
Dr. C. L. Sutherland (United Kingdom).
Prof. J. Teisinger (Czechoslovak).
Mr. F. W. Tideswell (United Kingdom).
Dr. I. Urbandt (Argentine).
Dr. A. Uyttendhoef (Belgian).
Dr. A. S. W. Verster (South African).
Mr. Y. Verwil (Belgian).
Dr. A. J. Vorwald (United States).
Mr. N. C. Winkel (Netherlands).

New Appointments.

Mr. L. Alayza Grundy (Peruvian).
Mr. C. Alexander (United States).
Mr. L. Andre (Swedish).
Mr. T. L. Back (United States).
Mr. N. Barraclough (Indian).
Mr. A. Bell (Canadian).
Dr. F. Bezemer (Netherlands).
Mr. A. C. Blackman (United States).
Mr. H. Botham (New Zealand).
Mr. P. Bouyeure (French).
Mr. H. Boye (Swedish).
Mr. A. L. Brentwood (Australian).
Mr. L. Bruckner (Austrian).
Dr. K. Buchegger (Austrian).
Mr. Z. Bueno (Brazilian).
Dr. G. C. E. Burger (Netherlands).
Mr. M. R. Burnell (United States).
Mr. E. C. Cabral (Pakistani).
Mr. Classen (German).
Mr. A. Clerici (Italian).
Mr. J. Crawford (Canadian).
Mr. E. L. Diamond (United Kingdom).
Mr. R. E. Donovan (United States).
Mr. C. D. D. Durham (Australian).
Mr. H. B. Elkins (United States).
Mr. C. Fergusson (United States).
Mr. J. Figueroa (Chilean).
Mr. Freitag (German).
Mr. R. Gerstenberg (German).
Mr. K. L. Goodall (United Kingdom).
Mr. P. de Haart (Netherlands).
General Hanoteau (French).
Mr. O. Herseth (Norwegian).
Dr. T. E. Howell (United Kingdom).
Dr. D. A. Irwin (United States).
Mr. N. H. Jones (United Kingdom).
Dr. Kremer (German).
Mr. A. Lange (French).
Mr. H. Le Sueur (French).
Mr. L. J. Malfait (Belgian).
Mr. F. Maresch (Austrian).
Mr. C. Maurilli (Italian).
Prof. P. Mazel (French).
Mr. W. McLaglan (Canadian).
Dr. A. I. G. McLaughlin (United Kingdom).
Mr. A. Meyers (Belgian).
Mr. B. Moas (Cuban).
Mr. H. Möckel (German).
Prof. G. Pancheri (Italian).
Mr. J. V. Panizo (Peruvian).
Mr. G. Parmentier (French).
Dr. Parney (Canadian).
Mr. T. L. Peagam (South African).
Mr. L. Pezzoli (Italian).
Mr. P. de Putter (Netherlands).
Prof. L. Roche (French).
Mr. T. A. Rogers (United Kingdom).
Prof. F. Roma (Italian).
Mr. R. de Saedeleer (Belgian).
Mr. S. Sandin (Swedish).
Mr. O. Schneider (German).
Mr. R. H. Schoen (New Zealand).
Mr. R. Sigillo (Italian).
Mr. J. H. Sterner (United States).
Mr. W. I. Stewart (Australian).
Dr. F. Stocker (Austrian).
Mr. E. J. Sturgess (United Kingdom).
Mr. W. Sulzer (Swiss).
Mr. H. W. Swann (United Kingdom).
Mr. A. F. Sweet (Canadian).
Mr. P. A. Taselaar (Netherlands).
Mr. A. Tienson (United States).
Mr. P. Valentgoed (Netherlands).
Mr. A. Vallaud (French).
Prof. E. C. Vigliani (Italian).
Mr. C. Viquerat (Swiss).
Mr. C. Wagner (Danish).
Mr. O. Wallner (Swedish).
Mr. J. Weir (Australian).

**Report of the Director-General**

**Composition of the Governing Body**

The Director-General's Report called attention to the fact that the Government of Iran had appointed Mr. H. Afchar, Under-Secretary of State in the Ministry of Labour, as its regular representative on the Governing Body in place of Mr. H. Naficy.

**Application for Membership in the International Labour Organisation**

The report also indicated that an application for membership in the International Labour Organisation under paragraph 4 of article 1 of the Constitution of the Organisation had been received from the United Kingdom of Libya \(^1\) and would be submitted to the next session of the International Labour Conference, in accordance with the Constitution and the Standing Orders.

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\(^1\) See below, p. 302.
Report on the Inquiry by the Representative of the Director-General into Conditions in the Suez Canal Area

The Officers of the Governing Body had examined the report prepared by Mr. Rao, the Director-General's representative, on his inquiry into conditions in the Suez Canal Area. During the session they had received from several governments not involved in the Anglo-Egyptian dispute a suggestion that consideration of the report should be adjourned to a later date. The Officers paid tribute to the work accomplished by Mr. Rao. They also recognised the value of the suggestion which had been made with a view to facilitating relations between the States concerned. Since these States had no objection to adjournment, the Officers proposed that the Governing Body should withdraw from its agenda the consideration of the report. The Governing Body decided accordingly.

Technical Meeting on the Protection of Young Workers in Asian Countries

The Governing Body also had before it proposals for the convening of a technical meeting on the protection of young workers in Asian countries, with relation to their vocational preparation. The proposals were based on a recommendation of the Asian Advisory Committee in connection with a request made by the Asian Regional Conference held in 1950. The Governing Body approved the convening of this technical meeting for late November or early December 1952. The Director-General would fix the exact date and the place of the meeting, taking account of other meetings to be held in the region. The agenda of the meeting would include the following questions:

I. Utilisation of young persons in relation to the manpower needs of Asian countries in—
   (a) industry,
   (b) handicrafts, and
   (c) agriculture.

II. Needs and problems of young persons in Asian countries with respect to vocational guidance, vocational training and apprenticeship, and placement services.

III. Problems of child labour and the protection of young workers in Asia in—
   (a) industry,
   (b) non-industrial occupations and handicrafts, and
   (c) agriculture.

IV. Relation of general fundamental education and compulsory schooling to the vocational preparation and protection of children and young workers.

Programme of Meetings

The Governing Body approved the following arrangements:

17th Session of the Joint Maritime Commission  
Geneva  
12-17 May 1952.
Third Session of the Chemical Industries Committee  
Geneva  
9-20 September 1952.

Fourth Session of the Petroleum Committee  
Scheveningen  

Technical meeting on the protection of young workers in Asian countries, with relation to their vocational preparation  
Late November or early December 1952.

Meeting of experts on productivity  
Geneva  
1-11 December 1952.

Meeting of experts on the prevention and suppression of dust in mining, tunnelling and quarrying  
Geneva  
1-17 December 1952.

**APPOINTMENT OF GOVERNING BODY REPRESENTATIVES ON VARIOUS BODIES**

The Governing Body made the following appointments:

**Chemical Industries Committee** (Third Session).

*Chairman and representative of the Government group:* Mr. Fafchamps (Belgium).

*Employers' group:* Mr. Bergenström.
*Substitute:* Mr. Kuntschen.

*Workers' group:* Mr. Pastore.
*Substitute:* Mr. Möri.

**Petroleum Committee** (Fourth Session).

*Chairman and representative of the Government group:* Mr. Montoya (Venezuela).

*Employers' group:* Mr. C. Shaw.
*Substitute:* Mr. Fennema.

*Workers' group:* Mr. Vermeulen.
*Substitute:* Mr. De Bock.

The Governing Body approved the following changes in the Employers' representatives on delegations already appointed:

**Metal Trades Committee** (Fourth Session).

*Employers' group:* Mr. Campanella (instead of Mr. Waltne).
*Substitute:* Mr. Bergenström (instead of Sir John Forbes Watson).

**Iron and Steel Committee** (Fourth Session).

*Employers' group:* Mr. Fennema (instead of Mr. Tata).
*Substitute:* Mr. Bergenström (instead of Sir John Forbes Watson).
The Governing Body also approved the following changes in the membership of its committees:

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

Employers' group: Mr. Ghayour to replace Mr. Cornil.

Committee on Freedom of Association.

Employers' group: Substitute: Mr. Kuntschen to replace Mr. Mc Cormick.

Workers' group: Mr. Vermeulen to replace Mr. Roberts.

Substitutes: Mr. Sölvén.
Mr. De Bock.
Mr. Nielsen.

DATE AND PLACE OF THE 119TH SESSION OF THE GOVERNING BODY

The Governing Body decided to hold its 119th Session in Geneva on Friday 30 and Saturday 31 May 1952, while its committees would meet from Monday 26 to Thursday 29 May.

REPORT OF THE OFFICERS OF THE GOVERNING BODY ON A REQUEST FOR CONSULTATIVE STATUS

A request for the establishment of consultative relationship with the International Labour Organisation, addressed to the Director-General by the International Organisation of Employers, together with all the necessary information, had been considered by the Officers of the Governing Body. On the unanimous recommendation of its Officers, the Governing Body approved the establishment of consultative relationship with the International Organisation of Employers.
Fifth Conference of American States Members of the International Labour Organisation

Pro memoria.¹

German Translation Conferences: Final Protocols

Since 1947 a series of conferences, called the "German Translation Conferences", has met yearly, and twice in 1951, to prepare the official German translation of instruments adopted by the International Labour Conference. Final Protocols were adopted by four of these meetings, the Berne Conference (October 1949), the Vienna Conference (May 1950), the Geneva Conference (September 1951), and the Bonn Conference (May 1952). The text of these Protocols is reproduced hereafter.

Final Protocol of the Conference for the Translation into German of International Labour Conventions and Recommendations
(Berne, October 1949)

(Translation)

A meeting in which representatives of the Austrian and Swiss Governments, as well as members of the staff of the International Labour Office, took part was held from 3 to 7 October 1949 at Berne at the Federal Office of Industry, Arts and Crafts, and Labour; the object of the meeting was to establish an official German translation of the texts adopted by the International Labour Conference at its 31st Session.

The following took part in the proceedings:

For the Austrian Government:
Mr. Hammerl, Chief of Section.
Mr. Hofmann, Departmental Counsellor.

For the Swiss Government:
Mr. Jost.

For the International Labour Office:
Mr. Herz.

At the sitting of 7 October for the elucidation of certain points:
Mr. Wolf.

Mr. Hammerl, having been called away, was unable to participate in the final sitting. On the Swiss side, Mr. Kaufmann was detained by urgent business and could not, therefore, take part in the proceedings of the session.

The translation of the term "employment service", "service de l'emploi" in the Employment Service Convention, 1948 (No. 88) and in the Employment Service Recommendation, 1948 (No. 83), gave rise to certain difficulties. After much thought the Conference decided to translate this expression by "Arbeitsmarktverwaltung", although this is not yet a very usual term. In the opinion of the Conference, the expression used formerly, "Arbeitsnachweis" was too limited to describe the service concerned. Other terms suggested for the translation of the expression in question,
such as "Verwaltung (oder Dienst) zur Regelung des Arbeitsmarktes", were considered too cumbersome.

In paragraph 1 of article 9 of the Convention the words "public officials"/"agents publics" were translated by "öffentliche Angestellte". According to Mr. Wolf, the International Labour Conference had considered that the words "public officials" could be taken to apply to employees under contract.

The German texts adopted by the Conference were handed to those taking part.

In accordance with usual practice, the final text of the official German translations of the instruments adopted by the International Labour Conference at its 31st Session will be communicated to the governments concerned; a brief period will be fixed within which they will be able to submit their observations with a view to the correction of obvious errors or discrepancies.

Berne, 7 October 1949.

(Signed) Dr. HOFMANN.

W. JOST.

E. HERZ.

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**Final Protocol of the Conference for the Translation into German of International Labour Conventions and Recommendations**

(Vienna, May 1950)

(Translation)

I

Representatives of the Austrian and Swiss Governments, as well as of the International Labour Office, met in Vienna at the Federal Ministry of Social Administration, from 2 to 10 May 1950, to prepare the official German translation of the instruments adopted by the International Labour Conference at its 32nd Session and of the Final Articles Revision Convention, 1946 (No. 80).

The following took part in the proceedings:

For the Austrian Government:
- Mr. Hammerl, Chief of Section.
- Mr. Pigler, Sectional Counsellor.
- Mr. Kanler, First Departmental Commissioner.

For the Swiss Government:
- Mr. Kaufmann, Director of the Federal Office of Industry, Arts and Crafts, and Labour.
- Mr. Jost.

For the International Labour Office:
- Mr. Grünberg.
- Mr. Wolf.

II

The representatives of the two governments concerned wish to thank the International Labour Office, which sent them the drafts of the German texts earlier this year than on previous occasions. They hope that it will...
be possible to communicate these drafts even more rapidly in the future and, in particular, that a somewhat longer period will elapse between the date on which the Office sends the draft German texts and the date of the meeting of the Conference called to examine these texts, so as to enable the governments concerned to give careful consideration to the texts and to formulate their observations in good time; the proceedings of the Conference are greatly facilitated by such a preparation. Moreover, they wish to draw attention to the fact that for the purposes of a sound German translation it is important that the original texts be drafted as perfectly as possible and that there should always be obvious agreement between the English and French texts.

After having considered the German texts adopted by the present Conference and having recognised them as an official German translation, the International Labour Office shall communicate these texts to the two governments concerned in as many copies as they wish.

III

The next conference for the translation into German of instruments adopted by the International Labour Conference will be called upon to translate not only the instruments to be adopted by the International Labour Conference in 1950 but also such Conventions and Recommendations adopted at an earlier date as have not yet been considered by a meeting of the governments concerned and of representatives of the International Labour Office. Once the official German translation of all the Conventions and Recommendations adopted to date has been prepared, the International Labour Office might possibly publish a German collection of these texts, corresponding to the English and French collections already available. The Conventions and Recommendations would, of course, be reproduced, due account being taken of the modifications of final articles on the basis of the Final Articles Revision Convention, 1946 (No. 80).

It was pointed out by the representatives of the International Labour Office that in view of the special tasks of the next German Translation Conference, and for technical reasons, it was desirable that the meeting be held exceptionally at Geneva. The representatives of the two governments concerned indicated their readiness to accept this suggestion. The date of the Conference is to be fixed later.

Vienna, 10 May 1950.

(Signed) HAMMERL. KAUFMANN.
Pigler. Jost.
Kanler.
GRÜNBÉGER.
WOLF.

Final Protocol of the Conference for the Translation into German of International Labour Conventions and Recommendations
(Geneva, September 1951)
(Translation)

I

From 10 to 21 September 1951 a meeting was held at Geneva at the International Labour Office, attended by representatives of the Govern-
ments of the Federal Republic of Germany, the Austrian Republic, and
the Swiss Confederation, as well as by members of the staff of the Inter­
national Labour Office; the object of the meeting was to prepare an
official German translation of the texts adopted by the International
Labour Conference at its 25th, 26th and 27th Sessions, for which only a
provisional German version was so far available.

The following took part in the proceedings:

For the Federal German Government:
Mr. Dobbernack, Departmental Counsellor.
Mr. Becker, First Governmental Counsellor.
Mr. Rugo, Member of Section.

For the Austrian Government:
Mr. Hammerl, Chief of Section.
Mr. Kanler, First Departmental Commissioner.

For the Swiss Government:
Mr. Kaufmann, Director of the Federal Office of Industry, Arts and
Crafts, and Labour.
Mr. Jost.

For the International Labour Office:
Miss Budiner.
Mr. Grünberg.
Mr. Thommen.
Mr. Wolf.

Mr. Hammerl was called away and could not, therefore, take part in
the final sitting. Mr. Dobbernack and Mr. Kaufmann were also unable
to take part in all the sittings. Finally, the Federal German Government
was represented during the second part of the Conference by Mr. Becker
and Mr. Rugo only.

II

The translation of numerous terms of the original text gave rise to
serious difficulties and to very full discussions in which members of the
staff of the International Labour Office conversant with the problems
concerned took part on several occasions. Similarly, the representatives
of the Austrian and Swiss Governments consulted the competent services
in their countries in order to elucidate certain points.

With regard to the Income Security Recommendation, 1944 (No. 67),
the term "workers"/"travailleurs" was rendered in the Preamble by the
word "Erwerbstätige", while it was translated by the word "Arbeit­
nehmer" in paragraph 24 of the Annex and its subparagraph. This
twofold interpretation corresponds to the meaning of the original text
and was approved by representatives of the International Labour Office.

The representatives of the International Labour Office likewise approved
the following German terms chosen in the same Recommendation to render the
following French and English expressions: "sickness benefit"/"prestations
de maladie", "maternity benefit"/"prestations de maternité", "invalidity
benefit”/“prestations d'invalidité”, “old-age benefit”/“prestations de vieillesse”, “survivors' benefit”/“prestations de décès”, “unemployment benefit”/“prestations de chômage”. It was clear that all these instances related to cash benefits only.

With regard to the Medical Care Recommendation, 1944 (No. 69), it appeared after some consideration that the word “centre”, which occurs several times (either alone or in conjunction with another word), could not be rendered in German by the word “Zentrale”. After a lengthy discussion the manner in which the word and its composites had been translated was also approved by the Conference in agreement with the representatives of the Office.

In Article 9 and other articles of the Social Policy in Dependent Territories Recommendation, 1944 (No. 70), the expression “Anwerbung” was maintained as a translation of “recruiting”/“recrutement”; it was considered inadvisable to modify the provisional translation, all the more so since it was hardly possible to find a better expression. But it was agreed, at the same time, that the word “Anwerbung”, as used in the Recommendation, did not have the meaning in which it is usually taken, especially in the Federal Republic of Germany.

In the course of the consideration of Part II of the same Recommendation (No. 70), the representatives of the Federal Republic of Germany pointed out that in German legal terminology the expression “Pflichtarbeit” covered work expected under unemployment assistance schemes from the beneficiaries of such assistance and did not, therefore, have the meaning attached to it in the Recommendation.

With regard to the expression “Wanderarbeiter” used in the Migration for Employment Convention, 1939 (No. 66) and in the Migration for Employment Recommendation, 1939 (No. 61) and the Migration for Employment (Co-operation between States) Recommendation, 1939 (No. 62), the representatives of the Federal Republic of Germany pointed out that in their country it applied only to people who, while keeping their domicile, took up employment in another district for part of the year but, at the termination of that employment, always returned to their domicile where their family had remained, whereas in the above-named Convention and the related Recommendations the expression concerned also included workers who left their domicile in their country and went abroad for a fairly long period or for good.

III

The Conference had to consider very lengthy texts and to study with great care the possibilities of a correct translation of many terms; in order to complete its task in a period of barely two weeks it therefore had to hold extremely long sittings. Moreover, the work of the Conference was seriously impaired by the fact that, owing to lack of time, it had not been possible to submit to the Conference, in accordance with usual procedure, texts revised after consultation of the governments concerned to serve as a basis for discussions.

It is for this reason, and guided by earlier experiences, that the governments concerned express the following wishes and suggestions in regard to future meetings for the translation of texts:

1. As a rule, German translations prepared as a draft by the Office should be submitted to the governments concerned at the latest three
months after the closing of the session of the International Labour Conference concerned; these translations should, in any case, be communicated sufficiently early to enable the governments concerned, taking into account other work implied, to submit the texts, within the normal delay of 12 months, to the competent authorities in accordance with the provisions of the Constitution of the International Labour Organisation.

2. As a rule, translations prepared as a draft should reach the governments concerned, at the latest, four months before the meetings of the Translation Conferences. In cases where the texts are particularly lengthy, this period should be extended accordingly. In the majority of cases, there would be advantage in communicating the draft texts, as each of them is ready, to the governments concerned.

3. The governments concerned should submit their observations to the Office, at the latest, one month before the meetings of the Translation Conferences. At the same time, each government should bring its observations to the notice of the other governments.

4. In accordance with the methods so far applied, the International Labour Office should correct the draft translations, taking into account observations communicated by the governments, so that the corrected drafts can be taken as a basis for the proceedings of the Translation Conferences.

5. The texts translated by the Office should be typed with a typewriter with normal letters (no small letters!), and with normal spacing (no single spacing!), on one side of the page only and with a margin sufficiently wide to insert corrections.

6. As soon as possible after the end of the proceedings of a Translation Conference, the International Labour Office should submit to the governments concerned the text approved by the said Conference and provide, as heretofore, a brief period for the presentation of observations on obvious inaccuracies, printing errors, etc.

7. Once the texts have been finalised, the following number of copies should be communicated to the governments concerned:

   To the Federal German Government  . . . . . . . . . . . . . . . . . . . . . 40 copies
   To the Austrian Government . . . . . . . . . . . . . . . . . . . . . . . . 10, 10
   To the Swiss Government . . . . . . . . . . . . . . . . . . . . . . . . . . . 10, 10

On the other hand, the representatives of the International Labour Office would like the observations of the governments concerned submitted to the Office as far as possible in an identical form (continuous numbering of observations, accurate and uniform quotation of articles or paragraphs, normal spacing, typing on one side of the page only).

IV

The governments concerned expressed the desire that the next meeting for the finalising of the translation of texts adopted by the International Labour Conference at its 1951 Session should be held, if possible, in April 1952. The representatives of the Government of the Federal Republic of Germany suggested that the meeting be held in Western Germany, without making a precise proposal as to the place.

Since the German version of the Income Security Recommendation, 1944 (No. 67) and the Medical Care Recommendation, 1944 (No. 69), as
finalised by the last Translation Conference, may, in so far as terminology is concerned, serve as a basis for the translation of the text of the Convention concerning minimum standards of social security which is to be adopted in 1952 by the International Labour Conference, the governments concerned would be glad if at this stage the International Labour Office prepared a German translation of the draft Convention and submitted this text to them, together with the provisional translations of the texts adopted by the International Labour Conference at its 1951 Session.

Geneva, 21 September 1951.

(Signed) DOBBERNACK. KANLER. KAUFMANN. BECKER. W. JOST. RUGO. K. S. GRÜNBERG. FRANCIS WOLF.

Final Protocol of the Conference for the Translation into German of International Labour Conventions and Recommendations (Bonn, May 1952)

(Translation)

I

Representatives of the Governments of the Federal Republic of Germany, of Austria and of Switzerland, as well as of the International Labour Office, met from 7 to 9 May 1952 to prepare the official German translation of the instruments adopted by the International Labour Conference at its 34th Session.

The following took part in the proceedings:

For the Federal Republic of Germany:

Mr. Goldschmidt, Counsellor, Ministry of Labour.
Mr. Dobbernack, Counsellor, Ministry of Labour.¹
Mr. Schelp.¹
Mr. Libbert.¹
Mr. Sulfrian.¹

For the Austrian Government:

Mr. Hammerl, Chief of Section.
Mr. Kanler, Secretary, Ministry of Social Administration.

For the Swiss Government:

Mr. Kaufmann, Director of the Federal Office of Industry, Arts and Crafts, and Labour.
Mr. Jost.

For the International Labour Office:

Mr. Herz.
Mr. Wolf.

¹ Took part in certain meetings.
The translation of a number of expressions again gave rise to full discussions on the subject matter and on the drafting.

The members of the Conference confirmed the opinion expressed at previous Translation Conferences that whenever provisions of the original French and English texts recur in an identical form in a number of instruments, one should always use the German translation adopted at the outset, especially to maintain the necessary agreement between certain legal clauses, unless special circumstances make it necessary to modify the text. This holds especially for final articles. It seems particularly important to apply this principle, as far as possible, in the preparation of draft translations.

The present Translation Conference has, however, noted once more that it is not always possible to translate an expression of the original texts with a German expression that corresponds to the national terminology of the three States concerned.

This often makes it necessary to choose for the German translation a term which is not usual in all these countries or has a slightly different connotation in one or the other country. In other cases, and to avoid misunderstandings, recourse must be had to new expressions, which may appear slightly unusual but which correspond exactly to the original text and have the merit of not having a too narrow meaning in one or the other of the countries concerned.

In view of these considerations and indications, the Conference agreed that the term “Gesamtarbeitsvertrag” was a good translation of the expression “collective agreement”/“convention collective” and that it was not possible to find a closer translation of the original text which would, at the same time, agree more exactly with the terminology in usage in the three countries concerned. For the same reason, it was decided to maintain, in the text of the Collective Agreements Recommendation, 1951 (No. 91), the expression already used previously, “Verfahren für Kollektivverhandlungen”.

In the Equal Remuneration Recommendation, 1951 (No. 90), in connection with Paragraph 2 (a), the word “industry”/“industrie” was considered carefully. It was agreed that this expression had a wider scope than the word “Industrie” in German. The Conference finally adopted the translation “Wirtschaftszweig” and in so doing was conscious of the fact that this word possibly has an even wider scope than the original. It did not, however, seem possible to find a better translation, since this word is used in connection with minimum wage rates and since each State is free to determine to what branches of economic activity national legislation on this matter is to apply.

With regard to the expression “rescind a collective agreement”/“annuler une convention collective”, discussed in relation to Paragraph 8 (c) of the Collective Agreements Recommendation, 1951 (No. 91), the authorised representative of the International Labour Office explained that the meaning of this expression was very broad and that the German translation “einen Gesamtarbeitsvertrag lösen”, therefore, seemed perfectly correct.

III

Contrary to what had been provided in the Final Protocol of the Translation Conference of 1951, which had envisaged that the present
Conference would undertake a preliminary study of the draft Convention concerning minimum standards of social security, this study was postponed; it was considered that the representatives of the governments concerned and of the International Labour Office could undertake such a study more usefully at the beginning of the International Labour Conference which is to meet in June next in Geneva.

IV

With regard to the titles to be given to the different parts of a Recommendation, the decisions taken in 1950 by the Translation Conference which met in Vienna were confirmed and the designations "Abschnitt", "Absatz" and "Unterabsatz" were maintained.

V

The official German translation of Article 8 of the Holidays with Pay Convention, 1936 (No. 52) is drafted as follows:

Jedes Mitglied, das dieses Übereinkommen ratifiziert, hat Strafvorschriften zu erlassen, um dessen Durchführung sicherzustellen.

The representatives of the Austrian Government pointed out that the word "Strafvorschriften" did not correspond to the authentic French and English texts. The word "sanctions" is used in the French version. The same word "sanctions" is used in the English version. The Translation Conference considered that these expressions in the original text should be translated by the word "Zwangsmassnahmen", since the word used formerly, "Strafvorschriften", was too restrictive. The Translation Conference therefore modified Article 8 of the German text as follows:

Jedes Mitglied, das dieses Übereinkommen ratifiziert, hat Zwangsmassnahmen vorzusehen, um dessen Durchführung sicherzustellen.

VI

The governments concerned expressed the desire that the instruments adopted by the International Labour Conference in 1952 should be translated into German, if possible, in April 1953 at the latest. The representatives of the Austrian Government suggested that the Translation Conference be held in Austria, the exact place to be fixed later.

The governments concerned express their thanks to the International Labour Office for having communicated the draft translations within the time-limits provided, in accordance with the wish expressed in the Final Protocol of the year 1951.

Bonn, 9 May 1952.

(Signed) GOLDSCMIDT. HAMMERL. KAUFMANN.
   SCHELP. KANLER. W. JOST.
   SULFRIAN.
   E. HERZ.
   F. WOLF.
17th Session of the Joint Maritime Commission

The 17th Session of the Joint Maritime Commission of the International Labour Organisation was held in Geneva from 13 to 15 May 1952; it was preceded by a meeting, on 12 May, of the Subcommittee on the Short Sea Trades of North-West Europe.¹

The agenda of the session included three main items:

I. Report of the Director-General.
II. Conditions of employment of Asian seafarers.
III. Conditions of employment in the short sea trades of North-West Europe (report of the Subcommittee).

The Commission adopted unanimously four resolutions, the text of which is reproduced hereafter ²:

Resolutions Adopted by the Commission

1. Resolution concerning an Asian Regional Maritime Conference

The Joint Maritime Commission of the International Labour Office,
Having met at Geneva from 13 to 15 May 1952,
Having considered the report submitted by the Office on conditions of employment of Asian seafarers;
Recommends to the Governing Body:
(1) that an Asian Regional Maritime Conference be convened early in February or early in May 1953;
(2) that the composition of the Conference should follow the general lines of the Nuwara Eliya Conference and that France, the Netherlands, Norway and the United Kingdom be invited to the Conference as countries having an interest in the employment of Asian seafarers;
(3) that the agenda of the Conference should consist of three items, namely:
   I. Report of the Director-General.
   II. Methods of recruitment and employment of Asian seafarers.
   III. Welfare of Asian seafarers in Asian ports.

2. Resolution concerning the Conditions of Work of Fishermen

The Joint Maritime Commission of the International Labour Office,
Having met at Geneva from 13 to 15 May 1952,
Having noted in the Director-General's Report, which was the first item on its agenda, that the Office report, Conditions of Work in the Fishing Industry, had now been published, and that, as decided by the Governing Body at its 109th Session, the Office had at the same time sent to governments a short supplementary question-

¹ For a summary of the proceedings of the Joint Maritime Commission and of the Subcommittee, see I.L.O.: Minutes of the 119th Session of the Governing Body, Appendix XIII, pp. 79-82.
² The Seafarers' group had also submitted a resolution concerning the Intergovernmental Maritime Consultative Organisation and a resolution on the short sea trades in North-West Europe: for the text of these resolutions, which were not adopted by the Joint Maritime Commission, see I.L.O.: Minutes of the 119th Session of the Governing Body, Appendix XIII, p. 82.
nai re asking for guidance as to which aspects of fishermen's conditions were at present considered ripe for international action, and in what form;

Invites the Governing Body to consider at an early session, in the light of the replies received from governments, the possibility of convening a tripartite committee of experts on fishermen's conditions of employment to study those conditions and make recommendations concerning which of them might be considered appropriate for possible international legislative action by an early session of the International Labour Conference;

Recommends that if, for compelling reasons, it is decided not to set up a committee of experts, the Governing Body authorise the Director-General to draw up proposals, in the light of the replies of the governments, concerning those aspects of fishermen's conditions of employment which are considered ripe for discussion by the International Labour Conference;

Urges that in any event, if a sufficient number of governments favour the adoption of international regulations in this field, the Governing Body should place this question on the agenda of a session of the Conference not later than that to be held in 1954.

3. Resolution concerning Seafarers' Welfare in Ports

The Joint Maritime Commission of the International Labour Office,
Having met at Geneva from 13 to 15 May 1952,
Recalling the Recommendations and resolutions adopted on the subject at the 21st Session of the International Labour Conference in 1936 and the Joint Maritime Commission session of 1942 and the consideration given to it at the Conference of 1946 and the Joint Maritime Commission sessions of 1947 and 1948;
Requests the Governing Body to draw the special attention of governments to the recommendations that welfare schemes should be promoted on the basis of reciprocal international co-operation and for the benefit of all seafarers irrespective of nationality or race, and that the financing of such schemes should be on an adequate and permanent basis and not exclusively dependent upon private institutions;
Expresses its appreciation of the information already provided by the International Labour Office on seafarers' welfare; and
Requests that the most up-to-date information on the subject be collected by the Office and made available in the most convenient form at suitable intervals.

4. Resolution concerning Amendments to the Standing Orders of the Joint Maritime Commission

The Joint Maritime Commission of the International Labour Office,
Having met at Geneva from 13 to 15 May 1952;
Requests the Governing Body to give consideration to the following two amendments to the Standing Orders of the Commission:

(1) to increase the number of regular members of the Commission from 12 to 15 for each group;

(2) to insert in an appropriate place, perhaps immediately before or after article 8, a new article reading as follows:

ARTICLE...

Termination of Membership

When a regular or deputy member of the Commission—

(a) ceases in the opinion of his group to be actively connected with the shipping industry or with a bona fide trade union of seafarers, or

(b) fails to reply to letters of convocation to two successive sessions of the Commission, his group shall have the right, if they so desire, to notify the Director-General in writing that they no longer consider the member in question as a member of the group. The Director-General shall so inform the member in question. The group shall then be free to fill the vacancy in accordance with the provisions of article 8.
The 119th Session of the Governing Body of the International Labour Office

The 119th Session of the Governing Body of the International Labour Office was held in Geneva on Friday and Saturday, 30 and 31 May, and on Friday, 27 June 1952, under the chairmanship of Mr P. Ramadier.

The agenda of the session was as follows:

1. Approval of the minutes of the 118th Session.
3. Arrangements for the Asian Regional Conference.
4. Record of the Fifth Conference of American States Members of the International Labour Organisation (Petropolis, Brazil, 17-29 April 1952).
7. Reports of the Financial and Administrative Committee.
8. Reports of the Committee on Industrial Committees.
12. Composition of committees.
14. Programme of meetings.
15. Appointment of Governing Body representatives on various bodies.
16. Date and place of the 120th Session of the Governing Body.

The Governing Body was composed as follows:

Chairman: Mr. P. Ramadier.

Regular Members:

Government group:

Belgium: Mr. A. J. J. Fafchamps.
Brazil: Mr. B. Rocque da Motta.
Canada: Mr. B. M. Williams.
Chile*: Mr. F. Donoso.
China: Mr. Tuan Mao-lan.
Finland: Mr. E. A. Wuori.

* Mr. F. Cisternas was present at the sitting of 27 June.
France: Mr. H. Hauck.
India: Mr. V. K. R. Menon.
Iran: Mr. H. Afchar.
Italy: Mr. R. Ago.
Mexico: Mr. J. L. Laris.
Pakistan: Mr. A. M. Malik.
Portugal ¹: Mr. M. A. Fernandes.
United Kingdom: Sir Guildhaume Myrddin-Evans.
United States: Mr. P. M. Kaiser.
Venezuela: Mr. V. Montoya.

Employers' group:
Mr. G. A. Allana (Pakistani).
Mr. G. Bergenström (Swedish).
Mr. L. C. Burne (Australian), substitute for Mr. Gemmill.
Sir John Forbes Watson (United Kingdom).
Mr. J. B. Pons (Uruguayan).
Mr. C. E. Shaw (United States).
Mr. H. Taylor (Canadian).
Mr. P. Wiline (French).

Workers' group:
Mr. Aftab Ali (Pakistani).
Mr. G. P. Delaney (United States).
Mr. L. Jouhaux (French).
Mr. J. Möri (Swiss).
Mr. S. de A. Pequeno (Brazilian).
Mr. A. Roberts (United Kingdom).
Mr. H. Shastri (Indian).
Mr. A. Sölvén (Swedish).

The following regular members were absent:

Government group:
Canada: Mr. A. MacNamara.
Italy: Mr. M. Cingolani.

Employers' group:
Mr. N. H. Tata (Indian).
Mr. F. Yllanes Ramos (Mexican).

Workers' group:
Mr. B. Ibáñez Águeda (Chilean).
Mr. A. E. Monk (Australian).

Deputy Members or Substitutes:

Government group:
Australia: Mr. P. Shaw.
Burma: Mr. Khint Maung.
Colombia: Mr. L. González Barros.

¹ Mr. J. Pereira-Jardim was present at the sitting of 27 June.
Greece: Mr. N. Hadji Vassiliou.
Norway: Mr. K. J. Öksnes.
Switzerland: Mr. M. Kaufmann.

Employers' group:
Mr. M. Alam (Turkish).
Mr. A. Calheiros Lopes (Portuguese).
Mr. P. Campanela (Italian).
Mr. A. G. Fennema (Netherlands).
Mr. M. Ghayour (Iranian).
Mr. C. Kuntschen (Swiss).
Mr. M. Rosen (Israeli).

Workers' group:
Mr. J. Böhm (Austrian).
Mr. A. Cofiño García (Cuban).
Mr. N. De Bock (Belgian).
Mr. C. Jodoir (Canadian).
Mr. E. Nielsen (Danish).
Mr. G. Pastore (Italian).
Mr. A. Vermeulen (Netherlands).

The following representative of a State Member was present as an observer:
Costa Rica: Mr. A. Donnadieu.

The following representatives of other international organisations were present:

Governmental Organisations.
United Nations: Mr. B. Urquhart, Mr. P. Obez, Mr. G. Menzies.
Food and Agriculture Organisation: Mr. P. Sinard, Mr. H. Jacoby.
World Health Organisation: Mrs. T. C. Jarvis.
Council of Europe: Mr. F. Tennfjord.
Office of the High Commissioner for Refugees: Mr. J. Alexander.
Provisional Intergovernmental Committee for the Movement of Migrants from Europe: Mr. W. Fuller, Mr. J. Wiazemski.

Non-governmental Organisations.
International Federation of Christian Trade Unions: Mr. G. Tessier,
Mr. L. C. Cornioley.
International Confederation of Free Trade Unions: Mr. H. Patteet.
International Co-operative Alliance: Prof. E. Milhaud.
International Organisation of Employers: Mr. G. Emery, Mr. R. Lagasse.
World Federation of Trade Unions: Mr. G. Fischer.

AGENDA OF THE 37TH (1954) SESSION OF THE INTERNATIONAL LABOUR CONFERENCE

The Governing Body was invited to select questions on which it wished the Director-General to submit law and practice reports to its 120th

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1 Mr. H. P. Pavlakis was present at the sitting of 27 June.
Session so that it could then take a decision on the agenda of the 37th Session of the Conference. The Governing Body selected the following questions:

I. Penal sanctions.
II. Migrant workers.
III. Vocational rehabilitation of the disabled.
IV. Weekly rest in commerce and offices.
V. Protection of dockers against accidents.

It was also decided that the Director-General should place before the same session of the Governing Body a full statement concerning technical assistance; on the basis of this document the Governing Body would decide whether technical assistance should be placed as an item on the agenda of the 37th Session of the Conference.

ARRANGEMENTS FOR THE ASIAN REGIONAL CONFERENCE

On the basis of the conclusions of the Asian Advisory Committee, the Governing Body fixed the agenda of the Asian Regional Conference, which is to meet during 1953, as follows:

II. Problems of wage policy in Asian countries.
III. Workers’ housing problems in Asian countries.
IV. Measures for the protection of young workers in Asian countries, including vocational guidance and training.

It was agreed that the Report of the Director-General should deal especially with technical assistance in Asia.

The Director-General, while keeping in touch with the Officers of the Governing Body, would undertake informal preparatory consultations concerning where the Conference could be held; the date of the meeting would be governed by the place. The Director-General would then submit exact proposals to the Governing Body.

RECORD OF THE FIFTH CONFERENCE OF AMERICAN STATES MEMBERS OF THE INTERNATIONAL LABOUR ORGANISATION

The Governing Body instructed the Director-General to express to the Brazilian Government its deep gratitude for the hospitality and for the financial and material assistance which it had given to the Fifth Conference of American States Members of the International Labour Organisation.

It referred to its Committee on Standing Orders and the Application of Conventions and Recommendations, for examination and report, the question of a general review of the rules concerning the powers, functions and procedures of regional conferences convened by the International Labour Organisation, including particularly the role of representatives of the Governing Body at regional conferences and the provisions relating to the
verification of delegates' credentials, and the rights and responsibilities of
the governments in the appointment of advisers as well as delegates.

As for the conclusions of the Conference, the Governing Body authorised
the Director-General to communicate to the governments or organisations
concerned the texts of the various resolutions adopted and to take account,
in the studies and activities of the Office, of the considerations or recom-
mendations contained in some of the resolutions.

REPORT OF THE COMMITTEE OF EXPERTS ON THE APPLICATION
OF CONVENTIONS AND RECOMMENDATIONS

The Governing Body accepted the conclusions of the Committee of
Experts on the Application of Conventions and Recommendations and
instructed the Director-General to request the Governments of the Federal
Republic of Germany and of Japan to provide this year particularly detailed
reports on the Conventions to which they have adhered. It also referred
for examination to the Committee on Standing Orders and the Application
of Conventions and Recommendations the problem that arises when a
State takes advantage of an exception provided for in the text of a Conven­
tion adopted at a time when the State in question was not a Member of
the International Labour Organisation.

REPORTS OF THE COMMITTEE ON FREEDOM OF ASSOCIATION

The Governing Body considered the conclusions of its Committee on
Freedom of Association, which it then unanimously adopted. The Gover­
ing Body thereby decided that in several cases, concerning India, Chile,
the Lebanon, the United Kingdom (Grenada, Kenya, Malaya, Cyprus,
British Guiana), the complaints alleging infringements of freedom of
association should be dismissed as not calling for further examination. In
another two cases, those of Czechoslovakia and Hungary, it asked the
Director-General, in the name of the Governing Body, to make a further
approach to the governments of those two countries, with a view to obtain­
ing their observations. In several other cases, concerning France (Morocco
and Tunisia), Argentina, Brazil and Venezuela, the Governing Body
reserved its conclusions pending the receipt of additional information or
observations. One case, concerning the Panama Canal Zone, was to be
communicated for observations to the Government of the United States.

Lastly, as regards the Dominican Republic, the Governing Body noted
that the provisions of the Constitution and of the Labour Code at present
in force relating to the right of association and other fundamental freedoms
appeared to be satisfactory. It authorised the Director-General to accept
an invitation, issued by the Confederation of Dominican Workers and
confirmed by the Government of the Dominican Republic, to send
a mission of inquiry to the Republic. The mission would have essentially
as its terms of reference the study of the practical application of the legal
provisions concerning freedom of association in the Dominican Republic.
It would be understood that the Director-General should receive, before
the departure of the mission, a formal assurance that all facilities would
be accorded to it to enable it to carry out its mandate and that it would
be free on its return to make a report to the Governing Body which might
be published.
REPORTS OF THE FINANCIAL AND ADMINISTRATIVE COMMITTEE; REPORT OF THE ALLOCATIONS COMMITTEE

The Governing Body adopted unchanged the conclusions of its Financial and Administrative Committee and of its Allocations Committee. These decisions related to the following subjects, among others: methods of presenting the properties of the Organisation in the accounts; the Staff Pensions Fund; social security provisions for staffs of Branch Offices and Correspondents; rules relating to the payment of travelling expenses and subsistence allowances of Government members of Governing Body committees; possible participation of Government members of the Governing Body in the accident insurance scheme; the financing of a meeting of experts on accommodation for migrants on board ship; and the contribution of Japan and the liquidation of the contributions in arrears owed by that country.

REPORTS OF THE COMMITTEE ON INDUSTRIAL COMMITTEES

Hours of Work in Mines Other than Coal Mines.

As a result of a request from the Miners' International Federation for the establishment of a Convention on hours of work in mines other than coal mines, the Office had prepared a note containing the available factual information; on the basis of this note, and also in acceptance of the recommendation of the Committee on Industrial Committees, the Governing Body decided that the question of hours of work in mines other than coal mines should be placed on the list of items to be examined when it considered the agenda for the International Labour Conference.

Inland Transport Committee (Fourth Session).

It was decided that the Director-General should undertake the studies requested by the Inland Transport Committee at its Fourth Session and would carry them out in the most convenient order, having regard to the general programme of work of the Office and the requirements of future sessions of the Committee.

Advisory Committee on Salaried Employees and Professional Workers (Second Session). 2

Resolution (No. 14) concerning the establishment of an international Recommendation on hygiene in shops and offices. 3 It was decided that the Office should study the suggestion made in this resolution.

Resolution (No. 15) concerning technical information and assistance relating to hygiene in shops and offices. 4 It was decided that the Director-General should take the necessary steps to give effect to this resolution.

Resolution (No. 19) concerning the agenda of the third session of the Committee and studies to be undertaken by the International Labour Office. 5 It was agreed that the Committee on Industrial Committees would

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3 Ibid., p. 109.
5 Ibid., pp. 114-115.
resume consideration of the suggestions contained in this resolution at a later session; the Director-General would, however, inform U.N.E.S.C.O. and the International Bureau of Education at once that the Advisory Committee had expressed an interest in problems concerning teaching staff (public and private) and had asked that these problems be placed on the agenda of its Third Session.

Resolution (No. 20) concerning representation on Industrial Committees; Resolution (No. 22) concerning the effect to be given to the conclusions of the Committee. It was agreed that the Director-General would draw the attention of governments to the suggestions contained in these resolutions.

Resolution (No. 21) concerning productivity. It was agreed that this resolution would be submitted for information to the meeting of experts on productivity to be held in Geneva in December 1952.

Memorandum (No. 23) on the future work and composition of the Advisory Committee. This memorandum was referred for consideration to the subcommittee of the Committee on Industrial Committees which was to undertake a general review of the problems arising out of the Industrial Committees.

Resolution (No. 24) concerning weekly rest periods in commerce and offices. The question dealt with in this resolution was one of those which the Governing Body was to examine when it considered the agenda of the International Labour Conference.

Resolution (No. 25) concerning the Conventions on the age of admission to non-industrial employment. The question covered by this resolution was referred to the Committee on Standing Orders and the Application of Conventions and Recommendations.

Resolution (No. 17) concerning the role of the International Labour Organisation in regard to future procedure in the field of rights of performers. It was agreed that the Director-General would transmit to the Berne Union the observations of the Advisory Committee on the preliminary draft international Convention adopted by the Berne Union and would continue his consultations with that Union. Owing to the important questions of principle and practice involved, consideration of the other suggestions in the resolution was postponed until the autumn session of the Governing Body, to which a complete statement of the political and legal aspects of the proposed Convention would be submitted.

Metal Trades Committee (Fourth Session).

The Governing Body authorised the Director-General to take the necessary steps to give effect to the conclusions of the Fourth Session of
the Metal Trades Committee. In particular, the Director-General would
communicate to governments, and would request them to transmit to the
employers' and workers' organisations concerned, the reports and resolu-
tions adopted. He would submit to the meeting of experts on productivity
the report of the subcommittee on productivity in the metal trades and a
resolution concerning productivity in those trades.

General Review of the Work of Industrial Committees.

The Governing Body decided to entrust this general review to a sub-
committee consisting of three members from each group, together with the
Chairman of the Committee on Industrial Committees. It made the
following appointments:

Government group:

The Chairman of the Committee on Industrial Committees: Mr. Faf-
champs (Belgium).
Chile.
United Kingdom.
United States.

Employers' group:

Mr. Fennema.
Sir John Forbes Watson.
Mr. Shaw.

Substitutes: Mr. Bergenström.
Mr. Tata.
Mr. Waline.

Workers' group:

Mr. Delaney.
Mr. Jouhaux.
Mr. Vermeulen.

Substitutes: Mr. Möri.
Mr. Pequeno.

The subcommittee would meet in Geneva from 14 to 18 November 1952.

Requests for Representation on Industrial Committees.

It was decided that requests for representation on Industrial Com-
mittees would be referred for examination to the subcommittee of the
Committee on Industrial Committees. The Governments of Czecho-
slovakia, Egypt and Poland would, moreover, be requested to state whether
they wished to take part in the work of the Advisory Committee on
Salaried Employees and Professional Workers; the Governments of Chile
and Japan would be invited to send observers to the next sessions of the
Chemical Industries Committee and the Petroleum Committee; and the
Government of Finland would be invited to send observers to the next
session of the Chemical Industries Committee.
REPORT OF THE COMMITTEE ON STANDING ORDERS AND THE APPLICATION OF CONVENTIONS AND RECOMMENDATIONS

On the recommendation of its Committee on Standing Orders and the Application of Conventions and Recommendations the Governing Body approved the draft forms for annual reports on the following Conventions: the Labour Clauses (Public Contracts) Convention, 1949 (No. 94); the Protection of Wages Convention, 1949 (No. 95); and the Migration for Employment Convention (Revised), 1949 (No. 97).

It was agreed that governments should be invited to supply for 1953, under article 19 of the Constitution, reports on Conventions Nos. 94 and 95, and also on the Labour Clauses (Public Contracts) Recommendation, 1949 (No. 84) and the Protection of Wages Recommendation, 1949 (No. 85).

REPORT OF THE MANPOWER AND EMPLOYMENT COMMITTEE

At the request of its Manpower and Employment Committee the Governing Body invited the Director-General to examine the possibility of convening that Committee less frequently.

Latin American Manpower Technical Conference.

It was decided that the Latin American Manpower Technical Conference should be held at the end of 1952. After the necessary consultations the Director-General would make definite arrangements for the meeting and would fix its date and place. The agenda was decided as follows:

I. Exchange of experience and views on manpower problems and programmes in Latin America.

II. Current needs and suggested action, with special reference to—
manpower supply and distribution in relation to economic development;
manpower factors in increasing productivity.

III. Conclusions: manpower programme for future action—
specific objectives;
projects, methods and timing.

Governments and international organisations convened to the Fifth Conference of American States Members of the International Labour Organisation would be invited to take part in this Conference. The Director-General might also invite other governmental or non-governmental organisations which would be particularly interested in the items on the agenda.

Asian Training and Employment Service Institutes.

The Governing Body took note of the information relating to the organisation of the Asian Training and Employment Service Institutes. It also authorised the Director-General to accept the invitation of the Government of Japan to hold the Employment Service Institute in that country and to convey the thanks of the Governing Body to that Government for its invitation.
REPORT OF THE INTERNATIONAL ORGANISATIONS COMMITTEE

Priority Programmes in the Economic and Social Field and Co-operation of Specialised Agencies in United Nations Emergency Programmes

It had been proposed that the Economic and Social Council, owing to the general view of problems it can obtain, but without prejudice to the competence and autonomy of the specialised agencies in their respective fields, might suggest certain broad fields of priorities in furtherance of which each agency would employ those special methods or techniques appropriate to its character and general field of operations and would work out detailed priorities in its own field. The Administrative Committee on Co-ordination had proposed that the Economic and Social Council should single out the following as priority programmes: the economic and social development of underdeveloped areas; measures for promoting domestic full employment and international economic stability; the formulation and wider observance of human rights; the programme for Korean reconstruction; and the programme of relief and economic self-support for Palestine refugees. On the recommendation of its International Organisations Committee the Governing Body agreed with these proposals and requested the Director-General so to inform the United Nations.

The Administrative Committee on Co-ordination had also agreed upon certain general principles governing co-operation by the specialised agencies in the emergency programmes of the United Nations. The first principle is the solidarity of the whole United Nations system in the face of an emergency. The existence of an organisation does not affect the constitutional powers, responsibilities and procedures of the specialised agencies and its decisions cannot bind them to action. However, the emergency organisation must have final responsibility for determining the nature and scope of the tasks to be undertaken within the broad terms of its mandate to meet the emergency and for the allocation and use of special funds established for the emergency programmes. The Governing Body expressed its approval of the general principles agreed to by the Administrative Committee on Co-ordination; it reaffirmed the desire and intention of the International Labour Organisation, within its constitutional powers, functions and authority, to co-operate to the full with the United Nations Korean Relief Agency, the United Nations Relief and Works Agency for the Middle East, and any further emergency agencies which might be set up by the United Nations; and, lastly, it expressed the view that new emergency bodies should not be established where existing international machinery was available to carry out the proposed tasks, and that establishment of an emergency agency should not involve duplication of effort and overlapping of functions with existing organisations.

COMPOSITION OF COMMITTEES

The Governing Body approved the proposals submitted by the Office as set forth below.¹

Committee of Experts on the Application of Conventions and Recommendations.

¹ Unless otherwise stated, all appointments and reappointments are for a period of three years.
New Appointment.
Mr. F. Sitzler (German).

Correspondence Committee on Recreation.
Reappointments.
Mr. O. Bertolt (Danish).
Mr. G. Malavisi (Italian).
The Rev. J. E. Schieder (United States).

Correspondence Committee on Juvenile Employment.
New Appointment.
Mr. P. De Vries (Netherlands).

Correspondence Committee on Women's Work.
Reappointments.
Miss M. Aarum (Norwegian).
Miss A. Aasland (Norwegian).
Miss M. Baers (Belgian).
Mrs. F. Baumgarten-Tramer (Swiss).
Mrs. L. Becker-Krier (Luxembourg).
Miss L. Bennett (Irish).
Miss M. J. A. G. Berden (Netherlands).
Miss H. Bergbom (Finnish).
Mrs. I. Blume-Grégoire (Belgian).
Mrs. M. Borg (Finnish).
Miss L. E. Bresette (United States).
Miss M. L. Cavalier (French).
Mrs. M. Couette (French).
Mrs. M. Delabit (French).
Mrs. R. Eaton (Canadian).
Miss K. Gloerfelt-Tarp (Danish).
Dame Florence Hancock (United Kingdom).
Dame Caroline Haslett (United Kingdom).
Mrs. Nelly Jaussy (Swiss).
Miss D. Johnson (United Kingdom).
Mrs. P. Jorge de Tella (Cuban).
Mrs. A. Kale (Indian).
The Rajkumari Amrit Kaur (Indian).
Mrs. E. Kornfeldova (Czechoslovak).
Dame Anne Loughlin (United Kingdom).
Mrs. B. Lutz (Brazilian).
Mrs. A. Macropoulou (Greek).
Mrs. S. C. Mazumdar (Indian).
Miss F. Miller (United States).
Mrs. I. Osvald-Jacobson (Swedish).
Mrs. M. de Pérez-Trevenno (Peruvian).
Mrs. E. Powell (Australian).
Mrs. A. V. Rössel (Swedish).
Miss M. V. Royce (Canadian).
Miss R. T. Skyring (New Zealand).
Miss S. E. Southall (United States).
Mrs. K. Wagh (Indian).
Mrs. E. Wedberg Larsson (Swedish).

New Appointments.
Mrs. S. Alvarez Vignoli de Demicheli (Uruguayan).
Mrs. M. Bose (Indian).
Mrs. M. Brandes-Ledrus (Belgian).
Miss Yung-ho Chien (Chinese).
Miss G. Dickason (United States).
Mrs. S. Ekendahl (Swedish).
Mrs. A. Figueroa Gajardo (Chilean).
Mrs. G. Gómez (Mexican).
Mrs. F. Gonzáles Peña (Chilean).
Miss E. Lorentsen (Canadian).
Miss Nagels (Belgian).
Dame Mary J. Smieton (United Kingdom).
Mrs. S. Troisgros (French).
Mrs. A. Turner-Bone (Canadian).
Mr. A. Vermeulen (Netherlands).
Mrs. C. Williams de Junge (Chilean).

I.L.O.-W.H.O. Joint Committee on Occupational Health.

Reappointments.
Dr. L. Carrozzi (Italian).
Dr. L. Greenburg (United States).
Professor P. Mazel (French).
Dr. E. R. A. Merewether (United Kingdom).

Committee of Experts on Indigenous Labour.

Reappointments.
Mr. E. Beaglehole (New Zealand).
Mr. E. Gallardo (Mexican).
Mr. V. G. Garces (Ecuador).
Mr. H. Miner (United States).
Mr. E. Pérez (Bolivian).

Resignations:
The Governing Body took note of the resignation of the following members:
Mr. G. S. Ghurye (Indian).
Mr. M. Sánchez Palacios (Peruvian).

New Appointments:
Mr. W. Dupouy (Venezuelan).
Mr. A. Kahn (Pakistani).
Mr. F. Ponce de León (Peruvian).
Shri L. M. Shrikant (Indian).
Mr. F. A. Vélez Arango (Colombian).

Correspondence Committee on Co-operation.

New Appointment.
Mr. Yang-Song Chen (Chinese).
The Governing Body noted with regret the death of Mr. J. Schorsch, deputy Workers' member from 1931 to 1934.

Composition of the Governing Body

The Governing Body noted that the Brazilian Government had appointed as its regular representative on the Governing Body His Excellency J. R. de Macedo Soares, Permanent Representative of Brazil in Geneva, and as substitute representative, Mr. B. Rocque da Motta.

Further, that the Colombian Government had appointed as its regular representative Mr. Luis González Barros, Permanent Representative of Colombia accredited to the European Office of the United Nations, in place of Mr. Martínez Emiliani.

The following changes were made in the composition of the Employers' group: Mr. Campanella was elected a regular member in place of Mr. Cornil (deceased); Mr. C. E. Shaw was elected a regular member in place of Mr. McCormick (resigned); Mr. Ghayour was elected a deputy member in place of Mr. Campanella.

Fourth Session of the Inter-American Social Security Conference

The Governing Body took note of the report on the Fourth Session of the Inter-American Social Security Conference and expressed its thanks to the Mexican Government for the hospitality extended to those who had attended the Conference.

Meeting of Experts on Productivity in Manufacturing Industries; Meeting of Experts on the Prevention and Suppression of Dust in Mining, Tunnelling and Quarrying

The Governing Body approved the convocation of a number of experts, whose names had been submitted by the Director-General, for the Meeting of Experts on Productivity in Manufacturing Industries and for the Meeting of Experts on the Prevention and Suppression of Dust in Mining, Tunnelling and Quarrying.

Relations with the Provisional Intergovernmental Committee for the Movement of Migrants from Europe

The Governing Body decided to invite the Provisional Intergovernmental Committee for the Movement of Migrants from Europe, subject to reciprocity, to attend and participate without vote in meetings of the Governing Body and other I.L.O. meetings at which measures of interest to that body might be discussed.

Second Session of the I.L.O.-W.H.O. Joint Committee on Occupational Health

The Governing Body approved the convening of the I.L.O.-W.H.O. Joint Committee on Occupational Health for its Second Session; the I.L.O. would be represented at this meeting by four members. The Committee would consider the contribution of public health and occupational health authorities and services in promoting and maintaining the health of the workers.
Record of the 17th Session of the Joint Maritime Commission

On the basis of the record of the 17th Session of the Joint Maritime Commission, the Governing Body decided, inter alia, as follows:

Ratification of the Wages, Hours of Work and Manning (Sea) Convention (Revised), 1949 (No. 93).

The question of the ratification of Convention No. 93 had been the subject of a lively debate in the Joint Maritime Commission. The Governing Body did not, however, alter its previous decision to resume examination of the problem at its autumn session.

Conditions of Work in the Fishing Industry.

The Seafarers' representatives had expressed the wish that the Governing Body would consider the possibility of convening a tripartite committee of experts to examine conditions of work in the fishing industry, or would take other steps to have the question placed on the agenda of a session of the Conference not later than 1954. The Governing Body postponed decision on this point until it should be in possession of the replies of the governments to a questionnaire sent to them some time ago.

Seafarers' Welfare in Ports.

It was agreed that the attention of the governments should be drawn to the various recommendations concerning seafarers' welfare in ports. The Governing Body instructed the Office to collect up-to-date information and make it available in the most convenient form at suitable intervals.

Composition of the Joint Maritime Commission.

The Joint Maritime Commission had made various proposals concerning its composition. These proposals were referred to the Committee on Standing Orders and the Application of Conventions and Recommendations and to the Financial and Administrative Committee.

Placing of Seamen Convention, 1920 (No. 9).

The Seafarers' representatives had considered that Convention No. 9 did not perhaps adequately ensure that all recruitment of seafarers took place through official or approved employment offices. The Governing Body instructed the Office to study the question.

Convening of an Asian Regional Maritime Conference.

It was decided that an Asian Regional Maritime Conference should be held in 1953. The Director-General would undertake the necessary consultations concerning its date and place. Its agenda would be limited to three items:

II. Methods of recruitment and engagement of Asian seafarers.
III. Welfare of Asian seafarers in Asian ports.

Conditions of Work in the Short Sea Trades in North-West Europe.

The Governing Body decided to set up, in accordance with the Standing Orders of the Joint Maritime Commission, a tripartite sub-

1 See above, pp. 276-277.
committee to consider the need for a regional conference to examine the possibility of reaching an agreement on hours of work and manning in the short sea trades in North-West Europe.

Relations between the I.L.O. and the Saar

The Governing Body accepted a request made by the French Government in the name of the Saar Government and decided that the Saar might, in the conditions previously laid down, be associated in 1952 with those meetings and activities of the Organisation which were of interest to it.

Programme of Meetings

The Governing Body approved the following arrangements:

<table>
<thead>
<tr>
<th>Event</th>
<th>Date</th>
<th>Location</th>
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<tr>
<td>I.L.O.-W.H.O. Joint Committee on Occupational Health (Second Session)</td>
<td>1952</td>
<td>Geneva 6-11 October</td>
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<td>Asian Advisory Committee</td>
<td>Geneva 17-18 November</td>
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<td>Technical Meeting on the Protection of Young Workers in Asian Countries, with Relation to Their Vocational Preparation</td>
<td>Ceylon 1-10 December</td>
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<tr>
<td>Latin American Manpower Technical Conference</td>
<td>1-13 December</td>
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<tr>
<td>Textiles Committee (Fourth Session)</td>
<td>Geneva 2-14 February</td>
<td></td>
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<tr>
<td>Committee on Work on Plantations (Second Session)</td>
<td>Havana 16-28 March</td>
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The Governing Body approved the arrangement for the technical meeting on the protection of young workers in Asian countries to be held in Ceylon with the Director-General fixing the exact place of meeting in consultation with the Officers of the Governing Body.

The Governing Body also approved the arrangement for the Second Session of the Committee on Work on Plantations to be held in Havana.

Appointment of Governing Body Representatives on Various Bodies

The Governing Body made the following appointments:


Government group: Mr. Kaufmann.
Employers' group: Mr. Bergenström.
Workers' group: Mr. Jouhaux.
Substitute: M. De Bock.

Representatives of the I.L.O. at the Seventh Regular Session of the Assembly of the United Nations.

Government group:
The Chairman of the Governing Body (Mr. Cisternas).
The Chairman of the International Organisations Committee (Sir Guildhaume Myrddin-Evans).
Employers' group:
Mr. Shaw.
Mr. Taylor.
Substitutes: Mr. Tata, Mr. Allana.

Workers' group:
Mr. Jouhaux.
Mr. Delaney.

DATE AND PLACE OF THE 120TH SESSION OF THE GOVERNING BODY

The Governing Body decided to hold its 120th Session in Geneva from Tuesday 25 to Friday 28 November 1952; its committees and groups would sit from 14 to 24 November and from 29 November to 2 December.

ELECTION OF THE OFFICERS OF THE GOVERNING BODY

At the close of its session the Governing Body unanimously elected as Chairman for the coming year Mr. Fernando Cisternas Ortiz, Minister of Chile in Switzerland since 1947, Government delegate at the International Labour Conference since 1948, and regular representative of his Government on the Governing Body.
After paying tribute to the outgoing Chairman, the Governing Body unanimously re-elected Sir John Forbes Watson and Mr. Jouhaux as Vice-Chairmen.
35th Session of the International Labour Conference

Convocation of the Conference

1. Communication relating to the Agenda of the Conference and Accompanying Memorandum

On 21 September 1951, the following letter was addressed to the governments of States Members of the International Labour Organisation:

Geneva, 21 September 1951.

Sir,

I have the honour to communicate to you the agenda of the 35th Session of the International Labour Conference, together with certain information concerning the date, place and organisation of the session.

1. Agenda of the Conference.

The agenda of the Conference, as determined by the Governing Body at its 113th Session (Brussels, November 1950) and its 114th Session (Geneva, March 1951), and by the 34th Session of the International Labour Conference (Geneva, June 1951), is as follows:

- II. Financial and budgetary questions.
- III. Information and reports on the application of Conventions and Recommendations.
- IV. Holidays with pay in agriculture (second discussion).
- V. Objectives and standards of social security:
  - (a) Minimum standards of social security (second discussion);
  - (b) Objectives and advanced standards of social security (first discussion).
- VI. Co-operation between public authorities and employers' and workers' organisations:
  - (a) Co-operation at the level of the undertaking (second discussion of a proposed Recommendation concerning co-operation at the level of the undertaking and first discussion of a draft text containing, as model guiding principles, examples of good practice concerning consultation and co-operation);
  - (b) Co-operation at the level of the industry and at the national level (first discussion).
- VII. Revision of the Maternity Protection Convention, 1919 (No. 3).
- VIII. Protection of the health of workers in places of employment (first discussion).
- IX. Regulation of the employment of young persons in underground work in coal mines (general discussion, to be regarded as a first discussion if the Conference decides to proceed to draft international regulations on the subject for second discussion in 1953).

I enclose for your information a memorandum prepared in the light of the discussions which took place in the Governing Body and at the International Labour Conference, with a view to explaining the scope and purport of the items on the agenda and the procedure which the Conference will follow in dealing with them.

Every effort will be made by the Office to ensure that the documents submitted to the Conference are communicated to you sufficiently in advance of the opening
of the session. In this connection, I venture to remind you that the timely prepara-
tion by the Office of the final reports for submission to the Conference depends
essentially on the punctual communication by governments, by the dates stipulated,
of their replies to, and observations on, the questionnaires and preliminary reports
which are addressed to them.

2. Place and Date of the Session.

At its 113th Session (Brussels, November 1950), the Governing Body decided that
the 35th Session of the Conference should be held in Geneva, at the Palais des
Nations, and should open at 11 a.m. on Wednesday, 4 June 1952, the two preceding
days being left free for preliminary meetings of the Government, Employers' and
Workers' groups. The Conference is expected to continue until about 28 June.

3. Organisation of the Conference.

In addition to explanations concerning the agenda, the enclosed memorandum
contains information relating to the composition of delegations and to certain
provisions of the Standing Orders of the Conference concerning the depositing of
credentials and draft resolutions. In this connection, I should draw your attention
to the fact that items III, IV, V, VI, VII, VIII and IX are placed on the agenda in
accordance with articles 3 and 19 of the Constitution of the International Labour
Organisation. Under the provisions of these articles, each delegate to the Confer-
ence may be accompanied by two advisers for each of these seven items.

4. Accommodation for Delegations in Geneva.¹

I have the honour to be, etc.,

(Signed) David A. Morse,
Director-General.

Memorandum on the 35th Session of the International Labour Conference
(Geneva, June 1952)

A. AGENDA OF THE CONFERENCE

B. INFORMATION ON THE ITEMS ON THE AGENDA OF THE CONFERENCE

I. Report of the Director-General

In accordance with the Standing Orders, a Report by the Director-General of the
International Labour Office will be submitted to the Conference. The opinion has
been expressed that the International Labour Conference, while devoting its attention
to certain well-defined questions, should also afford an opportunity for the conside-
ration of some general problems in the social field. The discussion of the Report
of the Director-General affords such an opportunity.

The Governing Body of the International Labour Office has, moreover, requested
the Director-General to report to the 35th Session of the Conference on the subject
of reduction of working hours as a consequence of rising labour productivity.

II. Financial and Budgetary Questions

The Conference will be called upon to consider and approve the budget of the
International Labour Organisation for 1953 and to deal with any other financial
matters which may be brought to its attention in accordance with the financial
regulations.

III. Information and Reports on the Application of Conventions
    and Recommendations

Article 23 of the Constitution provides that the Director-General shall lay before
the Conference a summary of the information and reports communicated to him by

¹ This paragraph is not reproduced here.
² See preceding page.
governments in pursuance of articles 19 and 22 of the Constitution on the measures taken to give effect to the Conventions which they have ratified and on the position in their respective countries with regard to the subject-matter of Conventions which they have not ratified, and of Recommendations; article 35 provides that governments which have ratified Conventions shall supply the Director-General with information concerning the application of such Conventions to non-metropolitan territories. The Conference at its 35th Session will have to consider the information and reports supplied by governments in pursuance of the above-mentioned articles of the Constitution, together with the report of the Committee of Experts on the Application of Conventions and Recommendations.

IV. Holidays with Pay in Agriculture (second discussion)

This question was the subject of a first discussion at the 34th Session. By a resolution adopted on 29 June 1951 the Conference, having approved as general conclusions proposals for a Convention and Recommendation relating to holidays with pay in agriculture, which would serve as a basis for consulting governments, decided to place the question on the agenda of the 35th Session with a view to a final decision on a Convention and Recommendation on the subject. In accordance with article 39, paragraphs 6 and 7, of the Standing Orders of the Conference, the Office will communicate to the governments draft texts of a Convention and a Recommendation on holidays with pay in agriculture, asking them to state whether they have any amendments to suggest or comments to make. On the basis of their replies the Office will draw up a final report containing draft texts of a Convention and a Recommendation, with any necessary amendments, to serve as a basis of discussion at the 35th Session.

V. Objectives and Standards of Social Security

(a) Minimum Standards of Social Security (second discussion).

The fourth item on the agenda of the 34th Session of the Conference was “Objectives and minimum standards of social security”. The question was dealt with under the double-discussion procedure. The Committee on Social Security, to which the Conference referred the question, decided provisionally to discuss the matter on the basis of the text submitted by the Office, which provided that the instrument should take the form of a Convention providing for both a minimum and an advanced standard. In the course of its work, however, the Committee found that the time allotted to it would not suffice for a discussion of both the minimum and the advanced standard. It therefore confined itself to preparing conclusions covering the general provisions and the minimum standard of social security.

By a resolution adopted on 29 June 1951 the Conference, having adopted as general conclusions the proposals made by the Committee on Social Security for a Convention on minimum standards, which would serve as a basis for consulting governments, decided to place on the agenda of the 35th Session the question “Minimum standards of social security”, with a view to a final decision on a Convention on the subject.

In order to give effect to this resolution, and in accordance with article 39, paragraphs 6 and 7, of the Standing Orders of the Conference, the Office will communicate to the governments a draft text of a Convention, asking them to state whether they have any amendments to suggest or comments to make. On the basis of their replies the Office will draw up a final report containing draft texts of a Convention, with any necessary amendments, to serve as a basis of discussion at the 35th Session.

(b) Objectives and Advanced Standards of Social Security (first discussion).

As stated above, this question appeared on the agenda of the 34th Session of the Conference as part of the fourth item. By a resolution adopted on 29 June 1951 the Conference, having taken note of the regret expressed by the Committee on Social Security that it could not reach conclusions on the entire item which it was appointed to examine, decided to place on the agenda of the 35th Session the question “Objectives and advanced standards of social security”, for a first discussion.

The Office will take account of the replies made by the governments to the questionnaire which was sent to them with a view to the preparation of the texts submitted to the 34th Session of the Conference, and of the discussions which took place at that session, in preparing a new report setting out the principal questions to be considered by the Conference and in submitting draft conclusions.
VI. Co-operation between Public Authorities and Employers' and Workers' Organisations

(a) Co-operation at the Level of the Undertaking (second discussion of a draft text of a Recommendation concerning co-operation at the level of the undertaking and first discussion of a draft text containing, as model guiding principles, examples of good practice concerning consultation and co-operation).

The sixth item on the agenda of the 34th Session of the Conference, for first discussion, was “Co-operation between public authorities and employers' and workers' organisations”.

The Conference had before it a report on the subject, prepared by the Office, which contained proposed conclusions concerning co-operation at the level of the undertaking, at the level of the industry and at the national level.

Having realised that, owing to lack of time, it was materially impossible to study the whole of this item during the 34th Session, the Conference decided to limit its deliberations to the question of co-operation at the level of the undertaking, at the level of the industry and at the national level.

In accordance with article 39, paragraphs 6 and 7, of the Standing Orders of the Conference, the Office will communicate to the governments a draft text of a Recommendation concerning co-operation at the level of the undertaking, asking them to state whether they have any amendments to suggest or comments to make. On the basis of their replies the Office will draw up a final report containing the draft text of a Recommendation, with any necessary amendments, to serve as a basis of discussion at the 35th Session.

(b) Co-operation at the Level of the Industry and at the National Level (first discussion).

As stated above, the question of co-operation between public authorities and employers' and workers' organisations was on the agenda of the 34th Session of the Conference. Basing itself on the considerations described above, the Conference decided, by the resolution adopted on 29 June 1951 which is mentioned above, to place on the agenda of the 35th Session for a first discussion the question of co-operation between public authorities and employers' and workers' organisations at the level of the industry and at the national level. The Conference will have before it, for this first discussion, the report already submitted to the 34th Session, Report VI: Co-operation between Public Authorities and Employers' and Workers' Organisations; it will also have at its disposal a study entitled Co-operation in Industry (Studies and Reports, New Series, No. 26, Geneva, 1951).

VII. Revision of the Maternity Protection Convention, 1919 (No. 3)

At its 114th Session (Geneva, March 1951) the Governing Body, on the recommendation of its Committee on the Application of Conventions and Recommendations, decided to place on the agenda of the 35th Session of the Conference the question of the revision in whole of the Maternity Protection Convention, 1919, with a view to the adoption of one or more Conventions and, if necessary, of a supplementary Recommendation on the subject. In accordance with the provisions of article 44 of the Standing Orders of the Conference, the Office will submit to the Conference draft amendments drawn up in accordance with the conclusions of the report of the Governing Body recommending the revision in whole of the Convention and containing the suggestions and comments communicated by the governments of States Members in reply to the notification sent to them in accordance with article 9 of the Standing Orders of the Governing Body.

In view of the importance of the medical aspects of maternity protection, the Governing Body also decided that the World Health Organisation should be
associated with the preparatory work for the revision of the Maternity Protection Convention, 1919. The result of these consultations will be brought to the attention of the States Members.

VIII. Protection of the Health of Workers in Places of Employment
(first discussion)

At its 113th Session (Brussels, November 1950), the Governing Body decided to place on the agenda of the 35th Session of the Conference the question of the protection of the health of workers in dangerous or unhealthy trades. At the same time it invited a committee on the programme of work of the Office in the field of industrial safety and health, which it had set up at an earlier session, to define the particular aspects of the subject to which the proposed international regulations should be directed and to make recommendations to it on the question. The Committee met in Geneva from 11 to 16 December 1950 and its report was examined by the Governing Body at its 114th Session (Geneva, March 1951). The Committee expressed the opinion that there were practical difficulties in attempting to draw up any precise list of dangerous or unhealthy occupations and that danger and unhealthiness were matters of degree. It considered that the expression “dangerous or unhealthy occupations” must be widely interpreted and that the words “in places of employment” would be more suitable. The Governing Body agreed with this view.

The question will be dealt with under the double-discussion procedure. In accordance with article 39, paragraph 1, of the Standing Orders of the Conference, the Office has prepared and communicated to governments a preliminary report setting out the law and practice in the different countries, together with a questionnaire: International Labour Conference, 35th Session, 1952, Report VIII (1): Protection of the Health of Workers in Places of Employment.

In accordance with article 39, paragraph 3, of the Standing Orders of the Conference, the Office will prepare a further report on the basis of the replies from the governments to the questionnaire contained in Report VIII (1), indicating the principal questions which require consideration by the Conference.

IX. Regulation of the Employment of Young Persons in Underground Work in Coal Mines

The 27th (1945) Session of the Conference adopted a resolution requesting the Governing Body to place on the agenda of an early and, if possible, of the next session of the Conference the question of the regulation of the employment of young persons in underground work in coal mines.

At its 98th Session (Montreal, May 1946), however, the Governing Body decided to refer the question for examination to the Coal Mines Committee. At its Second Session (Geneva, 1947) the Coal Mines Committee decided that the question needed investigation in regard to the possibility of establishing international standards for the regulation of the employment of young persons in underground work in coal mines. The Office consequently carried out this investigation, the results of which were communicated to the Third Session of the Coal Mines Committee (Pittsburgh, 1949) in a report entitled: The Protection of Young Workers Employed Underground in Coal Mines (Geneva, 1948). The Coal Mines Committee examined this report and gave particular attention to the following questions: minimum age of admission to employment, medical examination, night work, weekly rest and annual holidays with pay. It was agreed that the question of the minimum age of admission should be further examined at the Fourth Session of the Committee, in 1951.

The preliminary conclusions of the Coal Mines Committee were submitted to the Governing Body at its 113th Session (Brussels, November 1950), which considered that the regulation of the employment of young persons in underground work in coal mines should be placed on the agenda of the 35th Session of the Conference for general discussion, to be regarded as a first discussion if the Conference decides to proceed to draft international regulations on the subject for second discussion at the 36th Session of the Conference. The Office is preparing and will communicate to governments a report upon the subject, containing a questionnaire.

C. COMPOSITION OF DELEGATIONS

1 Sections C, D and E are substantially similar to the corresponding sections of the memorandum on the 31st Session; see Official Bulletin, Vol. XXXI, No. 3, 31 Dec. 1948, pp. 162-163.
2. Communication concerning Arrangements for the Session

On 9 April 1952, the following letter was addressed to the governments of States Members of the Organisation:


Sir,

With reference to my letter No. D. 635-100 of 21 September 1951, in which I had the honour to inform you concerning the agenda, date, place and organisation of the 35th (1952) Session of the International Labour Conference, I now have the honour to inform you that the Governing Body of the International Labour Office decided, at its 118th Session (Geneva, March 1952), to make the following alterations in the arrangements for the session.

The Employers’ and Workers’ groups will meet at the Palais des Nations, Geneva, at 10 a.m. and 3 p.m. on Monday 2 and Tuesday 3 June 1952.

The Government group will meet at the Palais des Nations at 10 a.m. and 3 p.m. on Tuesday 3 June 1952.

The session will open at the Palais des Nations on Wednesday, 4 June 1952 at 10 a.m. (and not at 11 a.m., as stated in my letter of 21 September 1951).

Effective results can be obtained from the group meetings which precede the session only if the composition of each group is complete, and I therefore venture to urge that every possible step should be taken to ensure that the Employers’ and Workers’ delegates and advisers appointed by your Government should reach Geneva in time to participate in the meetings at 10 a.m. on Monday, 2 June and that the Government delegates and advisers appointed by your Government should reach Geneva in time to participate in the meeting at 10 a.m. on Tuesday, 3 June.

I have the honour to be, etc.,

For the Director-General:
(Signed) Jef Rens,
Deputy Director-General.

3. Invitation to the United Nations and to Other International Organisations to Be Represented at the Conference

By letter dated 3 April 1952 and in pursuance of article II of the Agreement between the International Labour Organisation and the United Nations, the latter was invited to be represented at the 35th Session of the Conference. On the same date, the following governmental international organisations were also invited to be represented:

Food and Agriculture Organisation.
International Civil Aviation Organisation.
International Bank for Reconstruction and Development.
International Monetary Fund.
World Health Organisation.
Interim Commission for the International Trade Organisation.
Preparatory Committee of the Intergovernmental Maritime Consultative Organisation.
Organisation of American States.
Council for Europe.

The High Commissioner for Refugees and the Provisional Intergovernmental Committee for the Movement of Migrants from Europe were likewise invited to be represented.

Sections C, D and E are substantially similar to the corresponding sections of the memorandum on the 31st Session; see Official Bulletin, Vol. XXXI, No. 3, 31 Dec. 1948, pp. 162-163.
Finally, in accordance with the decisions taken by the Governing Body concerning the establishment of consultative relationship with non-governmental international organisations, the following were invited to be represented at the Conference in a consultative capacity:

- World Federation of Trade Unions.
- International Co-operative Alliance.
- International Federation of Christian Trade Unions.
- International Confederation of Free Trade Unions.
- International Federation of Agricultural Producers.
- International Organisation of Employers.

Proceedings of the Conference

The 35th Session of the International Labour Conference was held at Geneva from 4 to 28 June 1952.


The International Labour Office has also published the *Record of Proceedings* of the 35th Session of the Conference, which contains lists of the members of delegations and of committees, the Officers of the Conference and members of the secretariat, the stenographic record of the discussions, and appendices containing the reports of the Conference committees and the texts adopted by the Conference.

The letter communicating these texts to the governments of States Members is reproduced hereafter.¹

Communication to the Governments of the States Members of the Texts of the Conventions and Recommendations Adopted by the Conference

On 11 August 1952, the following letter was sent to the governments of States Members of the Organisation ²:


Sir,

I have the honour to forward to you herewith a certified copy of the texts of the Conventions and Recommendations adopted by the International Labour Conference at its 35th Session, held in Geneva from 4 to 28 June 1952. These Conventions and Recommendations are the following:

- Convention (No. 101) concerning holidays with pay in agriculture, 1952;
- Convention (No. 102) concerning minimum standards of social security, 1952;
- Convention (No. 103) concerning maternity protection (revised), 1952;
- Recommendation (No. 93) concerning holidays with pay in agriculture, 1952;
- Recommendation (No. 94) concerning consultation and co-operation between employers and workers at the level of the undertaking (1952);
- Recommendation (No. 95) concerning the protection of maternity, 1952.

¹ For the decisions of the Governing Body on action to be taken on the resolutions adopted by the Conference, see below, pp. 308-309.

² The letter reproduced here was sent to the non-federal States Members of the Organisation. A corresponding communication was sent on the same date to the federal States Members of the Organisation with the necessary modifications. These are practically identical with the corresponding paragraphs of the letter communicating to federal States Members of the Organisation the text of the Recommendation adopted by the Conference at its 33rd Session (see *Official Bulletin*, Vol. XXXIII, No. 5, 31 Dec. 1950, pp. 243-245); they are therefore not printed here.
In accordance with the provisions of article 19 of the Constitution of the International Labour Organisation, the text of these Conventions is communicated to you with a view to their ratification and the text of the Recommendations with a view to effect being given to them by means of national legislation or otherwise.

I am also forwarding to you, under separate cover, additional copies of these texts and I shall be glad to supply further copies at your request.

In communicating these texts to you, I would venture to draw your attention to the procedure laid down by article 19, paragraphs 5 and 6, of the Constitution.

These provisions state, in respect of the Conventions and Recommendations adopted by the Conference, that "each of the Members undertakes that it will, within the period of one year at most from the closing of the session of the Conference, or if it is impossible owing to exceptional circumstances to do so within the period of one year, then at the earliest practicable moment and in no case later than 18 months from the closing of the session of the Conference, bring the Convention (or Recommendation) before the authority or authorities within whose competence the matter lies for the enactment of legislation or other action". Moreover, these provisions prescribe that Members shall inform the Director-General of the International Labour Office of the measures taken in accordance with the above-mentioned article to bring the Conventions (or Recommendations) "before the said competent authority or authorities, with particulars of the authority or authorities regarded as competent, and of the action taken by them".

I also venture to call your attention to the fact that, in accordance with article 23, paragraph 2, of the Constitution, States Members are required to communicate to the representative organisations of employers and workers copies of the information and reports communicated to the Director-General of the International Labour Office in pursuance of article 19 of the Constitution.

In the course of the 35th Session of the Conference, the Committee on the Application of Conventions and Recommendations, the report of which was unanimously approved by the Conference, devoted particular attention to the carrying out by States Members of the constitutional obligation to submit Conventions and Recommendations to the competent authorities and to supply information regarding the nature of these authorities. The Committee also recalled that "Conventions and Recommendations must be submitted to the competent authorities in all cases, and not only when the ratification of a Convention appears possible" and that the national competent authority to which these texts must be submitted should normally be, in the spirit of the Constitution of the International Labour Organisation, the legislature.

The Conference Committee also expressed the hope that, when submitting the Conventions and Recommendations to the competent authorities, States Members would do "all in their power to submit to their competent authorities concrete proposals within the relevant periods provided for by the Constitution for the submission of texts to such authorities".

The 35th Session of the International Labour Conference was declared closed on 28 June 1952. It follows that the period of one year laid down by article 19 of the Constitution for the submission to the competent authorities of the Conventions and Recommendations adopted in the course of this session will expire on 28 June 1953, and that the exceptional period of 18 months will expire on 28 December 1953.

I should therefore be grateful if you would be so good as to take the measures which you may deem appropriate to submit the Conventions and Recommendations, the text of which is communicated herewith, to the competent authorities within the time limits provided for by the Constitution; I also venture to hope that you will keep me informed of these measures and will also communicate to me any relevant information concerning the national authority or authorities regarded as competent, as well as any information on the decisions taken by these authorities and on the communication of this information and of these decisions to the representative organisations of employers and workers.

The information communicated to me in this respect will be reviewed in a report to an early session of the Conference, in pursuance of article 23, paragraph 1, of the Constitution.

I have the honour to be, etc.,

For the Director-General:
(Signed) C. W. Jenks,
Assistant Director-General.
The United Kingdom of Libya and the International Labour Organisation

The United Kingdom of Libya became a Member of the International Labour Organisation by a decision of the Conference on 11 June 1952. The documents relating to the admission of the United Kingdom of Libya are reproduced below—

Application for Membership Sent by the Prime Minister and Minister of Foreign Affairs of the United Kingdom of Libya to the Director-General of the International Labour Office


Sir,

I have the honour to inform you that in accordance with resolutions of the General Assembly of the United Nations, adopted in pursuance of Annex XI, paragraph 3 of the Treaty of Peace with Italy, 1947, the United Kingdom of Libya was declared a free and independent sovereign State on 24 December 1951.

The Government of the United Kingdom of Libya has now decided to apply for membership in the International Labour Organisation, under paragraph 4 of article I of the Constitution of the International Labour Organisation, and I have the honour to request that this application be laid before the General Conference of the Organisation.

The United Kingdom of Libya hereby accepts the obligations of the Constitution of the International Labour Organisation and solemnly undertakes fully and faithfully to perform each and every of the provisions thereof. The United Kingdom of Libya will bear its share of the expenses of the International Labour Organisation in accordance with the provisions of the Constitution of the Organisation, and the Libyan Government will make the necessary arrangements concerning its financial contribution with the Governing Body.

I have also the honour to inform you that the Government of the United Kingdom of Libya is prepared to accept the undertakings given on its behalf by the Government of Italy under the provisions of article 35 of the Constitution of the International Labour Organisation, and consideration will be given at a very early date to the formal ratification of these Conventions by this country.

I wish to avail myself of this opportunity to express to you the assurance of my highest esteem.

(Signed) Mahmoud MUNTASSER,
Prime Minister
and Minister of Foreign Affairs.

Extracts from the Fourth Report of the Selection Committee to the 35th Session of the International Labour Conference

The United Kingdom of Libya became an independent and sovereign State on 24 December 1951 in conformity with resolutions of the General Assembly of the United Nations which were adopted in pursuance of Annex XI, paragraph 3, of the Treaty of Peace with Italy on 10 February 1947. On the same day authority was transferred to the Libyan Government by the two administering Powers, France and the United Kingdom of Great Britain and Northern Ireland.

In addition to applying for membership in the International Labour Organisation the United Kingdom of Libya has applied since 24 December 1951, the date of its Declaration of Independence, for membership in the United Nations, the United Nations Food and Agriculture Organisation, the United Nations Educational, Scientific and Cultural Organisation and the World Health Organisation. Libya's
achievement of independence has already brought the new State the warm congratulations of the General Assembly of the United Nations which, in a resolution adopted unanimously on 1 February 1952, supported its application for membership in the United Nations. Libya was admitted to membership in the World Health Organisation on 6 May 1952.

From the foregoing, it appears that the United Kingdom of Libya is a fully self-governing State which has the same international status as the other Members of the International Labour Organisation. There is, therefore, no doubt that the applicant Government has the international status necessary to enable it to discharge the obligations involved in membership of the International Labour Organisation.

The Selection Committee has noted with interest that the Constitution of the United Kingdom of Libya of 7 October 1951 guarantees freedom of thought, of meeting, of association and of speech. The Employers' and Workers' members of the Committee wish to emphasise the importance which they attach to these points.

In reply to questions by the Employers' and Workers' members, the representatives of the Libyan Government assured the Subcommittee appointed by the Selection Committee to examine the application that it would be the policy of the Libyan Government to send complete tripartite delegations, nominated in accordance with the provisions of the Constitution of the International Labour Organisation, to future sessions of the International Labour Conference. They also gave an assurance that the Libyan Government would place no obstacle in the way of the formation of central trade union federations, and would permit such federations to co-operate freely with other workers' and employers' organisations represented in the International Labour Organisation.

The Conference will note that the Prime Minister and Foreign Minister of the United Kingdom of Libya has already, by his letter of 22 January 1952, communicated to the Director-General of the International Labour Office the formal acceptance by the Libyan Government of the obligations of the Constitution of the International Labour Organisation.

The Conference will also note that, in the same letter, the Prime Minister and Foreign Minister states that the Government of the United Kingdom of Libya is prepared to accept the undertakings given on its behalf by the Government of Italy under the provisions of article 35 of the Constitution of the International Labour Organisation, and that consideration will be given at a very early date to the formal ratification of these Conventions by the Libyan Government.

The Selection Committee accordingly submits to the Conference for adoption the following proposed resolution:

Adopt by the Conference of the Resolution concerning the Admission of the United Kingdom of Libya to the International Labour Organisation

At its Sixth Sitting, on 11 June 1952, the International Labour Conference unanimously adopted the resolution concerning the admission of the United Kingdom of Libya.

120th Session of the Governing Body of the International Labour Office

The 120th Session of the Governing Body of the International Labour Office was held in Geneva from 25 to 28 November 1952 under the chairmanship of Mr. F. Cisternas.

The agenda of the session was as follows:

1. Approval of the minutes of the 119th Session.
2. Date, place and agenda of the 37th (1954) Session of the International Labour Conference.
3. Date and place of the Asian Regional Conference.
4. Proposals concerning the Eighth International Conference of Labour Statisticians.
5. Action to be taken on the resolutions adopted by the International Labour Conference at its 35th Session.
8. Reports of the Financial and Administrative Committee.
16. Programme of meetings.
17. Appointment of Governing Body representatives on various bodies.
18. Date and place of the 121st Session of the Governing Body.

The Governing Body was composed as follows:

Chairman: Mr. F. Cisternas.

Regular Members:

Government group:

Belgium: Mr. A. J. J. Fafchamps.
Brazil: Mr. J. R. de Macedo Soares.
Canada: Mr. A. H. Brown.
Chile: Mr. F. Donoso.
China: Mr. Tuan Mao-lan.
Finland: Mr. E. A. Wuori.
France: Mr. P. Ramadier.
India: Mr. V. K. R. Menon.
Iran: Mr. M. Esfandiary.
Italy : Mr. M. CINGOLANI.
Mexico : Mr. J. L. LARIS.
Pakistan : Mr. A. M. MALIK.
Portugal : Mr. M. A. FERNANDES.
United Kingdom : Sir Guildhaume MYRDDIN-EVANS.
United States : Mr. A. L. ZEMPEL.
Venezuela : Mr. V. MONTOYA.

Employers' group :
Mr. G. A. ALLANA (Pakistani).
Mr. C. M. CALVO, substitute for Mr. J. B. PONS (Uruguayan).
Mr. P. CAMPANELLA (Italian).
Mr. C. E. SHAW (United States).
Sir Richard SNEDDEN (United Kingdom).
Mr. W. H. TUCKER (New Zealand), substitute for Mr. W. GEMMILL.
Mr. P. WALINE (French).
Mr. F. YLLANES RAMOS (Mexican).

Workers' group :
Mr. Aftab ALI (Pakistani).
Mr. B. IBÁÑEZ ÁGUILA (Chilean).
Mr. L. JOUHAUX (French).
Mr. A. E. MONK (Australian).
Mr. J. MÔRI (Swiss).
Mr. S. DE A. PEQUENO (Brazilian).
Mr. A. ROBERTS (United Kingdom).
Mr. H. SHASTRI (Indian).

The following regular members were absent :

Government group :
Canada : Mr. A. MACNAMARA.
Mexico : Mr. P. DE ALBA.
United States : Mr. P. M. KAISER.

Employers' group :
Mr. W. GEMMILL (South African).
Mr. J. B. PONS (Uruguayan).

Workers' group :
Mr. G. P. DELANEY (United States).
Mr. A. SÖLVÉN (Swedish).

Deputy Members or Substitutes :

Government group :
Australia : Mr. J. D. L. HOOD.
Burma : U Maung Maung TOE.
Colombia : Mr. L. GONZÁLEZ BARROS.
Greece : Mr. N. HADJÍ VASSÍLIÓU.
Norway : Mr. K. J. ÔKSNES.
Switzerland : Mr. M. KAUFMANN.
Employers' group:

Mr. G. BERGENSTRÖM (Swedish).
Mr. A. CALHEIROS LOPES (Portuguese).
Mr. A. G. FENNEMA (Netherlands).
Mr. M. GHAYOUR (Iranian).
Mr. C. KUNTSCHEN (Swiss).
Mr. M. ROSEN (Israeli).
Mr. P. VAN DER REST (Belgian).

Workers' group:

Mr. J. D'Alessio Gordiola (Uruguayan).
Mr. J. Böhm (Austrian).
Mr. N. De Bock (Belgian).
Mr. P. D. Fernandez (Philippine).
Mr. Liang Yung-chang (Chinese).
Mr. E. Nielsen (Danish).
Mr. A. Vermeulen (Netherlands).

The following representatives of States Members were present as observers:

Argentina: Mr. A. Roncarolo.
Costa Rica: Mr. A. P. Donnadieu.
Japan: Mr. M. Ebizuka.

The following representatives of other international organisations were present:

Governmental Organisations.

United Nations: Mr. L. Gros, Mr. P. D. Manheimer, Mr. E. M. Chossudovsky.
Food and Agriculture Organisation: Mr. P. Sinard, Mr. H. Jacoby.
World Health Organisation: Mrs. T. C. Jarvis, Dr. Roemer, Dr. Kaul.
Interim Commission for the International Trade Organisation: Mr. J. Royer, Mr. W. Roth.
Intergovernmental Committee for European Migration: Mr. R. Rochefort, Mr. P. C. Jarrell, Miss S. Baerverstock.
Office of the High Commissioner for Refugees: Mr. A. A. Hoveyda.
Council for Europe: Mr. F. Tennfjord.

Non-governmental Organisations.

International Co-operative Alliance: Mr. M. Boson.
International Confederation of Free Trade Unions: Mr. H. Patteet.
International Federation of Agricultural Producers: Mr. R. Savary.
International Federation of Christian Trade Unions: Mr. G. Eggermann.
International Organisation of Employers: Mr. G. Emery.
World Federation of Trade Unions: Mr. J. Dessau.
OPENING OF THE SESSION: TRIBUTES TO SIR JOHN FORBES WATSON AND WILLIAM GREEN

At the opening of the session, the Chairman paid tribute to the memory of Sir John Forbes Watson, former Chairman of the Employers' group and Vice-Chairman of the Governing Body, and rendered homage to "one who for nearly 30 years had devoted a large part of his activities, energy, intelligence and personality to the International Labour Organisation". Members from the three groups and the Director-General joined in this tribute. The Governing Body stood for a moment in silence.

At the Fourth Sitting, with Mr. Jouhaux in the chair, the Governing Body was informed of the death of Mr. William Green, President of the American Federation of Labor. Mr. Jouhaux, who had known William Green since 1909, paid tribute to a man "who had been a supporter and artisan not only of social peace but of peace in general".

DATE, PLACE AND AGENDA OF THE 37TH (1954) SESSION OF THE INTERNATIONAL LABOUR CONFERENCE

The Governing Body decided that the 37th Session of the International Labour Conference, to be held in Geneva, should open on Wednesday, 2 June 1954, with the following agenda:

I. Report of the Director-General.
II. Financial and budgetary questions.
III. Information and reports on the application of Conventions and Recommendations.
IV. Vocational rehabilitation of the disabled (first discussion).
V. Migrant workers (underdeveloped countries) (first discussion).
VI. Penal sanctions for breaches of contract of employment (first discussion).
VII. Holidays with pay (second discussion).

Moreover, the Governing Body decided that a report on technical assistance, with or without a draft resolution, should be laid before it; the question would then be referred to the 37th Session of the Conference, although not included in the agenda as a specific item, and might be examined in the Conference either by the Resolutions Committee or by the Selection Committee.

DATE AND PLACE OF THE ASIAN REGIONAL CONFERENCE

It was decided that the Asian Regional Conference should be held in Tokyo from 14 to 26 September 1953. The Governing Body expressed its gratitude to the Government of Japan for its proposal that the conference should be held in that country.

1 See I.L.O.: Minutes of the 120th Session of the Governing Body, p. 11.
2 Ibid., p. 40.
3 For the agenda of the conference see above, p. 281.
It was decided that the Eighth International Conference of Labour Statisticians should be held in Geneva early in 1954 and be preceded in the Spring of 1953 by a small preliminary meeting of statistical experts to review the documents and proposals to be submitted to the Conference and, in particular, to define the scope of its agenda. This agenda was as follows:

I. General report on the progress of labour statistics, including particularly progress reports on—
   (a) developments relating to the Convention (No. 63) concerning Statistics of Wages and Hours of Work;
   (b) developments in labour productivity statistics;
   (c) technical assistance in labour statistics;
   (d) methods of statistics of occupational diseases.

II. Employment and unemployment statistics. Methods of implementation of the resolution of the Sixth International Conference of Labour Statisticians on employment and unemployment statistics and review of definitions.

III. International Standard Classification of Occupations: sub-groups and unit groups.

IV. International comparisons of real wages and costs of living: study of methods.

The Governing Body would be informed of the work of the meeting of experts. It also instructed the Director-General to obtain information on the work undertaken by the economic experts of the United Nations in the two following fields: methods of family living studies in rural sectors in underdeveloped countries, and international comparison of per head income. The information thus obtained would be submitted to the preliminary meeting.

**Action to Be Taken on the Resolutions Adopted by the International Labour Conference at Its 35th Session**

*Resolution concerning Social Security and Social Welfare Facilities in Coal Mines*

The Governing Body decided to refer this question to its Committee on Industrial Committees, with a view to the inclusion of the question in the agenda of the next session of the Coal Mines Committee, in accordance with the desire expressed by the Conference.

*Resolution concerning the Collection and Diffusion of Information on the Substitution of Harmless or Less Harmful Substances for Harmful Substances*

The Governing Body instructed the Office to collect and diffuse information on this subject.

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Resolution concerning Consultation and Co-operation between Employers and Workers at the Level of the Undertaking

The Director-General was authorised to follow very closely the developments in this matter.

It was agreed that various other resolutions, dealing with technical assistance to underdeveloped countries and with social security, should be brought to the attention of the Governing Body when it had to consider the agenda of sessions of the Conference.

Report of the Joint I.L.O.-W.H.O. Committee on Occupational Health

The Joint I.L.O.-W.H.O. Committee on Occupational Health, which held its Second Session in October 1952, considered the contribution of public health and occupational health authorities in promoting and maintaining the health of the worker. It adopted a number of conclusions of a general nature and gave particular attention to certain conclusions concerning occupational diseases adopted by the International Labour Conference at its 1952 Session. It expressed the opinion that the practical application of the Conference's decision¹ would involve serious difficulties, and recommended that the methods of implementation of the decision should be considered in practical detail by the I.L.O., in conjunction with other experts, before the question came again before the Conference. The Governing Body approved of this procedure. It also decided that the report of the Joint Committee should be communicated to governments of States Members.

Report on the Fourth Session of the Asian Advisory Committee

The Governing Body took note of the report on the Fourth Session of the Asian Advisory Committee and approved the agenda for the Fifth Session in the following terms:

I. Living and working conditions of tenants, share-croppers and similar categories of agricultural workers in Asia.

II. Seasonal fluctuations in agricultural and allied employment in Asia.

III. Handicrafts and small-scale industries and their importance for combating underemployment in Asia.

IV. Fair wages in the construction industry in Asia.

Reports of the Financial and Administrative Committee

The Governing Body took note of the financial and budgetary situation of the Organisation during the period under review. It took a certain number of decisions concerning transfers within the budget, the financing of various meetings and the staff of the Office and its staff regulations.

REPORT OF THE ALLOCATIONS COMMITTEE

Pro memoria.¹

REPORT OF THE COMMITTEE ON INDUSTRIAL COMMITTEES

The Governing Body adopted unanimously and without discussion most of the recommendations made by its Committee on Industrial Committees.

It authorised the Director-General to communicate to governments the reports and resolutions adopted at the Fourth Session of the Iron and Steel Committee ², the Third Session of the Chemical Industries Committee ³ and the Fourth Session of the Petroleum Committee ⁴, inviting them to communicate these documents to the employers' and workers' organisations concerned. Giving effect to recommendations of the Iron and Steel Committee and the Petroleum Committee, the Governing Body considered that the attention of the governments should be drawn to the need for informing the Director-General of the measures which they have taken to implement the resolutions adopted at previous sessions of those two Committees. The governments were also invited to reply as quickly as possible to requests for information issued by the Director-General, to arrange that such information should be prepared in consultation with the employers' and workers' organisations concerned, and to transmit copies of the information to these organisations when it is forwarded to the Director-General.

Advisory Committee on Salaried Employees and Professional Workers.

The Governing Body invited the Director-General to undertake the studies requested by the Advisory Committee on Salaried Employees and Professional Workers ⁵, having regard to the general programme of work of the Office and the work necessary for the preparation of the Third Session of the Committee. The question of performers' rights was also discussed, and it was agreed that the subject should be resumed at the 121st Session of the Governing Body.

Metal Trades Committee.

At its Fourth Session ⁶ the Metal Trades Committee had requested that a preliminary study should be made of the shipbuilding and ship-repairing industry. The Director-General was authorised to undertake this study, which would deal with employment problems as well as with wages and social conditions of the workers concerned. In addition, the general report to be submitted to the Fifth Session of the Committee would contain short notes on a guaranteed minimum income for metal trades workers and on practical means of ensuring higher and more suitable earnings for those workers.

Iron and Steel Committee.

The Iron and Steel Committee had made a number of suggestions concerning studies which the Office might undertake relating to the conditions

¹ The Allocations Committee did not meet during the 120th Session of the Governing Body.
³ Ibid., pp. 197-214.
⁴ Ibid., pp. 217-235.
⁵ Ibid., pp. 110 and 114-118 passim.
⁶ Ibid., p. 117.
of employment of workers in the countries of Asia and the Far East and in the Latin American countries, and to the problem of maintaining a high and suitable level of employment in the industry. It was decided that these questions should be examined at a later session; however, the Director-General was authorised to communicate the resolutions which mentioned these problems to the Secretary-General of the United Nations with the request that he should circulate them to the appropriate organs of the United Nations. The Governing Body also noted that the Director-General would report to it in due course on the action taken to follow the activities of the European Coal and Steel Community and to study their effect upon the employment and living standards of the workers in the industries concerned.

**Chemical Industries Committee.**

In accordance with a proposal made by the Chemical Industries Committee the Director-General was instructed to inform governments and employers’ and workers’ organisations of the results achieved in different countries in the field of vocational training in the chemical industries. The Office was also authorised, in accordance with another proposal, to continue its efforts with a view to arriving at the adoption, for use in international trade, of symbols for dangerous substances; to prepare a list of these substances; and to continue to take part in the discussion of these questions with other international organisations concerned.

**Petroleum Committee.**

The Director-General was authorised to draw the attention of governments to the proposals contained in a resolution, adopted by the Petroleum Committee at its Fourth Session, concerning principles and methods used in determining wages in the petroleum industry. Governments would be invited to provide the Director-General with information concerning any developments in their countries on matters referred to in a number of resolutions and in two memoranda adopted by the Committee.

**Requests for Membership of Industrial Committees.**

The Committee on Industrial Committees had before it a number of requests for membership of Industrial Committees. It was decided that these requests should subsequently be reviewed as a whole. Meanwhile, the Governing Body decided to admit Viet-Nam to membership of the Committee on Work on Plantations, and to invite Chile and Japan to send representatives to the next session of the Textiles Committee.

**Agenda of Forthcoming Sessions.**

The agenda of the Fifth Session of the Coal Mines Committee was fixed as follows:

I. General report, dealing particularly with the following matters: (a) action taken in the various countries in the light of the conclusions of previous sessions of the Committee;

3 Ibid., p. 222.
steps taken by the Office to follow up the studies and inquiries proposed by the Committee;
(c) recent events and developments in the coal-mining industry.

II. Productivity in coal mines.

III. Social welfare facilities and services for coalminers.

The agenda of the Fifth Session of the Inland Transport Committee was fixed as follows:

I. General report, dealing particularly with the following matters:
(a) action taken in the various countries in the light of the conclusions of previous sessions of the Committee;
(b) steps taken by the Office to follow up the studies and inquiries proposed by the Committee;
(c) recent events and developments in the inland transport industry.

II. Conditions of employment in road transport.

III. Welfare facilities for dockworkers.

REPORT OF THE MANPOWER AND EMPLOYMENT COMMITTEE

The Governing Body approved various recommendations made by its Manpower and Employment Committee, to draw the attention of the Technical Assistance Board to the measures to be taken for publishing in Asian languages documents and an information bulletin on manpower questions. It also noted a proposal by the Director-General to publish memoranda on technical topics which could be made available to Asian countries. A proposal was made that it might be advantageous to combine into a single committee the Technical Assistance Committee and the Manpower and Employment Committee; the Governing Body decided that, before taking a decision, it would review the whole question on the basis of a document to be submitted to it by the Director-General.

REPORT OF THE TECHNICAL ASSISTANCE COMMITTEE

The report of the Technical Assistance Committee did not call for any special decision by the Governing Body.1

REPORT OF THE INTERNATIONAL ORGANISATIONS COMMITTEE

The Governing Body adopted without discussion the report of its International Organisations Committee, which dealt mainly with the following points.

United Nations Priority Programmes.

The list of priority programmes drawn up by the Economic and Social Council of the United Nations includes a certain number of items of special

interest to the Organisation, among which are increased production, par-
ticularly of food, action to secure full employment and economic stability,
the development of social services, social security and public works, and
various measures designed to achieve a gradual development of and respect
for human rights. The Governing Body took note of the fact that the
Director-General would take these priorities into account in the budget
estimates for 1954, and would bring them to the notice of the Governing
Body and the Conference. The United Nations would be informed of the
Governing Body's decisions.

International Covenants on Human Rights.

The United Nations Commission on Human Rights concluded, in the
course of a session held in 1952, its examination of the fundamental articles
of two international covenants, one of which related to economic and
social rights and the other to civil and political rights. The Governing
Body had already had an opportunity of taking note of the drafts of these
articles and had at that time made various observations upon them. It
expressed its satisfaction that the articles adopted by the Economic and
Social Council were in general formed in such a way as to take account of
the opinions which it had expressed. The Governing Body also reaffirmed
its view concerning the articles on implementation of the covenants,
which had not been examined by the Economic and Social Council at its
last session. It was agreed that the Director-General should draw the
attention of the United Nations to the principle laid down by the Governing
Body that it should be left to the I.L.O. or other specialised agency con-
cerned to work out in detail and apply, by means of detailed provisions,
those economic and social rights which fall within its competence.

Apprenticeship of Women Workers.

In order to give effect to a request by the Economic and Social Council,
it was decided that the Office should undertake a study on the position of
girls and women in relation to apprenticeship to certain trades, in consulta-
tion with members of the Correspondence Committee on Women's Work
and with the Officers of the Governing Body.

Co-operation between the I.L.O. and Regional Organs of the United Nations
on Transport Questions.

The Governing Body decided that the I.L.O. should continue on the
existing basis its relations on transport questions with the United Nations
regional economic commissions.

Composition of Committees

The Governing Body approved the proposals submitted by the Office
as set forth below.¹

Correspondence Committee on Occupational Safety and Health.

New Appointments.

Dr. K. C. Charron (Canadian).
Dr. L. Goldwater (United States).

¹ Unless otherwise stated, all appointments and reappointments are for a period of
three years.
Dr. Harriet L. Hardy (United States).
Dr. H. P. Dastur (Indian).
Dr. R. S. F. Schilling (United Kingdom).
Mr. J. H. Lewis (South African).
Mr. J. W. Goodspeed (South African).

**Correspondence Committee on Women's Work.**

**New Appointments.**

Dr. Alice Arnold (Swiss).
Miss L. E. Ebeling (United States).
Miss E. Feller (Swiss).
Mrs. S. Fernando (Ceylonese).
Begum Shamsunnahar Mahmuud (Pakistani).
Mrs. G. Oland (Norwegian).
Mrs. M. Tritz (German).

**Committee of Experts on the Application of Conventions and Recommendations.**

**Renewal of Appointments.**

Baron Frederick van Asbeck (Netherlands).
Mr. Helio Lobo (Brazilian).

**Correspondence Committee on Recreation.**

**New Appointment.**

Mr. H. Goldschmidt (German).

**Correspondence Committee on Juvenile Employment.**

**New Appointment.**

Mr. H. Stephany (German).

**Fact-Finding and Conciliation Commission on Freedom of Association.**

**New Appointment (to fill the seat rendered vacant by the death of Sir Harold Butler).**

Sir John Forster (United Kingdom).

**Report of the Director-General**

Decisions taken by the Governing Body on the basis of the Director-General's report include the following:

*Meeting of the Committee of Experts on the Accommodation and Welfare of Migrants on Board Ship*

The Governing Body authorised the Director-General to take the necessary action to carry out the recommendation of the Committee of Experts on the Accommodation and Welfare of Migrants on Board Ship concerning consultation of governments on these questions.
Tripartite Subcommittee of the Joint Maritime Commission

It was decided that the Tripartite Subcommittee of the Joint Maritime Commission, which the Governing Body had already decided to convene, should meet in 1953. The subcommittee would consist of representatives of the Governments of Belgium, Denmark, France, the Federal Republic of Germany, the Netherlands, Norway, Sweden and the United Kingdom, as well as of members of the Shipowners' and Seafarers' groups from the countries concerned, and would be instructed to consider the need for a tripartite regional conference on hours of work and manning in the short sea trades of North-West Europe. The Governing Body also decided to refer to this subcommittee a resolution submitted at the 17th Session of the Joint Maritime Commission by the Seafarers' group, requesting the Governing Body to invite the Economic and Social Council of the United Nations to study the possibility of establishing machinery to regulate freight rates for the shipping engaged within this region.

Joint I.L.O.-W.H.O. Committee on the Hygiene of Seafarers

It was decided that the Joint I.L.O.-W.H.O. Committee on the Hygiene of Seafarers should meet in Geneva in March or April 1953 with the following agenda:

I. Radio appeals from ships for medical aid.
II. Medical chests on board ship.
III. Certain aspects of the prevention and treatment of venereal disease.
IV. Examination of seafarers to detect tuberculosis.

Composition of the Governing Body

The Governing Body took note of the following:

The Iranian Government had informed the Director-General of the resignation of its titular representative, Mr. H. Afchar; the new titular representative had not yet been nominated.


To fill the vacancy created by the death of Sir John Forbes Watson, the Employers' group of the Governing Body elected as titular member Sir Richard Snedden (United Kingdom).

Appointment of an Employers' Vice-Chairman.

Mr. P. Waline (France) was appointed Employers' Vice-Chairman of the Governing Body in place of Sir John Forbes Watson.
Composition of the Governing Body Committees.

The following alterations concerning the Employers' group were made in the composition of the committees of the Governing Body:

**Financial and Administrative Committee:**
- **Regular members:**
  - Mr. McCormick replaced by Mr. C. E. Shaw.
  - Sir John Forbes Watson replaced by Sir Richard Snedden.
  - Mr. Fennema replaced by Mr. Waline.
- **Substitutes:**
  - Mr. Cornil replaced by Mr. Fennema.

**Committee on Standing Orders and the Application of Conventions and Recommendations:**
- **Regular members:**
  - Mr. Cornil replaced by Mr. Kuntschen.
  - Sir John Forbes Watson replaced by Sir Richard Snedden.
- **Substitutes:**
  - Mr. Kuntschen replaced by Mr. van der Rest.

**Manpower and Employment Committee:**
- **Substitutes:**
  - Sir John Forbes Watson replaced by Sir Richard Snedden.
  - Mr. McCormick replaced by Mr. C. E. Shaw.

**Committee on Industrial Committees:**
- **Regular members:**
  - Sir John Forbes Watson replaced by Sir Richard Snedden.
  - Mr. McCormick replaced by Mr. C. E. Shaw.

**International Organisations Committee:**
- **Regular members:**
  - Sir John Forbes Watson replaced by Sir Richard Snedden.
  - Mr. McCormick replaced by Mr. C. E. Shaw.

**Technical Assistance Committee:**
- **Regular members:**
  - Mr. Cornil replaced by Mr. Yllanes Ramos.
  - Mr. McCormick replaced by Mr. C. E. Shaw.
- **Substitutes:**
  - Sir John Forbes Watson replaced by Sir Richard Snedden.
  - Mr. Yllanes Ramos replaced by Mr. Van der Rest.

**Committee on Freedom of Association:**
- **Regular members:**
  - Sir John Forbes Watson replaced by Mr. Ghayour.
Substitutes:
Mr. McCormick replaced by Mr. Kuntschen.
Sir Richard Snedden (new substitute).

Reconstitution and Meeting of the Permanent Agricultural Committee

The Governing Body approved the nominations submitted to it by the Director-General for the reconstitution of the Permanent Agricultural Committee. It decided that the Committee should include 12 agricultural experts appointed after consultation with the governments concerned, six experts chosen after consultation with the Employers’ group and six experts chosen after consultation with the Workers’ group of the Governing Body.

The agenda of the Fourth Session of the Committee, to be held in Geneva in May 1953, was fixed as follows:

I. Vocational training in agriculture.
II. Employment of children and young persons in agriculture.
III. Contribution of the I.L.O. to international action in respect of land reform.

Proposed Meeting of Experts on Systems of Payments by Results in the Construction Industry

The Governing Body decided that a meeting of experts should be held from 21 to 31 July 1953 to examine systems of payment by results in the construction industry and the techniques involved in their introduction and operation. The experts would be drawn from independent circles, employers’ circles and workers’ circles in the following countries, which had had substantial experience with payment by results in the construction industry: Denmark, the Federal Republic of Germany, the Netherlands, Norway, Sweden and the United Kingdom. In reply to questions from various members of the Governing Body, the Deputy Director-General explained that the meeting of experts would have before it a study made by the Office at the request of the Building, Civil Engineering and Public Works Committee, which was to examine at its next session the factors that affect productivity in the construction industry.

Proposed Alteration in the Composition of the Governing Body

The Governing Body had before it a paper by the Director-General concerning the possibility of increasing the membership of the Governing Body, so as to take account of the increasing number of interests in the activities of the Organisation and the increased number of States Members. The Director-General had proposed that the number of members of the Governing Body, which was at present 32, should be increased to 40. The Governing Body would thus consist of 20 Government representatives instead of 16, and ten Employers’ representatives and ten Workers’ representatives instead of eight for each group. In addition, ten of the 20 Government members, instead of eight, would be appointed by the States of chief industrial importance. The Governing Body thought it desirable to take an immediate decision on the question so that it could be placed on the agenda of the Conference in 1953. If an amendment to the Constitution were not adopted by that date, elections to the Governing Body which have to be held in 1954 would take place on the basis of the present Constitution, the effect of which might be to remove from the Governing Body a certain number of States at present represented on it. The Governing Body was
almost unanimous in considering that the scope of the constitutional revision to be placed on the agenda of the Conference should be restricted. It finally decided, by 24 votes to 9, with 5 abstentions, to place on the agenda of the 36th Session of the Conference (1953) the texts proposed by the Director-General for the constitutional amendments concerning the changes to be made in the number of members of the Governing Body.

**Internal Organisation of the Office**

The Governing Body took note of various changes made by the Director-General in the internal organisation of the Office; these alterations included the combining of two existing divisions into a single Occupational Safety and Health Division and the creation of a Field Services Division. The new division would be responsible for co-ordinating the work of the field offices, the duties of which were to be expanded, with those of the Office and the external services, and would provide them with all necessary information and instructions.

A proposal had been made by the Chilean Government for the development of the regional activities of the Organisation, by altering the duties of the field offices; the Governing Body decided to postpone this question to a later session.

**Programme of Meetings**

The Governing Body approved or confirmed the following arrangements for 1953:

<table>
<thead>
<tr>
<th>Event</th>
<th>Date</th>
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<tbody>
<tr>
<td>Textiles Committee, Fourth Session</td>
<td>Geneva 2-14 February.</td>
</tr>
<tr>
<td>121st Session of the Governing Body and its committees</td>
<td>Geneva 20 February-7 March.</td>
</tr>
<tr>
<td>Committee on Work on Plantations, Second Session</td>
<td>Havana 16-28 March.</td>
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<td>dations</td>
<td>Geneva Spring.</td>
</tr>
<tr>
<td>Preliminary Meeting of Statistical Experts</td>
<td>Geneva April or May.</td>
</tr>
<tr>
<td>Permanent Agricultural Committee, Fourth Session</td>
<td>Geneva 4-27 June.</td>
</tr>
<tr>
<td>Meeting of Experts on Systems of Payment by Results in the Construction Industry</td>
<td>Japan 14-26 September.</td>
</tr>
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</table>

**Appointment of Governing Body Representatives on Various Bodies**

The Governing Body made the following appointments:

*Textiles Committee (Fourth Session).*

*Chairman and representative of the Government group: Mr. Hauck (France).*
Employers' group: Mr. Rosen.
Substitute: Mr. Kuntschen.

Workers' group: Mr. Roberts.
Substitute: Mr. De Bock.

Committee on Work on Plantations (Second Session).
Chairman and representative of the Government group: M. Montoya (Venezuela).
Employers' group: Mr. Fennema.
Substitute: Mr. Ghayour.

Workers' group: Mr. Aftab Ali.
Substitute: Mr. Pequeno.

Permanent Agricultural Committee.
Government group: Brazil.
Substitute: Canada.
Employers' group: Mr. Calheiros Lopes.
Substitute: Mr. Fennema.
Workers' group: Mr. Pastore.

DATE AND PLACE OF THE 121ST SESSION OF THE GOVERNING BODY

The Governing Body decided that its 121st Session should be held in Geneva from Tuesday 3 to Friday 6 March 1953. Its committees would meet from 20 to 28 February and on 7 March.
Official Action on the Decisions of the International Labour Conference

Ratification and Denunciation of Conventions

AUSTRALIA

Declaration concerning the Application to Non-Metropolitan Territories of the Final Articles Revision Convention, 1946 (No. 80).

By letter dated 12 January 1952 the Head of the Australian Delegation to the European Office of the United Nations communicated to the Director-General of the International Labour Office the following letter concerning the application of the Final Articles Revision Convention, 1946 (No. 80) to the non-metropolitan territories for whose international relations Australia is responsible.

Dear Sir,

Subject: I.L.O. Convention No. 80

Reference is made to the letter addressed to you by the Australian Government of 14 January 1949 (859/11/80) concerning the ratification of I.L.O. Convention No. 80 by the Australian Government.

According to Document No. D.600-2000-4-80 this ratification was registered by the I.L.O. on 25 January 1949. I have now been asked to notify you that it is intended to extend this ratification to the Territories of Papua and New Guinea, of Norfolk Island and of Nauru. Would you please regard this letter as notification to that effect.

Yours faithfully,

(Signed) Patrick SHAW,
Permanent Delegate.

The above-mentioned Convention will become applicable to the territories of Papua and New Guinea, of Norfolk Island and of Nauru on 15 January 1952, the date on which the declaration by Australia was registered by the Director-General of the International Labour Office.

BELGIUM

Ratification of the Protection Against Accidents (Dockers) Convention (Revised), 1932 (No. 32); the Night Work (Women) Convention (Revised), 1948 (No. 89); the Labour Clauses (Public Contracts) Convention, 1949 (No. 94); and the Equal Remuneration Convention, 1951 (No. 100); and Declaration concerning the Application to Non-Metropolitan Territories of Convention No. 89.

By letter dated 31 March 1952 the Permanent Delegate of Belgium to the European Office of the United Nations communicated to the Director-General of the International Labour Office the instrument of ratification by Belgium of the Night Work (Women) Convention (Revised), 1948 (No. 89); by letter dated 21 May 1952 the instrument of ratification of the Equal Remuneration Convention, 1951 (No. 100); by letter dated 2 July 1952 the instrument of ratification of the Protection Against Accidents (Dockers) Convention (Revised), 1932 (No. 32); and by letter
dated 10 October 1952 the instrument of ratification of the Labour Clauses (Public Contracts) Convention, 1949 (No. 94).

Ratification of the Night Work (Women) Convention (Revised), 1948 (No. 89) was registered by the Director-General on 1 April 1952; that of the Equal Remuneration Convention, 1951 (No. 100) on 23 May 1952; that of the Protection Against Accidents (Dockers) Convention (Revised), 1932 (No. 32) on 2 July 1952 and that of the Labour Clauses (Public Contracts) Convention, 1949 (No. 94) on 13 October 1952.

The text of the instrument of ratification of the Protection Against Accidents (Dockers) Convention (Revised), 1932 (No. 32) is as follows:

(Translation)

BAUDOUIN, KING OF THE BELGians,

To all present and to come, Greeting!

Having seen and examined the international Convention concerning the protection against accidents of workers employed in loading or unloading ships (revised 1932) adopted on 27 April 1932 in Geneva by the General Conference of the International Labour Organisation in the course of its 16th Session, the text of which is as follows:

[Here follows the text of the Convention]

We, considering the preceding Convention is desirable, approve it, ratify it and confirm it, and promise that it shall be observed in its form and in its tenor and that We shall not permit it to be violated in any way whatsoever.

In faith whereof We have signed these present letters of ratification and have ordered them to be sealed with the Seal of State.

(Signed) BAUDOUIN.

(Signed) P. VAN ZEELAND,
Minister of Foreign Affairs.

The text of the declaration concerning the application of the Night Work (Women) Convention (Revised), 1948 (No. 89) to the territory of the Belgian Congo and the trust territories of Ruanda-Urundi is as follows:

(Translation)

In depositing the instrument of ratification by His Majesty the King of the Belgians of the international Convention concerning the night work of women employed in industry, adopted at San Francisco on 9 July 1948 by the General Conference of the International Labour Organisation, during its 31st Session, I have the honour to declare that such ratification applies only to the metropolitan territories, to the express exclusion of the territories of the Belgian Congo and the territories under trusteeship of Ruanda-Urundi.

Brussels, 17 March 1952.

(Signed) P. VAN ZEELAND,
Minister of Foreign Affairs.

The texts of the instruments of ratification of the other above-named Conventions are in terms similar to that of Convention No. 32, and each instrument is accompanied by a declaration similar to the one given above.

BRAZIL

Ratification of the Right to Organise and Collective Bargaining Convention, 1949 (No. 98).

On 18 November 1952 the representative of Brazil on the Governing Body of the International Labour Office deposited with the Director-
General of the International Labour Office the instrument of ratification by Brazil of the Right to Organise and Collective Bargaining Convention, 1949 (No. 98), and it was registered by the Director-General on the same date.

The text of the instrument of ratification is as follows:

(Translation)

I, GETULIO DORNELLES VARGAS,
President of the Republic of the United States of Brazil,

Declare to all those who may see these Presents that the International Labour Conference, convened in Geneva on 8 June 1949, in the course of its 32nd Session, adopted on 1 July 1949 the Convention (No. 98) concerning the application of the principles of the right to organise and to bargain collectively, the text of which is as follows:

[Here follows the text of the Convention]

And the National Congress having approved the above Convention I hereby declare it to be adopted and valid and that due effect will be given to it, and I promise that it will be inviolably observed.

In faith whereof I sign the present instrument of ratification which is sealed with the Arms of the Republic and countersigned by the Minister of State for Foreign Relations.

Done in the Presidential Palace at Rio de Janeiro on the 14th of the month of October 1952, the one hundred and thirty-first year of Independence and the sixty-fourth year of the Republic.

(Signed) GETULIO DORNELLES VARGAS.
(Signed) Joao [illegible]

CEYLON

Ratification of the Right of Association (Agriculture) Convention, 1921 (No. 11); the Workmen's Compensation (Occupational Diseases) Convention, 1925 (No. 18); and the Convention concerning Statistics of Wages and Hours of Work, 1938 (No. 63).

By letter dated 12 May 1952 the Prime Minister and Minister of External Affairs of Ceylon communicated to the Director-General of the International Labour Office the ratification by Ceylon of the Workmen's Compensation (Occupational Diseases) Convention, 1925 (No. 18), and by letter dated 18 August 1952 the ratification of the Right of Association (Agriculture) Convention, 1921 (No. 11) and of the Convention concerning Statistics of Wages and Hours of Work, 1938 (No. 63).

The ratification of the Workmen's Compensation (Occupational Diseases) Convention, 1925 (No. 18) was registered by the Director-General on 17 May 1952 and the ratifications of the Right of Association (Agriculture) Convention, 1921 (No. 11) and the Convention concerning Statistics of Wages and Hours of Work, 1938 (No. 63) were registered on 25 August 1952.

The letter from the Prime Minister and Minister of External Affairs of Ceylon, which constitutes the instrument of ratification of the Workmen's Compensation (Occupational Diseases) Convention, 1925 (No. 18) is as follows:

Colombo, 12 May 1952.

Sir,

I have the honour to refer to Convention No. 18 concerning workmen's compensation for occupational diseases, adopted by the Conference at its Seventh Session,
Geneva, on 10 June 1925 (as modified by the Final Articles Revision Convention, 1946), and to inform you that the Government of Ceylon, having considered the Convention aforesaid, do hereby, in terms of article 19 (5) (d) of the Constitution of the International Labour Organisation, confirm and ratify the same, and undertake faithfully to perform and carry out all the stipulations therein contained.

In witness whereof I have set my seal at Colombo this 12th day of May, 1952.

I have the honour to be, etc.,

(Signed) Dudley Senanayake,
Prime Minister and
Minister of External Affairs.

The letters which constitute the ratifications of the Right of Association (Agriculture) Convention, 1921 (No. 11) and of the Convention concerning Statistics of Wages and Hours of Work, 1938 (No. 63) are in similar terms; the letter ratifying the latter Convention, however, expressly excludes Part IV from the ratification.

CUBA

Ratification of the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87); the Employment Service Convention, 1948 (No. 88); the Night Work (Women) Convention (Revised), 1948 (No. 89); the Night Work of Young Persons (Industry) Convention (Revised), 1948 (No. 90); the Paid Vacations (Seafarers) Convention (Revised), 1949 (No. 91); the Accommodation of Crews Convention (Revised), 1949 (No. 92); the Wages, Hours of Work and Manning (Sea) Convention (Revised), 1949 (No. 93); the Labour Clauses (Public Contracts) Convention, 1949 (No. 94); the Protection of Wages Convention, 1949 (No. 95); the Migration for Employment Convention (Revised), 1949 (No. 97); and the Right to Organise and Collective Bargaining Convention, 1949 (No. 98).

On 29 March 1952 the Consul of Cuba in Geneva communicated to the Director-General of the International Labour Office the instruments of ratification of Conventions Nos. 88, 89, 90, 91, 92, 93, 94, 95, 97 and 98; the instrument of ratification of the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87) was communicated to the Director-General on 25 June 1952.

The ratification of the first ten Conventions was registered by the Director-General on 29 March 1952 and that of Convention No. 87 on 25 June 1952.

The text of the instrument of ratification of the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87) is as follows:

(Translation)

Fulgencio Batista y Zalvidar,
President of the Republic of Cuba,

Whereas a Convention (No. 87), concerning freedom of association and protection of the right to organise was adopted by the International Labour Conference in the course of its 31st Session at San Francisco, California, United States of America, and was approved by the Senate of the Republic in a Permanent Extraordinary Session held on 17 and 18 December 1951,

Whereas by virtue of the rights conferred upon Me by paragraph (m) of article 120 of the Constitution of the Republic, such Convention was ratified by me in each and every one of its parts on 23 May 1952,
Therefore, in order that it may be deposited in the archives of the International Labour Office at Geneva, Switzerland, I send the present instrument of ratification, signed by My own hand and sealed with the Great Seal of the Nation and countersigned by the Minister of State at Havana in the Presidential Palace on 26 May 1952.

(Signed) BATISTA.
(Signed) Miguel Angel CAMPA, Minister of State.

The texts of the instruments of ratification of Conventions Nos. 88, 89, 90, 91, 92, 93, 94, 95, 97 and 98 are in similar terms.

FRANCE

Ratification of the Employment Service Convention, 1948 (No. 88) and the Protection of Wages Convention, 1949 (No. 95).

By letter dated 11 October 1952 the Minister of Foreign Affairs communicated to the Director-General of the International Labour Office the instruments of ratification by France of the Employment Service Convention, 1948 (No. 88) and the Protection of Wages Convention, 1949 (No. 95).

The ratifications were registered by the Director-General on 15 October 1952.

The text of the instrument of ratification is as follows:

(Translation)

VINCENT AURIOL,
President of the French Republic,

To all who may see these Presents, Greeting.

Whereas an international labour Convention (No. 88) concerning the organisation of the employment service and an international labour Convention (No. 95) concerning the protection of wages were adopted by the International Labour Conference, the texts of which are as follows:

[Here follow the texts of the Conventions]

Having seen and examined the said Conventions We have approved them, and We declare that they are accepted, ratified and confirmed and promise that they shall be inviolably observed.

In faith whereof We have delivered these Presents sealed with the Seal of the Republic.

Done at Paris the 8th of October 1952.

(Signed) VINCENT AURIOL.
(Signed) Antoine PINAY, (Signed) Robert SCHUMAN,
President of the Council of Ministers. Minister of Foreign Affairs.

GREECE

Ratification of the Right of Association (Agriculture) Convention, 1921 (No. 11); the Workmen's Compensation (Accidents) Convention, 1925 (No. 17); the Forced Labour Convention, 1930 (No. 29); the Workmen's Compensation (Occupational Diseases) Convention (Revised), 1934 (No. 42); and the Holidays with Pay Convention, 1936 (No. 52).

On 13 June 1952 the Minister of Labour of Greece deposited the instruments of ratification of Conventions Nos. 11, 17, 29, 42 and 52 with the
Director-General of the International Labour Office, and the ratifications were registered by the Director-General on the same date.

The text of the instrument of ratification of the Rights of Association (Agriculture) Convention, 1921 (No. 11) is as follows:

(Translation)

PAUL, KING OF THE HELLENES,

Whereas a Convention concerning the rights of association and combination of agricultural workers was adopted by the General Conference of the International Labour Organisation at Geneva in 1921, the text of which, as modified by the Final Articles Revision Convention, 1948, is as follows:

[Here follows the text of the Convention]

Having examined the above Convention, We have approved it in each and all of its provisions, declared that it is accepted and confirmed and promise that it will be inviolably observed.

In faith whereof We have signed these Presents and have caused them to be sealed with the Seal of State.

Done at Athens, this sixth day of June, one thousand nine hundred and fifty-two.

(Signed) PAUL R.
(Signed) L. VENIZELOS.

The instruments of ratification of the other Conventions mentioned above are in similar terms.

GUATEMALA

Ratification of the Medical Examination of Young Persons (Industry) Convention, 1946 (No. 77) ; the Medical Examination of Young Persons (Non-Industrial Occupations) Convention, 1946 (No. 78) ; the Night Work of Young Persons (Non-Industrial Occupations) Convention, 1946 (No. 79) ; the Labour Inspection Convention, 1947 (No. 81) ; the Contracts of Employment (Indigenous Workers) Convention, 1947 (No. 86) ; the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87) ; the Employment Service Convention, 1948 (No. 88) ; the Night Work (Women) Convention (Revised), 1948 (No. 89) ; the Night Work of Young Persons (Industry) Convention (Revised), 1948 (No. 90) ; the Labour Clauses (Public Contracts) Convention, 1949 (No. 94) ; the Protection of Wages Convention, 1949 (No. 95) ; the Migration for Employment Convention (Revised), 1949 (No. 97) ; and the Right to Organise and Collective Bargaining Convention, 1949 (No. 98).

By letter dated 13 February 1952 the Consul of Guatemala in Geneva communicated to the Director-General of the International Labour Office the instruments of ratification by Guatemala of Conventions Nos. 77, 78, 79, 81, 86, 87, 88, 89, 90, 94, 95, 97 and 98, and the ratifications were registered by the Director-General on the same date.

The text of the instrument of ratification of the Conventions is as follows:

(Translation)

JACOBO ARBENZ GUZMÁN,
Constitutional President of the Republic of Guatemala,

Whereas the Congress of the Republic, by Decree No. 843 dated 7 November 1951, has approved the following Conventions adopted by the International Labour Conference in the course of its 29th, 30th, 31st and 32nd Sessions: Convention
(No. 77) Medical Examination of Young Persons (Industry); Convention (No. 78) Medical Examination of Young Persons (Non-Industrial Occupations); Convention (No. 79) Night Work of Young Persons (Non-Industrial Occupations); Convention (No. 81) Labour Inspection; Convention (No. 86) Maximum Length of Contracts of Employment of Indigenous Workers; Convention (No. 87) Freedom of Association and Protection of the Right to Organise; Convention (No. 88) Organisation of the Employment Service; Convention (No. 89) Night Work of Women Employed in Industry; Convention (No. 90) Night Work of Young Persons Employed in Industry; Convention (No. 94) Labour Clauses in Public Contracts; Convention (No. 95) Protection of Wages; Convention (No. 97) Migrant Workers; Convention (No. 98) Right to Organise and to Bargain Collectively.

Therefore by virtue of the powers vested in Me by the Constitution of the Republic, I hereby ratify the above-mentioned Conventions Nos. 77, 78, 79, 81, 86, 87, 88, 89, 90, 94, 95, 97 and 98 adopted by the International Labour Conference in the course of its 29th, 30th, 31st and 32nd Sessions, and I hereby order them to be published in order that they may be considered as laws of the Republic.

In faith whereof I have signed with My own hand the present instrument of ratification, which is sealed with the Seal of the Republic and countersigned by the Minister of External Affairs.

Done at Guatemala City on 21 January 1952.

(Signed) J. ARBENZ GUZMÁN,
Constitutional President of the Republic of Guatemala.

(Signed) Manuel GALICH,
Minister of External Affairs.

HAITI

Ratification of the Hours of Work (Industry) Convention, 1919 (No. 1); the Weekly Rest (Industry) Convention, 1921 (No. 14); the Hours of Work (Commerce and Offices) Convention, 1930 (No. 30); and the Labour Inspection Convention, 1947 (No. 81).

By letter dated 28 February 1952 the Secretary of State for Foreign Affairs of Haiti communicated to the Director-General of the International Labour Office the instruments of ratification of the Hours of Work (Industry) Convention, 1919 (No. 1); the Hours of Work (Commerce and Offices) Convention, 1930 (No. 30); and the Labour Inspection Convention, 1947 (No. 81); and by letter dated 9 May 1952 the Ambassador of Haiti to France communicated the instrument of ratification of the Weekly Rest (Industry) Convention, 1921 (No. 14).

These ratifications were registered by the Director-General on 31 March 1952 in respect of the Hours of Work (Industry) Convention, 1919 (No. 1); the Hours of Work (Commerce and Offices) Convention, 1930 (No. 30); and the Labour Inspection Convention, 1947 (No. 81); and on 14 May 1952 in respect of the Weekly Rest (Industry) Convention, 1921 (No. 14).

The text of the instrument of ratification of the Hours of Work (Industry) Convention, 1919 (No. 1) is as follows:

(Translation)

WE, PAUL E. MAGLOIRE,
President of the Republic of Haiti,

Having taken into consideration articles 79, 82 and 84 of the Constitution of the Republic;

Having examined the Convention limiting the hours of work in industrial undertakings adopted by the General Conference of the International Labour Organisation meeting at Washington on 29 October 1919, the text of which is as follows:

[Here follows the text of the Convention]
Having examined the above Convention and considering it as desirable, 
Declare that it is approved, ratified and confirmed, and 
Promise that it shall be applied and observed, after approval by the National Assembly in its form and tenor and that it shall not be violated. 
In faith whereof We have signed with Our own hand the present act of ratification and have caused to be affixed thereto the Seal of the Republic.
Done at the National Palace at Port-au-Prince, on 23 July 1951, the 148th year of Independence.

(Signed) Paul Magloire, 
President.

(Signed) Jacques Léger, 
Secretary of State for Foreign Affairs.

The texts of the instruments of ratification of the other above-named Conventions are in similar terms.

ICELAND

Ratification of the Paid Vacations (Seafarers) Convention (Revised), 1949 (No. 91) and the Right to Organise and Collective Bargaining Convention, 1949 (No. 98).

On 15 July 1952, the Consul for Iceland in Geneva deposited with the Director-General of the International Labour Office the instruments of ratification of the Paid Vacations (Seafarers) Convention (Revised), 1949 (No. 91) and the Right to Organise and Collective Bargaining Convention, 1949 (No. 98).
These ratifications were registered by the Director-General on the date of their deposit.

The text of the instrument of ratification of the Paid Vacations (Seafarers) Convention (Revised), 1949 (No. 91) is as follows :

(Translation)

THE PRESIDENTIAL COUNCIL, 
Consisting of the Prime Minister, the President of the United Althing and the President of the Supreme Court, 
In accordance with article 8 of the Constitution 
Proclaims :
That having seen and examined Convention No. 91 concerning vacation holidays with pay for seafarers, adopted at the 32nd Session of the International Labour Conference in Geneva, 1949, and also the resolution adopted by the Althing concerning the confirmation of the Convention, 
Declare that through this document the said Convention is accepted, confirmed and ratified, and promise that it shall be inviolably observed. 
In faith whereof, we have signed this document of ratification and caused our Seal to be affixed thereunto.
Reykjavik, 20 May 1952.

(Signed) Steingr. Steinbórrsson.  
(Signed) Jon Pál Mason.  
(Signed) Jon Asbjörnsson.  
(Signed) Bjarni Benediktsson.

The text of the instrument of ratification of the Right to Organise and Collective Bargaining Convention, 1949 (No. 98) is in similar terms.
IRELAND

Ratification of the Night Work (Women) Convention (Revised), 1948 (No. 89) and the Accommodation of Crews Convention (Revised), 1949 (No. 92).

By letter dated 12 January 1952 the Minister of Ireland to Switzerland communicated to the Director-General of the International Labour Office the instrument of ratification by Ireland of the Night Work (Women) Convention (Revised), 1948 (No. 89), and by letter of 19 July 1952 that of the Accommodation of Crews Convention (Revised), 1949 (No. 92).

The former ratification was registered by the Director-General on 14 January 1952, and the latter on 21 July 1952.

The text of the instrument of ratification of the Night Work (Women) Convention (Revised), 1948 (No. 89) is as follows:

Having seen and considered the Convention concerning night work of women employed in industry, which was adopted at San Francisco on 9 July 1948 by the General Conference of the International Labour Organisation during its 31st Session,

And having approved the aforesaid Convention, which reads word for word as follows:

[Here follows the text of the Convention]

Now therefore the Government of Ireland do hereby confirm and ratify the aforesaid Convention and undertake faithfully to perform and carry out all the stipulations therein contained.

In witness whereof this instrument of ratification is signed and sealed by the Minister of External Affairs of Ireland.

Dublin, this twenty-first day of December, one thousand nine hundred and fifty-two.

(Signed) PRIONSÍAS MAC AOGÁIN (Frank Aiken),
Minister of External Affairs.

The instrument of ratification of the other above-mentioned Convention is in similar terms.

ITALY

Ratification of Conventions Nos. 3, 13, 39, 40, 42, 44, 45, 48, 52, 53, 55, 58, 59, 60, 68, 69, 73, 77, 78, 79, 81, 88, 89, 90, 94, 95 and 97, and Declarations concerning the Application to Non-Metropolitan Territories of Conventions Nos. 17, 19, 65, 84 and 85.

On 22 October 1952 the Consul-General of Italy in Geneva deposited with the Director-General of the International Labour Office the instruments of ratification of the following Conventions:

Maternity Protection Convention, 1919 (No. 3);
White Lead (Painting) Convention, 1921 (No. 13);
Survivors' Insurance (Industry, etc.) Convention, 1933 (No. 39);
Survivors' Insurance (Agriculture) Convention, 1933 (No. 40);
Workmen's Compensation (Occupational Diseases) Convention (Revised), 1934 (No. 42);
Unemployment Provision Convention, 1934 (No. 44);
Underground Work (Women) Convention, 1935 (No. 45);
Maintenance of Migrants' Pension Rights Convention, 1935 (No. 48);
Holidays with Pay Convention, 1936 (No. 52);
Officers' Competency Certificates Convention, 1936 (No. 53);
Shipowners’ Liability (Sick and Injured Seamen) Convention, 1936 (No. 55);
Minimum Age (Sea) Convention (Revised), 1936 (No. 58);
Minimum Age (Industry) Convention (Revised), 1937 (No. 59);
Minimum Age (Non-Industrial Employment) Convention (Revised), 1937 (No. 60);
Food and Catering (Ships’ Crews) Convention, 1946 (No. 68);
Certification of Ships’ Cooks Convention, 1946 (No. 69);
Medical Examination (Seafarers) Convention, 1946 (No. 73);
Medical Examination of Young Persons (Industry) Convention, 1946 (No. 77);
Medical Examination of Young Persons (Non-Industrial Occupations) Convention, 1946 (No. 78);
Night Work of Young Persons (Non-Industrial Occupations) Convention, 1946 (No. 79);
Labour Inspection Convention, 1947 (No. 81);
Employment Service Convention, 1948 (No. 88);
Night Work (Women) Convention (Revised), 1948 (No. 89);
Night Work of Young Persons (Industry) Convention (Revised), 1948 (No. 90);
Labour Clauses (Public Contracts) Convention, 1949 (No. 94);
Protection of Wages Convention, 1949 (No. 95);
Migration for Employment Convention (Revised), 1949 (No. 97).

These ratifications were registered by the Director-General on the date of their deposit.

The text of the instrument of ratification of the Maternity Protection Convention, 1919 (No. 3) is as follows:

(Translation)

THE PRESIDENT OF THE REPUBLIC,

To all those who may see these Presents, Greeting!

The General Conference of the International Labour Organisation, in the course of its First Session held in Washington, having adopted on 29 November 1919 the Convention (No. 3) concerning the employment of women before and after childbirth, the text and tenor of which is as follows:

[Here follows the text of the Convention]

Having examined the aforesaid Convention and approved it in each and all of its parts, by these Presents We do hereby accept, ratify and confirm it and promise to observe it and to cause it to be inviolably carried out,

In faith whereof We have signed these Presents with Our own hand and have caused to be affixed thereto Our Seal.

Done at Rome on the twenty-second day of September, one thousand nine hundred and fifty-two.

(Signed) Luigi EINAUDI.
(Signed) DE GASPERI.

The instruments of ratification of the other Conventions mentioned above are in similar terms.

By letter dated 7 March 1952, the Minister for Foreign Affairs of Italy communicated to the Director-General of the International Labour Office the following letter concerning the application of the Workmen’s Compensation (Accidents) Convention, 1925 (No. 17), and of the Equality
of Treatment (Accident Compensation) Convention, 1925 (No. 19) to the non-metropolitan territories for whose international relations Italy is responsible:

(Rotation)

Sir,

I have the honour to inform you that the Italian Government as the authority responsible for the administration of the Trust Territory of Somaliland, in virtue of article 35, paragraph 4, of the Constitution of the International Labour Organisation, declares in the name of the above-mentioned territory that it will undertake its obligations resulting from the two following international Conventions:

(1) Workmen's Compensation (Accidents) Convention, 1925;
(2) Equality of Treatment (Accident Compensation) Convention, 1925.

I have further the honour to send you herewith a copy of the Official Bulletin of the Italian administration for Somaliland [Bollettino Ufficiale dell' Amministrazione Fiduciaria Italiana della Somalia] No. 12 of 31 December 1951, Supplement No. 3, in which is published Ordinance No. 27 of 7 December 1951, under which the above-mentioned administration has given effect to all the obligations contained in the above-mentioned Conventions.

I am, Sir, etc.,

(Signed) DE GASPERI,
Minister for Foreign Affairs.

The above-mentioned Conventions will become applicable for the Trust Territory of Somaliland on 12 March 1952, the date on which the declaration furnished by the Italian Government was registered by the Director-General of the International Labour Office.

By letter dated 7 March 1952, the Minister for Foreign Affairs of Italy communicated to the Director-General of the International Labour Office the following letter concerning the application of the Penal Sanctions (Indigenous Workers) Convention, 1939 (No. 65) to the non-metropolitan territories for whose international relations Italy is responsible:

(Rotation)

Sir,

I have the honour to inform you that the Italian Government, as the authority responsible for the administration of the Trust Territory of Somaliland, and in virtue of article 35, paragraph 4, of the Constitution of the International Labour Organisation, declares that it will undertake for this Territory the obligations resulting from the Penal Sanctions (Indigenous Workers) Convention of 27 June 1939 (No. 65).

I am, Sir, etc.,

(Signed) DE GASPERI,
Minister for Foreign Affairs.

The above-mentioned Convention will become applicable for the Trust Territory of Somaliland on 12 March 1952, the date on which the declaration of the Government of Italy was registered by the Director-General of the International Labour Office.

By letter dated 23 July 1952, the Minister for Foreign Affairs of Italy communicated to the Director-General of the International Labour Office the following letter concerning the application of the Right of Association (Non-Metropolitan Territories) Convention, 1947 (No. 84) and the Labour Inspectorates (Non-Metropolitan Territories) Convention, 1947 (No. 85)
to the non-metropolitan territories for whose international relations Italy is responsible:

(Translation)

Rome, 23 July 1952.

Sir,

I have the honour to inform you that the Italian Government, as the authority responsible for the administration of the Trust Territory of Somaliland, and in virtue of article 35, paragraph 4, of the Constitution of the International Labour Organisation, declares that it will assume, for the above-mentioned territory, the obligations resulting from the two following international Conventions:

1. Labour Inspectorates (Non-Metropolitan Territories) Convention, (No. 85);
2. Right of Association (Non-Metropolitan Territories) Convention (No. 84).

I have also the honour to send you herewith a copy of the Official Bulletin of the Italian administration of Somaliland [Bollettino Ufficiale dell'Amministrazione Fiduciaria Italiana della Somalia] No. 12 of 1 December 1951, containing Ordinances Nos. 21 and 22, which came into force on 23 November 1951, under which the above-mentioned administration has given effect to the provisions contained in the above-mentioned Conventions.

I am, Sir, etc.,

(Signed) DE GASPERI,
Minister for Foreign Affairs.

The two above-mentioned Conventions will become applicable to the Trust Territory of Somaliland on 31 July 1952, the date on which the declaration supplied by the Government of Italy was registered by the Director-General of the International Labour Office.

MEXICO

Ratification of the Minimum Age (Sea) Convention (Revised), 1936 (No. 58); the Minimum Wage Fixing Machinery (Agriculture) Convention, 1951 (No. 99); and the Equal Remuneration Convention, 1951 (No. 100); and Denunciation of the Minimum Age (Sea) Convention, 1920 (No. 7).

On 18 July 1952 the Minister of Mexico in Switzerland deposited at the International Labour Office the instrument of ratification by Mexico of the Minimum Age (Sea) Convention (Revised), 1936 (No. 58). On 23 August 1952 the Permanent Mexican Delegate to the International Organisations in Geneva deposited the instruments of ratification of the Minimum Wage Fixing Machinery (Agriculture) Convention, 1951 (No. 99) and the Equal Remuneration Convention, 1951 (No. 100) with the Director-General of the International Labour Office.

The ratification of the Minimum Age (Sea) Convention (Revised), 1936 (No. 58) was registered by the Director-General on 18 July 1952 and those of the Minimum Wage Fixing Machinery (Agriculture) Convention, 1951 (No. 99) and the Equal Remuneration Convention, 1951 (No. 100) on 23 August 1952.

The text of the instrument of ratification of the Minimum Age (Sea) Convention (Revised), 1936 (No. 58) is as follows:

(Translation)

MIGUEL ALEMÁN,
Constitutional President of the United States of Mexico,

To all who may see these Presents be it known,
That the 22nd Session of the General Conference of the International Labour Organisation, which was convened at Geneva the twenty-second day of October, one
thousand nine hundred and thirty-six, approved the revision of the Convention fixing the minimum age for the admission of children to employment at sea, which had been adopted by the Conference in the course of its Second Session convened on the fifteenth day of June, one thousand nine hundred and twenty, of which the French text of the revised Convention and the Spanish translation thereof are as follows:

[Here follows the text of the Convention as revised in 1936]

That the above-named Convention was approved by the Senate of the United States of Mexico on the twenty-seventh day of December, one thousand nine hundred and fifty, according to the Decree published in the Official Bulletin on the twenty-second day of June 1951.

Now therefore, I, Miguel Alemán, Constitutional President of the United States of Mexico, by virtue of the authority granted to Me by paragraph 10 of article 89 of the Political Constitution of the United States of Mexico, ratify, accept and confirm the above-named Convention, and promise in the name of the Mexican nation to carry out and observe its provisions and cause them to be carried out and observed.

In faith whereof, I have signed with My own hand the present instrument, which is sealed with the Great Seal of the Nation and countersigned by Manuel Tello, Secretary for Foreign Affairs, at the Seat of the Federal Executive,

Mexico City, the twenty-fifth day of August, nineteen hundred and fifty-one.

(Signed) Miguel ALEMÁN,
Constitutional President of the United States of Mexico.

(Signed) Manuel TELLO,
Secretary for Foreign Affairs.

The instruments of ratification of the other above-mentioned Conventions are in similar terms.

By letter dated 18 July 1952, the Minister of Mexico in Switzerland informed the Director-General of the International Labour Office of the intention of his Government to denounce the Minimum Age (Sea) Convention, 1920 (No. 7). This letter reads as follows:

(Translation)

Berne, 18 July 1952.

The Legation of the United States of Mexico has the honour to inform the International Labour Office at Geneva of the denunciation by the Mexican Government of the Convention fixing the minimum age for the admission of children to employment at sea (Convention No. 7), which was ratified by Mexico on 5 April 1948, and the instrument of ratification of which was registered at the International Labour Office on 17 August 1948.

NETHERLANDS

Ratification of the Labour Clauses (Public Contracts) Convention, 1949 (No. 94); the Protection of Wages Convention, 1949 (No. 95); the Fee-Charging Employment Agencies Convention (Revised), 1949 (No. 96); and the Migration for Employment Convention (Revised), 1949 (No. 97).

On 20 May 1952, the Permanent Delegate of the Netherlands to the European Office of the United Nations deposited with the International Labour Office the instruments of ratification by the Netherlands of the Labour Clauses (Public Contracts) Convention, 1949 (No. 94), the Protection of Wages Convention, 1949 (No. 95), the Fee-Charging Employment Agencies Convention (Revised), 1949 (No. 96) and the Migration for Employment Convention (Revised), 1949 (No. 97).
These ratifications were registered by the Director-General of the International Labour Office on the date of their deposit.

The text of the instrument of ratification of the Labour Clauses (Public Contracts) Convention, 1949 (No. 94) is as follows:

(Translation)

WE, JULIANA,

By the Grace of God, Queen of the Netherlands, Princess of Orange-Nassau, etc.,

To all who may see these Presents, Greeting!

Having seen and examined the Convention concerning labour clauses in public contracts, adopted on 29 June 1949 by the General Conference of the International Labour Organisation in the course of its 32nd Session held at Geneva from 8 June to 2 July 1949, the text of which is as follows:

[Here follows the text of the Convention]

Approve by these Presents in all of the provisions therein contained, the Convention reproduced above, declare that it is accepted, ratified and confirmed, and promise that it shall be inviolably observed.

In faith whereof we have delivered these Presents signed by our hand and have ordered them to be sealed with our Royal Seal.

Done at Soestdijk, this twenty-ninth day of the month of February in the Year of Grace one thousand nine hundred and fifty-two.

(Signed) JULIANA.

(Signed) STIKKER.

The instruments of ratification of the other Conventions mentioned above are in similar terms.

An additional instrument is annexed to the Fee-Charging Employment Agencies Convention (Revised), 1949 (No. 96) as follows:

The Hague, 10 May 1952.

The undersigned, D. U. Stikker, Minister of Foreign Affairs of the Netherlands, declares, in conformity with Article 2 of the Convention concerning fee-charging employment agencies (revised 1949), adopted by the General Conference of the International Labour Organisation in the course of its 32nd Session on 1 July 1949, that the instrument of ratification of the said Convention, signed by Her Majesty the Queen of the Netherlands on 29 February 1952, includes the acceptance by the Netherlands of the provisions of Part II of the Convention, providing for the progressive abolition of fee-charging employment agencies conducted with a view to profit, and the regulation of other agencies, and that the present Declaration should be considered as annexed to the above-mentioned instrument of ratification.

(Signed) STIKKER.

NEW ZEALAND

Ratification and Declarations concerning the Application to Non-Metropolitan Territories of the Right of Association (Non-Metropolitan Territories) Convention, 1947 (No. 84) and the Minimum Wage Fixing Machinery (Agriculture) Convention, 1951 (No. 99).

By letter dated 19 June 1952, the Minister of External Affairs of New Zealand communicated to the Director-General of the International Labour Office the instrument of ratification of the Right of Association (Non-Metropolitan Territories) Convention, 1947 (No. 84) and the Minimum Wage Fixing Machinery (Agriculture) Convention, 1951 (No. 99).

These ratifications were registered by the Director-General on 1 July 1952.
The text of the instrument of ratification of the Right of Association (Non-Metropolitan Territories) Convention, 1947 (No. 84) is as follows:

Whereas the General Conference of the International Labour Organisation, in the course of its 30th Session, held at Geneva, adopted on 11 July 1947 the Convention (No. 84) known as the Right of Association (Non-Metropolitan Territories) Convention, 1947,

And whereas the text of the said Convention is word for word, in the authentic English text, as follows:

[Here follows the text of the Convention]

Now therefore the Government of New Zealand, having considered the said Convention,
Hereby confirms and ratifies the same and undertakes faithfully to observe the provisions and to carry out the stipulations therein contained.
In witness whereof I have signed instruments of ratification and have affixed hereto the Seal of the Minister of External Affairs of New Zealand.
Dated at Wellington this nineteenth day of June, one thousand nine hundred and fifty-two.

(Signed) T. Clifton Webb,
Minister of External Affairs.

The instrument of ratification of the Minimum Wage Fixing Machinery (Agriculture) Convention, 1951 (No. 99) is in similar terms.

By letter dated 19 June 1952, the Minister of External Affairs of New Zealand communicated to the Director-General of the International Labour Office the following letter concerning the application of the Right of Association (Non-Metropolitan Territories) Convention, 1947 (No. 84) to the non-metropolitan territories for whose international relations New Zealand is responsible:

Wellington, 19 June 1952.

Sir,

I enclose the instrument of ratification of the Government of New Zealand of the Right of Association (Non-Metropolitan Territories) Convention, 1947 (No. 84), which was adopted by the International Labour Conference on 11 July 1947, in the course of its 30th Session.

In accordance with the provisions of article 35 of the Constitution of the International Labour Organisation and the provisions of Article 8, paragraph 1, of the Convention, I have to declare that the Convention will be applied to the Cook Islands (including Niue) but will not be applied to the Tokelau Islands, to which the Convention is inapplicable because in this simple community there are no employers or employees.

With reference to Article 9 of the Convention, I have to inform you that the subject matter of the Convention is within the self-governing powers of the Trust Territory of Western Samoa and that, in accordance with the provisions of article 35 of the Constitution of the International Labour Organisation, the Convention is being brought to the notice of the Government of that territory. I shall in due course advise you of the decision taken by the Government of Western Samoa in regard to the application of the Convention.

I shall be grateful if you will advise me of the date of registration of the enclosed instrument of ratification.

(Signed) T. Clifton Webb,
Minister of External Affairs.

On the same date the Minister of External Affairs of New Zealand communicated to the Director-General of the International Labour Office the following letter concerning the application of the Minimum Wage Fixing Machinery (Agriculture) Convention, 1951 (No. 99), to the non-
metropolitan territories for whose international relations New Zealand is responsible:

Wellington, 19 June 1952.

Sir,

I enclose the instrument of ratification of the Government of New Zealand of the Minimum Wage Fixing Machinery (Agriculture) Convention, 1951 (Convention No. 99), which was adopted by the International Labour Conference on 28 June 1951, in the course of its 34th Session.

In accordance with the provisions of article 35 of the Constitution of the International Labour Organisation and the provisions of Article 8, paragraph 1, of the Convention, I have to declare that the Convention will be applied to the Cook Islands (including Niue) but will not be applied to the Tokelau Islands, to which the Convention is inapplicable owing to the absence of employment for wages as a feature of the local economy.

With reference to Article 9 of the Convention, I have to inform you that the subject matter of the Convention is within the self-governing powers of the Trust Territory of Western Samoa and that, in accordance with the provisions of article 35 of the Constitution of the International Labour Organisation, the Convention is being brought to the notice of the Government of that territory. I shall in due course advise you of the decision taken by the Government of Western Samoa in regard to the application of the Convention.

I shall be grateful if you will advise me of the date of registration of the enclosed instrument of ratification.

(Signed) T. Clifton Webb,
Minister of External Affairs.

The above-mentioned Conventions will become applicable to the Cook Islands (including Niue) on 1 July 1952, the date on which the declarations communicated by the Government of New Zealand were registered by the Director-General of the International Labour Office.

The Conventions will not be applied to the Tokelau Islands.

The Director-General also took note of the fact that the subject matter of these Conventions is within the self-governing powers of the Trust Territory of Western Samoa and has been brought to the notice of the Government of that territory in accordance with the provisions of article 35 of the Constitution of the International Labour Organisation.

Norway

Ratification of the Certification of Ships' Cooks Convention, 1946 (No. 69).

By letter dated 3 March 1952 the Minister of Foreign Affairs communicated to the Director-General of the International Labour Office the instrument of ratification of the Certification of Ships' Cooks Convention, 1946 (No. 69).

The ratification was registered by the Director-General on 6 March 1952.

The text of the instrument of ratification is as follows:

(Translation)

We, Haakon, King of Norway

Declare

That having seen and examined the Convention concerning the certification of ships' cooks, adopted by the International Labour Conference at Seattle on 27 June 1946, We approve, ratify and confirm the said Convention in all its parts, and promise that it shall be observed in its form and in its tenor.
In faith whereof We have signed the present letter of ratification and have caused to be affixed thereto the Seal of the Kingdom.

Done at the Royal Palace at Oslo on the twenty-eighth day of February one thousand nine hundred and fifty-two.

(Signed) HAAKON R.
(Signed) Halvard Lange.

Pakistan

Ratification of the Fee-Charging Employment Agencies Convention (Revised), 1949 (No. 96) and the Right to Organise and Collective Bargaining Convention, 1949 (No. 98).

By letter dated 21 May 1952 the Government of Pakistan communicated to the Director-General of the International Labour Office the ratification of the Fee-Charging Employment Agencies Convention (Revised), 1949 (No. 96) and the Right to Organise and Collective Bargaining Convention, 1949 (No. 98).

These ratifications were registered by the Director-General on 26 May 1952.

The letter of the Joint Secretary of the Ministry of Labour which constitutes the ratification of the two above-named Conventions is as follows:

Karachi, 21 May 1952.

Sir,

I have the honour to communicate to you the ratification by the Government of Pakistan of the following two Conventions adopted at the 32nd Session of the International Labour Conference held at Geneva in June-July 1949:

(i) Convention No. 96 concerning fee-charging employment agencies (with acceptance of Part II).

(ii) Convention No. 98 concerning the application of the principles of the right to organise and to bargain collectively.

I take this opportunity to convey to you the assurances of my highest consideration...

(Signed) A. H. QURAISHI,
Joint Secretary.

Portugal

Ratification of the Food and Catering (Ships' Crews) Convention, 1946 (No. 68); the Certification of Ships' Cooks Convention, 1946 (No. 69); the Medical Examination (Seafarers) Convention, 1946 (No. 73); the Certification of Able Seamen Convention, 1946 (No. 74); the Paid Vacations (Seafarers) Convention (Revised), 1949 (No. 91); and the Accommodation of Crews Convention (Revised), 1949 (No. 92).

By letter dated 13 June 1952 the Portuguese Legation at Berne communicated to the Director-General of the International Labour Office the instruments of ratification by Portugal of the Food and Catering (Ships' Crews) Convention, 1946 (No. 68), the Certification of Ships' Cooks Convention, 1946 (No. 69), the Medical Examination (Seafarers) Convention, 1946 (No. 73), and the Certification of Able Seamen Convention, 1946 (No. 74), and, by letter dated 25 July 1952, the instruments of ratification of the Paid Vacations (Seafarers) Convention (Revised), 1949 (No. 91) and the Accommodation of Crews Convention (Revised), 1949 (No. 92).

The ratifications of the first four of these Conventions were registered by the Director-General on 13 June 1952 and the ratifications of the remaining two Conventions on 29 July 1952.
The text of the instrument of ratification of Food and Catering (Ships' Crews) Convention, 1946 (No. 68) is as follows:

(Translation)
FRANCISCO HIGINO CRAVEIRO LOPES,
President of the Portuguese Republic by the Vote of the Nation

Makes it known to all those who may see the present letter of confirmation and ratification that in the course of the 28th Session of the International Labour Conference, held at Seattle, there was adopted on 27 June 1946 a Convention concerning food and catering for crews on board ship, the text of which is as follows:

[Here follows the text of the Convention]

Having been seen, examined and considered in all its parts, the Convention, approved by legislative decree No. 38,340 of the sixteenth day of July one thousand nine hundred and fifty-one, is by the present instrument confirmed and ratified in each and all of its articles and is declared valid for all purposes and shall be inviolably fulfilled and observed.

In witness whereof I have signed the present instrument and sealed it with the Seal of the Republic.

Done at the seat of the Government of the Republic on the thirteenth day of June one thousand nine hundred and fifty-two.

(Signed) Francisco Higino CRAVEIRO LOPES.
(Signed) Paulo CUNHA.

The instruments of ratification of the other above-named Conventions are in similar terms.

SWITZERLAND

Ratification of the Employment Service Convention, 1948 (No. 88).

By letter dated 18 January 1952 the Director of the Federal Office of Industry, Arts and Crafts, and Labour, communicated to the Director-General of the International Labour Office the instrument of ratification by Switzerland of the Employment Service Convention, 1948 (No. 88).

The ratification was registered by the Director-General on 19 January 1952.

The text of the instrument of ratification is as follows:

(Translation)
THE FEDERAL COUNCIL OF THE SWISS CONFEDERATION,

Having seen and examined the Convention concerning the organisation of the employment service, adopted at San Francisco on 9 July 1948 by the General Conference of the International Labour Organisation, which was approved by the Federal Chambers on 11 April 1951 and the text of which is as follows:

[Here follows the text of the Convention]

Declares that the above-named Convention is ratified and promises in the name of the Swiss Confederation to observe it continuously and constantly in so far as it lies within the Council's power to do so.

In faith whereof the present ratification has been signed by the Vice-President of the Federal Council and the Vice-Chancellor and the Federal Seal has been affixed thereto.

Done at Berne on the twenty-first day of one thousand nine hundred and fifty-one.

On behalf of the Swiss Federal Council:

(Signed) KOBELT,
Vice-President.
(Signed) Ch. OSER,
Vice-Chancellor.
TURKEY

Ratification of the Fee-Charging Employment Agencies Convention (Revised), 1949 (No. 96) and the Right to Organise and Collective Bargaining Convention, 1949 (No. 98).

By letter dated 22 January 1952, the Permanent Delegate of Turkey to the European Office of the United Nations communicated to the Director-General of the International Labour Office the instrument of ratification by Turkey of the Fee-Charging Employment Agencies Convention (Revised), 1949 (No. 96) and the Right to Organise and Collective Bargaining Convention, 1949 (No. 98).

These ratifications were registered by the Director-General on 23 January 1952.

The text of the instrument of ratification of the Conventions is as follows:

(Translation)

CELAL BAYAR

President of the Turkish Republic

To all those who may see these Presents, Greeting!

The texts of Conventions Nos. 96 and 98 concerning fee-charging employment agencies and concerning the application of the principles of the right to organise and to bargain collectively, respectively, adopted by the International Labour Conference on 1 July 1949 are as follows:

[Here follow the texts of the two Conventions]

Having seen and examined the above-named Conventions We have approved them by virtue of Acts Nos. 5834 and 5835 passed by the Great National Assembly of Turkey on 8 August 1951.

We declare that they are accepted, ratified and confirmed and promise that they shall be inviolably observed.

In faith whereof We have signed with Our own hand these Presents and caused to be affixed thereto the Seal of the Republic.

Done at Ankara on the fourth day of September, one thousand nine hundred and fifty-one.

(Signed) Celal BAYAR,
President of the Republic.

(Signed) Samed AGAOGLO,
Minister of Foreign Affairs
ad interim.

By letter dated 6 March 1952, the Permanent Delegate of Turkey to the European Office of the United Nations informed the Director-General of the International Labour Office that, in ratifying the above-mentioned Convention, Turkey accepted its Part III.

UNION OF SOUTH AFRICA

Ratification of the Workmen's Compensation (Occupational Diseases) Convention (Revised), 1934 (No. 42).

By letter dated 22 February 1952, the Secretary of the Ministry of External Affairs of the Union of South Africa communicated to the Director-General of the International Labour Office the instrument of ratification of the Workmen's Compensation (Occupational Diseases) Convention (Revised), 1934 (No. 42).

The ratification was registered by the Director-General on 26 February 1952.
The text of the instrument of ratification is as follows:

Whereas Convention No. 42 concerning workmen's compensation for occupational diseases (revised 1934) was adopted by the International Labour Conference at its 18th Session at Geneva on 21 June 1934, which Convention is word for word as follows:

[Here follows the text of the Convention]

Now therefore the Government of the Union of South Africa, having considered the Convention aforesaid, hereby confirm and ratify the same and undertake to perform and carry out all the stipulations therein contained.

In witness whereof I, Daniel François Malan, Prime Minister and Minister of External Affairs of the Union of South Africa, have signed and sealed these Presents at Cape Town on this 23rd day of January, one thousand nine hundred and fifty-two.

(Signed) D. F. MALAN.

UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND

Ratification of the Certification of Able Seamen Convention, 1946 (No. 74).

On 13 May 1952 Mr. P. C. Pell, member of the Permanent British Delegation to the European Office of the United Nations, deposited with the Director-General of the International Labour Office the instrument of ratification by the United Kingdom of Great Britain and Northern Ireland of the Certification of Able Seamen Convention, 1946 (No. 74), and the ratification was registered by the Director-General on the same date.

The text of the instrument of ratification is as follows:

Whereas the Convention (No. 74) concerning the certification of able seamen was adopted by the International Labour Conference at its 28th Session, held at Seattle from the 6th day of June to the 29th day of June, one thousand nine hundred and forty-six, and which Convention, as modified by the Final Articles Revision Convention, 1946, is, word for word, as follows:

[Here follows the text of the Convention]

The Government of the United Kingdom of Great Britain and Northern Ireland, having considered the Convention aforesaid, hereby confirm and ratify the same and undertake faithfully to perform and carry out all the stipulations therein contained.

In witness whereof this instrument of ratification is signed and sealed by Her Majesty's Principal Secretary of State for Foreign Affairs.

Done at London the first day of May, one thousand nine hundred and fifty-two.

(Signed) Anthony EDEN.

YUGOSLAVIA

Ratification of the Sickness Insurance (Agriculture) Convention, 1927 (No. 25) ; the Underground Work (Women) Convention, 1935 (No. 45) ; and the Equal Remuneration Convention, 1951 (No. 100).

On 21 May 1952 the Counsellor of Embassy and Chief of the Permanent Delegation of the Federative People's Republic of Yugoslavia to the European Office of the United Nations deposited with the Director-General of the International Labour Office the instruments of ratification by Yugoslavia of the Sickness Insurance (Agriculture) Convention, 1927 (No. 25), the Underground Work (Women) Convention, 1935 (No. 45) and the Equal Remuneration Convention, 1951 (No. 100).

These ratifications were registered by the Director-General on the same date as their deposit.
The text of the instrument of ratification of the Sickness Insurance (Agriculture) Convention, 1927 (No. 25) is as follows:

(Translation)

THE PRESIDIUM OF THE NATIONAL ASSEMBLY
OF THE FEDERATIVE PEOPLE'S REPUBLIC OF YUGOSLAVIA,

Having seen and examined the Convention concerning sickness insurance for agricultural workers, adopted by the General Conference of the International Labour Organisation on 15 June 1927,

And having found it acceptable to Yugoslavia, approves it, ratifies it and confirms it, and promises that it shall be observed inviolably in its form and in its tenor and that it shall not be violated in any way whatsoever.

In faith of which the present instrument of ratification is signed, delivered and sealed with the Seal of State.

Done at Belgrade on 30 April 1952.

(Signed) S. I. RIBAR,
President.

(Signed) M. PERMICIC,
Secretary.

(Signed) TITO,
President of the Government,
Minister of National Defence,
Minister of Foreign Affairs ad interim,
Marshal of Yugoslavia.

The instruments of ratification of the other Conventions mentioned above are in similar terms.

Final Articles Revision Convention, 1946 ¹

Ratifications Registered in 1952 ²

<table>
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<th>Country</th>
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<td>Greece</td>
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Admission of the Federal Republic of Germany to the International Labour Organisation

(Conventions previously ratified by the German Reich)

Following the admission of the Federal Republic of Germany ³ to the International Labour Organisation, the Director-General of the Inter-

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¹ Convention (No. 80) for the partial revision of the Conventions adopted by the General Conference of the International Labour Organisation at its first twenty-eight sessions for the purpose of making provision for the future discharge of certain chancery functions entrusted by the said Conventions to the Secretary-General of the League of Nations and introducing therein certain further amendments consequential upon the dissolution of the League of Nations and the amendment of the Constitution of the International Labour Organisation, 1946. For the text of this Convention see Official Bulletin, Vol. XXIX, No. 4, 15 Nov. 1946, pp. 286-290.


³ For the declaration by Australia concerning the application of the Convention to non-metropolitan territories, see above, p. 320.

national Labour Office, on 27 August 1952, communicated the following notification to the governments of States Members:


Sir,

I have the honour to communicate to you the following notification:

On the occasion of the admission of the Federal Republic of Germany to the International Labour Organisation by virtue of a resolution adopted on 12 June 1951 by the International Labour Conference at its 34th Session (Geneva, 6-29 June 1951), the Conference took note of the following statement contained in the request for admission made in the name of his Government by Chancellor Adenauer to the Director-General of the International Labour Office on 12 May 1951:

The Government of the Federal Republic of Germany recognises that, once it becomes a Member of the Organisation, the obligations under the international labour Conventions which were ratified by the German Reich before its withdrawal from the Organisation are binding upon it, in so far as these obligations relate or may relate to the territory under the sovereignty of the Federal Republic of Germany.

The international labour Conventions which had been ratified by the German Reich prior to its withdrawal from the Organisation and which are therefore recognised as being binding upon the Federal Republic of Germany by its Government, as confirmed by the above statement, are as follows:

- Convention (No. 2) concerning unemployment, 1919;
- Convention (No. 3) concerning the employment of women before and after childbirth, 1919;
- Convention (No. 7) fixing the minimum age for admission of children to employment at sea, 1920;
- Convention (No. 8) concerning unemployment indemnity in case of loss or foundering of the ship, 1920;
- Convention (No. 9) for establishing facilities for finding employment for seamen, 1920;
- Convention (No. 11) concerning the rights of association and combination of agricultural workers, 1921;
- Convention (No. 12) concerning workmen's compensation in agriculture, 1921;
- Convention (No. 15) fixing the minimum age for the admission of young persons to employment as trimmers or stokers, 1921;
- Convention (No. 16) concerning the compulsory medical examination of children and young persons employed at sea, 1921;
- Convention (No. 18) concerning workmen's compensation for occupational diseases, 1925;
- Convention (No. 19) concerning equality of treatment for national and foreign workers as regards workmen's compensation for accidents, 1925;
- Convention (No. 22) concerning seamen's articles of agreement, 1926;
- Convention (No. 23) concerning the repatriation of seamen, 1926;
- Convention (No. 24) concerning sickness insurance for workers in industry and commerce and domestic servants, 1927;
- Convention (No. 25) concerning sickness insurance for agricultural workers, 1927;
- Convention (No. 26) concerning the creation of minimum wage-fixing machinery, 1928;
- Convention (No. 27) concerning the marking of the weight on heavy packages transported by vessels, 1929.

I have the honour to be, etc.,

For the Director-General:

(Signed) C. W. Jenks,
Assistant Director-General.
Readmission of Japan to the International Labour Organisation

(Conventions previously ratified)

Following the readmission of Japan\textsuperscript{1} to the International Labour Organisation, the Director-General of the International Labour Office, on 27 August 1952, communicated the following notification to the governments of States Members:

Sir,

I have the honour to communicate to you the following notification:

On the occasion of the readmission of Japan to the International Labour Organisation by virtue of a resolution adopted on 22 June 1951 by the International Labour Conference at its 34th Session (Geneva, 6-29 June 1951), the Conference took note of a statement made by the duly authorised representative of the Japanese Government to the effect that Japan recognised that the obligations resulting from Conventions ratified prior to its withdrawal from the Organisation continued to be binding.

The international labour Conventions which had been ratified by Japan prior to its withdrawal from the Organisation and which are therefore recognised as being binding upon Japan by its Government, as confirmed by the above statement, are as follows:

- Convention (No. 2) concerning unemployment, 1919;
- Convention (No. 5) fixing the minimum age for admission of children to industrial employment, 1919;
- Convention (No. 7) fixing the minimum age for admission of children to employment at sea, 1920;
- Convention (No. 9) for establishing facilities for finding employment for seamen, 1920;
- Convention (No. 10) concerning the age for admission of children to employment in agriculture, 1921;
- Convention (No. 15) fixing the minimum age for the admission of young persons to employment as trimmers or stokers, 1921;
- Convention (No. 16) concerning the compulsory medical examination of children and young persons employed at sea, 1921;
- Convention (No. 18) concerning workmen's compensation for occupational diseases, 1925;
- Convention (No. 19) concerning equality of treatment for national and foreign workers as regards workmen's compensation for accidents, 1925;
- Convention (No. 21) concerning the simplification of the inspection of emigrants on board ship, 1926;
- Convention (No. 27) concerning the marking of the weight on heavy packages transported on vessels, 1929;
- Convention (No. 29) concerning forced or compulsory labour, 1930;
- Convention (No. 42) concerning workmen's compensation for occupational diseases (revised 1934);
- Convention (No. 50) concerning the regulation of certain special systems of recruiting workers, 1936.

I have the honour to be, etc.,

For the Director-General:

(Signed)  C. W. Jenks,
Assistant Director-General.

Acceptance of Recommendations

CHILE

Acceptance of the Equal Remuneration Recommendation, 1951 (No. 90) and the Voluntary Conciliation and Arbitration Recommendation, 1951 (No. 92).

By letter dated 11 February 1952 the Delegate of Chile to the European Office of the United Nations informed the Director-General of the International Labour Office that his Government accepted the Equal Remuneration Recommendation, 1951 (No. 90) and the Voluntary Conciliation and Arbitration Recommendation, 1951 (No. 92), and by letter dated 7 March 1952 the Director-General acknowledged receipt of this communication and took note of the acceptance by Chile of these Recommendations.

The text of the letter from the Chilean delegate is as follows:

(Translation)


Sir,

On special instructions from my Government, I have the honour to inform you that Chile accepts the following Recommendations adopted at the 34th Session of the International Labour Conference:

(1) Recommendation concerning Equal Remuneration for Men and Women Workers for Work of Equal Value (No. 90).

This Recommendation is accepted by Chile since it can give effect to its provisions in virtue of article 35 of the Labour Code; the Act (No. 8282) of 24 September 1945 concerning the basic regulations for State Civil Servants modified by the Act (No. 9311) of 4 February 1949; the Decree having force of law (No. 23/5863) of 14 October 1942 on the basic regulations of officials in semi-fiscal institutions and autonomous administrations; and the Decree (No. 6080) of 30 November 1945 which constitutes the consolidated text of the Act on the regulations for municipal employees of the Republic, modified by the Act (No. 9798) of 11 November 1950.

(2) Recommendation concerning Voluntary Conciliation and Arbitration (No. 92).

The provisions of Title II of Volume IV and of Title V of Volume III of the Labour Code authorise Chile to accept this Recommendation.

I have the honour to be, etc.,

(Signed) R. RODRÍGUEZ.
Interpretation of the Decisions of the
International Labour Conference

Hours of Work (Industry) Convention, 1919 (No. 1)

By letter dated 14 November 1952 the Engineer, Head of the Depart­ment of Labour and Mines of the Grand Duchy of Luxembourg, requested from the International Labour Office certain information concerning the interpretation of the Hours of Work (Industry) Convention, 1919 (No. 1).

With the usual reservation that the Constitution does not give him any special authority to interpret Conventions adopted by the International Labour Conference, the Director-General of the International Labour Office, by letter dated 13 December 1952, transmitted to the Minister of Labour and Social Security of the Grand Duchy of Luxembourg a memo­randum prepared by the International Labour Office on this question. The text of this document is as follows:

Memorandum by the International Labour Office

(Translation)

1. The Government of the Grand Duchy of Luxembourg has addressed the following communication to the International Labour Office:

The interpretation of Articles 4 and 5 of the international Convention relating to the eight-hour day and the forty-eight hour week is at present meeting with some difficulty in the Grand Duchy. Article 4 allows continuous undertakings, where the work is carried on by a succession of shifts, to prolong hours of work up to 56 in the week.

Article 5 provides that in exceptional cases where it is recognised that the provisions of Article 2 cannot be applied, agreements between workers' and employers' organisations may regulate hours of work under certain conditions and for a period of time other than that provided for in Article 2.

Some trade union circles, on the basis of Article 5, consider that an arrange­ment must be reached between employers' and workers' groups to enable work to be carried on in accordance with Article 4 beyond 48 hours in continuous processes and that the formalities in Article 5 would also apply to the exception provided for in Article 4. The employers' representatives are of a contrary opinion and maintain that Article 4 has no connection with Article 5, which refers only to cases provided for in Article 2. I should be grateful if you would be good enough to communicate to me the opinion of the I.L.O.'s experts on the point of difference set forth above.

2. The articles of the Hours of Work (Industry) Convention, 1919 (No. 1), to which the question raised by the Luxembourg Government refers, are as follows:

Article 4

The limit of hours of work prescribed in Article 2 may also be exceeded in those processes which are required by reason of the nature of the process to be carried on continuously by a succession of shifts, subject to the condition that the working hours shall not exceed fifty-six in the week on the average. Such regulation of the hours of work shall in no case affect any rest days which may be secured by the national law to the workers in such processes in compensation for the weekly rest day.

Article 5

1. In exceptional cases where it is recognised that the provisions of Article 2 cannot be applied, but only in such cases, agreements between workers' and employers' organisations concerning the daily limit of work over a longer period
of time may be given the force of regulations, if the Government, to which these agreements shall be submitted, so decides.

2. The average number of hours worked per week, over the number of weeks covered by any such agreement, shall not exceed forty-eight.

3. The object of the question raised by the Luxembourg Government is to enable it to decide in a controversy which may be summarised as follows:

(1) Under a first point of view, "arrangements" between employers and workers would be necessary to enable the workers to work "in accordance with Article 4 beyond 48 hours in continuous processes" and "the formalities in Article 5 would also apply to the exception provided for in Article 4."

(2) Under a second point of view, "Article 4 has no connection with Article 5, which refers only to cases provided for in Article 2."

Examination of the text of the Convention and of the preparatory work make it possible to give the exact meaning which the International Labour Conference wished to give to these two articles.

4. None of the provisions contained in the Hours of Work (Industry) Convention, 1919, warrants the conclusion that the use of the weekly limit of 56 hours allowed for certain work in Article 4 is subject to the formalities required by Article 5 (transformation into regulations of the provisions contained in agreements concluded between the organisations concerned). On the contrary, the terms used in each of these articles show that their provisions are independent of one another and that the exceptions for which they provide do not concern the same categories of work.

5. In the first place, these two articles have different and even incompatible objects. While Article 4 allows certain clearly defined work to exceed the 48-hour limit and to reach "fifty-six in the week on the average", Article 5 in no way modifies the average hours of work, which "shall not exceed forty-eight" (paragraph 2); the object of Article 5 is merely to permit, in certain cases and conditions, the calculation of average hours of work "over a longer period of time".

6. Moreover, if the first of the two theses set out in the Luxembourg Government's letter were accepted, the result would be to deprive Article 4 of the Convention of its whole content. There is nothing in the text to justify the isolation of the provisions contained in the two paragraphs of Article 5. It would therefore be arbitrary to admit that only "the formalities in Article 5 would apply to the exception provided for in Article 4." Logically the limit of 48 hours fixed by the second paragraph of Article 5 would have also to apply to continuous processes carried on by shifts (Article 4), a solution which would be in complete contradiction to the terms of Article 4, which allows for that work a weekly average of 56 hours. It therefore seems clear that the provisions laid down in Article 4 and Article 5 of the Convention cannot be applied cumulatively.

7. It also results from comparison of the terms used respectively in Article 4 and Article 5 that the Conference did not intend to make the exceptions allowed in the first of these articles subject to the guarantees required by the second. In one case, it is a question of "processes which are required by reason of the nature of the process to be carried on continuously" (Article 4); in the other, "exceptional cases" in which it is recognised that the limits laid down in Article 2 cannot be applied (Article 5). The exception allowed by Article 4 is thus an absolute exception which depends only on "the nature of the process", while Article 5 deals only with "exceptional cases" which are not otherwise defined and for which, precisely because of their exceptional character and of the general terms used, the Convention provides for a special procedure and guarantees.

8. This interpretation is confirmed by examination of the preparatory work for the Convention. In commenting on the provisions of Article 4 the report of the Commission on Hours of Work at the Washington Conferences stated:

Article 4 relates to works the operation of which is necessarily continuous for technical reasons, such as blast furnaces. The majority of the Commission considered that an average of 56 hours per week should be maintained for each of the three shifts.... The Commission, however, desired to state precisely that only continuous processes should benefit by the exception and not the entire undertaking in which such work is carried on.... The Commission does not fail
to appreciate the reasons which impel the workers' representatives to demand a more regular system for workmen employed in the iron and steel industry, and particularly the system provided in the last paragraph of Article 2 for work in shifts. But for work which cannot be interrupted, work which in the present state of industrial development must be carried on seven days in the week, the majority of the Commission is of the opinion that the system demanded would involve great difficulties in organisation and would require considerable increase in the number of employees.

The report goes on to examine the provisions of Article 5, and adds:

After the discussion of Article 4 was finished, various members of the Commission called attention to the fact that the articles voted upon do not allow the running of the railways in certain countries to be conveniently arranged... other examples were brought forward for other industries. A long discussion ensued, as a result of which a compromise was introduced with the object of permitting all the States to accept the Convention in course of preparation.

9. It is therefore quite clear from the preparatory work that the provisions of Articles 4 and 5 are independent of one another and, as analysis of the text of the Convention has already shown, from two points of view: from one point of view, the intention of the authors of the Convention in drafting Article 4 was that "an average of 56 hours per week should be maintained", while the object of Article 5 is to "allow... running... to be conveniently arranged". From the other point of view, it is plain from the report of the Commission on Hours of Work that the forms of work covered by each of these articles are entirely different, since the Commission "desired to state precisely that only continuous processes should benefit by the exception" provided for by Article 4, while the arrangements contemplated in Article 5 covered "the running of the railways in certain countries" and "other industries".

Conclusion

10. It results from the foregoing explanation that the provisions of Articles 4 and 5 cover work of quite different characters and that they have to be applied independently of one another. In these circumstances, no agreement between employers' and workers' organisations is necessary under the Convention in the case of "processes which are required by reason of the nature of the process to be carried on continuously by a succession of shifts". It is therefore left to the government concerned to decide which are the processes to which the exception allowed by Article 4 applies. However, as the report of the Commission on Hours of Work at the Washington Conference was careful to point out, this decision is subject to the "supervision" of the International Labour Organisation, since every government must, in accordance with Article 7 of the Convention, communicate in its annual reports "a list of the processes which are classed as being continuous in character" (Article 4).

Equality of Treatment (Accident Compensation) Convention, 1925 (No. 19)

By letter dated 19 March 1952 the Minister of Social Affairs of Finland requested from the International Labour Office certain information concerning the interpretation of the Equality of Treatment (Accident Compensation) Convention, 1925 (No. 19).

The Director-General of the International Labour Office, by letter dated 25 August 1952, sent the following reply to the Minister of Social Affairs of Finland:

Letter from the Director-General of the International Labour Office to the Minister of Social Affairs, Finland

(Translation)


Sir,

I have the honour to acknowledge the receipt of your letter of 19 March 1952 concerning the interpretation of the Convention (No. 19) concerning equality of treatment as regards workmen's compensation for accidents, 1925.
It appears from this communication that, in the view of the Norwegian Government, this Convention applies only to industry, in the narrow sense of the term, and does not, therefore, concern seamen, while the Finnish Government considers that the Convention is applicable to seamen.

With the usual reservation that the Constitution of the International Labour Organisation does not give the International Labour Office any special competence to interpret international labour Conventions, I venture to draw your attention to the following observations.

Up to the present the International Labour Office has never been called upon to express an opinion in a matter in which the Governments of two States Members have adopted divergent interpretations of the exact meaning of a Convention which they have both ratified; and I am certain that you will agree with me in considering that in such circumstances it can only abstain from giving its views.

In this particular case, however, the International Labour Office has already been questioned—in 1926—on this point by the Norwegian Government, which wished to know whether the Convention in question applied to seamen and, particularly, to fishermen. The Office, with the usual reservations concerning its competence in the interpretation of Conventions, then expressed the following opinion: in accordance with the resolution adopted by the International Labour Conference on 10 November 1921, "all questions on maritime affairs put forward for consideration by conferences should be previously considered by the Joint Maritime Commission of the International Labour Office". Since the Convention in question was not submitted to the Joint Maritime Commission, it is permissible to conclude that it was not intended to make it applicable to seamen.

Although I consider it my duty to draw your attention to the opinion expressed concerning this Convention in 1926—an opinion which has not since been called in question—I feel that it would not be possible for me to express a view upon a question which has arisen both for your Government and the Norwegian Government, to which I am venturing to send a copy of this letter for information.

I have the honour to be, etc.,

(Signed) David A. Morse, Director-General.

Old-Age Insurance (Industry, etc.) Convention, 1933 (No. 35); Old-Age Insurance (Agriculture) Convention, 1933 (No. 36); Invalidity Insurance (Industry, etc.) Convention, 1933 (No. 37); Invalidity Insurance (Agriculture) Convention, 1933 (No. 38);

By letter dated 8 January 1952, the Director of the Department for International Social Political Co-operation of the Danish Ministry of Labour and Social Affairs requested from the International Labour Office certain information concerning the interpretation of the Old-Age Insurance (Industry, etc.) Convention, 1933 (No. 35), the Old-Age Insurance (Agriculture) Convention, 1933 (No. 36), the Invalidity Insurance (Industry, etc.) Convention, 1933 (No. 37) and the Invalidity Insurance (Agriculture) Convention, 1933 (No. 38).

With the usual reservation that the Constitution does not give him any special authority to interpret Conventions adopted by the International Labour Conference, the Director-General of the International Labour Office, by letter dated 9 April 1952, transmitted to the Director of the Department for International Social Political Co-operation of the Danish Ministry of Labour and Social Affairs a memorandum prepared by the International Labour Office on this question. The text of this document is as follows:

Memorandum by the International Labour Office

1. The Government of Denmark has asked for the opinion of the Office on the possibility of its ratifying the above-mentioned Conventions, in spite of certain
difficulties arising from the fact that the legislation in force in Denmark in the field covered by the Conventions applies only to Danish nationals; however, the Government may authorise exceptions to this condition in the case of nationals of other States, provided an agreement for reciprocity has been concluded between Denmark and the States in question.

The letter from the Danish Government contains the following passage:

As regards the old-age insurance, the Danish legislation is not in full conformity with the provisions on compulsory insurance of the Conventions.

We consider, on the other hand, that the Danish old-age insurance scheme, in principle, satisfies the requirements provided in Article 15 et seq. of the Conventions with regard to a non-contributory pension scheme which, in the circumstances, shall be deemed to satisfy the requirements of the Conventions. The right to old-age pension in this country is subject to membership of the public health insurance. As the latter provides for compulsory insurance obligation up to the 60th year, and as otherwise special measures have been taken to avoid that members withdraw from the insurance at that age, we are of the opinion that, in point of fact, the citizens have been ensured an adequate and direct right to pension in accordance with the requirements of the Conventions.

In view of the provision of Article 21, paragraph 1, of the Conventions, under which foreigners who are nationals of a member State bound by the Conventions shall be entitled to old-age pension under the same conditions as nationals, it must nevertheless be considered doubtful whether Denmark will be able to ratify the Conventions. Under Danish legislation the right to old-age pension is subject, among other things, to Danish nationality. The Government may make exceptions from this condition in the case of nationals of other States if an agreement of reciprocity has been concluded with the States in question. However, a priori we shall be inclined to think that the ratification of these Conventions cannot be considered equal to the conclusion of such an agreement of reciprocity.

As far as the Danish invalidity insurance is concerned it should be noted that this insurance is compulsory in accordance with the fundamental rules of the relevant Conventions, and, irrespective of the fact that the insurance obligation is in operation only from the 21st until the 60th year, it is thought that the general provisions of the Conventions are satisfied to such an extent that it will be possible for Denmark to ratify the Conventions.

As was the case in regard to the Conventions on old-age insurance, however, it must be considered doubtful whether we shall not be precluded from ratifying the Conventions in question, already because of the provisions of equality of treatment for foreigners and nationals, cf. Article 13 of the Conventions. In this connection, it should be noted that also the right to invalidity insurance is subject to Danish nationality.

In view of the above observations we should appreciate receiving a statement from the Office as to whether, having regard to the provisions of equality of treatment for foreigners and nationals, it will consider it possible for Denmark to ratify the four Conventions referred to. It should be added that, in principle, we must regard it as objectionable if a country shall be precluded from ratifying a Convention because of provisions which, as is deemed to be the case here, are of relatively secondary importance.

The Ministry of Labour and Social Affairs is aware that the Office can make no authoritative statement; we should be grateful, however, to have the opinion of the Office and its attitude to previous similar cases, if any, before further action is taken on our part.

2. The problem raised by the Danish Government takes different forms in the cases of the old-age insurance Conventions and the invalidity insurance Conventions.

3. As regards the old-age insurance Conventions, it appears from the above-mentioned letter that the Danish Government wishes to avail itself of the provisions of Articles 15 et seq. which stipulate that "in countries which, at the time when this Convention first comes into force, have no laws or regulations providing for compulsory old-age insurance, an existing non-contributory pension scheme which guarantees an individual right to a pension under the conditions defined in Articles 16 to 22 hereinafter shall be deemed to satisfy the requirements of this Convention".

In this case the provisions applicable to foreign workers would be those of Article 21 of the Conventions, according to paragraph 1 of which "foreigners who are nationals of a Member bound by this Convention shall be entitled to pensions under the same conditions as nationals", while paragraph 2 of the Article stipulates that "national laws or regulations may make the award of a pension to foreigners
conditional upon their having been resident in the territory of the Member for a period which shall not exceed by more than five years the period of residence prescribed for nationals”.

In these circumstances it would appear that as the provisions of the Conventions relating to non-contributory pension schemes are applicable only to nationals of Members bound by the Conventions, the obligations undertaken by States which have ratified the Conventions correspond, in fact, to the obligations they would have undertaken if they had concluded agreements for reciprocity among themselves in this matter.

4. Up to the present the question has not arisen in connection with the Conventions concerning old-age insurance, but, by analogy, reference may be made to the opinion which prevailed in connection with the application of the Equality of Treatment (Accident Compensation) Convention, 1925 (No. 19).

Article 1 of this Convention provides that each Member of the International Labour Organisation which ratifies it “undertakes to grant to the nationals of any other Member which shall have ratified the Convention, who suffer injury due to industrial accidents happening in its territory, or to their dependants, the same treatment in respect of workmen’s compensation as it grants to its own nationals”. Thus, this Convention has points in common with the above-mentioned provisions of the Conventions concerning old-age insurance, inasmuch as it establishes not a system of labour conditions applicable to all workers, whether national or foreign, but a system based on strict reciprocity applicable only to nationals of States that have ratified the Convention.

The Office therefore considered that this Convention could be regarded by the Members ratifying it as constituting a general treaty for reciprocity, since the word “treaty” can be regarded as including any instrument by which a State acquires rights or contracts obligations with respect to other States.

This interpretation was accepted, in particular, by the French Government, whose legislation imposed certain conditions on foreigners which, however, could be waived in virtue of a treaty of reciprocity. In the case in question it was decided by both the Government and the Parliament, and confirmed by French Courts, that the ratification of the Convention concerning equality of treatment as regards workmen’s compensation for accidents—based as it is on the concept of strict reciprocity—could be considered as equivalent to the conclusion of a treaty for reciprocity between the States which have ratified the said Convention.

The French Government therefore considered that the promulgation of the Act and of the Decree ratifying the Convention had introduced into French legislation equality of treatment for the nationals of countries which had ratified the Convention; the names of the countries concerned were brought to the attention of the Courts and of all concerned. After some hesitation French Courts accepted the Government’s interpretation and, by a Decision of 27 February 1934, the Supreme Court of Appeal (Cour de Cassation) decided that reciprocity resulted automatically from the mere fact of ratification of the Convention by the countries concerned without its being necessary to conclude a special agreement.

5. In the circumstances, if the Danish Government shares the views expressed above and agrees that the ratification of the Conventions concerning old-age insurance is equivalent to the conclusion of a treaty of reciprocity with the other States which have ratified the Conventions, and is satisfied that the Danish Courts would take this view should a case arise, it would appear that, should Denmark ratify the Conventions, it could put them into effect within the framework of the present legislation by granting to the nationals of the States Members which have ratified the said Conventions the exceptions authorised in the national legislation, so as to enable the persons in question to benefit by old-age pensions.

6. The question presents itself in a considerably different way in the case of the invalidity insurance Conventions, for, as the Danish Government observes, Danish legislation provides for compulsory invalidity insurance. Hence, in the event of ratification, the provisions applicable to Denmark would be those of Articles 1 to 15 concerning compulsory insurance, and the rule applicable to foreign workers would be Article 13, paragraphs 1 and 2 of which read as follows:

1. Foreign employed persons shall be liable to insurance and to the payment of contributions under the same conditions as nationals.

2. Foreign insured persons and their dependants shall be entitled under the same conditions as nationals to the benefits derived from the contributions credited to their account.
It is clear from this text that the Conventions in question apply, as regards compulsory insurance schemes, to all foreign nationals and not only to the nationals of the States that have ratified them. Reciprocity is only referred to in paragraph 3 of the Article quoted above, and it applies only to subsidies, supplements or fractions of pensions payable from public funds.

It does not appear, therefore, that the legislation at present in force in Denmark, which provides that in the absence of a treaty of reciprocity invalidity insurance is limited to Danish nationals, is such as to make possible the application of these Conventions.

7. The Danish Government also states in its letter that it feels that a Member should not be precluded from ratifying a Convention because of provisions which, as is deemed to be the case in this instance, are of relatively secondary importance.

In this connection it must be pointed out that reservations to international labour Conventions have always been regarded as inadmissible. The reasons for this attitude were explained in detail in a memorandum dated 12 January 1951, submitted to the International Court of Justice in connection with reservations to the Convention concerning genocide, which summarises the grounds on which reservations are inadmissible in the following terms:

(a) The underlying principle on the basis of which customary international law recognises that reservations to the ratification of international Conventions may be regarded as admissible in certain circumstances is that such Conventions are simply an expression of the will of, and in a sense the exclusive property of, the States which are parties to them, and are subject to modification at any time if the consent of all the States concerned can be obtained. Where this principle is applicable it is natural to regard a reservation, which is in effect a modification of the provisions of the treaty in its application to one or more parties, as being admissible if it receives the assent of the other parties. In such cases the question whether a State may become a party to a Convention in relation to a limited number of the parties thereto when other parties object to its reservation may arise.

(b) The underlying principle on the basis of which a reservation may be regarded as admissible in certain circumstances has no application to international labour Conventions; such Conventions are not the exclusive property of the parties thereto but are governed by special rules consisting of the accepted principles of treaty law and practice as qualified by the Constitution of the International Labour Organisation, the body of accepted constitutional practice which has developed in the course of years on the basis of this Constitution, and the relevant provisions of the individual Conventions.

(c) The special considerations applicable to international labour Conventions may be summarised as follows:

(i) they are adopted by a conference with a unique tripartite composition by a special procedure provided for in an international instrument of a constituent character, the Constitution of the International Labour Organisation; and in this respect they are in a position entirely different from all other international instruments;

(ii) the governing constituent instrument, the Constitution of the International Labour Organisation, contemplates the submission of Conventions to national competent authorities, normally legislatures, in the form in which they were adopted by the Conference, and provides for ratification when the consent of the competent authority is obtained;

(iii) the governing constituent instrument, the Constitution of the International Labour Organisation, grants to employers' and workers' organisations rights to invoke, and to initiate procedures in connection with the application of the provisions of Conventions, and gives their representatives an important place in the international organs entrusted with the supervision of such application, and the individual Conventions provide for consultation with such organisations in connection with the application of a wide range of provisions, leaving certain matters to national discretion; the purpose of all these provisions would be completely frustrated by the acceptance of reservations in regard to which governments alone had been consulted and, in the absence of any special procedure provided for in Conventions for examining and deciding upon the acceptability of reservations, the only procedure by which the necessary consent of non-governmental elements could be validly obtained would be that of the adoption by the International
Labour Conference of a revising Convention incorporating the effect of the reservation;

(iv) international labour Conventions are designed to promote uniformity of conditions among the parties except in so far as the particular Convention leaves matters to national discretion on the ground that uniformity is unattainable or undesirable; the acceptance of reservations is therefore inconsistent with their whole object;

(v) the governing constituent instrument, the Constitution of the International Labour Organisation, provides a procedure for the modification of the provisions of Conventions to meet special circumstances, and a wide range of further procedures, adapted to the circumstances of individual cases, is provided for by the terms of the various Conventions; provision has therefore been made for the necessary flexibility by other procedures expressly sanctioned by the Constitution and the Conference;

(vi) the governing constituent instrument, the Constitution of the International Labour Organisation, provides for a system of reports as an alternative to the acceptance of international obligations in cases in which a Member is not in a position to accept the full obligations of a Convention.

The position taken in this memorandum was endorsed by the International Law Commission of the United Nations, whose report covering the work of its Third Session (16 May-27 July 1951) contains the following passage:

20. Because of its constitutional structure, the established practice of the International Labour Organisation ... excludes the possibility of reservations to international labour Conventions. However, the texts of these Conventions frequently take account of the special conditions prevailing in particular countries by making such exceptional provisions for them as will admit of their proceeding to ratification; indeed, this course is enjoined on the General Conference by article 19 (3) and other articles of the Constitution of the Organisation.

Furthermore, the Conference and its Committee on the Application of Conventions and Recommendations have frequently made it clear how important they consider it to be that States Members who ratify Conventions should apply all their provisions.

Nor would it seem possible to consider the protection of foreign workers as a matter of secondary importance. Among the duties of the International Labour Organisation defined in the preamble to its Constitution is the “protection of the interests of workers when employed in countries other than their own”; as from 1919, the Conventions adopted by the Conference have embodied provisions designed to grant foreign workers the same protection as that accorded to the nationals of the States Members. The methods employed to arrive at this end have sometimes been the adoption of Conventions applicable to all workers, both national and foreign, and sometimes the adoption of reciprocity Conventions, applicable only to the nationals of States which have ratified these Conventions; sometimes the two methods have been combined, as in the case of the Conventions adopted in 1933 concerning old-age and invalidity insurance. Other parties to these Conventions may well regard the provisions concerning reciprocity as one of their most essential features.

8. As regards the invalidity insurance Conventions in particular, it should be noted that a further obstacle to their full application by Denmark might be the fact that one of the conditions to which the right to a pension is subject under the present regulations in Denmark is a means test, especially when the insured person is over 65 years of age.

This restriction would not appear to be in conformity with the provisions of the Conventions concerned, since Article 9 does not include the resources of the insured person among the various reasons for the forfeiture or suspension of the right to benefits.

Unemployment Provision Convention, 1934 (No. 44)

By letter dated 31 January 1952 the Secretary of the Department of External Affairs of the Government of Australia requested from the Inter-
national Labour Office certain information concerning the interpretation of the Unemployment Provision Convention, 1934 (No. 44).

With the usual reservation that the Constitution does not give him any special authority to interpret Conventions adopted by the International Labour Conference, the Director-General of the International Labour Office, by letter dated 27 August 1952, transmitted to the Secretary of the Department of External Affairs of Australia a memorandum prepared by the International Labour Office on this question.

The text of this document is as follows:

Memorandum by the International Labour Office

1. The Government of Australia has requested the opinion of the International Labour Office on the interpretation to be given to Article 1 of the Unemployment Provision Convention, 1934 (No. 44).

The letter of the Australian Government contains the following passage:

It is noted that paragraph 1 of Article 1 provides that a State Member which ratifies the Convention is under obligation "to maintain a scheme ensuring to persons who are involuntarily unemployed and to whom this Convention applies—

(a) benefit...;
(b) an allowance ...; or
(c) a combination of benefit and an allowance."

Paragraph 2 of the same Article qualifies this obligation by the provision that "subject to this scheme ensuring to all persons to whom this Convention applies the benefit or allowance required by paragraph 1, the scheme may be—

(a) a compulsory insurance scheme;
(b) a voluntary insurance scheme;
(c) a combination of compulsory and voluntary insurance schemes; or
(d) any of the above alternatives combined with a complementary assistance scheme."

As you are aware, Australia maintains a scheme ensuring benefit or allowance to the involuntarily unemployed, but the scheme is not in accord with any of these four alternatives. It is not clear whether ratification could proceed on the basis of such a public assistance scheme, assuming, of course, that the law and practice in accord with the other Articles of the Convention. The use of the word "may" in paragraph 2 of Article 1 appears to imply that the four alternatives are to be considered merely as a guide regarding the scheme that States Members should adopt; yet detailing the different schemes conveys the impression of excluding other schemes.

2. The question is thus whether an assistance scheme alone could be regarded as a valid basis for ratifying this Convention.

3. It appears clearly from the preparatory work of the Conference that it intended to provide for the creation of a scheme which is based essentially on insurance. In the course of the work of the Committee on Unemployment Insurance (18th Session of the Conference, 1934) a discussion took place on the question whether or not it was appropriate to maintain in the Convention a clause permitting States to comply with its provisions solely by means of an assistance scheme. The Committee had before it a text which contained the following paragraph:

2. Subject to this scheme ensuring the payments required by the preceding paragraph to all persons to whom this Convention applies the scheme may be either:

(a) a compulsory insurance scheme;
(b) a voluntary insurance scheme;
(c) an assistance scheme; or
(d) any combination of the above.
The Workers' members of the Committee proposed, however, an amendment substituting for clauses (a), (b), (c), and (d) above, the following text:

(a) a compulsory insurance scheme;
(b) a voluntary insurance scheme;
(c) any combination of the two preceding schemes;
(d) one of the schemes, or a combination of schemes, mentioned above combined with a complementary assistance scheme.

On a vote this amendment was adopted by 65 votes to 57, and, as a record vote was asked for, it was finally adopted by 60 votes to 59.

The final text, which appears in the Convention adopted by the Conference, has not undergone any basic changes on this point, and provides for the following possibilities:

(a) a compulsory insurance scheme;
(b) a voluntary insurance scheme;
(c) a combination of compulsory and voluntary insurance schemes; or
(d) any of the above alternatives combined with a complementary assistance scheme.

It would appear, therefore, that the members of the Conference Committee intended to exclude, in principle, as a basis for ratification, any scheme which was solely based on assistance.

4. This point of view seems to find confirmation in the statement made during the discussion of the draft Convention in the plenary sitting of the Conference (sitting of 20 June 1934) by Mr. Price, the Chairman of the Committee, which contains the following passage:

It is not proposed that the provisions of the Convention should be satisfied by the establishment of an assistance scheme alone. It is felt that the ultimate aim of providing for the unemployed primarily by schemes of unemployment insurance of wide application should be indicated, even at this stage, by laying down that assistance can be contemplated only as a supplementary provision to some scheme of unemployment insurance.

5. It appears thus, from the preparatory work of the Conference, that the intention clearly was not to maintain in the Convention a clause allowing States to comply with its provisions on the sole basis of an assistance scheme for the unemployed.

6. It is true that the terms of Article 1, paragraph 1, of the Convention do not seem to exclude completely the possibility of a State which has ratified the Convention granting to persons who are involuntarily unemployed only allowances on the basis of an assistance scheme.

Thus, while the schemes enumerated in paragraph 2 of this Article do not appear to permit of ratification on the basis of an assistance scheme, paragraph 1 does not appear to prohibit such a possibility. It reads, in fact, as follows:

1. Each Member of the International Labour Organisation which ratifies this Convention undertakes to maintain a scheme ensuring to persons who are involuntarily unemployed and to whom this Convention applies—

(a) benefit, by which is meant a payment related to contributions paid in respect of the beneficiary's employment whether under a compulsory or a voluntary scheme; or
(b) an allowance, by which is meant provision being neither benefit nor a grant under the ordinary arrangements for the relief of destitution, but which may be remuneration for employment on relief works organised in accordance with the conditions laid down in Article 9; or
(c) a combination of benefit and an allowance.

At first sight this provision might be interpreted as authorising compliance with the terms of the Convention on the basis of an assistance scheme ensuring to the involuntarily unemployed an allowance provided that it is not granted under a general assistance scheme for the relief of destitution. However, this provision should be read in conjunction with paragraph 2 of the same Article which enumerates
the schemes under which benefits or allowances might be paid and permits the establishment of an assistance scheme only in so far as it supplements a compulsory or a voluntary insurance scheme. An assistance scheme is thus clearly ruled out as a basis for compliance with the requirements of the Convention.

The desire of the Conference Committee to give to the enumeration of the schemes mentioned in Article 1, paragraph 2, an exhaustive and not merely an illustrative character, is clearly apparent from the discussion which took place in this Committee in 1934.
Ratification of the Agreements concerning Rhine Boatmen

Agreement concerning the Social Security of Rhine Boatmen

FRANCE

By letter dated 26 June 1952 the Ambassador of France in Berne communicated to the Director-General of the International Labour Office the instrument of ratification by France of the Agreement concerning the Social Security of Rhine Boatmen.

On 1 July 1952 the Director-General registered the ratification, and on 15 August 1952 informed the countries represented on the Central Commission for Rhine Navigation of the ratification.²

The instrument of ratification reads as follows:

(Translation)

VINCENT AURIOL,
President of the French Republic,

To all who may see these Presents, Greeting!

An Agreement concerning the Social Security of Rhine Boatmen having been signed between France, the Federal Republic of Germany, Belgium, the Netherlands, the United Kingdom of Great Britain and Northern Ireland and Switzerland in Paris on 27 July 1950, the text of which is as follows:

[Here follows the text of the Agreement]

Having seen and examined the aforementioned Agreement We have approved it and hereby approve it in each and every one of its parts in virtue of the provisions therein contained and in accordance with section 31 of the Constitution,

Declare that it is hereby accepted, ratified and confirmed and promise that it shall be inviolably observed,

In faith whereof We have delivered these Presents and have caused the Seal of the French Republic to be affixed hereto.

Done at Paris, 6 June 1952.

(Signed) Vincent AURIOL,
President of the Republic.

(Signed) Antoine PINAY,
President of the Council of Ministers.

(Signed) Robert SCHUMAN,
Minister of Foreign Affairs.

FEDERAL REPUBLIC OF GERMANY

By letter dated 4 June 1952 the Secretary of State for Foreign Affairs of the Federal Republic of Germany communicated to the Director-General of the International Labour Office the instrument of ratification by the Federal Republic of Germany of the Agreement concerning the Social Security of Rhine Boatmen.

On 18 June 1952 the Director-General registered the ratification, and on 14 July 1952 informed the countries represented on the Central Commission for Rhine Navigation of the ratification.²

² Article 32 of the Agreement.
The instrument of ratification reads as follows:

(Translation)

Whereas the plenipotentiary of the Federal Republic of Germany signed in Paris on 27 July 1950 the Agreement concerning the Social Security of Rhine Boatmen, the text of which is reproduced hereafter, and whereas this Agreement has been duly approved by the legislative bodies of the Federal Republic of Germany, I therefore declare that this Agreement is ratified.

Bonn, 28 May 1952.

(Signed) Theodor HEUSS,
President of the Federal Republic.
(Signed) ADENAUER,
Federal Minister for Foreign Affairs.

[Here follows the Agreement concerning the Social Security of Rhine Boatmen in the original French text and in the German translation.]

NETHERLANDS

On 8 September 1952 the Permanent Delegate of the Netherlands to the European Office of the United Nations deposited with the Director-General of the International Labour Office the instrument of ratification by the Netherlands of the Agreement concerning the Social Security of Rhine Boatmen.

On 8 September 1952 the Director-General registered the ratification, and on 13 September 1952 informed the countries represented on the Central Commission for Rhine Navigation of the ratification.¹

The instrument of ratification reads as follows:

(Translation)

WE, JULIANA,
By the Grace of God, Queen of the Netherlands, Princess of Orange-Nassau, etc.,

To all who may see these Presents, Greeting!

Having seen and examined the Agreement concerning the Social Security of Rhine Boatmen concluded in Paris on 27 July 1950 between the Kingdom of the Netherlands, the Federal Republic of Germany, the Kingdom of Belgium, the French Republic, the United Kingdom of Great Britain and Northern Ireland and the Swiss Confederation,

[Here follows the text of the Agreement]

Approve by these Presents, in all of the provisions therein contained, the Agreement reproduced above.

Declare that it is accepted, ratified and confirmed and promise that it shall be inviolably observed.

In faith whereof We have delivered these Presents signed by Our hand and have ordered them to be sealed with Our Royal Seal.

Done at Soestdijk,
The fifteenth day of the month of August in the year of grace one thousand nine hundred and fifty-two.

(Signed) JULIANA.
(Signed) STIKKER.

SWITZERLAND

By letter dated 5 April 1952 the Director of the Federal Office of Industry, Arts and Crafts, and Labour, communicated to the Director-General of the International Labour Office the instrument of ratification by Switzerland of the Agreement concerning the Social Security of Rhine Boatmen.

On 5 May 1952 the Director-General registered the ratification, and

¹ Article 32 of the Agreement.
on 30 May 1952 informed the countries represented on the Central Commission for Rhine Navigation of the ratification.¹

The instrument of ratification reads as follows:

(Translation)

The Federal Council of the Swiss Confederation, after having seen and examined the international Agreement concerning the Social Security of Rhine Boatmen, concluded under reserve of ratification in Geneva on 27 July 1950 by the plenipotentiaries of Switzerland, Belgium, France, the Netherlands and the Federal Republic of Germany, which was approved by the Federal Chambers on 11 April 1951 and the text of which is as follows:

[Here follows the text of the Agreement]

Declares that the above-named Agreement is ratified and promises in the name of the Swiss Confederation to observe it conscientiously and constantly in so far as it lies within the Council's power to do so.

In faith whereof, the present ratification has been signed by the President and the Chancellor of the Swiss Confederation and the Federal Seal has been affixed thereto.

Done at Berne on the twenty-sixth of March, one thousand nine hundred and fifty-two (26 March 1952).

On behalf of the Swiss Federal Council:

(Signed) KOBELT,
President of the Confederation.
(Signed) Ch. OSER,
Chancellor of the Confederation.

Agreement concerning the Conditions of Employment of Rhine Boatmen²

FEDERAL REPUBLIC OF GERMANY

By letter dated 4 June 1952 the Secretary of State for Foreign Affairs of the Federal Republic of Germany communicated to the Director-General of the International Labour Office the instrument of ratification by Germany of the Agreement concerning the Conditions of Employment of Rhine Boatmen.

On 18 June 1952 the Director-General registered the ratification and on 14 July 1952 informed the countries represented on the Central Commission for Rhine Navigation of the ratification.³

The instrument of ratification reads as follows:

(Translation)

Whereas the plenipotentiary of the Federal Republic of Germany signed in Paris on 27 July 1950 the Agreement concerning the Conditions of Employment of Rhine Boatmen, the text of which is reproduced hereafter, and whereas this Agreement has been duly approved by the legislative bodies of the Federal Republic of Germany, I therefore declare that this Agreement is ratified.

Bonn, 28 May 1952.

(Signed) Theodor HEUSS,
President of the Federal Republic.
(Signed) ADENAUER,
Federal Minister for Foreign Affairs.

[Here follows the text of the Agreement in the original French and in the German translation.]

¹ Article 32 of the Agreement.
³ Article 29 of the Agreement.
Relations with Other International Organisations

Decisions taken in regard to relations with other international organisations by the Conference and by the Governing Body are recorded in the Official Bulletin in the issues devoted to Conference decisions and in the notes on sessions of the Governing Body respectively.

A summary of discussions in the Governing Body on such questions will be found in the minutes of the Governing Body; the text or an analysis of the principal documents on which the decisions of the Governing Body are based will be found in the appendices to these minutes (more particularly in the appendices concerning relations of the International Labour Organisation with other international bodies).

With a very few exceptions the texts mentioned above are not reproduced here. The present section contains, together with a number of indications pro memoria, the text of the more important communications exchanged between the International Labour Organisation and other international organisations in connection with relations established between them.

United Nations

1. Concentration of Effort and Resources of the United Nations and the Specialised Agencies

Letter from the Director-General of the International Labour Office to the Secretary-General of the United Nations


Sir,

I have the honour to inform you that at its 113th Session (Brussels, November 1950) the Governing Body of the International Labour Office was informed of the resolution adopted by the Economic and Social Council on 9 August 1950 requesting the Secretary-General, through the Administrative Committee on Co-ordination, to enlist the co-operation of the executive heads of the specialised agencies in ensuring prior inter-agency consultation on all projected activities of concern to more than one organisation, and recommending submission of the results of such consultations to the competent organs of the United Nations and the specialised agencies when they considered such projects, as well as of the Council's approval of the report of its Co-ordination Committee on the problem of establishing priorities. The Governing Body noted that this report suggests that the Council should request the Secretary-General, in collaboration with the Administrative Committee on Co-ordination, to indicate from time to time certain broad fields of activity and objectives which, in their opinion, might receive major emphasis and which might be tackled either by one agency or by the United Nations organs as a team, it being clear that one such field is the economic development of underdeveloped areas. It was also noted that the report recognises that the complex process of establishing priorities can only be undertaken, as already observed by the Governing Body, by the organs directly responsible for the field of work concerned, that in the United Nations and in most of the agencies there are certain necessary basic continuing functions which cannot be attributed exclusively to any one of the programmes maintained by an organisation, and that, with these qualifications in mind, the report suggests certain provisional criteria for the use of the United Nations and the specialised agencies in evaluating priorities, and recommends that the Administrative Committee on Co-ordination should indicate to the 13th Session (summer 1951) of the Economic and Social Council how these criteria have worked in practice.
The Governing Body took note of the suggested provisional criteria for the establishment of priorities which were thus proposed by the Economic and Social Council, together with the qualifications (referred to above) contained in the report of the Council's Co-ordination Committee and that committee's view that these criteria would probably require further elaboration and development, and authorised me to inform the United Nations that the Governing Body will continue to bear these criteria in mind when making decisions concerning the programme of the International Labour Organisation.

The Governing Body was also informed of the resolution (since adopted by the General Assembly on 1 December 1950) recommended to the General Assembly on 4 November 1950 by its Joint Second, Third and Fifth Committees, requesting each specialised agency to review its 1952 programme during 1951, using the criteria suggested by the Co-ordination Committee of the Economic and Social Council at the Council's 11th Session, and requesting the Council to review during 1951 the 1952 programmes of the United Nations and the specialised agencies, using the same criteria, with the assistance of the Advisory Committee on Administrative and Budgetary Questions on the administrative and financial aspects, and to report to the Sixth Session of the General Assembly on the results of these reviews. The Governing Body decided to consider this resolution further at its next (114th) Session (March 1951).

I have the honour to be, etc.,

(Signed) David A. Morse, Director-General.

By letter of 23 March 1951 the Secretary of the Economic and Social Council transmitted to the Director-General of the International Labour Office a resolution on the concentration of the effort and resources of the United Nations and the specialised agencies in the economic and social fields adopted by the Economic and Social Council on 13 March 1951 (document E/1951). This resolution, inter alia, requested the specialised agencies to submit to the 13th Session of the Council their 1952 programmes as reviewed by them in accordance with General Assembly resolution 413 (V), paragraph 1; and invited the specialised agencies, within the framework of their respective constitutions, to take any steps they considered necessary in order to enable them to co-operate fully with the General Assembly and the Council in achieving the objectives of General Assembly resolution 413 (V).1

The Governing Body of the International Labour Office considered the above-mentioned decisions at its 114th and 115th Sessions (March and June 1951). On 2 July 1951 the Director-General of the International Labour Office transmitted to the Secretary-General of the United Nations the following statement approved by the Governing Body on 21 June 1951:

**Statement by the Governing Body of the International Labour Office**

1. The Governing Body of the International Labour Office has given the most careful consideration to the resolution concerning concentration of effort and resources adopted by the General Assembly of the United Nations on 1 December 1950, to the criteria for the evaluation on priorities in respect of the work programmes of international organisations approved by the Economic and Social Council on 9 August 1950 which are referred to in that resolution, and to the further resolution embodying proposals for carrying out the Assembly's recommendations which was adopted by the Economic and Social Council on 13 March 1951.

2. The Governing Body endorses the considerations set forth in paragraph 6 of the Council's resolution of 13 March 1951. It welcomes the affirmation by the General Assembly that enduring peace will not be achieved solely by collective security arrangements against breaches of international peace, and the appeal addressed by the General Assembly to member States "to respect fully and to intensify joint action, in collaboration with the United Nations, to develop and stimulate universal

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1 Resolution 413 (V): Concentration of effort and resources, 314th plenary meeting, 1 Dec. 1950.
respect for and observance of human rights and fundamental freedoms, and to intensify individual and collective efforts to achieve conditions of economic stability and social progress, particularly through development of undeveloped countries and areas”. It shares fully the conviction expressed by the Council that an intensification of the unprecedented effort of international economic and social co-operation, which has been undertaken in recent years, is indispensable if the required rate of economic and social progress and development is to be achieved.

3. The Governing Body wholeheartedly concurs in the general principles laid down in the Assembly resolution that the resources devoted to the economic and social work of the United Nations and the specialised agencies should be concentrated on tasks of primary importance, that the successful carrying out of this work may be jeopardised by undertaking so many projects as to exceed the available technical, administrative and financial resources, and that the efforts which are being made to ensure the fullest co-ordination of the programmes and activities of the United Nations and the specialised agencies should be vigorously pursued. The Governing Body welcomes the criteria for priorities approved by the Economic and Social Council which, to a large extent, coincide with the existing practice of the International Labour Organisation, and has requested the Director-General to bring them to the attention of the International Labour Conference in an appropriate form.

4. While concurring wholeheartedly in the principles and fully endorsing, subject only to the qualifications indicated by the Economic and Social Council itself, the suggested criteria, the Governing Body considers that there are certain general principles which in the view of the Governing Body are fundamental to successful co-ordination and effective concentration of effort and resources and which indeed are the only basis on which international organisations can hope to fulfil successfully the responsibilities committed to them. The more important of these principles may be briefly summarised as follows:

(a) **Co-ordination and priorities must arise out of the concrete and changing needs of the world economic and social situation.** Co-ordination is not an end in itself. It is a means of enabling the various international organisations to discharge their responsibilities in a manner which will enable them to render a maximum of service to member nations with the greatest possible measure of efficiency and economy. Its primary objects are to ensure that the general policies of the various organisations make a maximum contribution to the attainment of the general objectives of the United Nations and that the general scale of international effort does not outrun the possibilities of effective national implementation by member States. Priorities have no meaning when considered in the abstract. It follows that whereas broad priorities can be determined as a result of a general and comprehensive review of the world economic and social situation which the Economic and Social Council is in a unique position to undertake by calling together authoritative members from the different countries in close touch with the over-all economic and social policies of their countries, detailed priorities within broad fields depend, as the Council itself has recognised, upon primarily technical considerations such as the particular activities which can most profitably be undertaken in a given situation taking into account the resources available and the possibilities of fruitful results, and such priorities by their very nature can only be arrived at by the individual organisations working in each field and having at their disposal the necessary detailed knowledge and experience.

(b) **Concentration of effort presupposes effective budgetary control.** Unless there is a close relationship between the determination of programmes in each organisation and the taking of the financial measures necessary to give effect to such programmes the budget process ceases to be an effective instrument of management and control. In the I.L.O. effective budgetary control exists. The Director-General assumes the fullest personal responsibility before the Governing Body for all programme and budget proposals and in the Governing Body the responsibility for approving the I.L.O.'s programme of activities and the responsibility for approving its draft budget are combined. Any measures which impaired or diluted this responsibility would lessen and not strengthen the guarantees afforded to governments of effective concentration of effort.

(c) **Effective concentration of effort implies the fullest use of existing international machinery and avoidance of the creation of new machinery of an ad hoc character for dealing with each new question which arises.** The creation of new machinery, whether within the central structure of the United Nations or
in the form of new specialised agencies or in the form of independent international or regional organisations, should be avoided whenever the tasks to be undertaken can be adequately discharged by the existing organisations or by some natural development of their present activities. In general it is preferable to develop and adapt existing organisations and machinery rather than to improvise new arrangements for dealing with every new need which emerges or assumes increased importance.

(d) **Flexibility in organisation is essential to effective concentration of effort.** Since priorities for international action in the economic and social field depend at all times on a changing political and economic situation, it is necessary that the organisational arrangements designed to deal with these matters should be capable of adapting decisions of policy and programme rapidly and economically to meet changing circumstances. In the I.L.O. the concentration of responsibility in the Director-General and the Governing Body makes it possible to make changes in the programme of work of the Organisation at short notice whenever necessary, while at the same time permitting concentration of effort over long periods on a limited number of subjects in regard to which practical results can be achieved. A corollary to this flexibility in organisation is a high degree of flexibility in the staff of international organisations. It is important that staff should be able to take up different types of work when required so that the undertaking of new activities does not automatically involve the engaging of new personnel. For this reason the I.L.O. has always made it a policy to secure a high proportion of staff which, while not being technical experts in the strict sense in different fields, will always be able to consult through technical committees and correspondence committees the expert technical knowledge of member governments and of employers' and workers' organisations.

(e) **It is agreed that budgets should be kept as low as is consistent with the effective discharge of the responsibilities of each international organisation, and the principle that new activities should not involve automatic increases in budgets is fully accepted.** The test must be, however, the resources necessary for the efficient and economical discharge of the tasks which, having regard to the political and financial factors involved, it is wise and appropriate to undertake in a given situation. In the case of the I.L.O. it rests with the Governing Body and the International Labour Conference to determine in the first instance, subject to the provisions of the Charter and the relationship agreement defining the responsibilities of the General Assembly and the Economic and Social Council for general co-ordination, what these tasks are and what resources are necessary to perform them. The final decision on the matter naturally rests with the member governments which contribute these resources.

5. In addition to these general principles, to which the Governing Body attaches the greatest importance, there are a number of other factors which the Governing Body considers should be kept in mind when considering the respective responsibilities of the United Nations and the International Labour Organisation concerning matters regarding the programme and budget of the I.L.O. The more important of these factors may be briefly summarised as follows:

(a) **The existing relations between the United Nations and the International Labour Organisation represent considered decisions of high policy taken deliberately by all the Members of the United Nations and endorsed by their national parliaments and legislatures when ratifying the Charter of the United Nations and the post-war amendments to the Constitution of the I.L.O.** Those decisions were taken in the belief, which 30 years of experience confirm, that the International Labour Organisation can render greater service to the world on the basis of its traditional autonomy within a general framework of wholehearted co-operation with the United Nations than it could hope to do in any other manner.

(b) **The membership of the two organisations does not coincide.** The importance of this factor naturally depends on the extent of the divergences of membership and the extent to which they have an important influence on the work of the two organisations respectively. In the case of the United Nations and the I.L.O. these divergences have always been considerable and are tending to become more important with the admission to the International Labour Organisation of States which are in practice debarred from membership of the United Nations.
(c) The problems of co-ordination confronting the I.L.O. include both its relations with the United Nations and with other specialised agencies in relationship with the United Nations and its relations with a number of other international organisations primarily of a regional character which have no organic relationship with the United Nations system. Some of these organisations, and particularly regional organisations such as the Organisation of American States and the Council of Europe, have undertaken considerable programmes of work in the economic and social field, and their activities consequently have a very close relationship with those of the International Labour Organisation from the point of view of the general advancement of economic and social conditions.

(d) The direct representation of employers and workers as well as of governments which is the fundamental basis of the Constitution and methods of work of the I.L.O. confronts it with both problems and opportunities different in character from those of the other international organisations and thereby makes a high degree of autonomy particularly imperative. One of the main tasks of the I.L.O. is to promote the widest possible measure of agreement between potentially divergent economic interests with governments playing a mediating role. The successful working of the I.L.O. depends primarily on the degree of success which it achieves in this task. All I.L.O. decisions, including decisions on priorities, work programmes, budgets and the actual conclusions reached on particular questions by the International Labour Conference, are reached by a process in which the element of negotiation between organised economic interests plays a large part. It is therefore essential that the arrangements made for effective co-ordination of the activities of the I.L.O. with those of other international organisations should be of such a character as not to disturb this delicate balance of negotiation or to deprive the employer and worker groups of the right which they enjoy to participate on an equal footing in the formulation of I.L.O. policy.

6. It is in the light of these considerations that the Governing Body has considered how the International Labour Organisation can most effectively make its contribution to the concentration of effort and resources by all the various international organisations sought by the resolution adopted by the General Assembly and the Economic and Social Council.

7. The Governing Body will continue to examine all new projects and to review existing work as necessary to ensure that every economy compatible with its responsibilities is effected and that the economic and social work with which it is entrusted is carried on most effectively.

8. The Governing Body also welcomes this opportunity of reaffirming the willingness of the International Labour Organisation to give urgent attention to any proposals concerning broad fields of priorities which may be referred to it by the Economic and Social Council or the General Assembly.

9. The International Labour Organisation has already given concrete evidence of its desire to co-operate to the full with the United Nations in this manner. Following referral of the problem of trade union rights and freedom of association to the I.L.O. for action by the Economic and Social Council the International Labour Conference adopted in 1948 the Freedom of Association and Protection of the Right to Organise Convention; it proceeded subsequently with drawing up international regulations on other aspects of industrial relations, leading to the adoption of the Right to Organise and Collective Bargaining Convention, 1949, and to the consideration of further international instruments on collective agreements, conciliation and arbitration, and co-operation between public authorities and employers' and workers' organisations. The I.L.O. has also, in agreement with the Council, established on its own behalf and on behalf of the United Nations the Fact-Finding and Conciliation Commission on Freedom of Association. The Economic and Social Council also referred to the I.L.O. the question of protection of migrant and immigrant labour. The I.L.O. proceeded with the revision of the Convention and Recommendations on migration for employment, adopted in 1939, and, as a result, the Migration for Employment Convention and Recommendation (Revised) were adopted by the Conference in 1949. Moreover, under the impetus of recent events and the importance of the migration problem at the present time, the I.L.O. has undertaken an operational programme in this field, details of which have been given to the Council.

1 Resolution 85 (V).
The General Assembly also raised the question of technical training and requested the I.L.O. to report to the Economic and Social Council on facilities for access to world training centres. This report was made to the Council at its 11th Session. The question of technical training forms one of the major activities of the I.L.O. at the present time. International regulations in the form of a Recommendation on vocational training for adults, including the disabled, were adopted at the 1950 Session of the Conference and an operational programme of work has been undertaken by the I.L.O. under its manpower programme, full details of which are before the Council. The Council also invited the I.L.O. to proceed with consideration of the question of equal pay for equal work for men and women workers and the International Labour Conference has before it at its 1951 Session the question of drawing up international regulations on the matter. The I.L.O. will continue to take appropriate action in respect of any further questions which are brought into focus as the result of the discussion in the Council and the Assembly of over-all economic and social policy.

10. The I.L.O. has also co-operated in developing co-ordinated programmes on a number of questions which have been singled out by the Council for priority treatment by concerted action by the various organisations concerned. Primary among these is, of course, the expanded programme of technical assistance for the economic development of underdeveloped areas, in which the I.L.O. participates with the United Nations and the other specialised agencies. Another such question is the promotion of full employment, which has been examined from different angles by the Economic and Social Council and General Assembly and by the International Labour Conference. The Governing Body has taken note that the Council has decided to deal with full employment at one of its sessions each year, and has decided that it will, prior to the session of the Council at which full employment is to be considered, examine the aspects of the question which are of special importance at the time and, where necessary, raise matters for consideration by the International Labour Conference so as to enable the I.L.O. representative at the Council to express the considered views of the I.L.O. on aspects of employment policy which are of concern to it. In regard to measures for the relief and rehabilitation of Korea, which were the subject of a resolution adopted by the Council at its 11th Session, the Governing Body has pledged the full co-operation of the I.L.O. with action to be taken by the United Nations, and the I.L.O. has appointed the labour experts requested by the Unified Command for service in Korea. In connection with the drafting of articles dealing with economic and social rights for inclusion in the Draft International Covenant on Human Rights, the Governing Body appointed a tripartite delegation which, together with the Director-General, met with the Human Rights Commission to make the experience of the I.L.O. available in connection with the drafting of such articles. At its last session the Council decided to invite the International Labour Organisation to co-operate with the Council in the earliest possible establishment of an ad hoc Committee on Forced Labour of not more than five independent members qualified by their competence and impartiality to be appointed jointly by the Secretary-General and the Director-General. The I.L.O. will continue to give its full co-operation to the Council in connection with any similar question which may call for co-operative effort by the different international organisations.

11. The Governing Body has been equally concerned to secure effective concentration of effort within the I.L.O. itself. A brief account of the manner in which it discharges this function and of a number of measures taken recently with this end in view may be of interest to the Council and the General Assembly.

12. One of the chief functions of the Governing Body is to carry out a review of the I.L.O. machinery and programme on a continuous basis. The I.L.O.'s programme is not drawn up as a series of projects, approved as a whole at any given time, such as at the annual session of the Conference. The Conference surveys the problems with which the I.L.O. is faced and may make recommendations for the development of I.L.O. activities in particular fields which it considers to be of the greatest importance but it is the Governing Body which examines in detail the Director-General's programme and budget proposals and co-operates with him in maintaining the flexibility of the I.L.O. programme and in adapting it as required to changing circumstances, in discharge of its continuing responsibility for co-ordinating the

1 General Assembly resolution 201 (III).
2 Resolution 121 (VI).
activities of the Organisation into an over-all programme which can be fulfilled within the limits of the financial resources available and modified rapidly when necessary to take account of changing needs or priorities.

13. Under the Constitution and constitutional practice of the Organisation the Governing Body has the primary responsibility for fixing the formal agenda of the International Labour Conference. This concentration in the Governing Body of effective responsibility for determining the agenda of the Conference has been of inestimable value in enabling the Conference to concentrate its energies at each successive session on a limited number of well defined subjects on which it is called upon to take definite decisions. In recent years the Conference has in fact adopted an unusually large number of important Conventions and Recommendations. These include the Labour Inspection Convention, the Freedom of Association and Protection of the Right to Organise Convention, the Right to Organise and Collective Bargaining Convention, the Labour Clauses (Public Contracts) Convention and the Protection of Wages Convention, the Employment Service Convention and the Migration for Employment Convention (Revised), a number of maritime Conventions and Conventions relating to social policy in non-metropolitan territories and the Vocational Guidance Recommendation and Vocational Training (Adults) Recommendation. The existing programme contemplates that by the middle of 1953 there will also be a Social Security Convention, decisions on equal remuneration for men and women workers and on the protection of the health of workers and further decisions on industrial relations. While encouraging progress has already been made in the ratification of some of these Conventions and the application of some of these Recommendations it has appeared that there would be great advantage in the concentration of effort upon securing a wider degree of approval and application for these measures before submitting to the Conference any further similar measures of a far-reaching character. In these circumstances the Director-General has proposed to the Governing Body that in considering the agenda for the 1953 Session of the Conference it may be thought desirable that some respite should be afforded and that, as has been done at various times in the past history of the Organisation, a breathing space should be allowed to competent national authorities for the fuller consideration of the unusually large number of important Conventions and Recommendations adopted by the Conference in the last few years. While it is obviously undesirable that there should be any undue delay in the consideration by the Conference of questions of urgent current importance, and the number of such questions awaiting consideration must not be underestimated, experience has shown that there is a limit to the speed at which the work of ratification can successfully proceed—a speed which is governed by the capacity of the competent authority in each member State to discharge the obligations laid on it by the Constitution of the I.L.O.

14. Another important function of the International Labour Conference is to provide a forum which reflects world economic and social developments as they affect labour problems. Each year the Director-General makes a Report to the Conference which reviews the economic background at the time, discusses general social trends and reports on the activities of the Organisation within this context. These annual reports may also draw special attention to outstanding problems on which it is desired to provide the Conference with an opportunity of full discussion. In recent years the Director-General has attempted to focus the attention of the Conference in his Report on some current problem of urgent importance. Thus the 1950 Session of the Conference was presented with the problem of labour productivity. The 1951 Session of the Conference was invited to give special consideration to wages problems in relation to productivity and inflation. The general debate which the Conference gives to these reports enables the I.L.O. to develop its work realistically in terms of the developments in the social structure of its member States and the major requirements of the changing world situation.

15. Under the established constitutional practice of the Organisation, the Governing Body is also responsible for convening other meetings held under the auspices of the International Labour Office, fixing the dates and duration of such meetings, determining their agenda and deciding what action should be taken on the basis of reports or resolutions adopted by them. In addition, in the case of Industrial Committees, regional conferences and certain other meetings, the Governing Body is represented by a tripartite delegation which co-operates with the Director-General or his representative in bringing to the attention of the meeting as necessary the requirements and priorities of the general co-ordinated programme of the Organisation. These arrangements make it possible to integrate the work of the various
conferences and committees, including the work done on an industrial or regional basis by the Industrial Committees and by regional conferences, within the framework of the general activities and policy of the Organisation.

16. In respect of certain special cases calling for continuous and detailed attention, the Governing Body has established committees of its own members which meet in connection with the sessions of the Governing Body to advise it on co-ordination and priorities. The Committee on Industrial Committees of the Governing Body examines all the conclusions and recommendations of these committees and proposes, prior to any action being taken upon them, what action should be taken, bearing in mind the total programme and chief current preoccupations of the I.L.O. Similarly, the Manpower Committee of the Governing Body has kept the development of the operational manpower programme under continuous review both within each of the main regions in which it operates and with respect to the total development of the programme. A similar function is carried out by the Technical Assistance Committee of the Governing Body in respect of operational technical assistance activities. The International Organisations Committee of the Governing Body follows closely the work of other international organisations in fields of interest to the I.L.O. and makes proposals to the Governing Body for the effective co-ordination of the work of the I.L.O. as a whole within the whole complex of international and regional activities in the economic and social field.

17. With a view to making these arrangements as simple and effective as possible, the Governing Body has recently undertaken a review of the working of the Governing Body and its committees, as the result of which the existing system of Governing Body committees and subcommittees has been drastically simplified. The Governing Body decided at its 113th Session (November 1950) that its existing 12 committees and three subcommittees should be replaced by seven main committees which would deal with (a) administrative and financial questions; (b) allocation of contributions; (c) Standing Orders and the application of Conventions and Recommendations; (d) the work of the Industrial Committees; (e) relations with other international organisations; (f) manpower and employment questions; and (g) technical assistance. The Governing Body considers that these decisions will enable it to carry out its continuous task of co-ordination and establishment of priorities with greater efficiency.

18. The Governing Body had before it the results of a similar review of the composition and functioning of the expert committees of the I.L.O. A unanimous report on the subject by a Governing Body committee consisting, in accordance with the usual practice, of government, employer and worker representatives was adopted by the Governing Body. This report, in addition to containing detailed proposals concerning the various expert committees of the I.L.O., states in the following terms the general principles on which the I.L.O. proceeds in making arrangements for committee work:

The Committee has made a careful examination of the existing network of I.L.O. committees in the light of the manner in which they have developed and the functions they are called upon to fulfil. The range of subjects with which the I.L.O. is called upon to deal is wide, and there is an obvious danger that, if committees are set up to deal with most or all of them, the outcome may be an unnecessary elaborate network. To prevent that danger, certain safeguards are needed, such as: that no committee should be set up unless the Governing Body recognises that it will fulfil a genuine and continuing need; that the Governing Body is satisfied that its composition affords the best obtainable expert advice and ensures that, wherever appropriate, there is equal representation of employers and workers; and that the Governing Body retains control over the convening, agenda and duration of meetings with a view to ensuring that the work of the various committees is effectively integrated within the general programme of work of the Organisation with due regard for budgetary considerations. The Committee noted that these safeguards are in fact provided by the existing system. The Governing Body is accustomed to give careful consideration to any proposal to appoint a new committee; the composition of committees is closely scrutinised by it, and no new appointments are made without its authority; meetings of committees are convened only when it is evident that consultation of experts by correspondence would not achieve the object in view; separate approval is given by the Governing Body for each session of a committee; and the agenda and time limits of meetings are fixed by the Governing Body. The Committee suggests, however, that there would be advantage in the Governing Body's reaffirming the import-
ance which it attaches to the maintenance of these safeguards, with a view to ensuring that the network of I.L.O. committees remains on a realistic basis and continues to correspond to current needs.

In reviewing the existing network of committees with a view to determining how far they continue to correspond to current needs, the Committee has been guided by three essential principles: first, that no committee should be retained unless it performs functions of substantial value in the context of the present programme of the Organisation; secondly, that care should be taken not to disband any committee the existence of which is essential to enable the Organisation to discharge fully the responsibilities entrusted to it and to play its full part in co-operation with the other international organisations in dealing with matters within its sphere of action; and thirdly, that a correspondence committee, from which panels for dealing with particular subjects can be constituted as necessary, is a more flexible device for securing widely representative expert advice in the most economical manner than a committee of experts convened to meet at intervals, and should therefore be employed whenever appropriate, notably in cases in which a committee may have to deal at different times with a wide range of questions within the same general field but including problems of a highly specialised character.

The Committee's conclusions, which were adopted unanimously, emphasise that if its proposals are approved by the Governing Body the International Labour Organisation will, while eliminating anomalies and taking precautions to avoid dispersion of effort, continue to have at its disposal a network of committees adequate to meet its needs. The Committee was equally satisfied that, subject to the further consideration of certain points at a later stage, all of the committees which it proposed to retain are necessary in order to meet these needs of the Organisation, and its conclusion on this point was likewise unanimous.

19. Special consideration is also being given to the conditions which must be fulfilled in order to enable the various expert committees to make substantive recommendations of solid practical value on the questions brought before them for consideration, and the following recommendations in this question were approved by the Governing Body.

(1) The Director-General should, when submitting to the Governing Body proposals for the agenda of committees, indicate succinctly the purpose it is hoped to achieve by the inclusion of a particular subject on the agenda at a particular time.

(2) Care should be taken to ensure that the number of items placed on the agenda does not exceed the possibilities of effective handling.

(3) The arrangements for meetings of technical committees should be made sufficiently in advance to permit of adequate technical preparation.

(4) While it is important to maintain the principle that the length of meetings is fixed in advance by the Governing Body, the duration so fixed should be long enough to enable the committee to deal effectively with its agenda.

(5) It should be recognised that many questions are of such complexity that a committee cannot be expected to deal effectively with them in a single session. In such cases a committee should not be required to make detailed recommendations at its first session, the proceedings of which should be regarded as preliminary only and would merely form the subject of a progress report submitted to the Governing Body. In the light of the discussions at that first session, and by recourse, wherever possible, to consultation of the members by correspondence, the Office would continue the work and prepare detailed reports and conclusions for consideration point by point at the next session of the committee, which would report fully to the Governing Body.

(6) Technical committees should invariably appoint drafting committees to prepare their final conclusions in a form suitable for submission to the Governing Body. It should be a special responsibility of such drafting committees to distinguish clearly between substantive conclusions on questions of long-term policy and proposals that the Governing Body, the Director-General or the governments should take steps of an administrative nature.

20. The system of reporting by member governments on ratified and unratified Conventions and on Recommendations has also been reviewed during the past year with a view to alleviating the burden on government services and promoting the most efficient use of the information forthcoming, while maintaining the obligations of Members under the Constitution of the I.L.O. and the process of supervision of inter-
national regulations provided therein. The Committee of Experts on the Application of Conventions and Recommendations, which is charged with making an annual survey of the information supplied in virtue of the Constitution by governments and with reporting to the Conference on the application of these international regulations, concluded that, on the one hand, if adequate information is not supplied effective supervision is impossible, while on the other, if an excessive amount of information is asked for it will either not be forthcoming or it will be impossible to assimilate it, and in that event again effective supervision will not be achieved.

The Committee went on to indicate the prime importance of concentrating demands for information on matters of first importance rather than diffusing the efforts of those concerned in the supply and examination of such information over too wide a field. This principle had, in fact, inspired the Governing Body to make a number of changes in the system of reporting and further such changes are under consideration. They involve simpler forms of annual reports on ratified Conventions; the avoidance of repetition of the same information year by year; simplification of the forms of report on unratified Conventions and Recommendations; and the selection of the Conventions and Recommendations on which such reports are requested in the light of current priorities. The general aim is to simplify the work of the administrative services entrusted with the preparation of the reports, and to obtain at the same time all the essential elements of information on the measures taken by the States Members in respect of Conventions and Recommendations; and to use the arrangements for reports in such a manner as to secure by means of them the information most useful to the Governing Body and Conference in connection with the general programme of work of the I.L.O.

21. Effective steps are also being taken to apply the principles of the concentration of effort and the determination of priorities in the light of over-all policies to the publications programme of the I.L.O. The I.L.O. has been concerned in recent years at the extent to which Conference and Committee documents were absorbing the productive resources of the International Labour Office and thereby making it increasingly difficult to maintain the output of publications of more general interest. The measures proposed by the Director-General to redress this situation are designed to simplify reports for conferences so as to make them less bulky, easier to handle and more convenient as a basis for discussion and also to expedite their production and despatch to governments. They are also designed to divert some of the effort and expenditure involved in the issue of printed books from documents of restricted interest to studies and other volumes which are more suitable for publication. Thus it is envisaged that technical handbooks on social security systems, national employment services, vocational guidance and training and safety, as well as studies of a more comprehensive character on these and other subjects—a considerable number of which are in manuscript or preparation—for which there is a known demand on the part of governments and specialists in the different questions and which among other things will fill a serious gap in the equipment of the experts engaged in providing technical assistance to governments, can be published in large numbers. This will enable the I.L.O. to meet more long-term needs and maintain and strengthen its position as a specialised research centre.

22. The cumulative effect of these measures has enabled the I.L.O. effectively to concentrate its efforts and to carry out its tasks within the limited resources available to it. One of the main results of this concern for concentration of effort in recent years has been a new emphasis in I.L.O. work. In recent years there has been an increasing demand from governments, and particularly from those of the underdeveloped countries, for practical assistance and advice in overcoming specific problems of social policy and in working towards the application of the international standards drawn up through the I.L.O. Economically underdeveloped countries are pressing ahead with plans for industrialisation, for increasing production and for a quickening in the pace of improving standards of living. There is a sense of urgency about getting this job done. There is in consequence a demand for an intensification and expansion of the advisory work of the I.L.O. as a complement to its "legislative" function—a demand for training, techniques, assistance and advice, for modern methods of labour protection, organisation and regulation, and for work in the field so that the experience of the I.L.O. may be made immediately and practicably available in common with that of other international agencies for the solution of many problems with which social and economic pioneers are normally confronted. This emphasis on practical operational activities has implied a certain degree of decentralisation on a regional basis so that the different needs of the major regions of the world can be met effectively. For broadly parallel reasons, there has been a
limited decentralisation of approach by major world industries. Each of these industries has special problems which call for discussion and solution at the international level. A general condition of these efforts to increase the effectiveness of I.L.O. work is that the Organisation has had to be shaped and developed in such a way as to enable it to assume broadened and more direct executive and technical responsibilities. An example of this new emphasis is the manpower programme, through which the I.L.O. places its resources at the disposal of governments to help solve problems in the organisation of employment, vocational and technical training, and the organisation of migration. The Council has been informed how the I.L.O. has established regional field offices through which practical manpower problems can be dealt with and has established migration field missions in European countries faced with the problem of manpower surpluses. The I.L.O. has also been expanding its facilities for giving technical assistance to governments at their request on a wide range of matters within its competence.

23. To ensure that I.L.O. work is as concrete as possible and to avoid any possibility of dissipating energies, the Governing Body has, in respect of certain fields of policy, undertaken special surveys of I.L.O. activities. Recently the Governing Body established a committee to inquire into the present and proposed programme of work of the I.L.O. in the sphere of industrial safety and hygiene, with special reference to the desirability of concentrating available time and labour on tasks most likely to prove of practical help to governments, employers and workers in the various countries in furthering the avoidance of unnecessary risks and the advancement of positive safety and health; and to make recommendations to the Governing Body on these points. This committee made important recommendations for increasing the practical value to governments and others of the I.L.O. activities in this field. Another case in which the Governing Body has undertaken such a review is in the field of social security. The present comprehensive and long-term programme of the Organisation in this field is based on a similar review made in 1948. The future programme of work of the I.L.O. in the field of social policy in non-metropolitan territories is to be examined in the same manner by the Committee of Experts on Social Policy in Non-Metropolitan Territories in the latter part of 1951. In conducting this examination the Committee of Experts will have before it the criteria for the determination of priorities established by the Economic and Social Council and will be called upon to take account of the work of other international organisations in regard to such territories so as to point the way towards tackling subjects which are of practical value in the light of the realities of the situation in non-metropolitan territories and upon which the Organisation, through its tripartite machinery, can eventually establish improved international standards or upon which the technical and advisory services available within or through the I.L.O. may be able to assist operationally. Appropriate use will be made of this same procedure of special surveys of I.L.O. activities in other fields as required.

24. As evidence of the measure of success which has been achieved in these efforts to make the most effective use of the resources available to the I.L.O. may be mentioned the relatively small increase which has occurred in the budget of the I.L.O. as compared with that for pre-war years, especially when regard is had to the vastly increased responsibilities of the I.L.O. and the increase in costs since the war.

25. The increases which have occurred in the staff of the International Labour Office have been equally conservative despite the great increase in the range of the activities of the Organisation in all parts of the world and the new calls made upon the Office by the development of operational activities.

Administrative Co-ordination

26. It is in this general perspective that the I.L.O. envisages the problems of administrative co-ordination and common services. Since the Agreement between the United Nations and the International Labour Organisation came into force substantial steps have been taken to secure a larger measure of administrative uniformity and the I.L.O. has consistently given the most careful consideration to the various proposals which have been made for standardisation and uniformity in practices and for common services. In deciding as to the advantages and disadvantages in each particular case, the I.L.O. has regard to a number of factors. The most important of these is that the criterion for adoption of standardisation or uniformity of practice or common services must always be efficiency and economy.
27. The I.L.O. has entered into certain common administrative schemes with the United Nations and other specialised agencies and will be glad to explore the whole matter further on the same basis, subject to the overriding considerations of efficiency and economy.

28. A long-standing illustration of such an arrangement is afforded by the common use of the Assembly Hall and related facilities in Geneva which were built for the joint use of the League of Nations and the I.L.O. with funds appropriated for the purpose and on land made available by the Swiss authorities for this purpose. The Common Plan for the Transfer of League of Nations Assets on the basis of which property in the Assembly building was transferred to the United Nations provides that the International Labour Organisation may use the Assembly Hall, together with the necessary committee rooms, office accommodation and other facilities connected therewith at times and on financial terms to be agreed from time to time between the United Nations and the International Labour Organisation.

29. In like manner the United Nations Library in Geneva and the International Labour Office Library have always, since League of Nations days, been so organised as to be complementary to one another.

30. A major event in the field of administrative co-ordination has been the adoption on 10 March 1951 by the Governing Body of the new salary, allowance and leave system derived from the recommendations of the Committee of Experts and adopted by the General Assembly at its 1950 autumn Session. This plan is now applied in its entirety to the staff of the I.L.O. subject to adjustments of a minor character and it can be regarded as a decisive step towards the goal of common standardisation of conditions of employment for the staffs of the United Nations and of the specialised agencies.

31. The General Assembly's resolution of 1 December 1950 on the budgets of the specialised agencies for 1951 inter alia requests the specialised agencies to consider at an early date the adoption of common financial regulations and staff regulations modelled on those adopted by the General Assembly so far as their constitutional arrangements will permit. The Governing Body has under consideration the financial regulations adopted by the General Assembly and possible modification of the I.L.O. financial regulations in the light of these. With regard to common staff regulations, since the General Assembly decided to postpone consideration of the common pattern prepared by the Consultative Committee on Administrative Questions no proposal on the matter has as yet been considered by the Governing Body. The matter will be reviewed after the General Assembly has taken a decision on the subject.

32. Common services already exist in the case of pensions (on 12 October 1950 the I.L.O. became a member organisation of the United Nations Joint Staff Pension Fund) and medical and nursing services (a joint medical and nursing service has been in operation in the last two years in Geneva between I.L.O., W.H.O. and the European Office of the United Nations).

33. Common action has been taken in certain other matters, including:

(i) **External audit.** The I.L.O. has adopted the same principles of external audit as the United Nations and other specialised agencies and its auditor, who is also the auditor of W.H.O., is a member of the panel of auditors of the United Nations and specialised agencies.

(ii) **Procurement.** Common action is taken between organisations in Geneva in respect of the purchase of stationery, office equipment and standard office furniture.

(iii) **Recruitment.** The I.L.O. has participated fully in the meetings of the International Civil Service Advisory Board. The I.L.O., in common with the United Nations and other specialised agencies at Geneva, has taken steps to implement the recommendations of the Board on recruitment questions, in some cases on an experimental basis, in respect of (a) a common policy and approach regarding salaries and allowances of locally recruited staff; (b) a common schedule of salaries for conference staff; (c) a common set of job descriptions for conference staff; (d) a joint list of agreed ratings for known translators, interpreters and précis writers; (e) joint examinations for stenographers; (f) joint examinations for translators; (g) joint examination for granting of language allowance and (h) joint announcements of vacancies in other agencies facilitating a change of staff.
(iv) **Printing.** The printing services of the various organisations in Geneva remain in close contact with one another when placing contracts for printing. They exchange information with regard to the tenders made by printers and they carefully avoid competing with one another.

(v) **Exchange of personnel.** As far back as 1946 action in the field of exchange of such personnel as interpreters and stenographers has been under consideration. To a limited extent the I.L.O. has borrowed officials from and loaned officials to other agencies for specific duties.

(vi) **Regular meetings.** Regular meetings are held in Geneva of the administrative staffs of the different organisations with a view to securing common or uniform action in regard to such matters as salary scales and allowances for local staff, salaries and allowances for temporary staff engaged during conferences and other matters.

34. The I.L.O. is continuing to participate in the examination by a consultative Committee on Administrative Questions of further possible progress in connection with common budgetary policies and a common form of budget. In the meantime, action has been taken in preparing the 1952 budget to facilitate in two ways comparison with budget estimates of the United Nations and the other specialised agencies. In the first place, fifteen changes have been made in I.L.O. budget terminology with a view to the achievement of greater uniformity in terminology as between the I.L.O. and the United Nations budgets. In the second place, the I.L.O. 1952 budget estimate documents as submitted to the Finance Committee of the Governing Body include as an annex a rearrangement of the estimates in the standard form agreed upon between the United Nations and the specialised agencies for the presentation of the budgets of the United Nations and specialised agencies in the information annex communicated by the Secretary-General to the General Assembly. Finally, additional information has been provided in the project budget annex which contains a summary of the estimates presented on project budget lines, and also, with reference to each of the projects listed, a detailed estimate of the 1952 workload of the divisions and services of the International Labour Office contributing to the effectuation of that project.

35. The Governing Body will continue to work in close co-operation with the appropriate authorities of the United Nations and in consultation with the Advisory Committee on Administrative and Budgetary Questions and with the General Assembly in the further consideration of these questions in the light of these principles.

_Suggestions as to Steps Which Might Be Taken to Further Effective Coordination and Concentration of Effort and Resources_

36. The Governing Body hopes that a wider understanding of these considerations will facilitate an even more fruitful co-operation between the United Nations and the International Labour Organisation in the future than has obtained in the past. There are a number of further comments and suggestions on points of detail which the Governing Body would like to put forward, since they would, in its view, promote better co-ordination and a greater concentration of effort and resources.

_Prior Consultation between the Organisations Concerned in Regard to New Activities._

37. The Governing Body particularly welcomes the suggestion made by the Council that arrangements should be made to ensure that, so far as possible, proposals concerning more than one organisation shall be the subject of inter-agency consultation prior to their adoption. It is the policy of the Governing Body to require in respect of proposals coming before it for decision evidence that such consultation has taken place and that all possible steps have been taken to achieve the full utilisation of the co-ordinated resources of the various international bodies.

38. Action is now being taken on the basis of the suggestions on the subject which have been framed by the Administrative Committee on Co-ordination in response to the request made by the Council to incorporate formal provisions on the subject in the Standing Orders of the Governing Body and of such other I.L.O. bodies as may be concerned.

39. In the view of the Governing Body, such consultation is specially important in respect of operational activities concerning matters in which different organisations are interested from different points of view. The International Labour
Organisation has made a practice of undertaking the widest possible consultation of other organisations which may be affected by the development of its manpower programme, and the Governing Body suggests that if this practice were to become general in all cases in which proposals for new operational activities affecting a number of organisations are under consideration the effectiveness of international action would be greatly increased.

40. Such consultation is also particularly desirable in respect of texts of formal international instruments, including both instruments whereby governments accept obligations or endorse standards in respect of substantive economic and social policy and instruments defining future organisational arrangements for dealing with matters of direct concern to more than one international organisation. It has for some time past been the practice of the International Labour Office to consult other international organisations directly concerned in regard to the substance of the proposals concerning international Conventions and Recommendations which it submits to the International Labour Conference. Thus, U.N.E.S.C.O. was consulted in regard to the revision of the Maternity Protection Convention and the medical aspects of the proposed new social security Convention and the proposed Recommendation on the protection of the health of workers in places of employment; and F.A.O. has been consulted in regard to various agricultural matters. It is the policy of the Governing Body to insist on such consultation to the fullest possible extent, and action is now being taken to make formal provision for such consultation in the Standing Orders of the various I.L.O. bodies concerned.

Co-ordinated Programmes Drawn Up through the A.O.C.

41. The Governing Body would welcome wider and more frequent use of the method which has been followed on various occasions of having prepared, through the machinery of the A.C.C., integrated work programmes on particular subjects for the United Nations and the specialised agencies which can be submitted for approval to the Council and to the responsible bodies of the agencies concerned. The preparation of such programmes in this way is, in the judgment of the Governing Body, a convenient and flexible administrative device which, without prejudicing in any way the authority of the bodies called upon to take decisions in respect of the United Nations and the specialised agencies respectively, ensures that they have before them when taking such decisions a picture of the relationship between the work proposed in their own sector of responsibility and prospective action in other sectors. The International Labour Organisation will be glad to suggest from time to time matters in respect of which more effective consideration can usefully be achieved in this way.

Representation of the Specialised Agencies at the Economic and Social Council.

42. The International Labour Organisation has followed with great interest the discussions which are at present proceeding in regard to the future organisation and procedure of the Economic and Social Council and its commissions. While these are essentially matters for consideration and decision by the Council itself, they have a certain bearing on the problem of securing effective co-ordination. The range of interests and responsibility of the International Labour Organisation is so wide that it is affected in greater or lesser degree by a large proportion of the questions coming before the Council. The International Labour Organisation has always endeavoured to maintain a high level of representation at meetings of the Council but has, like many governments, found it difficult to make appropriate arrangements in view of the frequent uncertainty of the dates at which particular questions will be considered and of the prospective duration of the discussions.

43. The suggestion that the Council should hold three more specialised sessions each year rather than two multi-purpose sessions, on the understanding that social questions would normally be dealt with at Session I, beginning as nearly as possible on 1 February, that economic questions would normally be dealt with at Session II, beginning as nearly as possible on 1 April, and that co-ordination questions should be dealt with at Session III, in the summer, and that the discussions on all these questions should begin on predetermined dates, would greatly facilitate the co-ordination of the I.L.O. with the Council. There is, however, one suggestion of detail which the Governing Body would venture to make in regard to this proposed programme. It is envisaged that social questions, which may be of special concern to the I.L.O., should normally be dealt with at Session I of the Council, beginning on 1 February. The
Governing Body normally holds its budgetary session in the latter part of February and the beginning of March and it is difficult to make any substantive adjustment in the date of this meeting, since it cannot be held before the final accounts for the preceding year become available in early February and, under the Financial Regulations, the budget estimates must be submitted to the Governing Body before 15 March in order to permit of their circulation to governments not less than two months before the opening of the International Labour Conference, which has for many years begun in early June. It would, it is suggested, be a great convenience not only to the International Labour Organisation but also to the government departments concerned in a number of countries, as well as, no doubt, to some of the delegations to the Council and to the Secretariat of the United Nations, if the discussion of social questions in the Council could normally be completed by the date on which the committees of the Governing Body begin. This would be practicable if these discussions could normally be completed by a date between 15 and 20 February. The Governing Body appreciates the problems which the date of the Assembly may involve for the Economic and Social Council and therefore suggests that if the above arrangement is not feasible the whole question of dates might be the subject of mutual discussion and agreement.

44. If the Council should decide to hold sessions at still more frequent intervals in the course of the year it would be even more important, in order to enable the I.L.O. to co-operate fully with the Council, that the dates for the discussion of questions of special interest to the I.L.O. should be fixed so far as possible well in advance at mutually convenient times.


45. The Governing Body is convinced that a wider knowledge of the activities of the International Labour Organisation on the part of the various United Nations bodies which may have occasion to discuss matters relating to these activities would be of great value as a contribution towards better co-ordination. While recognising that it is in the Economic and Social Council that the annual report of the International Labour Organisation to the United Nations can most conveniently be discussed and that it is undesirable that the discussion of the report in the Council should be duplicated in other bodies, the Governing Body ventures to suggest that the distribution of the report for information to the General Assembly and to such other United Nations bodies as may be dealing with questions closely related to the activities of the International Labour Organisation would contribute to a fuller understanding of the manner in which the International Labour Organisation discharges its responsibilities.

Conclusions

46. The Governing Body hopes that the considerations set forth above will meet with general acceptance in the Economic and Social Council and the General Assembly. For its part, it renews the pledge embodied in the Constitution of the Organisation and in the relationship Agreement that the International Labour Organisation will co-operate wholeheartedly with the United Nations in the implementation of the Charter.

47. The Economic and Social Council will recall that the Governing Body, in March 1949, considered the working of the Agreement between the United Nations and the International Labour Organisation in the light of the General Assembly's decision of 14 December 1946 requiring the Council to report to it within the space of three years, after consultation with the I.L.O., on the operation of the Agreement. The Governing Body formulated a number of observations on the question, which it communicated to the United Nations. The great majority of these observations continue to be applicable and there are two of them to which the Governing Body would venture to draw special attention. These two relate to the relations between the United Nations and the I.L.O. in regard to budgetary and financial matters and to the full application of the spirit and terms of the Agreement and arrangements which have grown out of it to all subsidiary bodies and to regional arrangements.

48. On the first of these points the Governing Body noted that the consultations provided for in the Agreement as to the practicability and desirability of including the budgets of the specialised agencies in a common budget for the United Nations and the specialised agencies had taken place, and it endorsed the findings of the Administrative Committee on Co-ordination that it is apparent that the constitutional
and political prerequisites for a consolidated budget are not capable of immediate or early fulfilment. It agreed also with the findings of the Administrative Committee on Co-ordination that this increases the responsibility of each organisation to ensure by all the means within its power that available resources are wisely and prudently expended with proper regard not only to its particular interests but equally to the wider interests of the United Nations as a whole, and to this end that the different organisations should strive to give full effect to the recommendations and suggestions of the General Assembly, the Council and the Advisory Committee. The Governing Body at the same time endorsed the observations of the Administrative Committee on Co-ordination bearing upon the need for flexibility in budgetary arrangements such as would permit adjustments to be made in the budgets of the various organisations to take account of changing priorities in work programmes. The Governing Body wishes to draw special attention to the following passages of its observations:

The real problems presented by the finances of the United Nations and the International Labour Organisation at the present time are problems of financial policy and financial management the solution of which would not be facilitated by any change in the terms of the Agreement. So far as the International Labour Organisation is concerned these problems of financial policy are a constant preoccupation of the Governing Body. The financial regulations of the Organisation assign to the Governing Body important functions in connection with the budget of the Organisation. It examines annually the proposed budget submitted to it by the Director-General, and approves the estimates submitted to the Conference for adoption. It also considers at each meeting a report on the financial situation of the I.L.O. and in particular the position as regards income and expenditure. The close supervision exercised by the Governing Body over all the activities of the Organisation makes it singularly well qualified to judge of the financial resources necessary to permit of the economical and efficient discharge of the responsibilities assigned to the Organisation by its Members. While not hesitating to approve such budgetary estimates as are in its judgment necessary for this purpose, the Governing Body will continue to exercise the unceasing vigilance which it has always maintained over the expenditure of the Organisation.

Paragraph 5 of article XIV of the Agreement provides that "representatives of the International Labour Organisation shall be entitled to participate, without vote, in the deliberations of the General Assembly or any committee thereof at all times when the budget of the Organisation or general administrative or financial questions affecting the Organisation are under consideration". The International Labour Organisation attaches the greatest importance to this provision, the inclusion of which in the Agreement represented an essential condition of its consent to the examination of the budget of the Organisation by the General Assembly. The provision has not hitherto been fully applied in respect of the Advisory Committee on Administrative and Budgetary Questions, which has formulated observations on the budget of the Organisation without giving the latter's representatives an opportunity to comment on the proposed observations. The Governing Body does not doubt that the Advisory Committee, with which its representatives have maintained the happiest and most cordial relations, will recognise both the importance which the Governing Body attaches to this provision as an essential condition of the Agreement and the great mutual advantage of the fullest consultation before recommendations concerning the budget of the International Labour Organisation are transmitted by the Advisory Committee to the General Assembly.

In this connection the Governing Body is happy to note that arrangements are to be made in the near future for a joint meeting between the Advisory Committee and the A.C.C. to consider matters affecting the specialised agencies.

49. The second of the two points made by the Governing Body in its observations on the working of the Agreement which it also wishes to reiterate at the present time is that experience has shown that many of the practical problems which arise in connection with the operation of the Agreement are the result of failure on the part of subordinate bodies to appreciate fully the intention and bearing of the provisions of the Agreement and of the policies laid down by the General Assembly, the Economic and Social Council and the Governing Body of the International Labour Office. It therefore stressed the importance of ensuring that the terms of the Agreement are brought to the attention of all concerned and that any provisions necessary to secure full respect for its terms are included in the rules
of procedure of subordinate bodies. The Governing Body also considered that unless the Agreement as a whole is regarded as fully applicable to the regional activities of both organisations there can be no effective co-ordination of their work.

50. When formulating the above observations the Governing Body concluded that, while there were a number of points on which discussion might take place, should it be decided to proceed with any revision of the Agreement, it did not wish itself to propose such a revision. It considered that any attempt to revise the Agreement would deflect towards questions of competence, organisation and procedure energies which should be concentrated upon undertaking, in co-operation, the urgent substantive tasks entrusted to the International Labour Organisation by the Charter of the United Nations and the Declaration of Philadelphia. The Governing Body wishes at this time to reaffirm this view. It considers that there must be a basic stability to the system of relations between the United Nations and the specialised agencies and that the common objectives can be achieved through a loyal adherence to the principles set forth above, which are based upon existing agreements. Neither international nor national action in the economic and social field can successfully pursue long-term objectives of policy in an efficient and economical manner if the organisational arrangements agreed upon for the purpose after full consideration are subject to a constant process of re-examination and modification before there has been time to test their validity or the effectiveness of the results which they are securing. In the view of the Governing Body effective co-ordination and concentration of the effort and resources of the United Nations and specialised agencies can be achieved within the framework of existing agreements and through the effective operation of the machinery now available. The Governing Body welcomes this opportunity to place on record once again the firm determination of the International Labour Organisation to make its utmost contribution in promoting by co-operative action “social progress and better standards of life in larger freedom” and thereby in securing the practical realisation of the great objectives set forth in the Charter.

By letter of 7 August 1952 the Secretariat of the United Nations communicated to the Director-General of the International Labour Office the text of resolution 451 (XIV) relating to co-ordination of the work of the United Nations and the specialised agencies adopted by the Economic and Social Council on 28 July 1952, together with a report of its Co-ordination Committee. In deciding to continue to review each year the programmes of the United Nations and the specialised agencies, the Council asked the specialised agencies to review annually their future programmes and, in so far as practicable, to report to it in a special section of their annual reports on any major shifts in emphasis in their programmes and any major priorities they might have established for the following year.

Letter from the Director-General of the International Labour Office to the Secretary-General of the United Nations


Sir,

I have the honour to inform you that at its recent 120th Session the Governing Body of the International Labour Office noted the action taken by the Economic and Social Council at its 14th Session on the question of the adoption of United Nations priority programmes and in particular the list of priority programmes in the economic and social fields contained in paragraph 10 of the report of the Council’s Co-ordination Committee as approved by the Economic and Social Council on 28 July 1952.

In informing the Governing Body of the Council’s action I had indicated my intention to bear in mind the United Nations priority programmes when formulating my proposals for the 1954 programme of the International Labour Organisation and to place them before the Governing Body and the International Labour Conference, together with the criteria for the determination of priorities drawn up
by the Economic and Social Council, when the Governing Body and the Conference consider the budget proposals for 1954.

The Governing Body endorsed this proposal and asked me to inform the United Nations of the action taken by it and described above.

I have the honour to be, etc.,

(Signed) David A. Morse, 
Director-General.

2. Formulation of a Questionnaire by the Trusteeship Council

The advice and comments of the I.L.O. on the provisional "questionnaire on the political, economic, social and educational advancement of the inhabitants" of the Trust Territories, which had been drafted by the Trusteeship Council at its First Session, were communicated to the Secretary-General for the information of the Trusteeship Council on 3 October 1947.1

The Trusteeship Council in July 1950 referred to a Drafting Committee the task of revising the provisional questionnaire. The Drafting Committee issued its report, including a proposed revised text of the questionnaire, in March 1952.

The revised text contained the following question corresponding to question 150 of the provisional questionnaire: "State what measures have been taken during the year under review to extend the application of Conventions and Recommendations of the I.L.O. to the Territory." The revised text omitted the footnote to question 150 of the provisional questionnaire, which indicated that answers to the question might take the form of copies of appropriate extracts from reports made to the I.L.O.

Letter from the Director-General of the International Labour Office to the Secretary-General of the United Nations

Geneva, 3 June 1952.

Sir,

I have the honour to refer to the report of the Drafting Committee on the Provisional Questionnaire of the Trusteeship Council (T/L.246) dated 17 March 1952. I understand that this document, together with the comments of members of the Trusteeship Council on it, will be discussed at the 11th Session of the Council which begins next month.

The main comments of the International Labour Office on the Provisional Questionnaire were submitted in the early stages of examination of it and in particular in a letter addressed to you on 3 October 1947. There is one further point, however, to which I should like to draw your attention with a view to consideration being given to it by the Trusteeship Council. The Draft Revised Questionnaire in the form in which it appears as annexed to the report of the Drafting Committee dated 17 March 1952 (T/L.246) contains no reference such as appeared in the original Provisional Questionnaire (T.44)—see, for example, the footnote to question 150—indicating that certain information may be given in the form of copies of or appropriate extracts from reports made to the International Labour Organisation.

The I.L.O. regards it as important that something of the same character be included in the Revised Questionnaire. In this connection, the explanatory note on the subject prefaced to the Standard Form for the Committee on Information from Non-Self-Governing Territories, as revised, might perhaps be used as a model (General Assembly Records: Sixth Session, Supplement No. 14 [A/1836], pages 11 and 12). The note reads as follows:

In cases where, under the provisions of any general Convention on any economic, social or educational subject, information is transmitted to a central international

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agency by member States parties to such Convention, and information which coincides with that requested in the Standard Form is transmitted periodically to international organisations operating under the aegis of the United Nations in accordance with standing arrangements, the transmission of a copy of such information to the Secretary-General of the United Nations would be acceptable in discharge of the obligation under article 73 e in respect of that subject. Wherever relevant information exists in published form, there would be no need for the government to reproduce that information; a chapter and page reference to the publication in question (with communication of the publication itself, where necessary) would suffice.

I have the honour to be, etc.,

(Signed) David A. Morse,
Director-General.

Letter from the United Nations to the Director-General of the International Labour Office

New York, 11 August 1952.

Dear Mr. Morse,

I am directed by the Secretary-General to acknowledge the receipt of your letter of 3 June 1952, received here on 5 June 1952, relating to the report of the Drafting Committee on the Provisional Questionnaire of the Trusteeship Council. Your letter was in fact received too late to be brought to the attention of the Trusteeship Council, which on 4 June 1952 already had under consideration the report of the Drafting Committee on the Questionnaire, final action being taken on 6 June.

With regard to the question of procedure raised in your letter, may I bring to your attention that according to article 88 of the Charter the Administering Authorities shall make an annual report to the General Assembly upon the basis of the Questionnaire. These annual reports are to provide all the information on matters of political, economic, social and educational advancement called for by the Questionnaire formulated by the Trusteeship Council. They are discussed, under the authority of the General Assembly, by the Trusteeship Council.

The obligation of the Administering Authorities to present annual reports on the basis of a questionnaire is a much more precise one than the obligation of Administering Authorities to transmit certain kinds of information under article 73 e of the Charter, since the annual reports constitute an integral and important part of detailed supervision by the Trusteeship Council and the General Assembly of the conditions in the Trust Territories. It is therefore necessary that the annual reports should be self-contained documents presenting full and accurate accounts of all aspects of the situation. Of course, when the information requested by the Trusteeship Council corresponds to information supplied to the International Labour Organisation or to other specialised agencies, the Administering Authority has the right, which it would doubtless exercise, to include the same material in its annual report to the General Assembly.

Yours truly,

(Signed) Ralph J. Bunche,
Acting Assistant Secretary-General,
Department of Trusteeship and Information from Non-Self-Governing Territories.

Letter from the Director-General of the International Labour Office to the Secretary-General of the United Nations


Sir,

I have the honour to acknowledge the letter of 11 August 1952 informing me that my letter of 3 June was received too late to be brought to the attention of the Trusteeship Council before it finished its consideration of the report of the Drafting Committee on the Questionnaire. I greatly regret that I sent my letter so late, particularly as I attach great importance to the question I had raised in it.

It is because of this importance that I venture to reiterate the suggestion I had
made therein. As you are aware, the Provisional Questionnaire, itself approved by the Trusteeship Council, contained as a footnote to question No. 150 the following:

Answers to this question may be given under the following questions and may take the form of copies of or appropriate extracts from reports made to the International Labour Organisation.

Moreover, the Constitution of the I.L.O. and the procedures applied by the Governing Body to implement its reporting obligations result in the Office receiving annual reports on the existing state of application of I.L.O. Conventions in all Trust Territories. I cannot help feeling, therefore, that some reference of the nature indicated in my letter of 3 June to the effect that the transmission of a copy of the information supplied under the terms of any general Convention to a central international agency by a member State party to such Convention, containing information which coincides with that requested in the Questionnaire, would be acceptable in discharge of the obligation to the Trusteeship Council would have been appropriate. It would also have been fully in harmony with what I take to be a general desire on the part of all international agencies to avoid duplication of work by administrations of Trust Territories, so often understaffed.

In these circumstances and in view of the importance of this question I would suggest that you circulate this correspondence to members of the Trusteeship Council. I would appreciate your letting me know whether you agree with this suggestion.

I have the honour to be, etc.,
(Signed)  David A. Morse,
Director-General.

Letter from the United Nations to the Director-General of the International Labour Office

New York, 16 September 1952.

Dear Mr. Morse,

I am directed by the Secretary-General to acknowledge receipt of your letter of 27 August 1952 replying to Mr. Bunche's letter of 11 August 1952, in which the views of the Secretary-General on the subject of the Questionnaire of the Trusteeship Council were set forth.

In accordance with your request your letters of 3 June and 27 August 1952 will be circulated to the members of the Trusteeship Council.

Yours truly,
(Signed)  Victor Hoo,
Assistant Secretary-General,
Department of Trusteeship and Information from Non-Self-Governing Territories.

3. Rehabilitation of the Disabled

As a result of two resolutions concerning respectively the rehabilitation of physically handicapped persons and the rehabilitation of the blind, adopted by the Social Commission of the United Nations at its Fifth Session, in December 1949, the United Nations convened in Geneva a meeting of representatives of the United Nations, the International Labour Organisation, the World Health Organisation, the United Nations Educational, Scientific and Cultural Organisation, the International Refugee Organisation and the United Nations International Children's Emergency Fund, to consider proposals for an international programme in the field of rehabilitation of the disabled, including the blind.

The meeting, which lasted from 27 February to 3 March 1950, drew attention to the value of co-ordinated action in the development of an international programme in the field of rehabilitation, not only to avoid overlapping or duplication of activity but, more importantly, to ensure that the question of the disabled should be considered as a whole as well as in its manifold aspects. The meeting was of the opinion that as soon as
possible a technical working group of the Administrative Committee on Co-ordination should be set up to plan a co-ordinated programme in the field of rehabilitation, and matters concerning handicapped children, until such time as the United Nations set up permanent machinery to deal with the continuing needs of children.¹

On the recommendation of the Social Commission at its Sixth Session, in April 1950, the Economic and Social Council at its 11th Session (July 1950) adopted resolution 309 E (XI) requesting the Social Commission, inter alia, "to plan jointly with the specialised agencies and in consultation with the interested non-governmental organisations a well co-ordinated international programme for rehabilitation of handicapped persons".

By letter of 17 October 1950 the International Labour Office forwarded to the Social Commission of the United Nations a memorandum supplementing the information contained in the reports of the meeting mentioned above. After recalling decisions of the International Labour Conference and publications of the International Labour Office having a bearing on the prevention of disability due to occupational diseases the memorandum stated:

In the view of the I.L.O., the main object of rehabilitation should be to enable the handicapped person whenever possible to obtain employment on the same conditions as those applicable to the able-bodied. Consequently, it is, in most cases, neither possible nor desirable to separate action on vocational guidance, vocational training and retraining and placing in employment for the handicapped from such action for able-bodied workers. Both categories of workers receive the same kind of guidance, are trained or retrained as far as possible in the same schools, workshops, etc., and are placed in employment through the same services. It is, of course, recognised that those who administer these services should be trained in the special needs of the handicapped. It is also recognised that there are special problems concerning certain categories of the handicapped, such as the blind, the tuberculuous, the severely handicapped, etc., which necessitate special methods.

One or two points may be added here to the information contained in the reports of the meeting of February-March 1950. At a very early stage in the rehabilitation process it is desirable that the handicapped person be given vocational guidance in order to help him to plan his vocational future. As defined in the Vocational Guidance Recommendation, 1949, vocational guidance means "assistance... in solving problems related to occupational choice and progress with due regard for the individual's characteristics and their relation to occupational opportunity" with the primary object of giving him "full opportunity for personal development and satisfaction from work, with due regard for the most effective use of national manpower resources". It may be added that the 1949 Recommendation contains special reference to the handicapped. Thus, it recommends that special attention should be given to the development, within the framework of the general vocational guidance services and in co-operation with the appropriate rehabilitation services, of adequate and appropriate arrangements for the vocational guidance of persons who have physical or mental handicaps or limitations. It also recommends that the competent national and local authorities should encourage full use of vocational guidance facilities in the case of young persons who have physical or mental handicaps or limitations.

The next step after vocational guidance is to ensure that the handicapped person receives the necessary training or retraining to enable him to do work within his capacity. The "international standards" listed in the report of the February-March meeting include the Vocational Training and Apprenticeship Recommendations of 1939. In 1950 the International Labour Conference adopted a Recommendation concerning the vocational training of adults, which lays down principles, methods and measures which, it is recommended, should be applied in the training of adults. It also recommends that these principles, methods and measures should be applied to all handicapped persons in so far as medical and educational conditions permit, and it suggests a number of special measures applicable to the handicapped whenever such measures are necessary.

The third stage in the vocational rehabilitation process is placing the handicapped person in employment, and this must depend on a satisfactory organisation of the employment service. International standards on this subject have been established in the Employment Service Convention and Recommendation, 1948, which include references to disabled persons.

The Preparatory Commission of the Administrative Committee on Co-ordination decided in October 1950 to set up an ad hoc Technical Working Party on Rehabilitation, composed of representatives of the United Nations and of the specialised agencies concerned. This Working Party was entrusted with the task of preparing a programme on the lines suggested in the resolution of the Economic and Social Council.

At its Second Session, in April 1951, the Working Party agreed that a series of technical monographs should be prepared by the Secretariat of the United Nations and the specialised agencies in co-operation, each of the bodies concerned being primarily responsible for the monographs on those aspects of the work with which it was most closely concerned. The views of the International Labour Organisation on the preparation of these monographs were expressed as follows in a letter addressed on 21 September 1951 by the Director-General of the International Labour Office to the Secretary-General of the United Nations:

It is considered that the publication, The Training and Employment of Disabled Persons, constitutes a study which adequately describes the process of vocational rehabilitation of the handicapped (from co-operation between medical and vocational services to employment) as well as the fundamental standards set up by the I.L.O. in this field, and the stage reached in organisation of such services in many important countries; before being included in the series now planned, it should be brought up to date to take account of progress made since 1945.

The future programme of work of the Office provides for the preparation of a guide on the principles and methods of identification, vocational guidance, vocational training and placement of disabled persons, and of a manual on vocational guidance and training and the employment of special categories of disabled persons, such as the blind and the tuberculous, both of which documents, it would appear, could suitably form part of the series.

The specific aspects of the question for which the International Labour Organisation would expect to take responsibility are the following, given in the order in which they would be considered in the event of the Organisation producing more than one monograph:

(i) industrial hygiene and safety—prevention of industrial accidents and occupational diseases;

(ii) the administrative and technical organisation of vocational rehabilitation, including vocational guidance, vocational training and employment of the handicapped and of special categories of disabled persons such as the blind, deaf mutes, the tuberculous, epileptics, etc.;

(iii) the organisation of the rehabilitation and employment of the disabled within the framework of social security systems;

(iv) special conditions of work and sheltered employment for those handicapped who are unfit for a job in industry or for work on their own account.

At its Third Session (Geneva, 22-26 October 1951) the Working Party drew up a Co-ordinated International Programme for the Rehabilitation of Physically Handicapped Persons. On 3 April 1952 the International Labour Office, in pursuance of a decision taken by the Governing Body at its 118th Session (Geneva, March 1952), communicated this Programme to governments, requesting them to forward any observations on it, for transmission to the Economic and Social Council.

1 I.L.O.: Studies and Reports, Series E, No. 7 (Montreal, 1945).
4. United Nations Relief and Works Agency for Palestine Refugees in the Near East

Letter from the Director-General of the International Labour Office to the Director of the United Nations Relief and Works Agency for Palestine Refugees in the Near East


Dear Mr. Blandford,

At its 118th Session, which has just closed, the Governing Body of the International Labour Office placed on record the importance which the International Labour Organisation attaches to the effective co-ordination of I.L.O. and U.N.R.W.A. activities in the Middle East.

The Governing Body recalled that it had, at its 111th Session (Geneva, March 1950)—following the establishment of U.N.R.W.A.—indicated the willingness of the International Labour Organisation to co-operate with your agency in respect of certain manpower questions, and observed that there had since been contacts between the International Labour Office and U.N.R.W.A. officials and that the I.L.O. Manpower Field Office for the Near and Middle East would keep in close touch with the agency.

The I.L.O. Manpower Field Office for the Middle East is to be established at Istanbul with the co-operation of the Turkish Government and is expected to start work in the very near future. Its task will be to explore and clarify in full collaboration with the governments concerned the needs of the countries of the region for advisory assistance in the manpower field; to assist the governments in formulating their requirements for such assistance; to provide forthwith such assistance as may be appropriate and within the technical capacity of the Office; to arrange with I.L.O. headquarters for provision of assistance requiring additional experts; and to direct, co-ordinate and generally supervise the activities of the I.L.O. on manpower questions in the region.

The Governing Body had been informed of the consideration recently given by the Administrative Committee on Co-ordination to the question of co-operation between the specialised agencies and the United Nations Relief and Works Agency for Palestine Refugees and of the importance you attach to such co-operation. It noted that such co-operation would be of particular importance in the months ahead in view of the extensive programme for establishing refugees in small industries which is envisaged by your agency, and that the implementation of such a programme would involve questions of employment service organisation and training.

The Governing Body also reiterated the willingness of the International Labour Organisation to co-operate with you by furnishing assistance on matters within the Organisation's competence and asked me to continue to maintain contact with you with a view to ensuring that the I.L.O. is associated with U.N.R.W.A. projects on matters within the Organisation's field of competence and so that I.L.O. assistance may be effectively related to the total assistance given by the United Nations and the specialised agencies to Palestine refugees.

In bringing the above decisions to your attention, I am happy to assure you once again of my keen desire that the Organisation should do everything possible to help you in your work. I shall, to this end, tell the I.L.O. Manpower Field Office for the Near and Middle East that I wish it to pay special attention to the co-operation it can give you. Moreover, I shall at any time be most pleased to receive from you any suggestions you may wish to make for the closer co-ordination of our activities and for closer co-operation between us.

Sincerely,

(Signed) David A. Morse,
Director-General.

Council of Europe

Agreement between the International Labour Organisation and the Council of Europe

By letter of 22 February 1952 the International Labour Office communicated to the Secretary-General of the United Nations a certified copy
of an Agreement between the International Labour Organisation and the Council of Europe.

The Agreement came into force, in accordance with the provisions of article 12 thereof, on 23 November 1951.

The text of the Agreement is as follows:

Whereas the International Labour Organisation, as a universal organisation, attaches the greatest importance to the maintenance and advancement in the social and labour field of world standards based on the principles set forth in the Constitution of the International Labour Organisation and the Declaration of Philadelphia, and, while co-operating with the United Nations in the maintenance of international peace and security remains outside political controversy between nations or groups of nations, and is at the disposal of all its member nations to co-operate with them either severally or through regional organisations of which they are Members in implementing, in the light of the world standards evolved through the International Labour Organisation, the objectives for which the International Labour Organisation itself exists,

and

Whereas the Council of Europe is a regional organisation the aim of which is to achieve a greater unity between its Members for the purpose of safeguarding and realising the ideals and principles which are their common heritage and facilitating their economic and social progress, this aim being pursued through the organs of the Council by discussion of questions of common concern and by agreements and common action in economic, social, cultural, scientific, legal and administrative matters, and in the maintenance and further realisation of human rights and fundamental freedoms,

Therefore the International Labour Organisation and the Council of Europe,

Wishing to co-ordinate their efforts to give effect, within the terms of the Charter of the United Nations, the Constitution of the International Labour Organisation, the Statute of the Council of Europe and other applicable instruments, to their respective principles and objectives,

Desirous of avoiding unnecessary duplication and overlapping and of facilitating concentration of efforts with a view to securing the most effective use of the resources available to all international and regional organisations,

Have agreed upon the following:

**ARTICLE 1**

**Mutual Consultation**

1. The International Labour Organisation and the Council of Europe will consult regularly on matters of common interest for the purpose of realising their objectives and of co-ordinating the discharge of their respective functions.

2. The International Labour Organisation will inform the Council of Europe of any plans for the development of its regional activities in Europe or of other activities of special interest to the Council of Europe, and will consider any observations concerning such plans which may be communicated to it by the Council of Europe with a view to accomplishing effective co-ordination between the two organisations. The Council of Europe will likewise inform the International Labour Organisation of any plans for the development of its activities in regard to subjects of interest to the International Labour Organisation and will consider any observations concerning such plans which may be communicated to it by the International Labour Organisation with a view to accomplishing effective co-ordination between the two organisations.

3. The Governing Body of the International Labour Organisation may invite the Committee of Ministers to appoint a representative of the Council of Europe to consult with the Governing Body or any other organ of the International Labour Organisation on any matter of common interest arising in the course of its deliberations. The Committee of Ministers of the Council of Europe may likewise invite a representative of the International Labour Organisation to consult with the Committee or some appropriate organ of the Council designated by the Committee on any matter of common interest arising in the course of its deliberations.
4. Appropriate arrangements will be made by consultation between the two organisations to ensure that the organs of the Council of Europe are fully informed concerning relevant activities of the International Labour Organisation when they are considering questions which have a bearing on these activities.

5. Appropriate arrangements shall be made by agreement from time to time between the two organisations for their reciprocal representation at other meetings convened under the auspices of one of them which consider matters in which the other organisation has an interest.

6. When circumstances so require, further consultation will be arranged between representatives of the two organisations to agree upon the most effective manner in which to organise particular activities and to secure the fullest utilisation of the resources of the two organisations.

**ARTICLE 2**

**Proposal of Agenda Items**

1. Subject to such preliminary consultation as may be necessary, the Committee of Ministers of the Council of Europe may, on its own initiative or at the request of the Consultative Assembly, propose items for inclusion in the agenda of the Governing Body of the International Labour Office.

2. Subject to such preliminary consultation as may be necessary, the Governing Body of the International Labour Office may propose items for the agenda of the Committee of Ministers of the Council of Europe, including proposals that items be included in the agenda of the Consultative Assembly of the Council of Europe.

3. Each organisation will have recourse to the provisions of this article for the purpose of referring to the other organisation matters which it considers can most appropriately be dealt with by that organisation.

**ARTICLE 3**

**Regional Tripartite Meetings**

1. With a view to securing the fullest co-operation between the two organisations in regard to any European regional meetings of a tripartite character which may be desirable, the following arrangements will be applied.

2. Whenever the Committee of Ministers of the Council of Europe deems it necessary to hold a European regional meeting of a tripartite character to deal with matters of interest to the Council of Europe which are within the sphere of action of the International Labour Organisation, it shall propose to the Governing Body of the International Labour Office, in accordance with article 2 of this Agreement, that the latter convene such a meeting.

3. The International Labour Organisation will invite the Committee of Ministers to appoint a representative of the Council of Europe to participate in meetings of the Governing Body at which the arrangements for and reports of European regional meetings of a tripartite character as mentioned in the preceding paragraph are discussed.

4. The International Labour Organisation will invite the Committee of Ministers to appoint a representative of the Council of Europe to attend European regional meetings of a tripartite character convened on the initiative of the International Labour Organisation itself.

**ARTICLE 4**

**Regional Technical Meetings**

1. The International Labour Organisation and the Council of Europe will consult together to ensure the greatest possible degree of co-ordination in regard to meetings of technical experts concerning questions in which both organisations have an interest.

2. The International Labour Organisation and the Council of Europe may, in appropriate cases, agree to sponsor, on terms to be arranged in each particular case, joint meetings of technical experts concerning questions in which both organisations have an interest. The manner in which action proposed by such joint meetings is undertaken shall be agreed between the two organisations.
ARTICLE 5

Technical Assistance

1. The Council of Europe may ask the International Labour Organisation for technical assistance on matters within the sphere of the International Labour Organisation whenever technical examination of such questions is desirable for the purposes of the Council of Europe.

2. The International Labour Organisation will make every effort to give all appropriate technical assistance to the Council of Europe in regard to such matters in a manner to be agreed in such cases as may arise.

ARTICLE 6

Statistical and Legislative Information

The International Labour Organisation and the Council of Europe will seek the greatest possible co-operation to eliminate all unnecessary duplication of work; they will combine their efforts to obtain the best use of statistical and legislative information and to ensure the most effective utilisation of their resources in the assembling, analysis, publication and diffusion of such information with a view to reducing the burden on the Governments and other organisations from which such information is collected.

ARTICLE 7

Exchange of Information and Documents

1. Subject to such arrangements as may be necessary for the safeguarding of confidential material, the fullest and promptest exchange of information and documents concerning matters of common interest shall be made between the International Labour Organisation and the Council of Europe.

2. The Council of Europe will be kept informed by the International Labour Organisation of developments in the work of the International Labour Organisation which are of interest to the Council of Europe.

3. The International Labour Organisation will be kept informed by the Council of Europe of developments in the work of the Council of Europe which are of interest to the International Labour Organisation.

ARTICLE 8

European Specialised Authorities

The Council of Europe will discuss with the International Labour Organisation the most appropriate arrangements for co-operation between the International Labour Organisation and any European specialised authorities operating under the auspices of the Council of Europe with regard to matters in which the International Labour Organisation has an interest, and will facilitate the conclusion of any necessary supplementary arrangements for co-operation between the International Labour Organisation and such specialised authorities.

ARTICLE 9

Administrative Arrangements

The Director-General of the International Labour Office and the Secretary-General of the Council of Europe will make appropriate administrative arrangements to ensure effective collaboration and liaison between the staffs of the two organisations.

ARTICLE 10

Financing of Special Services

If compliance with a request for assistance made by either organisation to the other would involve substantial expenditure for the organisation complying with the request, consultation shall take place with a view to determining the most equitable manner of meeting such expenditure.
ARTICLE 11
Implementation of the Agreement

1. The Director-General of the International Labour Office and the Secretary-General of the Council of Europe will consult with each other regularly upon questions arising under the present Agreement.

2. The Director-General of the International Labour Office and the Secretary-General of the Council of Europe will make all necessary arrangements to co-operate in their examination of any technical questions of common interest which may be requested of them by the International Labour Organisation or the Council of Europe.

3. The Director-General of the International Labour Office and the Secretary-General of the Council of Europe may enter into such supplementary arrangements for the implementation of this Agreement as may be found desirable in the light of the operating experience of the two organisations.

ARTICLE 12
Entry into Force, Modification and Duration

1. The present Agreement will enter into force from the date on which it is approved by the Governing Body of the International Labour Office and by the Committee of Ministers of the Council of Europe.

2. The Agreement may be modified with the consent of the two parties.

3. Either of the parties may denounce the Agreement by giving six months' notice to the other party.

By letter of 19 March 1952 the Director-General of the International Labour Office informed the Secretary-General of the Council of Europe that at its 118th Session the Governing Body of the International Labour Office

decided that in application of paragraph 3 of article 1 of the Agreement between the Council of Europe and the International Labour Organisation, which concerns Council of Europe representation at I.L.O. meetings, the Committee of Ministers of the Council of Europe should be regularly invited to make arrangements for the Council of Europe to be represented at future sessions of the Governing Body and of the International Labour Conference.

Such invitations will accordingly be addressed to you on an official basis in respect of future meetings.